



SCIO CITY COUNCIL ELECTRONIC MEETING MINUTES
MONDAY October 12, 2020

COUNCIL PRESENT: Mayor Chadd Weaver, Councilors Karen Eckhart, Joey Ferguson, Tom Gray, Tom Meyer, Debbie Nuber, and John Whalen were all present via video.

STAFF PRESENT: City Manager Ginger Allen, Assistant City Attorney Jeffrey Clayson, Planning Consultant Dave Kinney and Administrative Assistant Cathy Martin were present via video.

AUDIENCE MEMBERS: None

CALL TO ORDER: Due to Technical Difficulties Mayor Weaver called the Regular Session of the Scio City Council to order at 6:10 P.M., followed by the flag salute.

ROLL CALL: Roll call was taken with all members present.

APPROVAL OF CONSENT AGENDA: Mayor Weaver asked for comments. Councilor Eckhart asked about the \$83K payment to Correct Equipment that appeared in the September Payment Journal. Allen stated that the payment was for the purchase of the new water meters.

Councilor Whalen moved to approve the Consent Agenda as presented, Councilor Meyer seconded. A hand and verbal vote was taken. Motion passed 6/0

CORRESPONDENCE:

- Notice of Decision – Land Use File No. 2020-06 – Property Line Adjustment
 - Notice of Decision – Land Use File No. 2020-07 – Property Line Adjustment
- Ms. Martin explained that the two letters are notices of decision in relationship to the property line adjustments needed for the city to build on the Lagoon and City Hall properties. These letters notify the city that approval from the Planning Commission to combine the parcels has been received.

PRESENTATIONS:

- **Linn County Sheriff's Report – Presented by Sgt. Greg Klein, Linn County Sheriff** – Sgt. Greg Klein reviewed the monthly report for September (see attached). Klein stated that the deputies have been assisting with Fire Recovery in Mill City and Lyons. Weaver asked if there was anything the community can do to assist. Klein stated that if he hears anything he would let the city know. It was noted that Santiam Hospital has a Wildfire Relief Fund set up for anyone wanting to donate. Klein stated that they are receiving many mental calls. Linn County Mental Health has been assisting with these calls.

REGULAR SESSION:

1. Resuming In Person City Council Meetings Presented by Ginger Allen, City Manager

Allen reviewed the latest guidance from the Governor's Office, regarding the Statewide Reopening Guidance/Gatherings asking council when they might wish to resume in person meetings? She drew attention to the section on page 4, which deals with reopening/meetings for local governments. The Cities of Brownsville, Harrisburg and Halsey are currently meeting in person, masks and social distancing. The City of Millersburg has been meeting via Zoom, but will be moving to in person with masks, and social distancing. The issue is having a large enough venue, we can host up to 10 people in the council chamber, a drawback to Zoom meetings is having an Executive Session.

- Mayor Weaver asked if it was legal to have an Executive Session on Zoom.
- Assistant City Attorney Clayson stated that it would be legal, however they would not be open to the public.
- Councilor Nuber stated that she would like to get back to meeting in person.
- Councilor Eckhart stated she would like to come back also.
- Councilor Meyer asked if the limit is 10 in room and 11 show up what do we do? Clayson stated that the 10 person limit is social gathering, while this would be a public meeting where you could have up to 50 people. Social Distancing would apply. Meyer stated he is willing to come back.
- Mayor Weaver stated he is good coming back to in person meetings, if everyone wears masks and social distances. Just wants everyone to use common sense. Missing the personal touch.
- Councilor Gray asked if there was any way to move the meetings to a classroom or gym at the school. Allen stated problem we have with Zoom is frequency issues if more than one person is logging into it in a room. The school is not open currently.
- Councilor Ferguson stated she was ok to going back to meeting in person in the city Council Chamber.
- Ms. Allen stated that she has had 3 people ask when the regular council meetings will resume in person.
- Councilor Whalen stated he was in favor as long as everyone wears a mask, and does the proper social distancing and leaving the public on Zoom.

Suggested to start in person meetings with November Council Meeting.

PUBLIC HEARING:

2. PL 2020-06, City of Scio – Annexation and Zoning Map Amendment – Presented by Dave Kinney, Planning Consultant

Mayor Weaver announce the public hearing for Land Use File #2020-06, an application from the City of Scio, to annex the 14.82-acre lagoon site on SW 6th Avenue and rezone the site to a Public (P) zone. A copy of the agenda and hearing procedures are located on the city website, along with the staff report. Mayor Weaver declared the hearing open at 6:31 pm.

Weaver noted that Oregon Land Use Law requires a statement be made available to those in attendance. The detailed Statement, with the information required under ORS 197.763(5), is available on the City's website. He asked if anyone wanted the statement to be read, or if there were any questions or objections. Hearing nothing from those in attendance Weaver proceed on with the hearing. Weaver asked if there were any objections to the notice that was sent in this case and if there were any objections to the jurisdiction of the city council to hear this case. There were no objections. Weaver asked the council members for declaration of Conflicts of Interest, Bias or Ex Parte Contact. Martin conducted a roll call, all councilors declared that they did not have any Conflicts of Interest, Bias or Ex Parte Contact.

Ms. Allen presented the city's application giving a brief statement as to what led up to the city learning that the lagoon site was actually in the county and not inside the city limits. This prompted Allen to instruct Mr. Kinney to begin the annexation process. The reason we need to annex is 1) we want our city property inside the city limits and 2) it will cut down the red tape and simplify the steps and deem the property for public use. In addition, we need to complete a property line adjustment to consolidate the lots to one single lot.

Planning Consultant, Dave Kinney presented the staff report (see the council packet located on the city website). Kinney stated that there are 3 documents in the council packet. 1) Planning Recommendation, 2) Hearing Procedures and 3) Staff Report. Kinney stated that there was a single participant at the Planning Commission Hearing on July 29th. He only asked a question during the hearing. That participant, Adam Clauson, simply wanted to know what the property was going to be used for in the future. At the conclusion of the planning commission public hearing the Planning Commission voted unanimously to recommend approval of the application to the City Council. Included in the packet is staff report and the findings. One of the requirements of annexing a piece of property is that it has to comply with both the statewide planning goals and the Scio Comprehensive Plan. The Findings document in the staff report, updated October 7th, goes through the statewide planning goals, the comprehensive plan and recommends that the zone be changed to a Public Zone. The last item in the packet is a copy of the proposed ordinance that will annex the property to the City of Scio. The council would need to adopt the ordinance and once adopted, the city would notify the Department of Land Conservation and Development, as well as Linn County that the annexation has been completed. The annexation is not final until the Oregon Department of Revenue and the Secretary of State's Office formally approves it. This usually takes approximately 30-40 days after adoption. Once the city receives this confirmation, it can issue building permits for the project.

Mayor Weaver asked Mr. Kinney to assist with the remainder of the hearing process.

Kinney asked if there were any Proponents who wished to testify on behalf of the proposal. The only audience member was Katrina Clouse, a member of the Planning Commission, Kinney asked if she had anything she wanted to add to the hearing. She did not. Kinney stated that hearing no persons in the audience, so there is no opposition to the application, and there was no written testimony provided to the city prior to the public hearing. Kinney then asked if there were any questions for staff.

Councilor Eckhart asked about the discrepancy in the amount of acreage between the staff report and the ordinance. Kinney stated that the ordinance has the correct amount of acreage this is due to the legal description prepared by Udell Engineering for the annexation versus the county assessors records. Kinney stated that the staff report will be corrected to also read 14.75-acres.

There were no further questions for Staff.

Mayor Weaver closed the public hearing at 6:44 pm

Kinney recommended that the council go ahead and deliberate on the application and make a decision before moving on to the next public hearing.

Weaver asked for questions from the Council. There were none.

Councilor Nuber moved to approve File 2020-06 to annex the 14.75-acre lagoon site on SW 6th Avenue and to concurrently rezone the property to a City of Scio Public zoning district and to adopt the findings of fact in the Staff Report to the City Council dated October 7, 2020 as updated, seconded by Councilor Eckhart. A hand and verbal vote was taken and the motion passed with a vote of 6/0.

Kinney stated that now that the application and findings has been approved, in order to finalize it, the council must be adopt Ordinance No. 615. A motion to approve the proposed annexation and zoning map amendment to the public zone as included in draft Ordinance No. 615 is needed.

Councilor Eckhart moved to approve the Ordinance No. 615, seconded by Councilor Whalen. A hand and verbal vote was taken and the motion passed with a vote of 6/0.

Allen read the ordinance by title only as follows: "Ordinance No. 615, An Ordinance Rezoning a 14.75 Acre Tract of Land in the 38800 Block of SW 6th Avenue in Scio, Oregon and Annexing the 14.75-acre tract of land into the City of Scio, Which is Contiguous to the Current City Limits of the City of Scio, Without an Election of the People".

Councilor Ferguson moved to adopt Ordinance No. 615 as presented, seconded by Councilor Whalen. A hand and verbal vote was taken and the motion passed with a vote of 6/0.

**3. PI2020-07, City of Scio – Comp Plan Amendment and Zoning Map Amendment
Presented by Dave Kinney, Planning Consultant**

Mayor Weaver stated that this is a public hearing to consider Land Use File #2020-07, an application from the City of Scio to redesignate and rezone a 0.15-acre parcel at 38965 NE First Avenue in Scio from a Commercial plan designation and C-1 zone to a Public plan designation and Public zone. The City recently acquired the site and demolished an existing building. The City Council proposes to demolish the existing city hall and construct a new city hall and library facility on this block. A copy of the agenda and hearing procedures are located on the city website, along with the staff report. Mayor Weaver declared the hearing open at 6:49 pm.

Weaver noted Oregon Land use law requires a statement be made available to those in attendance. The detailed Statement, with the information required under ORS 197.763(5), is also posted on the City's website. He asked if anyone wanted the statement to be read, or if there were any questions or objections. There were no one asked for it to be read or raised any questions or objections to the statement. Weaver asked if there were any objections to the notice that was sent in this case or if there were any objections to the jurisdiction of the planning commission to hear this case. There were no objections. Weaver asked the council members for declaration of Conflicts of Interest, Bias or Ex Parte Contact. Martin was asked to conduct a roll call, all councilors declared that they did not have any Conflicts of Interest, Bias or Ex Parte Contact.

Allen presented the city's application. Ms. Allen stated that in order for the new city hall to be built on the existing property and the newly acquired property, the city needed to have a land use application filed to consolidate the tax lots and to re-designate commercial property to public use property. Mr. Kinney was asked to proceed with the application and it is consistent with the council's desire in order to move forward with a new city hall building. It is also supported by staff in its entirety.

Dave Kinney, Planning Consultant, presented the Staff Report. Mr. Kinney stated that the current city hall building is zoned public, but the new lot that was acquired is zoned commercial. To consolidate the parcels and get into the same zoning district an application for a Comp Plan Amendment and a Zoning Change was required. The lots have been approved for consolidation. The application complies with the goals and policies in the Comprehensive Plan and the Zoning Ordinance. Redevelopment is a primary policy. Keeping city hall and the library in the center of the community is good public policy and consistent with the plan policies. Mr. Kinney stated that the staff report was updated on October 7th. The Planning Commission's recommendation at the conclusion of their public

hearing was that the city council should approve the application to redesignate and re-zone the 0.15-acre parcel to a Public zone.

Weaver asked for Proponents – there were none.

Weaver asked for Opponents – there were none.

Weaver asked for any other testimony from the audience – there were none.

Kinney stated for the record that there was no written testimony received on the application. At the planning commission level, Adam Clauson asked a couple of questions regarding the city hall project during the planning commission hearing. He did not object to the proposal.

Weaver asked for questions from the Council.

Councilor Gray asked why the property next door to city hall was zoned commercial as it was used as a residence. Kinney stated that the property was zoned as commercial even though it was in a residential use.

There were no further questions for Staff. Kinney added that the planning commission's recommendation was for approval of the application. He recommended that the council deliberate and make a decision on the application once the public hearing was closed.

Mayor Weaver closed the public hearing at 6:58 pm

Councilor Nuber moved to approve File 2020-07 to amend the Scio Comprehensive Plan Map to re-designate a 0.15-acre site at 38965 NW 1st Avenue from a Commercial plan designation to a Public plan designation and to concurrently rezone the property from Commercial (C-1) to Public (P) and to adopt the findings of fact in the Staff Report dated October 7, 2020 as updated, seconded by Councilor Meyer. A hand and verbal vote was taken and the motion passed with a vote of 6/0.

Kinney stated that now that the application and findings has been approved, in order to finalize it, the council must be adopt Ordinance No. 616. A motion to approve Ordinance No. 616 as presented for first reading by title only.

Councilor Whalen moved to accept Ordinance 616 as presented, seconded by Councilor Eckhart. A hand and verbal vote was taken and the motion passed with a vote of 6/0.

Allen read Ordinance No. 616, An Ordinance Amending the Scio Comprehensive Plan Map and Scio Zoning Map to Redesignate and Rezone a 0.15-acre Parcel at 38965 NW 1st Avenue in Scio, Oregon, by title only.

Councilor Eckhart moved to approve Ordinance 616 for final enactment as read, seconded by Councilor Gray. A hand and verbal vote was taken and the motion passed with a vote of 6/0.

Mr. Kinney reviewed the process that will need to be completed for the ordinances to take effect. The notice of decisions will be issued and notice sent to DLCD, Department of Revenue and Linn County.

CITY MANAGER REPORT: Allen asked if there were any questions regarding her report. Allen briefly reviewed the report that was included in the council packet.

Mayor Weaver – Sherri Springer is willing to meet with the city to go over the concerns of the city in terms of emergency communications for the future.

Allen added to her report by advising the council that staff will be scheduling site visits to other libraries in advance of meeting with the architect on the City Hall/Library design.

Councilor Whalen asked if the Safe Route to School Committee was working with the contractor on the duplex project. Allen stated that SRTS will be incorporated at the appropriate time during development. The city and the SRTS committee will be working to apply for several grants. The first is the Rapid Response Grant. That grant is for up to \$500K, we will be applying to use it on NW 1st Avenue. It is a special grant that is available to the city because of the recent loss. This grant will act as a springboard to another SRTS grant process that can give up to \$2M. The Linn County Road Department and Oregon Department of Transportation are on board and in favor of these projects. Councilor Ferguson asked when the city would see the results of the grant funding and if the school and citizens involved in the committee. Allen stated that the members of the committee working on the project are: Steve Martinelli, Superintendent, and Gary Temple are representing the Scio School District, Nicole Zedwick and Chrissy Nelson, are citizens, and Zia Sprague, a Scio High School student is also involved. Ferguson asked when the city will actually see some improvements. Allen stated that they intent of the committee is to use the city hall project as matching funds, the city has to have \$100K in matching funds for the grant, the city sidewalks for city hall can be used as matching funds. We have a three-year window from the time of the accident to apply for the Grant Funds. The school district will also be doing some improvements, and we will use their expenses for match as well.

CITY ATTORNEY'S REPORT: Presented by Jeffrey Clayson – None.

ITEMS FROM THE COUNCIL:

Mayor Weaver: Asked for an update on the basketball hoops, fundraiser. Allen stated that the basketball committee meeting was tentatively set for 3:30 pm on Wednesday. This will be the first of several meetings.

Meyer: None

Ferguson asked if the paint had been removed from the street and sidewalks in the subdivision.

Whalen stated that it had and that they had removed one of the hoops. Allen stated that the city had signed off on the cleanup, the property owners had to get an asphalt overcoat in that area as the paint would not come off.

Nuber: None

Eckhart asked about having an Executive Session at the next month's meeting. Weaver stated that he would make sure to add one.

Gray asked if there were any complaints about the lagoons this summer. Allen stated that they only time she was asked about it occurred when visiting a resident's home otherwise no complaints.

BUSINESS FROM THE PUBLIC: Katrina Clouse, Business Owner, stated that the Linn County Lamb and Wool Fair Association took all of the past years shirts that had been left over and donated them to the fire victims. She reported that the downtown businesses were planning on doing a "Ghost Walk" on Friday or Saturday, the day and time are yet to be confirmed. Ms. Clouse asked about the city's emergency plan, COVID and what the city has planned to do if anything goes awry following the election. Allen stated according to the Sheriff's Department, they said that if any citizen has heard something they should be contacting the Sheriff's Department immediately and appriizing them of the rumors they are hearing in order for them to prepared, should something breakout. Allen stated that she has not had anything said to her by anyone and she hasn't heard of any unrest in the office. Sgt. Klein said that if you have heard of that you need to contact the Sheriff's office directly. Weaver asked Ms. Clouse if she has been hearing things locally. Ms. Clouse stated that she has overheard people's conversations. Clouse stated that she just wanted to know if Scio had a back-up plan. Allen stated that the Sheriff's office will respond as the situations arrive.

Weaver also stated that if something happens, he and City Manager Allen will be in touch with the Sheriff's Department. Can't worry about the what ifs. Allen stated most importantly people should know that they need to call the Linn County Sheriff's Office first. Allen stated that if Ms. Clouse wanted to be helpful, that she could inform people that Scio's public safety is handled by Linn County Sheriff's Office and that they need to dial 911.

Clouse then asked if all of the councilors were running unopposed. Allen stated that all of the candidates are running unopposed.

Weaver thanked everyone for being here.

The meeting was adjourned at 7:41 p.m.

The next regular meeting is scheduled for November 9, 2020 at 6:00 p.m.

Cathy Martin
Administrative Assistant