

**City of Scio  
City Council Minutes  
February 13, 2023**

**LOCATION:** SCIO CITY COUNCIL CHAMBER, 38957 NW 1<sup>ST</sup> AVENUE, SCIO  
Public was allowed to attend in person or via Zoom.

**Time Start:** 6:00 P.M.

**Time End:** 7:38 P.M.

**CALL TO ORDER**

The meeting was called to order at 6:00 pm by Mayor Debbie Nuber. Everyone stood for the Pledge of Allegiance. Roll call was taken by Cathy Martin, Administrative Assistant.

**COUNCIL MEETING ATTENDANCE LOG**

COUNCIL	SCIO STAFF
Mayor Debbie Nuber	Ginger Allen, City Manager
Councilor Karen Eckhart	Cathy Martin, Administrative Assistant
Councilor Joey Ferguson	Tre' Kennedy, City Attorney – Via Zoom
Councilor Tom Gray	LaVonne Murray, Librarian
Councilor Tom Meyer	
Councilor Dennis Shaffer	
Councilor Luke Zedwick – Via Zoom	

**AUDIENCE MEMBERS IN ATTENDANCE**

Sgt. Steve Frambes, Linn County Sheriff's Office	Kendra Kimbrauskas
Lea Hackler	Rebecca Shaffer
Christina Eastman	Steve Ellis
Carlea White	

AGENDA	ACTIONS
<p><b><u>CONSENT AGENDA</u></b></p> <ul style="list-style-type: none"> <li>• January 9, 2023 City Council Minutes</li> <li>• January 2023 Statement of Revenue &amp; Expenditures</li> <li>• January 2023 Payment Journal</li> <li>• April 2022 Planning Commission Minutes</li> </ul>	<p>Eckhart – asked about the \$15K from Pacific Power for the city shop. Allen stated that there were additional charges. Shop will require a generator that will provide full electrical support when there is a power outage.</p> <p>Motion from Councilor Gray, seconded by Councilor Eckhart, to approve the Consent Agenda as presented. <b>Motion passed 6 yeas : 0 nays</b></p>
<p><b><u>Coerrespondence</u></b></p> <ul style="list-style-type: none"> <li>• North Santiam Gleaners</li> <li>• Meals on Wheels Program</li> </ul>	<p>Both thanked the city for the contribution to their programs</p>
<p><b><u>PRESENTATIONS</u></b></p> <p><b>Linn County Sheriff's Report</b></p> <p>a. January 2023 Report – Sgt Frambes</p>	<p>Sgt. Frambes reported one vehicle break-in, domestic violence incident, one individual at school. Working with the school to work on a plan for that student.</p>

<p>b. Council Discussion</p>	<p>Council thanked Sgt. Frambes for the graphs showing statistical comparisons with other cities in Linn County.</p> <p>Mayor Nuber asked about the vehicle break-in. Sgt. Frambes did not have further information on the report. This was a broken window, which is rare these days.</p> <p>Frambes reported that there are a number of new deputies that are on the road. The new deputies will not have Scio historical data. Sheriff's office hopes to have more patrol deputies on duty this summer.</p>
<p><b>Library Report</b></p> <p>a. Presentation by LaVonne Murray, Librarian</p>	<p>Ms. Murray updated the council on events happening at the library.</p> <ul style="list-style-type: none"> <li>• Storytime – Kindergarten &amp; 1<sup>st</sup> grade, and the preschool class visits are going well.</li> <li>• STEM Day – occurs monthly on 1<sup>st</sup> Friday – next month they are going to explore film.</li> <li>• Genealogy 102 – just finished.</li> <li>• Genealogy 103 – will start March</li> <li>• Library 75th Anniversary - Start March 13th Finishing June 17<sup>th</sup>.</li> </ul> <p>Nuber thanked her for her report</p>
<p><b>REGULAR SESSION</b></p> <p><b>Resolution No. 23-01 – Unanticipated Revenue</b></p> <p>a. Staff Report – Ginger Allen</p> <p>b. Council Discussion</p> <p>c. Council Decision</p>	<p>Ms. Allen stated that Resolution 23-01 – unanticipated revenue coming into the city. The city has to adopt the receipt of funds from the Friends of the Scio Public Library to pay for library shelving.</p> <p>Council asked Ms. Allen to read the Resolution by title only.</p> <p>A motion to approve the Res. No. 23-01 as read, was made by Councilor Eckhart and seconded by Councilor Meyer, as presented.</p> <p><b>Motion passed by a vote of 6 years : 0 nays</b></p>
<p><b>Budget and Scio Parks Advisory Committee Appointments</b></p> <p>a. Staff Report – Ginger Allen</p>	<p>Ms. Allen stated that she was pleased to announce that there were several people willing to serve on the committees for the city. Rebecca Shaffer and Jack Lowers to the Parks and Tree Committee.</p>

<p>b. Council Decision</p>	<p>Carlea White has volunteered to serve on the budget committee.</p> <p>Nuber asked the council if everyone was in favor of appointing Rebecca Shaffer and Jack Lowers to the Parks and Tree Advisory Committee.</p> <p><b>Approved by a vote of 6 yeas :0 nays</b></p> <p>Carlea White budget Committee</p> <p><b>Approved by a vote of 6 yeas :0 nays</b></p>
<p><b>House Bill No, 2667</b></p> <p>b. Staff Report – Dennis Shaffer</p> <p>c. Council Discussion</p>	<p>Councilor Shaffer stated that he was contacted by Kendra (Kimbiraskas) about the bill to slow down the chicken farm in Jordan. They are asking the city for a letter of support.</p> <p>Shaffer stated that he thought public comment should be heard.</p> <p>Shaffer has a copy of the letter from the City of Aumsville.</p> <p>Ferguson asked if it was the Aumsville City Council. A copy of the letter was to be added to the record.</p> <p>Councilor Shaffer read the bill to the council. Statements contradict each other. Shaffer stated that he was unsure how close this facility will be to schools in Jordan. It could have an impact inside the city with truck traffic. Unsure about water impact on Thomas Creek.</p> <p>Nuber ask about the impact of water will affect ranchers. Represent both sides. Disappointed that we are back to this point.</p> <p>Meyer liked Eckhart’s original comment. As the city. Everyone has a personal right to write a letter on any issue they wish.</p> <p>John Kennedy asked for a quick summary. Allen stated that last time information was presented from both sides. Data was provided for backup. Kennedy – appears that the council is asked to support bringing the bill forward to the legislative floor for discussion. It is a state and county issue. Understanding is for the city of Scio to take a position, so that it can be brought to the floor. The letter shouldn’t necessarily take a position for or against the bill itself. Kennedy asked council if the city wants to take a position.</p>

Zedwick – willing to support a letter. Heard voices on both sides.

Ferguson – reported on her attendance at the field trip. Was asked directly if the city of Scio had taken a position. Ferguson stated that the city's position is important.

Eckhart said that this also has to do with renewing CAFO licenses.

Allen asked to open for some Q& A

Kendra Kimbirauskas, 39046 Richardson Gap Rd, this bill is asking to take a pause. No air rules, livestock watering exemption. Counties have no authority. Tweaks to different laws that need to happen. Asking for a pause, expanding existing permits or new permits.

Allen – Senate Bill 399 – interlinked. People have different opinions.

Allen asked why did it failed when it went before the legislature in 2019? Kimbirauskas stated that it never had a hearing.

Ferguson asked why do these industries choose locations by waters? or creeks?

Kimbirauskas stated that it is more of the characteristics of the land, location, water and access to highways.

Kennedy – water use – relates to chickens and dairies – this is where the big water usage is the mega dairies.

Christina Eastman, 37309 Jefferson Scio Drive, - understand county/state problem – Location in Jordan is on Thomas Drive – near the creek. Need to protect the creek. 13.5M chickens within 12 miles of Scio

Allen asked to give an example of the size you are talking about in regards to smell.

Kimbirauskas stated that odors will depend on the cycle of birds. Outside of Molalla – 4 barns – odor not a problem – when they get to a certain size and cleaning of the barns. Cumulative impact.

Eastman stated that 700K chickens at one time will be processed. Barns won't all have concrete floors. Why invite this into our town.

Kennedy asked if the smell is based on ammonia.

Kimbirauskas responded ammonia and particulate matter. Barns have fans that blow it outside. There is flock die-off every cycle.

Kennedy stated that Christina has complaint in Linn County, this is appropriate – isn't that the proper arena?

Kimbirauskas – making the issue that the problem is the state laws are poor. If the rules are adequate, then fine, permits are coming quicker.

Kennedy commented that it was surprising that it didn't get a hearing last time. It is being pushed in the right way, simply asking that the Scio City Council urge a full hearing at the state level. City has no power only to urge.

Meyer spoke about the discussion from previous meeting – food issues – fear factor – look at it that they are in business and if they pass the rules.

Ferguson – agree – but you have the same rules as the small farmer.

Shaffer what will it do to the roads.

Gray – how did you come up with the number of trucks.  
Kimbirauskas – comes from a town in Nebraska.

Ferguson asked Kennedy what exactly the bill is saying – Bill gives the state and county the ability to restrict all of the mega farms. Think it is saying, that they may not renew or give any new licenses pending – kind of goes after the mega farm. Addressing specific things. Not sure what the mechanism is. What is the mechanism that would let them.

Ferguson asked if Kimbirauskas would address what the mechanism is. Kimbirauskas – size. No more until we get things figured out.

Allen – have other cities been asked about writing a letter and if so, who? Kimbirauskas Stayton, Albany, councils are in process. Aumsville.

Allen are their letters requesting to get the bill to the floor for discussion?

Ferguson – what good can come from the pause?

d. Council Decision

Kimbrauskas – The Jefferson Scio Drive parcel would go through, it would stop the two additional properties

Kennedy read over the proposed bill – it would prohibit the DOA and DEQ from issuing CAFOs for any farm making changes, new, or expansion would be denied. No sunset clause at this time.

Nuber – asked if the farm in Jordan was already operating. Kimbrauskas – all are new.

Zedwick – Want to create a level playing ground. Concern, perhaps Linn County is being selected because we don't have the boundaries. Additional – companies do not have to care about the local – as they are so big. Want to preserve our way.

Starla Becker-Tillinghouse, 41546 Highway 226, is in opposition based on other states that have sued these types of farms due to river contamination. Worried about runoff. Smaller farms do not have a lot of impact.

Eckhart – did Mr. Simon say that the barns were concrete. Allen stated – yes concrete.

Kennedy – only need a motion to have a letter written.

Zedwick asked if the city could get copies of the letters from the other cities.

A motion to write a letter in support of the bill coming out of committee and getting a full and fair hearing was made by Councilor Ferguson, and seconded by Councilor Gray, as presented.

Eckhart asked if the bill could be indefinite or would it have a sunset. It was noted that it currently does not have a sunset clause.

Role Call Vote:

Meyer - yes

Gray - yes

Eckhart - no

Ferguson - yes

Shaffer - yes

Zedwick - yes

**Motion passed 5:1 – Eckhart casting dissenting vote**

**COMMUNICATIONS FROM CITY STAFF**

a. City Manager’s Report

Ms. Allen reviewed the City Manager’s report dated February 8, 2023

- PW Shop Update – moving along – facing hurdles weekly – product, Pacific Power was holding up installation, after phone calls moved up to last Friday – a letter will be written thanking them for moving this up. The contractor will be starting the boring under the street for the power installation. Hope to have grand opening end of March first of April, working hard to meet the deadline.
- Public Restroom – Design phase – ran into glitch, city has to have a commercial site plan, puts us back about 2 ½ weeks. Still on schedule to install in June.
- Parks and Tree Committee Update – committee meeting will be scheduled. Open to public. Committee will be discussing Thomas Creek Park. Park is still a mess, cannot work on it as the ground is too soft.
- NW 1<sup>st</sup> Avenue Safe Routes to School Grant Meeting – moving forward, will be talking with Steve Martinelli, Scio School Superintendent. Hope to get off the ground as soon as school end.
- Water line break – last week occurred because of tree roots. At least 4 places around town have had to replace meters. One place twice. Will be reaching out to the city insurance company with questions. Pipes are aging. With the parks and tree committee, we can adopt a Tree List to give options for replacements.

b. City Attorney’s Report

Kennedy stated that there is a lot of discussion regarding issues relate to camping/camping ordinances – city fortunate that it does not have a campground. Lot of lawsuits against cities – not keeping sidewalks up. Be aware. Respond to known problems

Kennedy asked if the council wanted the letter to go to the Legislatures or to everyone on the committee. It was decided to send to the legislatures and the committee members.

**ITEMS FROM THE COUNCIL**

a. Councilor Meyer

None

b. Councilor Gray

Thank you to the volunteers

<p>c. Councilor Eckhart</p> <p>d. Councilor Ferguson</p> <p>e. Councilor Shaffer</p> <p>f. Councilor Zedwick</p> <p>g. Mayor Nuber</p>	<p>Thank volunteers, is the council rules work session on March 6th – Allen yes.</p> <p>Appreciate Lavonne coming to the meetings and hearing about what is happening.</p> <p>Welcomed Ginger back, thank you volunteers, he advised the council that he would be having surgery a week from Wednesday. Everyone wished him well.</p> <p>Appreciate being on council, honor to serve</p> <p>Reported on the Small Cities Meeting, Friday, February 10th – several small cities reported problems with homeless as they are situated near public forest. Thankful that we did not have those issues</p> <p>Kennedy – read proposed letter.</p> <p>February 13, 2023, the City of Scio discussed House Bill 2667 relating to Controlled Animal Feeding Operations. The City of Scio is in the vicinity of multiple applications related to proposed chicken farms that would be affected by House Bill 2667. The City of Scio believes the issue deserves a full and fair hearing in front of the entire legislative body. Scio urges the House Committee on Agriculture, Land Use and Natural Resources to schedule hearings, hear testimony and evidence and move House Bill 2667 to the House floor for debate and discussion.</p> <p>Council members state that it sounded good. Zedwick stated that he still wanted to hear what some of the other cities have written.</p> <p>Allen was to send Aumsville letter to Kennedy.</p>
<p><b><u>PUBLIC COMMENTS</u></b></p> <p>a. None</p>	