



SCIO CITY COUNCIL MEETING MINUTES
MONDAY May 14, 2018

COUNCIL PRESENT: Councilors Wolfgang Borchard, Tom Gray, Karen Eckhart, Joey Ferguson, Richard Nelson, Debbie Nuber.

STAFF PRESENT: City Manager Ginger Allen, Administrative Assistant Cathy Martin.

CALL TO ORDER: Council President Debbie Nuber called the Regular Session of the Scio City Council to order at 6:00 P.M. in the main meeting room of the Scio City Hall, followed with the flag salute.

ROLL CALL: Roll call was taken with Mayor Chadd Weaver excused.

APPROVAL OF CONSENT AGENDA:

- April 12, 2018 Council Minutes
- April 2018 – Statement of Revenues and Expenditures for – General, Road, Water & Sewer Funds
- Payment Journal – April 2018
- Planning Commission Minutes – November 29, 2017
- Senior Center Meeting Minutes – February 2018

Councilor Ferguson moved, Councilor Eckhart seconded, to approve the Consent Agenda as presented. Motion passed 5/0

CORRESPONDENCE:

- Thank you card from Scio Cares
- Pacific Power Grant Article in Canyon Weekly
- Jon Erwin Retirement Letter
- Robert Waller's Resignation Letter

PROCLAMATION:

- Mental Health Awareness Month – Mr. Knowles, Linn County Mental Health advisory board, handed out notice of training opportunity on Youth Mental Health First Aid Training. Mr. Knowles spoke regarding the work that the board is doing throughout Linn County to help with mental health in the community and schools. Council President Nuber read the proclamation.

PRESENTATIONS:

1. Planning Commission Appointment – Presented by: Cathy Martin, Planning Commission Secretary – A request was made for the appointment of Nicole Zedwick to the planning commission

Councilor Borchard moved, Councilor Eckhart seconded the motion to approve the appointment of Nicole Zedwick to the Scio Planning Commission. The motion passed 5/0

2. Linn County Sheriff's Report – Andy Franklin reported for the Month of April, 2018, - 81 hours, 13 traffic – 35 complaints, 1 minor traffic crash, 2 arrests, items to note, Adult arrest, minor traffic crash – no serious damage. 4/12 – man taking pictures – has been placed on extra patrol. Was not in area after complaint. Arrest – questions. Allen questioned Linn County's policy or position on homeless camps, - Franklin - private property, will get in touch with the people.

REGULAR SESSION:

- 1) **Linn County Enterprise Zone – Presented by: John Pascone, President of Albany-Millersburg & Linn County Economic Development** – Mr. Pascone stated that the city of Scio is a member of the South Santiam Enterprise Zone, that zone expires June 30th and must be re-authorized. Forming a Linn County Enterprise Zone, will include more acreage, taking out Lebanon & Albany. Any project would require approval by city planning. Enterprise zones are authorized by the state of Oregon. If a company comes in and agrees to invest and create jobs, basic 3 year tax exemption – forgo increase in assessment. Allen stated that an Enterprise Zone can be a beneficial tool that could be used to attract businesses for economic development; the Enterprise Zone does not force a property owner to participate.

Councilor Ferguson moved, Councilor Gray seconded the motion to accept Resolution No. 18-02 as presented. The motion passed 5/0

- 2) **State of the City Address – Presented by: Ginger Allen, City Manager** – Ms. Allen addressed the council.

CITY MANAGER REPORT: Presented by Ginger Allen – Allen stated budget training is Wednesday & Thursday, Community Pride Day, Veteran's Memorial

Allen closed her report by

CITY ATTORNEY REPORT: Presented by Tre' Kennedy – Kennedy addressed the city council about the common laws that holds public rights of way in trust for the city, and no one can take adverse possession of said "public right-of-ways". Cities should have ordinances and rules that govern what people can do within the right of way. The City Council has the right to decide if a particular use is allowed. Allen stated that some

of the issues with Scio's Public Right of Ways are similar to those see with the strips of land the city is wishing to vacate, in that people use the land as if it is part of their personal property. City has not maintained the full right of way so people starting to maintain them as lawn, they have installed lawns, and in places trees up to the pavement. Allen stated that the council must be careful in making any decisions on addressing this issue as this is happening all over town. Not unusual. Allen – do we pick the cases that prohibit good service to the public – reclaim right of way? Kennedy – people cannot take ownership against the government, but where cities have adopted ordinances, most of the ordinance – solidifies the common law, the city needs to inform the people of the dangers/liability – insurance investigation. Area of grass – ordinance says that the property owner has to maintain it. Allen stated that there two locations in particular, one right of way is being maintained. City needs to maintain the rights of way. Kennedy stated that he can bring back an ordinance to solidify responsibility. Allen will send out letters on an individual basis.

Public Comment – there was no public comment at the meeting.

Business from the Council:

Eckhart – None

Borchard – None

Gray – None

Nelson – Ms. Peaslee did a great job on clean-up day. Nelson asked about the replacement of Mr. Waller. Allen stated the city's legal advisor for the personnel recruitment stated that the city could advertise, but the city would not be outside of the law if we were to go back into the September 2017 recruitment and select from the top candidates. Nelson stated that his house has sold and he will be out by June 8th, so this will be his last meeting as a city councilor.

Ferguson – asked about the camera's on the walking bridge. Allen stated that the staff will be bringing it in and reviewing the tape.

Nuber – Painted signs, are great. Real bright, great job.

There was no further business and the meeting was adjourned at 7:32 p.m.

The next regular meeting was scheduled for June 11, 2018 at 6:00 p.m.

Cathy Martin, Clerk
Scio City Council