

City of Mt. Angel  
City Council Meeting Minutes

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CITY COUNCIL

7:00 PM

November 7, 2011

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The City of Mt. Angel's City Council met in a regular session Monday, November 7, 2011 at the Community Meeting Room, 290 E. Charles Street, Mt. Angel, Oregon.

1. **CALL TO ORDER:** The regular meeting of the Mt. Angel City Council was called to order at 7:03 pm by Mayor Rick Schiedler.

2. **FLAG SALUTE:**  
Mayor Schiedler led the salute to the flag.

3. **ROLL CALL:**

**COUNCIL**

Rick Schiedler, Mayor  
Ray Eder, Council President  
Darren Beyer, Councilor  
Andrew Otte, Councilor  
Kelly Grassman, Councilor  
Teresa Kintz, Councilor  
Karl Bischoff, Councilor

**STAFF**

Susan Muir, City Administrator  
Kelsey Lewis, Assistant to the City Administrator  
Dan Bernt, Public Works Superintendent  
Mike Healy, Police Chief  
Chaunee Seifried, Finance Director

4. **PRESENTATIONS, GUESTS, AND ANNOUNCEMENTS:**

a. Swearing in of reserve police officers

Police Chief Mike Healy introduced new reserve police officers Noe Martinez, Levi Fergus, and Brandon Hamilton and described their work experience and backgrounds. One more new reserve officer Jacob La Combe was not able to attend. M. Healy stated that N. Martinez and B. Hamilton had previous police experience and that L. Fergus and J. La Combe were attending the Marion County Reserve Academy through May. Chief Healy swore in the new reserve police officers and the City Council welcomed the new reserves to the City.

5. **APPEARANCE OF INTERESTED CITIZENS:**

Mt. Angel resident Dennis Meissner came to express concern about traffic situation on N. Pershing Street. He described situations in which only one car could pass on the street at a time and he was concerned about safety and the possibility of traffic accidents. D. Meissner urged the Council to restrict parking to one side of the street. He had a petition signed by neighbors stating that there were safety issues on the street.

Councilor Grassman asked for input from S. Muir. S. Muir stated that designating a street as one-sided parking was a Council decision. Her understanding was that per Public Works standards the street was wide enough to have parking on both sides and that usually only very narrow streets or school routes are designated parking on one side. N. Pershing did not fit that description. Public Works Superintendent Bernt stated that N. Pershing is a 30 foot street. He listed several streets in town with various widths

less than 30 feet, some that have one side only parking and some that have parking on both sides. He commented that although N. Pershing is a dead end street it has a lot of traffic.

Mayor Schiedler asked what it would take to restrict the parking; D. Bernt responded that staff would post signs periodically along the street but probably would not paint the curb. Councilor Otte agreed that N. Pershing has high traffic and there is only one access point. Administrator Muir commented that narrow streets are actually sometimes used as a traffic calming tool to reduce speeds and that the Council may want to consider that in the decision process. Councilors further discussed the issue.

Councilor Eder asked for this item to come back on the next Council meeting agenda. Councilor Grassman commented that she could see how it might be beneficial to restrict parking on N. Pershing. She asked staff to advise the Council on which side of the street would be best if parking was restricted. S. Muir confirmed that Council directed staff to come back with this item on next month's agenda.

Mt. Angel resident Tom Duker came to give an update about the Community Emergency Response Team (CERT). Mayor Schiedler asked for confirmation from the Council that it would be alright to allow T. Duker a little more than the standard 3 minutes to speak; Councilors agreed.

T. Duker stated that CERT had twenty fully-trained members for the Oktoberfest event and currently had sixteen for normal operations. He described the range of training that members have completed and the service that CERT members provided in 2011 during Oktoberfest, the Fourth of July parade, during traffic accidents and other situations. T. Duker added that CERT continues to providing CPR course to Mt. Angel residents.

T. Duker stated that he came to ask for a Memorandum of Understanding (MOU) with the City to have CERT members covered with liability insurance when they are providing support to the Mt. Angel Police Department. Councilor Otte asked T. Duker if NORCOM specifies which agency is requesting assistance when CERT is contacted; T. Duker said yes. Councilor Otte commented that usually CERT was really assisting the Fire District, not police, and therefore CERT should be covered by the Fire District. T. Duker said that he did not want to neglect a liability so he wanted to bring it to the Council's attention. Councilors further discussed liability insurance coverage. S. Muir stated that she and Finance Director C. Seifried would follow up with the City's insurance carrier and with the Fire District about this issue. She thanked T. Duker for the update and for CERT's service to the community.

[City staff followed up with T. Duker and he stated that the Fire District liability insurance would cover CERT volunteers while assisting the City so there was no need for the City to provide insurance or sign an MOU.]

## 6. CONSENT AGENDA:

- a. Approve City Council meeting minutes for October 3, 2011.

Councilor Kintz had a correction on the minutes. On Page 6 of 8, under 9a, she opposed the motion not because of the licensing process but because she felt that the Council had the opportunity to regulate the ambulance rates and chose not to do so.

Councilor Kintz stated that regarding the discussion about the sidewalk in front of Barbara Bochsler's house she wanted to clarify that she had reasons for wanting to fix the sidewalk. She stated that she believed that the City was responsible for the maintenance of the City's sidewalks and that the City should share responsibility in fixing the sidewalk. Councilor Kintz did not suggest an amendment to the minutes but wanted it to be known that she had reasons for wanting to repair the sidewalk in front of B. Bochsler's house.

Councilor Otte moved to approve the consent agenda as amended; Councilor Bischoff seconded.

**AYES: 6**

**NAYS: 0**

**ABSTAIN: 0**

**7. REVIEW ACCOUNTS PAYABLE:**

Councilor Otte referred to page 6 of 8 of the report and asked what the charge for "One Call Concepts" was for; D. Bernt answered that it was a monthly bill for utility locating services.

Councilor Eder asked for clarification about plumbing charges in the Police Department; M. Healy answered that it was a service call to get hot water in the Police Department.

Councilor Bischoff referenced the charge for "spike strips" on page 3 of 8 and M. Healy explained that the Police Department did not have any when he started as Police Chief and it was important to have them in supply. He explained that they are intended to bring pursuits to an end and they are important for safety.

Councilor Grassman referenced page 5 of 8 asked about holiday decorations; D. Bernt explained that they were new decorations for hanging on utility poles during the holiday season. He noted that although the decorations are expensive all of them were purchased on sale.

Councilor Bischoff asked about charges for "wildlife management"; D. Bernt responded that it was for animal trapping at the wastewater treatment plant. He explained that nutria and other wildlife damage the berms between the lagoons and this is preventative maintenance for the wastewater system.

Councilor Kintz asked why charges from Murray, Smith, and Associates appeared in both the Oktoberfest fund and the State Revenue Sharing fund; S. Muir responded that staff would follow-up on how these charges are classified and come back to the Council with that information.

Councilor Kintz also asked about charges for Marion County building permit fees on page 2 of 8; S. Muir clarified that these were not related to planning charges and K. Lewis stated that the charges were reimbursement for the inspection and plans review that Marion County provides for the City. S. Muir stated that staff would follow up with information about both charges.

Mayor Schiedler commented that the code numbers no longer appeared next to each charge on the Accounts Payable report; S. Muir confirmed that staff had updated the format of the report several months ago and omitting the funding accounting numbers was intended to make the report easier to

read. She noted that if the Council wanted that to be put back in the report staff could do that. Councilor Grassman commented that she thought the numbers were not necessary on the report and preferred the new format. S. Muir also commented that staff was happy to include more description on the reports.

Councilor Kintz asked about server migration costs; S. Muir explained that the cost was spread across several funds which was why it appeared several times in the report. K. Lewis stated that this was the charge for staff time and confirmed that the new hardware itself was housed in the same location.

**8. COMMUNICATIONS/CORRESPONDENCE:**

None.

**9. UNFINISHED BUSINESS:**

a. Sewer lateral replacement program

Administrator Muir explained that discussion began on this topic in the October 2010 meeting, continued in December and January and then the Council allocated \$5000 during the budget process in June 2011 to address the problem of failing sewer laterals and fund a sewer lateral “fix-it” program. She described the administrative policies included in the packet which were modeled on the City of Lebanon’s program. S. Muir described the policy questions to be considered: should it apply only on single-family dwellings or to duplexes as well? Should the program provide 100% reimbursement, or cost sharing? Should the program cover just repair, or total replacement? Should the program cover spot repairs or proactive reconstruction of clay or Orangeburg lateral before they break? She invited the Council to provide feedback on those policy questions and staff would update the proposed administrative policies accordingly.

Councilor Otte asked if the City’s sewer system still has Orangeburg pipes; D. Bernt stated that there are still around 50 Orangeburg pipes in town and many more clay and concrete pipes, particularly on W. Church Street. He explained that the Orangeburg pipes are essentially cardboard wrapped with tar and that it is possible to drill into and break a pipe without knowing because it collapses so easily. S. Muir commented that staff included the possibility of proactive replacement to tighten up and improve the safety of our sewer system but were not sure how much interest the City would get for this kind of replacement.

Councilor Kintz asked how the pipes would be tested under the program; D. Bernt responded that a contractor would run a camera into the lateral to test for damage. Councilor Kintz had heard about a smoke test and D. Bernt clarified that smoke testing is used for identifying illegal or incorrectly installed connections to the sewer main. D. Bernt also stated that the pipe material can usually be identified by the spacing of the joints.

Mayor Schiedler asked if Public Works keeps track of how many laterals are replaced; D. Bernt responded that on average over the last ten years, one or two are replaced every year.

Councilor Kintz asked about the City's maintenance of the sewer system and how the City chooses which sections of the system to repair or upgrade. D. Bernt stated that the whole system of sewer mains was inspected in the 1990s and provided detailed inspection reports but the sewer laterals were not surveyed as part of that. He added that generally the emphasis is on taking care of the mains, not the laterals.

Councilor Bischoff asked for a typical cost for a lateral replacement; D. Bernt says each project is different depending on the depth and distance from the main so there is no average cost. He said it could range anywhere from \$2,000 to \$5,000.

Councilor Beyer referred to page 8 of 11 of the proposed administrative policy manual included in the packet and asked for clarification about "the point between private property and public right of way." D. Bernt explained that it varies, that it is not always at the curb and that is why it would be determined by the Public Works Department. S. Muir clarified that the proposed program would cover only the work in the public right of way and that was one of the questions that she was asking the Council to weigh in on.

Councilor Otte stated that he wanted the program to cover partial repairs or full replacement for single family dwellings only and for failures only. He did not want the program to include preventative or proactive replacements. Councilors further discussed how the public right of way area is determined.

S. Muir asked for input on single-family versus multi-family or commercial laterals and stated that in previous discussions she had only heard the Council mentioned single-family dwellings. Councilor Otte commented that one commercial application could use up all the money for the year at once and Mayor Schiedler commented that he did not think the program should cover laterals on commercial property. Councilors Bischoff and Beyer expressed interest in having single-family and duplex laterals included in the program.

S. Muir asked about failures versus proactive replacements and most councilors agreed to include only failures in the program. Councilor Kintz commented that it would be good to be proactive. Councilor Grassman commented that she did want to be proactive with this program in the future but she wanted to get the program going with assisting with failures first. Councilor Beyer commented that the program only had a small budget for this year.

Councilors Otte, Grassman and Bischoff liked the idea of offering the program for lateral failures of single-family dwellings only for the first three years and then re-evaluating the qualifications. Councilor Otte commented that property owners of apartment complexes could raise their rents to recuperate their costs from a lateral replacement and he felt that a lateral failure did not have as direct of a financial impact on an owner of income property as it does on a single-family dwelling owner.

Councilor Kintz commented that in other places repairs and maintenance are structured within their rates and asked how the City could use sewer franchise fees to fund proactive repairs. She stated that she felt that a percentage of the rate that sewer customers are charged should be used to pay for sewer

lateral repairs. Councilor Grassman commented that it was something the Council needed to discuss during the next budget cycle and she wanted to get more analysis before making a decision about changing rates.

Councilor Beyer commented that if the fund was not exhausted it could be carried into the next budget year and after a few years the Council could reevaluate the program then. Mayor Schiedler asked how many failing sewer laterals were known this year; D. Bernt stated that he knew of two impending failures, both on single-family dwellings.

S. Muir asked for direction on the four policy questions and received consensus on funding failures only with no proactive replacements, full and partial replacements (spot repairs), 100% cost reimbursement within the public right of way and for single-family laterals only.

Councilors considered requiring a full replacement if the pipe material is Orangeburg. S. Muir confirmed that the Council could fund the program for full or partial replacements and change it in the future if there seemed to be problems in the application process related to Orangeburg sewer laterals.

Councilor Otte moved to approve the resolution establishing the sewer lateral replacement or repair program with the following amendments:

Section 2 will now read “the property owner of the single-family residential structure which the lateral serves shall be reimbursed for the full cost of the lateral replacement or repair within the public right-of-way. Said reimbursement shall not include the cost of lateral replacement or repair in private property, or the cost of obtaining private or public utility access easements;” Section 4 will be eliminated; and Section 5 will now read “This program will only apply to those lateral replacement or repair projects where permits are issued and work is begun after the effective date of the program.”

Councilor Grassman seconded the motion.

AYES: 6

NAYS: 0

ABSTAIN: 0

#### 10. NEW BUSINESS:

##### a. Wastewater plan Request for Qualifications (RFQ)

S. Muir explained the options for selecting a consultant for wastewater plan. The City could use its current engineer of record Murray, Smith, and Associates (MSA), open up the project through an RFQ (which MSA could compete for if they chose to), go out for RFQ with advice of our engineer of record, or go out for RFQ for our city engineering services and the wastewater plan at the same time.

Councilor Otte and Grassman stated that they would not really consider going out for an RFQ with advice of the engineer of record. Councilor Grassman commented that she was not inclined to retain MSA at all due to the experience with delays during the completion of the Water Master Plan. S. Muir stated that she did research the record on the Water Master Plan history and she had to mention that the delays were not all caused by MSA. She noted that there was a lot of change in staffing in City Hall at the time and much of the delay seems to have come from the City not supplying information that MSA

needed to complete their work. S. Muir commented that she thought that this was still a good time to put out an RFQ for engineering services but wanted to make sure that the City would be using its own money to fund the RFQ process to select a city engineer.

Councilors Otte and Bischoff expressed interest in doing the RFQ for the wastewater plan now and for the city engineer next year (Option 2). Councilor Kintz expressed interest in combining the RFQ process for both city engineering services and the wastewater master plan (Option 4).

Councilor Grassman moved to direct the City Administrator to issue a Request for Qualifications for an outside engineer to complete the Wastewater Facilities Plan (Option 2). Councilor Otte seconded.

**AYES: 5**

**NAYS: 1**

**ABSTAIN: 0**

Councilor Kintz opposed the motion.

#### **11. CITY DEPARTMENT REPORTS:**

Councilors agreed by consensus that the January Council meeting would be moved to Monday, January 9<sup>th</sup> due to the holidays.

S. Muir described Finance Director Chaunee Seifried's great work on the audit and stated that the City will not need an extension this year. She explained that C. Seifried will be in touch with each Councilor about which reports and information they would like to receive from Finance in the future.

K. Lewis reviewed the Council committee positions that have or will expire in the next few months. Staff will advertise for these positions.

Councilor Otte asked about the dollar amounts of outstanding debts that staff is considering sending to a collections agency. He wanted to make sure that staff would not spend excessive time to collect small amounts of money. C. Seifried stated that staff does not know the dollar amount yet because it's early in the process of considering contracting with a collections agency and staff has only just started reviewing the uncollected debts on the general ledger. She commented that staff will have more information on this as they move forward.

Councilor Bischoff asked about the reservoir clean-up; D. Bernt responded that it went very well. The clean-up of silt this year was much better than in 2006 because the process of dredging the reservoir was not done for many years before then. The clean-up crew finished ahead of schedule.

Councilor Beyer commented that Wastewater Treatment Operator Gavin Blair did a great job giving the tour of the wastewater treatment facility. Councilor Grassman seconded that assessment of the tour.

Councilor Bischoff asked about a kidnapping on the police log.

#### **12. COUNCILOR/COMMITTEE REPORTS:**

Councilor Grassman commented that she wanted to mention again that she recently had a great tour of the wastewater facility.

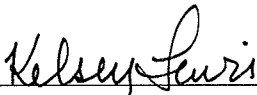
13. MAYOR'S REPORT:

None.


14. ADJOURNMENT OF REGULAR MEETING:

Mayor Schiedler adjourned the meeting at 9:35 pm.

Respectfully submitted by:

  
Kelsey Lewis, Assistant to the City Administrator

Attested by:

  
Rick Schiedler, Mayor