

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

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

Time Start: 6:00 P.M.

Time End: 8:37 P.M.

CALL TO ORDER

The meeting was called to order at 6:00 pm by Council President Joey Ferguson. 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 - Excused	Ginger Allen, City Manager
Councilor Karen Eckhart	Cathy Martin, Administrative Assistant
Councilor Joey Ferguson	Tre' Kennedy, City Attorney – Via Zoom
Councilor Tom Gray - Absent	LaVonne Murray, Librarian
Councilor Tom Meyer	
Councilor Dennis Shaffer	
Councilor Luke Zedwick	

AUDIENCE MEMBERS IN ATTENDANCE

Sgt. Steve Frambes, Linn County Sheriff's Office	Steve Ellis
Jocelyn Waggoner	May Garland – Zoom
Roger Gaither – Zoom	Rebecca Shaffer
Katrina Clouse - Zoom	Starla Becker-Tillinghast
Kendra Kimbirauskas	Mandy Boyer
Lucie Gouin	Art Poulos

AGENDA	ACTIONS
<p><u>CONSENT AGENDA</u></p> <ul style="list-style-type: none"> • February 13, 2023 City Council Minutes • February 2023 Statement of Revenue & Expenditures • February 2023 Payment Journal • 	<p>Motion from Councilor Eckhart, seconded by Councilor Shaffer, to approve the Consent Agenda as presented. Motion passed 4 yeas / 0 nays</p>
<p><u>Correspondence</u></p> <ul style="list-style-type: none"> • Scio Public Library 75th Anniversary Celebration • Starla Becker-Tillinghast Letter to Council 	
<p><u>PRESENTATIONS</u></p> <p>Linn County Sheriff's Report</p> <p>a. February 2023 Report – Sgt Frambes</p>	<p>Sgt. Frambes made corrections to the report. The Complaints - 46 and 73 hours.</p> <p>One arrest, same individual they have been dealing with. Very quiet in February, quiet is good.</p>

<p>b. Council Discussion</p>	<p>Shaffer stated there was lots of warnings. Frambes stated that these calls all occurred within the city limits.</p> <p>No questions. Staffing is improving, new officers are getting through the process and out on the road by themselves.</p> <p>Frambes stated that as the weather gets better, code enforcement issues come to the front. Send these issues to him.</p> <p>Council thanked him for everything.</p>
<p>Library Report</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"> • Library 75th Anniversary – today was the kickoff for the celebration. Once a week – 75th item checked out in the library will receive a door prize. • The Salem Reads Art Exhibit is here for the community to enjoy during the month of March. • Storytime – preschool, kindergarten, 1st grade and LBCC preschool are all visiting the Library. • Evergreen School has come and used the library • STEM Day – occurs monthly on 1st Friday – this month they experimented with film. • Genealogy 103 – • New Shelving in the Library – Trust Management Grant and the Friends of the Library helped purchase all of them. Allen added, that if anyone knows any members of the friends, that they should thank them for their contribution.
<p>REGULAR SESSION</p> <p>Budget Committee Appointment</p> <p>a. Staff Report – Ginger Allen</p> <p>b. Council Decision</p>	<p>Ms. Allen stated that Mandy Boyer has volunteered to serve on the Budget Committee. Her application was provided to the council.</p> <p>Ferguson asked the council if everyone was in favor of appointing Mandy Boyer to the budget committee.</p> <p>Approved by a vote of 4 yeas / 0 nays</p>
<p>Small Municipal Agency Coalition</p> <p>a. Staff Report – Ginger Allen</p>	<p>Ms. Allen introduced Scott McDowell, Brownsville City Administrator. Mr. McDowell reviewed a PowerPoint presentation with the council.</p>

b. Council Discussion

Zedwick asked if this is where you have a lobbyist.

McDowell each councilor needs to be at the table. Need to have a relationship with our legislatures.

Zedwick asked if the consortium would be providing alert.

Allen added that Mr. Tate would be providing the education to the elected officials. Teach you how to look up bills and decisions made by the Oregon legislative branch, especially items that affect in rural Oregon. As an elected official, you must find out what the truth is on items brought before you. This will educational process will help all of us become more informed, a better councilor and advocate for Scio. Scio's fee is currently proposed to be \$1,000. There are 5 cities currently working on this coalition. SMAC would be entering into a 1-year contract with Mr. Tate. Mr. McDowell stated that he is working to get more cities to join the effort, so that the cost for each city would be reduced, Mr. Tate is charging \$1,000 per month.

Ferguson allowed the audience to ask questions regarding the SMAC proposal.

Art Poulos, Thomas Creek Drive, asked if Stayton would be considered a small city? McDowel stated that a small city can be almost any city. City of Albany had an issued that was also important to us as small cities, then it makes sense to join together on the issue. He said if we had to put a parameter on the group, then 10K and under population, but don't necessarily want to do that.

Tre' Kennedy asked if the City of Albany joined, would they pay more? McDaniel stated that it would be based on population.

Eckhart asked if this was a 1-time training fee or an annual fee? McDowell stated that this would be a 1-year agreement, at the end of the year, we would assess the situation and determine if we wanted to continue the services.

Shaffer asked when start? McDowell as early as May. He would like to get everyone on board by end of April, want to have it established before the end of the fiscal year.

Zedwick asked if 30 communities came on board, how do they set priorities. McDaniel stated that this is where Mr.

Tate would come into play. Zedwick would be nice to be able to be pro-active instead of re-active. The more cities that join, the better we are.

Ferguson, how much we pay to the League of Oregon Cities?

Allen stated that the reason Scio left the Council of Governments, was that they were not paying attention to the small city needs. Allen spoke regarding the improvements the cities have made with the Linn County Sheriff’s Office and Linn County Planning & Building Department. McDowell stated that by joining together we are stronger.

Martin reported that the city paid \$901.46 to LOC last year and have received a preliminary dues statement of \$952 for next Fiscal Year.

Kennedy stated that the League of Oregon Cities (LOC) does a good job on state level, but doesn’t get involved on big vs little. McDowell stated that there is lots of intrinsic value in training that they offer.

Zedwick – do any organizations include elected officials. McDaniel – LOC – elected officials, lots of the committees at the state level are elected officials. This effort will be both council and staff. Advocacy can be better served by elected officials. Managers carry out the will of the council.

May Garland, 38795 N Main Street, asked how the group will be organized. McDowell through intergovernmental agreement.

Eckhart asked if there was money in the budget to pay for this expense. Allen stated that there was.

Motion from Councilor Zedwick seconded by Councilor Meyer to join the Small Municipality Advocacy Coalition, for a fee of \$1000 for one year.

Motion passed 4 yeas / 0 nays

c. Council Decision

Council Email Accounts

a. Staff Report – Ginger Allen

Ms. Allen addressed the council regarding the need for corresponding with members of the council on items of a personal nature. Currently using personal emails, recommend using city email.

<p>b. Council Discussion</p> <p>c. Council Decision</p>	<p>The new emails would be on a city IT Service.</p> <p>Kennedy stated that this makes it easy for public records requests. Suggested to have training on fishing – dos and don'ts regarding ransomware.</p> <p>Motion from Councilor Shaffer, seconded by Councilor Zedwick, to approve council email accounts.</p> <p>Motion passed 4 yeas / 0 nays</p>
<p>Scio Water System Letter – February 28, 2023</p> <p>a. Staff Report – Ginger Allen</p> <p>b. Council Discussion</p>	<p>Ms. Allen apologized for sending our letter prior to the council receiving an email. First and foremost, the city water is safe.</p> <p>The city completed the follow-up tests, failed to send the completed report at the proper time.</p> <p>Letter was approved by the Linn County Health Department, letter sent to every water user. This was a compliance issue.</p> <p>Shaffer asked if false positives are a frequent test. Allen stated that they are, she also noted that the city's water is provided by a well, we do not treat the water.</p>
<p>Scio Public Works Shop Dedication Plaque</p> <p>a. Staff Report – Ginger Allen</p> <p>b. Council Discussion</p>	<p>Ms. Allen asked the council to review the sample plaque. Correct Dennis Shaffer's name.</p> <p>Ferguson liked the recognition of the Honorary Mayor and Council Member.</p>
<p>City Hall Status/PW Shop Area</p> <p>a. Staff Report – Ginger Allen</p> <p>b. Council Discussion</p>	<p>Ms. Allen reviewed memo handed out at the council meeting. (Memo Attached) Allen stated that the question is the replacement of the entire roof. The insurance company has stated that the entire roof must be replaced. If the city doesn't replace the roof, the insurance coverage would go to actual value on the entire contents. The city would not be allowed to use the shop area.</p> <p>The city has had discussions in the past to replace City Hall. We already know that there are seismic issues with the building.</p> <p>Meyer asked how old the building was. Martin stated that it was built in 1962.</p>

Meyer asked when the PW Shop was going to be completed? Allen stated that we are supposed to be able to begin occupying the new building the end of March. Meyer asked about cutting the shop portion off this building once they are out, put up a new wall and covering it, if that would satisfy the insurance company.

Allen stated that the insurance company has stated that they want the entire roof replaced, not just the roof above the shop. Although we can ask.

Eckhart asked about previous discussions the council had about not wanting to put more money into this old building. She asked if there was room in the old city shop for office staff to move into? At one time discussion was held about moving the library into the old SMTA building, is this still an option?

Allen stated that is a possibility.

Kennedy asked if this was discussions with CIS, did they send someone out? Allen stated that there were 2 different companies that inspected the building for the insurance company over past 3 years. Kennedy asked about taking look at private carrier.

Kennedy asked Allen to highlight the options.

- Complete roof replacement – keeps insurance coverage on the building and contents within the building as is – payments based on appraised value of the building and what we are paying for in the insurance policy
- Actual cash value coverage – contents within the building would be covered (with the exception of damage as a result of roof condition) at actual cash value, the building would be covered at replacement cost minus depreciation.
- Clause would be added that no coverage as a result of the deterioration of the roof.
- Anything lost in the shop area would not have coverage.

Allen stated that she has started the bid process, to find out the cost of replacement. The city has time to go through the bid process, the bid would have to be awarded and the project started before July 1st to satisfy CIS.

Staff will obtain as much information as possible prior to the April 10th meeting.

HB 2667 Council Letter

a. Staff Report – Ginger Allen

Kennedy addressed the council. Since last meeting this bill has been rolled into SB 85. They have had 2 public comments. Extended receipt of written comment through March 15th. Does now have a sunset clause. Has requirements for the departments to report back to the legislature. Essence of bill is same as was discussed at last meeting. Because of the change, letter does not make sense as originally directed.

Does city want to take a position.

b. Council Discussion

Eckhart handed out email from Jamie Cate to the council. Council members,

Ferguson asked how this would hurt family farms. Eckhart stated that it applies to all types of animals.

Kennedy stated that the bill as modified does affect a business that wants to expand.

Zedwick asked about renewals.

Ferguson asked why so many changes? Kennedy stated that they just combined the two bills.

Shaffer asked about more public testimony. Kennedy stated that the legislative committee is accepting more written testimony through March 15th.

Allen asked if this would prohibit a person from making changes.

Kennedy said that if the changes would cause them to be over limit, then that would not be allowed during sunset period. Section 3 provides that the bill will sunset in 2031.

Zedwick stated that his concern was that it got a fair hearing.

Kennedy encourage individuals to voice the individual opinion. Appears that it is getting the attention that the city wanted, to get a hearing.

Shaffer asked if the council could take public comments.

Ferguson asked that audience members limit their comments to 3-5 minutes.

Lucie Gouin, 43550 Thomas Creek Drive, trying to protect our community without harming anyone. She said they were given 90 seconds each to speak before the legislature. Ferguson asked if she supported SB85. Ms. Gouin stated yes, that the bill is about CAFO's (tier two) doesn't hurt to put on pause.

Zedwick asked how many animals does it take for a CAFO?

Kendra Kimbirauskas, 39006 Richardson Gap Rd. Definition of a CAFO in Oregon by state statute can be as little as 2 dairy cows. CAFO's cover a huge portion of farms.

Kimbirauskas stated that there are gaps in Oregon laws, on how things are cited and managed. There will be an opportunity for the bills to be amended.

Art Poulos, 43550 Thomas Creek Drive – Chicken operation in Jordan, will not be the only one in area. He said that the City Council in Stayton is concerned. He wants the legislature to take time to analyze the CAFOs. He said this bill will not affect any family farm. Encouraged city council to ask for a pause.

Zedwick asked the audience, if the testimony is currently 3 to 1, what role do you see the city playing in this.

Jocelyn Waggner, 40555 Highway 226 – stated that this is not a family farm issue, it is about factories. She was concerned with the waste, that the factory farms were taking the small family farms away from the small farmer.

Starla Becker-Tillinghast – 41546 Highway 226 – stated that what people are not aware about is that chicken manure does not have the same regulations as dairy farms. Chicken farms do not have to say what happens to the manure. Concerned with wet soil.

May Garland & Roger Gaither - 38795 N Main Street. – support bill as think increased large truck traffic will affect the city negatively. Don't think our community needs to be affected. What is the downside of sending a letter?

Ferguson closed public comment.

Shaffer asked if the city does write a letter, can we just state that we are concerned with the large farms, not the small ones. Would this be applicable.

Zedwick – farmers he has spoken to say that the issue has focused around the dairy industry – fully support pause, but concerned with the whole issue.

Ferguson asked how the council would want to move forward.

Meyer state that the city could write a letter as we are in the middle of the area that is of concern with the chicken farms.

Discussion was held on writing a letter and the language to include in the letter.

Zedwick read the letter from City of Stayton that was submitted to the State under HB2667. And asked if we can draft letter similar to city of Stayton, stating our environmental concerns.

Eckhart stated that she is opposed to SB85.

Ferguson re-opened public comment.

Ms. Kimbirauskas stated that the city might look at the letters submitted by Adrian Lulay & Morgan Krom (Oregon Cattle Women’s Association), focusing the letter on Chickens.

Kennedy asked how generic do you want it. Further discussion was held and council decided the letter would ask that the bill be modified to focus on chicken farms.

Motion from Councilor Zedwick seconded by Councilor Shaffer, to have City Attorney Kennedy draft letter on council behalf.

Motion passed 4 yeas / 0 nays

c. Council Decision

COMMUNICATIONS FROM CITY STAFF

a. City Manager’s Report

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

- PW Shop Update – completion by end of March. Staff has a series of things to finish, paint, shelving – looking at a grand opening end of April

<p>b. City Attorney's Report</p>	<ul style="list-style-type: none"> • Public Restroom – engineering design is almost complete. NNG has to move a gas line. Blazer Industries – cross fingers still possibility end of June. • Parks and Tree Committee Update – meeting is scheduled for April 11th. • NW 1st Avenue Safe Routes to School Grant Update – Engineering done, partners okayed plan, will go out to bid end of March, to start day after school finishes. • Council work session – council protocol & basketball hoop ordinance, Kennedy is working on those items. Should be on next month's agenda. • Shaffer asked about clean-up of Thomas Creek Park. <p>Kennedy nothing to add</p>
<p><u>ITEMS FROM THE COUNCIL</u></p> <p>a. Councilor Meyer</p> <p>b. Councilor Shaffer</p> <p>c. Councilor Eckhart</p> <p>d. Councilor Zedwick</p> <p>e. Councilor Ferguson</p>	<p>Good meeting tonight, got a lot accomplished</p> <p>Good meeting tonight.</p> <p>Thanked everyone for all you do, work session was really good.</p> <p>Good job tonight.</p> <p>Nothing to add</p>
<p><u>PUBLIC COMMENTS</u></p> <p>a. Katrina Clouse</p>	<p>April 22nd Lamb Fair will be doing a work day at the pavilion, Lamb Fair – May 19-21st – changes happening. Queen's coronation Friday, May 19th.</p> <p>Bridges Bikes and Brews Sept. 9th 10-10. Focus on Motorcycles – poker run</p>