

**City of Lowell, Oregon
City Council
Regular Meeting Minutes
May 21, 2024**

The Lowell City Council held a regular meeting on May 21, 2024. The meeting location was Lowell Rural Fire Protection District Fire Station 1 at 389 N. Pioneer Street, Lowell, OR 97452. Council President Harris called the meeting to order at 7:00 pm.

City Councilors present:

Gail Harris, Tim Stratis, Jimmy Murray, Mayor Don Bennett (joined the meeting via Zoom 1 hour, 7 minutes into the meeting)

City Councilors absent:

Maureen Weathers

Staff/others present:

City Administrator Jeremy Caudle, Public Works Director Max Baker (via Zoom)

Approval of the agenda:

Councilor Stratis requested adding a discussion under "Other Business" related to the Paul Fisher Park memorial tree program. No other changes.

Consent agenda:

1. April 16, 2024 regular meeting minutes
2. May 7, 2024 regular meeting minutes
3. April 2024 check register
4. March 2024 financial statements
5. April 2024 financial statements

Councilor Murray moved to approve the consent agenda, which Councilor Stratis seconded.

Harris: YES; Stratis: YES; Murray: YES.

APPROVED: 3-0.

Public comments:

None.

Council comments:

None.

Staff Reports:

1. City Administrator
 - The e-permitting program started today with the Building Codes Division. This will be a 4-to-5-month process, involving trainings on the modules. Since full attendance and participation of staff is required during these meetings, the City Administrator recommended closing City Hall during

the training sessions. The sessions will occur every Tuesday from 1:00 pm to 2:30 pm. BCD also provided comments on the draft fee schedule that council reviewed at the previous meeting.

- Managed various development issues over the past month.
- Participated in a session with the Library Director at the Oregon Library Association conference.
- Closed out ARPA grant funding with the US Treasury Department.
- The city's auditor has already started requesting information for FY 23/24 financial statement audit.
- Participated in parks clean-up day.
- Submitted an interest form to the Oregon Emergency Management Department regarding damages from the January ice storm.
- CA Caudle referred to a table in the packet listing complaints received.

2. Public Works

- Staff are catching up on mowing throughout the city.
- Parks clean-up day was successful.
- Staff have started requesting quotes to repair potholes throughout the city.
- Testing for state-required blue-green algae started this month. Testing will continue every two weeks until October. The city has not had a detection of cyanotoxin since the state started requiring this test.
- The tracer study application for the water treatment plant was approved by OHA. The study is expected to begin in May. If the study is successful, the plant could run at 275 gallons per minute.
- At the wastewater treatment plant, staff are performing maintenance at the headworks.
- Staff intend to resume discussions with Lane County on the covered bridge IGA.

3. City of Oakridge police report

- Provided in the packet.

Presentation:

1. Lane County mobile crisis services.

Presenters: Sarah Macrorie, Project Manager, Lane County Behavioral Health; Olivia McClelland, Senior Manager, Lane County Behavioral Health.

Summary of the presentation.

- Mobile Crisis Services of Lane County will seek to address the immediate needs of any individual experiencing an active behavioral health crisis.
- Services are delivered by qualified providers in community-based settings and are intended to de-escalate and stabilize an individual in crisis through a timely, therapeutic response that is person-centered.
- Mobile crisis intervention teams will respond in specially outfitted vehicles, capable of being dispatched to wherever a person may be experiencing a crisis

Old business:

1. Motion to approve a revised "Agreement for improvements" with the Lowell School District regarding the new building construction approved under land use application #2022-05 and to authorize the City Administrator to sign. – Discussion/ Possible action

CA Caudle explained that at its May 7, 2024 meeting, City Council postponed action on this item pending further information. That information included: (1) opinions from the City Engineer and City Attorney of if it is necessary for the city go grant formal permission to the School District for the building right-of-way encroachment in two places; and (2) an explanation from the School District on if the northwestern door (facing E. Main St.) must meet accessibility or fire escape requirements.

He referred to a picture, displayed at the meeting and in the packet, showing existing conditions at the project site. According to the staff report: "The space between the two red arrows is where the site plan shows the sidewalk. As you can see, two power poles are located in this area. The space between the curb and the first red arrow is where the site plan shows the planter bed. As you can see, a part of the sidewalk is constructed in this area. This picture also shows the slope difference between the northwestern door and the curb."

He went on to provide 3 options on how to resolve this topic. The recommended option was: "Approve the revised 'Agreement for improvements.' Both Parties will delay the full planter bed extension until phase 2 of the project, to occur at an as-yet determined time. In tandem with the revised agreement, the City Administrator will approve a one-time modification to allow the temporary sidewalk in place of the full planter bed extension. This will allow the city to issue a certificate of occupancy without having to require the District to obtain a surety bond."

The District's architect, Chris Walkup with GLAS Architects, attended via Zoom. The District's facilities manager, Jason Pickett attended the meeting in person. Both answered questions from the City Council.

There was discussion among the City Council on requiring the District to place the utilities underground if and when phase 2 of the project occurs or Lane Electric completes work in the area that would allow placing the utilities underground. After further review of the agreement, section 3(d) already covered these points, to the council's satisfaction.

Councilor Murray moved to approve a revised "Agreement for improvements" with the Lowell School District regarding the new building construction approved under land use application #2022-05 and to authorize the City Administrator and Council President to sign, which Councilor Stratis seconded.

Bennett: YES; Harris: YES; Stratis: YES; Murray: YES.

APPROVED: 4-0.

At this point in the meeting, around the 1 hour, 7-minute mark, CA Caudle noted that Mayor Bennett had joined the meeting via Zoom. He noted that Mayor Bennett indicated that his vote is "Yes" for this action item. Council President Harris continued presiding over the meeting.

New business:

1. Follow up on Budget Committee discussion regarding local option capital levy for E. 1st Street repair. – Discussion

Discussion on this item was postponed until a meeting where there is full council attendance.

2. Approval of 2024 City Administrator performance evaluation process. – Discussion/ Possible action

Recommended motion: “I move to approve the 2024 City Administrator evaluation process set forth in the City Administrator’s May 17, 2024 memo and to appoint [INSERT COUNCILOR NAME HERE] to compile the summary and detail evaluation reports.”

Councilor Murray referred to a memo in the packet, which listed deliverables and due dates for the CA’s annual performance evaluation. The process is similar to what was followed last year.

Councilor Stratis moved to approve the 2024 City Administrator evaluation process set forth in the City Administrator’s May 17, 2024 memo and to appoint Councilor Murray to compile the summary and detail evaluation reports, which Councilor Murray seconded.

Bennett: YES; Harris: YES; Stratis: YES; Murray: YES.

APPROVED: 4-0.

3. Motion to approve a right-of-way license agreement with the Lowell School District and to authorize the City Administrator to sign. – Discussion/ Possible action

CA Caudle explained that at the last meeting, City Council reviewed a request from the School District to revise the agreement for improvements related to their weightroom/classroom expansion project. Part of the discussion was related to the encroachment of the building in two parts into the public right-of-way. One option that we discussed to legalize this encroachment was an easement. After further review, the City Attorney recommends a "license to use right-of-way" as a more streamlined option that accomplishes the same goal.

Councilor Murray moved to approve a right-of-way license agreement with the Lowell School District and to authorize the Council President to sign, which Councilor Stratis seconded.

Bennett: YES; Harris: YES; Stratis: YES; Murray: YES.

APPROVED: 4-0.

4. Motion to authorize the City Administrator to apply for an Emergency Community Water Assistance Grant (ECWAG) up to \$1 million for water treatment system improvements in response to the Lookout Point dam drawdown. – Discussion/ Possible action

CA Caudle stated that this agenda item is to present the grant application that he intends to submit for the ECWAG funding request. The application in the packet includes the preliminary engineering and environmental reports, which provide details on the project. The proposed construction includes a new sedimentation basin at the north of the water treatment plant. This will provide more volume for the turbidity to settle before the water goes to the plant for treatment. The final proposal removes the airburst retrofit. The reason is that the airburst would require detailed and time-consuming permitting through the federal government due to the need to comply with Endangered Species Act requirements.

Councilor Murray mentioned that the permitting requirements for the airburst retrofit might increase the costs associated with that project. He wondered what the cost increase would be.

Public Works Director responded that the biggest concern with the retrofit is the lengthy permitting process. He did note that a specialized fish screen would be required.

Councilor Murray moved to authorize the City Administrator to apply for an Emergency Community Water Assistance Grant (ECWAG) up to \$1 million for water treatment system improvements in response to the Lookout Point dam drawdown, which Councilor Stratis seconded.

Councilor Stratis asked about emergency declarations associated with the dam drawdown. If possible, this option could enable FEMA funding for response to the drawdown. CA Caudle stated that he would look into this and get back to the council.

Bennett: YES; Harris: YES; Stratis: YES; Murray: YES.

APPROVED: 4-0.

5. Review Oregon Liquor and Cannabis Commission license renewal within the city limits. – Discussion/ Possible action

CA Caudle referred a liquor license renewal referral from OLCC. This is for Armando's. Not providing any comment is the same as recommending approval. There was no comment.

Mayor comments:

None.

Councilor comments:

Councilor Stratis noted that some trees in Paul Fisher Park do not appear to be in good shape. He asked staff to investigate this matter, including any time remaining on the warranties. He went on to discuss ideas on a memorial plaque to commemorate former Parks Committee chair Hall O'Regan's vision for the shade tree program.

Community comments:

None.

Adjourned at 8:32 pm.

APPROVED:

A handwritten signature in cursive script, appearing to read "Don Bennett", written over a horizontal line.

Don Bennett, Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Jeremy Caudle", written over a horizontal line.

Jeremy Caudle, City Recorder