

1 **Philomath Public Works Committee**  
2 **MINUTES**  
3 **February 11, 2021**  
4

5 **CALL TO ORDER:**

6 Councilor Ruth Causey called the meeting to order at 3:00 p.m. The meeting was held via Zoom  
7 virtual technology due to the Oregon Governor's Executive Order restricting in-person meetings  
8 during the COVID-19 pandemic. The meeting was live-streamed on the City's Facebook page to  
9 provide public access.

10  
11 **ROLL CALL:**

12 City Councilors: Jessica Andrade, Catherine Biscoe and Ruth Causey.  
13 Staff: City Manager Chris Workman, Public Works Director Kevin Fear, Public Works  
14 Operations Supervisor Garry Black, Finance Director Joan Swanson, and City Recorder Ruth  
15 Post.

16  
17 **MINUTES:**

18 **MOTION:** Councilor Biscoe moved, Councilor Andrade second, to approve the minutes of  
19 December 3, 2020 as presented. Motion APPROVED 3-0 (Yes: Andrade, Biscoe and Causey;  
20 No: None).

21  
22 **TREE BOARD BUSINESS:**

23 None.

24  
25 **PUBLIC WORKS BUSINESS:**

26 **Election of Chair:**

27 Councilor Causey volunteered to serve as Chair. Councilor Andrade nominated Councilor  
28 Biscoe as chair. Councilor Biscoe accepted the nomination.

29  
30 **VOTE:** Votes for Councilor Biscoe: 2 (Andrade and Biscoe). Councilor Causey named Councilor  
31 Biscoe as Chair for 2021-2022.

32  
33 **30 Minute parking zone on Main Street at 100 S 8<sup>th</sup> Street:**

34 Operations Supervisor Black summarized the request from Jona's Market to create a 30-minute  
35 parking zone on Highway 20/34 adjacent to their business to allow customers, particularly large  
36 rigs, to park there. There was discussion about cars currently using the spaces for all day  
37 parking and the locations of other limited parking designations around town. There was  
38 discussion about enforcement of the designation and the approval for the signage already  
39 received from ODOT.

40  
41 **MOTION:** Councilor Causey moved, Councilor Biscoe second, to approve the installation of the  
42 30 minute parking signs. Motion APPROVED 3-0 (Yes: Andrade, Biscoe and Causey; No:  
43 None).

44  
45 **Update on ongoing issues:**

46 Sidewalks: Public Works Director Fear explained missing sidewalks are the only outstanding  
47 issue carried over from the prior Public Works Committee. He reviewed the slope issues that  
48 have postponed any action related to the missing section of sidewalk on Neabeack Hill Drive.  
49 There was discussion about an inventory staff produced of currently missing sidewalks on  
50 improved City streets. There was discussion about staff refining the list to identify sidewalks that

1 should be installed by homeowners and the City's existing programs for achieving construction.  
2 There was discussion about maintaining equity when requiring sidewalks and that homeowners  
3 can also install the sidewalks themselves. There was discussion about owners being  
4 responsible for installation and maintenance of sidewalks. It was agreed to table further  
5 discussion about sidewalks until a future meeting.  
6

7 **Capital Improvement Plan (CIP):**

8 The project list was introduced. There was discussion about inclusion of a skate park upgrade in  
9 the Park Master Plan project list during the current master plan update, followed by prioritization  
10 of projects before including it in the CIP. There was discussion about the method of determining  
11 that Westech Engineering serves as the City's engineer of record.  
12

13 Skate Park: There was discussion about the local group supporting an effort to construct a new  
14 skate park and the inclusion of projects from all of the master plans on the CIP schedule. There  
15 was discussion about funding projects on the schedule and applying for grants that are in the  
16 master plans. There was discussion about the difference between maintenance projects and  
17 capital improvement projects.  
18

19 North 11<sup>th</sup> Street Improvements: There was discussion about questions related to using a local  
20 improvement district (LID) to make improvements and the need to budget for projects in order  
21 for them to be available to proceed with construction. There was discussion about the delay  
22 allowed of the required street improvements on North 11<sup>th</sup> Street for Mark Knutson's triplexes  
23 and Heather Glen Subdivision in order to bundle a single cohesive construction package.  
24

25 There was discussion about the goal to bring the Committee up to speed on the process of  
26 projects moving from the master plans to the strategic plan to the CIP and ultimately to the  
27 budget.  
28

29 Bike path: There was discussion about the types of eligible bike path projects from the portion of  
30 ODOT gas tax that is required to be reserved for bike and pedestrian projects. There was  
31 discussion about potential projects that could use the funds as a funding source and projects  
32 the funds have been used for in the past.  
33

34 Park Infrastructure Improvement Schedule: Finance Director Swanson reviewed the Park  
35 Schedule as an explanation of each of the schedules. There was discussion about the use of  
36 System Development Charges being determined by the methodology reports and State  
37 statutes. There was discussion about the updating of the methodology reports and the City  
38 Council public hearings scheduled for April 12.  
39

40 There was discussion about projects that extend across multiple schedules, such as the North  
41 11<sup>th</sup> Street project does for water, sewer, storm drain and streets. There was discussion about  
42 the use of grant funds and a new grant funding opportunity from ODOT to be applied for in  
43 2022-2023 for park pathways. There was discussion about the fluidity of the schedule that can  
44 push projects back a year or two due to fluctuating circumstances.  
45

46 There was discussion about the impacts of adding an LID into the project list, including up-front  
47 costs for the City and the reimbursement process by the property owners. There was discussion  
48 about the Landmark Drive LID and the process to complete that.  
49

1 Water Infrastructure Improvement Schedule: The Committee was encouraged to review the  
2 schedule and reach out to staff with any questions. There was brief discussion about the  
3 complete water treatment plant project estimates.  
4

5 There was agreement to continue the schedule review on Wednesday, February 18, at 3:00  
6 p.m. There was discussion about the inclusion of LID projects in the proposed plan and further  
7 process required to be held by the Council before any LID project actually moved forward.  
8 There was discussion about the language used to describe any LID's. Chair Biscoe requested  
9 addition of disclaimer language and Councilor Andrade supported that request.  
10

11 **Camas Bulb Removal:**

12 There was brief discussion regarding harvesting Camas bulbs from the water treatment plant  
13 site and representatives from the Marys River Watershed Council and Benton Soil & Watershed  
14 District that Director Fear has been in contact with.  
15

16 Chair Biscoe adjourned the meeting at 4:55 p.m.

17 Meeting recorded by Ruth Post, MMC, City Recorder

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

**Philomath Public Works Committee**  
**MINUTES**  
**February 18, 2021**

**CALL TO ORDER:**

Chair Catherine Biscoe called the meeting to order at 3:00 p.m. The meeting was held via Zoom virtual technology due to the Oregon Governor's Executive Order restricting in-person meetings during the COVID-19 pandemic. The meeting was live-streamed on the City's Facebook page to provide public access.

**ROLL CALL:**

City Councilors: Jessica Andrade, Catherine Biscoe and Ruth Causey.  
Staff: City Manager Chris Workman, Public Works Director Kevin Fear, Public Works Operations Supervisor Garry Black, Finance Director Joan Swanson, and City Recorder Ruth Post.

**PUBLIC WORKS BUSINESS:**

**Capital Improvement Plan (CIP):** There was discussion about the purpose of the CIP within the context of the budget process and the Strategic Plan. There was discussion about the method of prioritizing the projects within the Master Plans and the reasoning behind upgrading North 11<sup>th</sup> Street. There was discussion about Master Plans being built to cover the estimated 20-year population.

There was discussion about the timing of applying the ENR inflationary rate and the estimation of the project costs listed in the plan until engineering is completed to provide more detailed costs.

Water Infrastructure Schedule: The Committee picked up review where they'd left off at the February 11, 2021 meeting. There was discussion about the Neabeack Hill Reservoir, including standard scheduled cleaning and inspections.

Sewer Infrastructure Schedule: There was discussion about the status of the Landmark Drive Local Improvement District (LID) that has been approved by the Council and is currently being engineered. There was discussion about the fiscal management of an LID.

There was discussion about crosswalk improvements that were completed this year as identified in the Safe Routes to School Plan, including ADA compliant crosswalk ramps and the expense associated with those.

There was discussion about the inclusion of South 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> Street projects to replace 1952-era sewer pipe and address inflow and infiltration issues (I&I). There was discussion about the priority of those projects along with the I&I issues on North 11<sup>th</sup> Street. There was discussion about the issues and expenses created by I&I, including pipe space, pumping expense to the lagoons, lagoon space, chemical expenses, and wear and tear on pumps. There was discussion about elevating the urgency related to the aging sewer lines. There was discussion about methods of evaluating I&I, including smoke testing.

There was discussion about the Strategic Plan Goal 3.2 Objective 3.2.1 to reduce I&I and the action item to use the CIP to identify projects to address that. There was discussion about accomplishing the full replacement over ten years. There was discussion about emergency

1 repairs versus an economy of scale by completing major projects. The Committee requested  
2 staff generate a report on I&I impacts on City expenses to address arguments that the 1952-era  
3 pipes should be replaced at a more fast-tracked basis.  
4

5 There was discussion about the constraints involved in completing the projects, including the  
6 transfer allocation from the Sewer Fund while also considering the sewer rates paid by  
7 ratepayers. There was discussion about staffing issues related to growth of the community.  
8

9 There was discussion about the use of SDC funds to pay towards existing sewer bond  
10 payments and the nature of construction seasons being spread out over fiscal budget years in  
11 the CIP.  
12

13 Street Infrastructure Schedule: Staff described the need for completion of water and sewer lines  
14 in North 11th Street prior to making street improvements, resulting in projects being listed on  
15 multiple schedules.  
16

17 There was discussion about the use of SDC funds towards the Downtown Safety & Streetscape  
18 Improvements Project as part of the overall project budget. There was discussion about the  
19 project being listed in the Street Methodology Report scheduled for public hearing before the  
20 Council on April 8.  
21

22 There was discussion about the Finance and Administration Committee's action on February 17  
23 to increase the Street Utility Fee to address funding needs in the Street Fund and to put towards  
24 transfers into the Land, Building & Equipment Reserve Fund.  
25

26 Parks Infrastructure Schedule: There was discussion about replacement of the City Park  
27 restrooms to address ADA issues. Additional discussion was related to State statutes that  
28 restrict the use of SDC's and the establishment of project lists in the methodology reports. There  
29 was discussion about the annual inflationary increase to SDC's and the periodic review of the  
30 methodology reports to address the actual rates. There was further discussion about the  
31 methodology update process currently underway.  
32

33 There was discussion about a potential gazebo project at the Cochran Memorial Park and  
34 neighborhood survey plans by the Park Advisory Board.  
35

36 Storm Drain Infrastructure Schedule: There was discussion about updating the 1998  
37 Stormwater Master Plan and the eligibility of that update for SDC funds. There was discussion  
38 about engineering staffing constraints for the number of projects on the docket.  
39

40 Bike Path/Footpath: There was discussion about budgeting funds in the event a project comes  
41 along that specifically qualifies for use of the funds in that schedule. There was discussion about  
42 the connectivity of the downtown area and the participation of the ODOT Active Transportation  
43 Unit in the Downtown Safety & Streetscapes Project. There was discussion about the available  
44 funds having been expended this year on projects identified in the Safe Routes to School Plan.  
45

46 Equipment Replacement Schedule: There was discussion about the replacement plan for  
47 vehicles and equipment. Staff reviewed the format of the schedule. There was discussion about  
48 equipment that is purchased used versus new. Staff explained the purpose of the sewer vac  
49 truck, including the importance and expense of that truck to the community. There was  
50 discussion about the continual use of the vac truck.  
51

1 There was discussion about the two pieces of equipment to be included in the 2021-2022  
2 budget for replacement: the 2009 GMC from the Water Fund and the 2007 Camel Vacuum  
3 Truck from the Sewer Fund. There was discussion about stretching the use of equipment out as  
4 much as possible.

5  
6 Facility Improvement Schedule: Staff noted there are no projects planned for the upcoming  
7 year, but the need to reserve funds for upgrade/remodels in coming years to City Hall and the  
8 Library and the HVAC at the Public Works office.

9  
10 Introductory Pages: City Manager Workman thanked Councilor Causey and the City of Salem  
11 for the introductory language draft. There was discussion about the 3-year plan being labeled  
12 for fiscal years 2021 through 2023. There was discussion about including language addressing  
13 unanticipated and emergency projects.

14  
15 **MOTION**: Councilor Causey moved, Councilor Andrade second, to forward the draft Capital  
16 Improvement Plan for 2021-2023 to the City Council for approval.

17  
18 There was discussion about additional editing of the introductory pages at the Council level.  
19 There was discussion about the process of approving the CIP and the final Council approval.  
20 There was discussion about the impact of the additional sewer infrastructure information related  
21 to I&I that was requested from staff. There was additional discussion regarding the purpose of  
22 the CIP as a planning tool. Chair Biscoe made it clear that she is in no way approving the actual  
23 projects in the plan but was comfortable approving the plan. There was discussion about the  
24 process of drafting of the Agenda Item Summary to go before the Council. Public Works  
25 Director Fear was directed to work with Chair Biscoe to develop the summary.

26  
27 Motion APPROVED 3-0 (Yes: Andrade, Biscoe, Causey; No: None.)

28  
29 **OTHER BUSINESS:**

30 **Park Advisory Board**: Councilor Andrade questioned the relationship between the Park  
31 Advisory Board and the Public Works Committee as described in PMC 2.55. Mr. Workman  
32 described coordination of projects the Park Advisory Board is working on. There was discussion  
33 about housekeeping to be in compliance with the City Code or whether the Code should be  
34 amended. There was consensus to move the issue to another meeting agenda, along with a  
35 discussion on the Safe Routes to School Plan. Mr. Workman noted the LID's would be the  
36 subject of an upcoming Council work session.

37  
38 **ShakeAlert Software**: Councilor Andrade questioned the earthquake safety features of the  
39 treatment plant. Staff described the safety features and shutdown protocols related to situations  
40 such as pipes breaking and the upgrades that will come with the new treatment plant. Councilor  
41 Andrade suggested investigating the free version of the ShakeAlert software that is available.

42  
43 **Cybersecurity of Public Works Operations**: Councilor Andrade requested information about  
44 the City's cyber security for operations. Mr. Fear noted the City has a new IT firm addressing  
45 cyber security issues and the new treatment plant will have increased security features  
46 incorporated.

47  
48 Chair Biscoe adjourned the meeting at 5:09 p.m.  
49 Meeting recorded by Ruth Post, MMC, City Recorder

1 **Philomath Public Works Committee**  
2 **MINUTES**  
3 **March 18, 2021**

4  
5 **CALL TO ORDER:**

6 Chair Catherine Biscoe called the meeting to order at 3:00 p.m. The meeting was held via Zoom  
7 virtual technology due to the Oregon Governor's Executive Order restricting in-person meetings  
8 during the COVID-19 pandemic. The meeting was live-streamed on the City's Facebook page to  
9 provide public access.

10  
11 **ROLL CALL:**

12 City Councilors: Jessica Andrade, Catherine Biscoe and Ruth Causey.  
13 Staff: City Manager Chris Workman, Public Works Director Kevin Fear, Public Works  
14 Operations Supervisor Garry Black, and City Recorder Ruth Post.

15  
16 **MINUTES:**

17 Chair Biscoe requested that the minutes be tabled until the next regular meeting to allow her  
18 time to review the audio recording for potential discrepancies in the draft minutes.

19  
20 **TREE BOARD BUSINESS:**

21 None.

22  
23 **PUBLIC WORKS BUSINESS:**

24 **New Mercury TMDL Letter** – Public Works Director Fear provided a summary of the letter  
25 received after the City's new permit documentation was submitted and his expectation that the  
26 City already meets the requirements included in the letter. He reviewed the current sources of  
27 mercury in the City's discharge and his communications with DEQ representatives. He  
28 described grab samples that are taken upstream and downstream of City operations.

29  
30 **Citizen letter regarding Highway 20** – Chair Biscoe summarized the letter that expressed  
31 concerns about traffic safety on Highway 20 between Philomath and Newport. There was  
32 discussion about forwarding the issue to ODOT and that it is outside of the City's jurisdiction.  
33 Councilor Andrade questioned any response to a letter that was received in January that also  
34 addressed issues west of the City limits and requested that the City Manager forward any  
35 response that was given to her. Consensus was that, because Mayor Jones had already  
36 responded to the citizen, there was no need for the Committee to take any further action.

37  
38 **Safe Routes to School (SRTS) discussion** – Public Works Supervisor Black directed the  
39 Committee's attention to the Plan that is posted on the City's website. He reviewed the projects  
40 list in the agenda packet, including the projects in progress that are contingent on the North 11th  
41 Street improvement project. He noted there are projects that will need Committee prioritization  
42 but no action is required at this time. Mr. Workman described the integration of the SRTS  
43 projects in the Transportation System Plan and coordination of project review to highlight next  
44 priority of street projects for future years. Councilor Causey acknowledged the value and quality  
45 of the SRTS report. Councilor Andrade requested that the SRTS Plan be more prominently  
46 displayed on the website and requested a list of all plans available. Chair Biscoe also supported  
47 receiving a list of all plans and the most recent dates of update.

1 Chair Biscoe requested that Mr. Black provide direction on future projects at a subsequent  
2 meeting. There was additional discussion about the project lists and projects that would be  
3 addressed during private development projects.  
4

5 **Park Advisory Board discussion on how information is shared with Public Works**

6 **Committee** – Mr. Workman noted that the Park Advisory Board has been providing updates  
7 directly to the Council and suggested that the City Council may want to review the code for  
8 potential changes. There was discussion about how other committees relate to the Council.  
9

10 City Recorder Post provided a summary of the history of the Park Advisory Board code.  
11 Councilor Causey requested that the Committee recommend a code amendment removing the  
12 language for the PAB to report to the Public Works Committee. Councilor Andrade stated  
13 concerns about communication issues in the Park Advisory Board meetings and requested a  
14 thorough evaluation of the code to better organize the Board and its communications. Chair  
15 Biscoe agreed with removal of the requirement for the Board to report to the Public Works  
16 Committee but also agreed that the code be reviewed. She requested that staff and the  
17 Committee bring back recommendations. Councilor Causey requested that Councilor Andrade’s  
18 communication concerns be more clearly identified. Chair Biscoe requested that concerns and  
19 recommendations be brought back to the Committee for review.  
20

21 **Inflow & Infiltration (I&I) discussion** – Mr. Fear reviewed the spreadsheet in the agenda  
22 packet evaluating theoretical elimination of I&I and the cost savings associated with it. Chair  
23 Biscoe summarized the prior discussion about the cost of I&I as it related to the 1952-era sewer  
24 pipe. Councilor Causey noted the City has a plan for practically everything and, the City’s  
25 infrastructure is in good shape and probably in better shape than most cities. Councilor Andrade  
26 requested staff confirmation of that but questioned the comparison to other cities. Mr. Fear  
27 described the evaluation by the City’s engineering firm Westech Engineering that summarized  
28 Philomath’s infrastructure is in good shape. He recommended continuing with the plan to  
29 replace sections of the pipe in the manner that it currently is being done.  
30

31 Councilor Andrade questioned if Oregon Clean Water Revolving Funds could be a used to  
32 address the issue. Mr. Fear described the restrictive requirements that can add up to 20% to the  
33 cost of projects when using the revolving funds and the impact of having to raise user rates to  
34 pay for those. He recommended continuing with the process that has been being used.  
35 Councilor Andrade questioned the cost factors. Mr. Fear stated Westech has never seen a  
36 forgiveness of loan costs associated with the revolving funds and he described the type of  
37 failing systems that qualify for them. He described the types of additional costs that are required  
38 to be included in revolving fund projects.  
39

40 Mr. Workman reviewed the process of planning for projects and then making the projects  
41 happen. He described the need to have good projects, well planned and then determine  
42 funding, rather than chasing after funding before identifying projects. He noted that revolving  
43 fund loans typically come back around in subsequent years and can be assessed for  
44 applicability to a project.  
45

46 Chair Biscoe reviewed the informational request for the 1952-era pipe report and that it wasn’t  
47 intended as an expectation to complete all the projects immediately. She requested that all  
48 rhetoric on the committee regarding the newness or longevity of committee members be  
49 removed from future discussions.  
50



1 **Costs of replacing all 1952 era sewer pipe** – Mr. Fear reviewed the Concrete Sewer  
2 Replacement Projects list included in the agenda packet. He described the logical grouping of  
3 pipe runs into projects and the intent to complete an area in a project. He described the  
4 intention of the list to create manageable projects that addressed bad locations in a project  
5 every two to three years. He reviewed projects individually and described the way projects can  
6 be reprioritized when line videos are reviewed. There was discussion about the projects being  
7 covered in the Master Plan under Priority 1 and Priority 2.

8  
9 Chair Biscoe questioned how many of the projects are associated with proposed local  
10 improvement districts. There was discussion about the North 11th Street project. Councilor  
11 Andrade questioned if a binder of grant and loan funding sources is maintained. Mr. Workman  
12 reviewed the funding sources identified in the master plan documents. He described the funding  
13 resources that are evaluated when a project is planned. Councilor Andrade suggested having a  
14 live list that is updated when funding sources are made available so Councilors know what staff  
15 is aware of and can be added to. Mr. Workman described concerns about the time involved in  
16 keeping something like that up-to-date and encouraged Councilors to forward any funding  
17 sources on to staff. He described the timing of projects along with identifying funding.

18  
19 Chair Biscoe reviewed the ongoing work of the Oregon 100-Year Water Vision and the  
20 significant federal funding that could come from that. Mr. Workman described the potential for  
21 any federal funding towards infrastructure and the timing of receiving anything that became a  
22 reality.

23  
24 **Water Treatment Plant Update** – Mr. Fear provided a summary of progress moving forward,  
25 including the in-stream diversion application, wetlands mitigation application and reservoir  
26 construction. He stated the goal is to get the reservoir out to bid within the next couple of  
27 months to begin construction in July.

28  
29 Mr. Fear reviewed conversations with volunteers to relocate camas plants from that location.  
30 Chair Biscoe questioned if there is any need to address the camas to be potentially impacted by  
31 the Northernwood project on North 19th Street.

32  
33 Chair Biscoe questioned the earthquake mitigation plans for the new treatment plant. Mr. Fear  
34 described the design plans to address earthquake preparedness.

35  
36 Councilor Causey requested that materials to be addressed during meetings be forwarded out  
37 prior to meetings. There was discussion about forwarding materials to staff for distribution to  
38 ensure no violation of public meetings rules occurred and confirmation of receipt of those  
39 materials.

40  
41 **April 1 meeting date** – Chair Biscoe requested that meetings be regularly scheduled and  
42 cancelled if there is no need. There was discussion about the need for agenda confirmation the  
43 week prior to the meeting date. Mr. Workman suggested the next meeting be scheduled for the  
44 first Thursday in May. There was discussion about the federal stimulus funding allocation and  
45 the potential to hold a Committee meeting later in April after the Council meeting April 12 if  
46 needed. Mr. Workman described the unknowns associated with the federal funds and potential  
47 for funds to be allocated in non-infrastructure program areas. The next meeting will be  
48 scheduled for May 6 with the understanding that it could be pushed forward based on the  
49 outcome of the April 12 Council meeting.

- 1 **OTHER BUSINESS:**
- 2 None.
- 3
- 4 Chair Biscoe adjourned the meeting at 4:43 p.m.
- 5 Meeting recorded by Ruth Post, MMC, City Recorder

1 **Philomath Public Works Committee**  
2 **MINUTES**  
3 **May 6, 2021**  
4

5 **CALL TO ORDER:**

6 Chair Catherine Biscoe called the meeting to order at 3:00 p.m. The meeting was held via Zoom  
7 virtual technology due to the Oregon Governor's Executive Order restricting in-person meetings  
8 during the COVID-19 pandemic. The meeting was live-streamed on the City's Facebook page to  
9 provide public access.

10  
11 **ROLL CALL:**

12 City Councilors: Jessica Andrade, Catherine Biscoe and Ruth Causey. Rick Flacco  
13 Staff: City Manager Chris Workman, Public Works Director Kevin Fear, Public Works  
14 Operations Supervisor Garry Black  
15

16 **MINUTES:** February 18, 2021 and March 18, 2021  
17

18 **MOTION:** Councilor Causey moved, Councilor Andrade second, to approve the minutes of  
19 February 18, 2021.  
20

21 Motion APPROVED 3-0 (Yes: Andrade, Biscoe, Causey; No: None.)  
22

23 **MOTION:** Councilor Causey moved, Councilor Andrade second, to approve the minutes of  
24 March 18, 2021.  
25

26 The following needed corrections were noted:

27 Page 1 line 26 change "City already meeting" to "City already meets"

28 Page 2 line 34 change "has been being used" to "has been used"  
29

30 Motion APPROVED 3-0 (Yes: Andrade, Biscoe, Causey; No: None.)  
31

32 **TREE BOARD BUSINESS**

33 **East Newton Creek Park Trees**

34 Black reviewed a request to remove ash trees along the Hunsaker Bike Path that are failing in  
35 health and have been deemed hazardous trees by the City Arborist.  
36

37 Flacco stated he had inspected the location and expressed his concern about keeping any Ash  
38 trees we can and not taking them down pre-maturely. Mr. Black confirmed that Ash trees are on  
39 the allowed tree list. It was decided to plant 2-3 Ash or similar trees in the area once the hazard  
40 trees are removed. The American Elm was also noted as a possibility as well. The was  
41 additional discussion about the condition of the Hunsaker Bike Path.  
42

43 **MOTION:** Councilor Andrade moved, Councilor Causey second, that the trees be removed and  
44 replaced and the asphalt be repaired.  
45

46 Motion APPROVED 4-0 (Yes: Andrade, Biscoe, Causey, Flacco; No: None.)  
47

48 Black reported on the 27-year Tree City USA milestone and event and thanked the Committee  
49 for its continued support.  
50

1 Biscoe request the bike path repair topic be brought back to the PW Committee for  
2 consideration in the future.

3  
4 Tree Board business was completed and Flacco left the meeting.

5  
6 **PUBLIC WORKS BUSINESS:**  
7 **N. 12<sup>th</sup> Street (“F” Street Road District) Repair Discussion**

8 Chair Biscoe tabled this agenda item.

9  
10 **Public Works Committee/Park Advisory Board Relationship Discussion**

11 Andrade stated concerns about the Park Advisory Board and its relationship with the Public  
12 Works Committee, seeming to be contrary to what is in the Municipal Code and recommended a  
13 joint meeting. There was discussion of having a Park Advisory Board member attend Public  
14 Works Committee meetings and report on what the Board was doing.

15  
16 Workman recommended amending the code to have the Park Advisory Board report directly to  
17 the Council, not to the Public Work Committee. There was discussion about the Council Rules  
18 potential effect on some of the concerns raised about how the Park Advisory Board was  
19 functioning. There was additional discussion to have a standing invitation to a member of the  
20 Park Advisory Board to attend a Public Works Committee and having a joint meeting after the  
21 Council Rules are completed or before.

22  
23 The Public Works Committee requested to schedule a joint meeting with the Park Advisory  
24 Board. Workman recommended that members of the Committee attend the Park Advisory  
25 Board meeting on June 10. Biscoe agreed to draft a letter notifying the Park Advisory Board  
26 members of the Committee's intent to meet and speak with them.

27  
28 **Mill Pond DEQ Methane Update**

29 Workman provided a summary of the email he provided the City Council on April 23, 2021  
30 concerning this topic. There was discussion about the effect of fines on home prices and the  
31 fines getting passed on to homeowners.

32  
33 In response to a question from Causey, Workman referenced clear and objective standards for  
34 residential development that would make it difficult to not allow a developer that was fined from  
35 developing a site in the future.

36  
37 There was discussion about the timing of the notification to home owners and the City from  
38 DEQ. There was discussion about having someone from DEQ possibly come and address the  
39 City Council, if the Council chose to do so.

40  
41 **Reimbursement District Discussion**

42 There was discussion about this topic being directed to the Public Works Committee during the  
43 previous Council Work Session.

44  
45 Causey noted that 14.25.030 should read, “stand alone,” not “stand along.  
46 Causey suggested a statement be added between points D. and E. of 14.25.040 that states the  
47 reimbursement amount not exceed a fixed percentage of the affixed value of the property,  
48 suggesting no more than 10%, but that developed and undeveloped properties be looked at  
49 differently due to the difference in property values.

50 In 14.25.060, define “reasonable time”

1 In 14.25.080, strengthen point D. to make it clear the developer cannot continue to add cost  
2 after the second resolution is passed.

3  
4 There was discussion about the need for a first resolution to notify potentially affected  
5 neighboring property owners and the timing of the second resolution. There was discussion  
6 about making the code language more clear to property owners of the potential effects of a  
7 reimbursement district on their property, including possibly putting estimated assessment values  
8 in the hearing notification. There was discussion of adding a cap to the potential cost and  
9 making the code and the application itself very clear to reduce surprises.

10

11 **Public Works Project Updates**

12 Fear provided brief update on the water treatment plant and reservoir progress and agreed to  
13 provide an update at the City Council meeting. There was discussion about the value of  
14 monthly status updates as large projects don't move quickly. There was additional discussion  
15 about the efforts to work with partners to relocate the camas in the reservoir area so we can  
16 finalize the City's permit.

17

18 **Other Business**

19 None

20

21 Chair Biscoe adjourned the meeting at 5:03 p.m.

22 Meeting recorded by Chris Workman, City Manager

1  
2 **Philomath Public Works Committee**  
3 **MINUTES**  
4 **August 18, 2021**  
5

6 **CALL TO ORDER:**

7 Chair Catherine Biscoe called the meeting to order at 5:00 p.m. The meeting was held via Zoom  
8 virtual technology due to the Oregon Governor's Executive Order restricting in-person meetings  
9 during the COVID-19 pandemic. The meeting was live-streamed on the City's Facebook page to  
10 provide public access.  
11

12 **ROLL CALL:**

13 City Councilors: Jessica Andrade, Catherine Biscoe and Ruth Causey. Rick Flacco and Lorri  
14 Hendon  
15 Staff: City Manager Chris Workman  
16

17 **MINUTES:** February 11, 2021 and May 6, 2021

18 Minutes in the packet were blank and only the May 6 minutes were available online.  
19 The May 6 minutes reference a February 18 meeting, not Feb. 11<sup>th</sup>. Minutes were tabled until  
20 this was sorted out.  
21

22 **TREE BOARD BUSINESS**

23 **203 N. 12th Street Tree Removal Request**

24 Flacco read the issue statement and said he visited the location and the tree in question is on  
25 the homeowner's property. There was discussion on whether or not the tree was actually in the  
26 ROW and if the homeowner was needing the City's permission to remove her tree. In reviewing  
27 the map, Workman confirmed all three trees are within the ROW and the request is for the City  
28 to remove the trees.  
29

30 There was discussion about the health of the tree, and the homeowner's desire to have it  
31 removed in order to allow the two trees on either side to fill in better. The tree in question was  
32 noted as being relatively healthy, having been topped several times due to overhead power  
33 lines. The fir to the west is a wonderful specimen and the cedar to the east is a good specimen.  
34 There was concern about it growing through the power lines and the need for continual topping  
35 which is not healthy for trees. There was additional concern about the impact all three trees  
36 might have on the sidewalk in the future due to their location.  
37

38 There was discussion about whether the PW crew would be able to remove the tree or if would  
39 need to be contracted out. There was discussion about the possibility of undergrounding the  
40 power lines. There was additional discussion about all three trees being in a poor location for  
41 the long term and the benefits of removing just the middle tree.  
42

43 There was consensus to have Flacco meet on site with the city arborist and operations  
44 supervisor to consider the potential future safety issue of a buckling sidewalk and the concern of  
45 the trees being in the power lines.  
46

47 **PUBLIC WORKS BUSINESS:**

48 **City Wide Sidewalk Completion List**

49 Biscoe read the agenda item summary.  
50

1 Workman reported that he had learned that the Neabeack Hill HOA had agreed to install the  
2 missing section of sidewalk along the bottom of the hill. This was the section that was first  
3 brought forward as an area of concern. There was a request to develop a policy on when to  
4 install sidewalks equitably, with funding provided for those who can't afford them.

5  
6 There was discussion about the costs and the benefits of doing multiple sections all at once in  
7 order to take advantage of economies of scale. It was estimated that sidewalks would cost  
8 roughly \$100 per linear foot installed. There was discussion about the current policy laid out in  
9 the municipal code and the previous effort to require a large number of property owners to  
10 install sidewalks.

11  
12 There was discussion about the fairness of homeowners having to install the sidewalks,  
13 especially if they could not afford it. There was discussion about why certain sections of  
14 properties were included on the list of sidewalks recommended to be installed and others were  
15 not. There was agreement to table the discussion until this was clarified. It was noted that  
16 since the City had required homeowners to install sidewalks in the past it would be extremely  
17 difficult to take equity into consideration when it comes to installation cost. There was further  
18 discussion about having Andrade evaluate some metrics to include equity in the  
19 recommendations. There was consensus to table the discussion.

20  
21 There was discussion about what types of equity lenses should be considered, such as home  
22 equity, length of time in the home, diversity, socioeconomic barriers. There was additional  
23 discussion about needing to keep the program or new policy simple due to staffing constraints.  
24 There was discussion about concerns that may be expressed by residents who already paid for  
25 the sidewalks in front of their homes, if they are required to pay for sidewalks in front of  
26 someone else's home and the effort to pay for any type of program with grant funds or  
27 reallocating the budget.

#### 28 29 **LOC Private Service Warranty Program**

30 There was discussion about the cost to the homeowner who chooses to enroll in the program  
31 and pay the premium which covers the water, sewer and internal lines owned by the property  
32 owner. There was a question about how many people enroll in the program and what the  
33 royalty to the City would be.

34  
35 There was discussion about the marketing ploy of programs like this that rely on impressing on  
36 homeowners that the city has partnered with the company to provide the service. There were  
37 concerns about not providing formal recommendations or endorsements for other services, and  
38 concerns about endorsing any private company.

39  
40 There was agreement to have staff look into the issue more closely and come back to the  
41 Committee with answers to the questions previously asked. There was an additional question  
42 about how many cities in Oregon participate in the program.

#### 43 44 **Bike Path Repair Discussion**

45 Workman provided a report on the status of the Hunsaker Bake Path. PW Operations  
46 Supervisor recommended waiting a few years before making improvements, possibly a full  
47 repave, but no additional work is needed at this time.

48  
49 There was discussion about recent passage of a bill that had the potential of increasing the cost  
50 of labor. Workman reported that there would be an effect on the cost of projects that included  
51 prevailing wages, but it would not require the City to cancel or postpone any projects. Project

1 cost estimates are estimates are that are updated during pre-design for a specific project and  
2 when capital project lists and master plans are updated.

3  
4 There was discussion about the importance of having projects, specifically new trails, “shovel  
5 ready” for when grants become available. Workman described past efforts to prepare new trails  
6 between PW and the elementary school and along Newton Creek. He recommended looking at  
7 the updated Park Master Plan once released to identify priority projects to start working on.

8  
9 **Public Works Project Updates**  
10 Workman reported on status of the water reservoir and treatment plant, Landmark Drive and N  
11 11<sup>th</sup> Street, and the Streetscape project.

12  
13 The next phase of the Streetscape public outreach will include contacting businesses and  
14 shoring up temporary access easements along the highway. An opt-in email distribution list is  
15 getting established. A public art committee is needed and will be proposed to the City Council  
16 in September. Existing trees are looked at individually and will be removed or left as needed.  
17 There was a request to update and get approval of the Council on the final landscape design.

18  
19 There was discussion about taking public input at committee meetings and the desire for  
20 consistency across subcommittees of the Council, the Park Advisory Board, and the Planning  
21 Commission. It was agreed to bring this topic up during the Council Rules work session. There  
22 was additional discussion about whether topics were to be initiated at the Council level or at the  
23 committee level, and Workman stated he is following Council direction to have new topics go to  
24 the Council first.

25  
26 There was discussion of getting buy-in about a Heritage Tree Program from the Tree Board.

27  
28 **Other Business**  
29 None

30  
31 Chair Biscoe adjourned the meeting at 6:48 p.m.  
32 Meeting recorded by Chris Workman, City Manager



1 **Philomath Public Works Committee**  
2 **MINUTES**  
3 **September 16, 2021**

4  
5 **CALL TO ORDER:**

6 Chair Catherine Biscoe called the meeting to order at 5:00 p.m. The meeting was held via Zoom  
7 virtual technology due to the Oregon Governor's Executive Order restricting in-person meetings  
8 during the COVID-19 pandemic. The meeting was live-streamed on the City's Facebook page to  
9 provide public access.

10  
11 **ROLL CALL:**

12 City Councilors: Jessica Andrade, Catherine Biscoe and Ruth Causey.  
13 Staff: City Manager Chris Workman

14  
15 **MINUTES:**

16 Councilor Andrade moved, Councilor Biscoe second, to amend the August 18, 2021 minutes on  
17 Page 3, Line 11 to begin a new paragraph after "project" and insert "Streetscape" to read: "The  
18 next phase of Streetscape public outreach ..."

19  
20 Furthermore, Councilor Andrade moved to amend the May 6, 2021 minutes on Page 2, Lines  
21 23-24 to read: "The Public Works Committee requested to schedule a joint meeting with the  
22 Park Advisory Board. Workman recommended that members of the Committee attend the Park  
23 Advisory Board meeting on June 10. Biscoe agreed to draft a letter notifying the Park Advisory  
24 Board members of the Committee's intent to meet and speak with them."

25 Motion APPROVED 3-0 (Yes: Andrade, Causey and Biscoe; No: None).

26 **MOTION:** Councilor Causey moved, Councilor Andrade second, the minutes of February 11,  
27 May 6 and August 18, 2021 be approved as amended. Motion APPROVED 3-0 (Yes: Andrade,  
28 Causey and Biscoe; No: None).

29 **TREE BOARD BUSINESS**

30 **203 N. 12th Street Tree Removal Request** – Chair Biscoe suggested limbing the center tree  
31 up instead of removal and reviewed Tree Board member Rick Flacco's memo regarding the  
32 subject trees.

33  
34 Chair Biscoe requested page numbering for packets.

35  
36 **MOTION:** Councilor Causey moved, Councilor Andrade second, to accept the recommendation  
37 of Tree Board member Rick Flacco and leave the trees at 203 N 12th Street as is, with the  
38 additional request that the tree be evaluated for dead limb removal. Motion APPROVED 3-0  
39 (Yes: Andrade, Causey and Biscoe; No: None).

40  
41 Councilor Causey expressed thanks to Rick Flacco for his efforts.

42  
43 **PUBLIC WORKS BUSINESS:**

44 **City Wide Sidewalk Completion List** – There was discussion about where to go with the  
45 information provided and what policies exist related to developer's installing sidewalks. There  
46 was discussion about timing installation of sidewalks with issuance of certificates of occupancy.  
47 There was discussion about vacant lots in developments that do not have sidewalks. Councilor  
48 Andrade questions the ability to tie spending SDC funds received on a development to the

1 neighborhood in which the development was located. Workman explained the nature of SDC's  
2 isn't to pay for specific improvements related to that project but are intended for more general  
3 community improvements for the entire system. There Was discussion about policies related to  
4 sidewalk installations, chronological construction process, reasons some properties do not have  
5 sidewalks installed and how to move forward. Workman noted the Public Works Committee  
6 requested that staff prepare the list of missing sidewalks and provide them to the Committee  
7 and that no action is being requested of the Committee at this time. There was discussion about  
8 proceeding with the non-vacant properties that pose a safety issue and the process for placing a  
9 lien on properties that the City must install the sidewalk on. There was discussion about  
10 requiring installment of sidewalks on the vacant lots and the risk of damage during property  
11 improvements, including requiring the owner to pay for those repairs.

12  
13 Workman suggested refining the list and described the common use by other cities of a  
14 maintenance fee to repair existing sidewalks as needed. There was discussion about  
15 homeowner responsibility for sidewalk maintenance and the estimated cost of sidewalk  
16 installations. There was more discussion about pursuing installation of the vacant lot sidewalks  
17 on a case-by-case basis.

18  
19 There was discussion about installation of sidewalks on unimproved streets and the use of non-  
20 remonstrance agreements when improvements are made on lots adjacent to unimproved  
21 streets. There was discussion about sidewalks on North 12th Street that would need to be  
22 removed if the sidewalk was installed. There was discussion about the list provided by Public  
23 Works being broken down into "missing sidewalk inventory," "recommended sidewalk  
24 installations," and "questionable retirement;" and the accompanying photos. There was  
25 discussion about certain vacant lots that may be challenging to develop.

26  
27 Workman reviewed the complaint-driven nature of current sidewalk installation enforcement and  
28 the substantial expense for homeowners to require sidewalk installation. There was discussion  
29 about the downhill sidewalks on Coastal View Drive. Workman reaffirmed that the reason  
30 missing sidewalks were being reviewed was because of a complaint about the missing section  
31 on Neabeack Hill Drive.

32  
33 Chair Biscoe proposed options for the Committee, including presenting the data to the full  
34 Council for review. Councilor Causey requested a refined list of missing sidewalks on  
35 developed, built-on lots that are not on unimproved streets; and take a recommendation to the  
36 Council based on that information. Workman suggested it would be a short list and noted that  
37 the Neabeack Hill Homeowners Association intends to install the sidewalk that was originally  
38 brought to the Committee's attention via complaint.

39  
40 There was discussion about the missing sidewalks on Sunrose Court. Workman reviewed the  
41 challenges of setting a definitive policy to apply to the many individual situations that exist.  
42 Councilor Andrade suggested focusing effort on applying policies henceforward to avoid the list  
43 growing any longer.

44  
45 There was additional discussion about homes built on Coastal View Drive missing sidewalks on  
46 the downhill side of the properties.

47  
48 Workman described new road types in the Transportation System Plan including shared lanes  
49 and there was further discussion about these types of streets that have limited traffic count and  
50 are intended to be narrower right-of-ways.

51

1 There was discussion about different types of developments in which some install the sidewalks  
2 as part of the development and some sell the lots off and have sidewalks installed individually  
3 as they are built on. There was discussion about the completion of lots on Topaz and whether  
4 any developer has defaulted on installation of sidewalks.

5  
6 Councilor Causey recommended a revised list of developed lots with missing sidewalks be  
7 taken to the Council along with the information that the original complaint is expected to be  
8 resolved. There was discussion about reviewing the list prior to taking to Council. Councilor  
9 Andrade requested more level of detail on individual properties with additional circumstances.

10  
11 Chair Biscoe questioned what the plan was for the two properties outside the city limits at 201  
12 Main Street and 500 Pioneer Street. Mr. Workman reviewed that 201 Main Street is inside the  
13 Urban Growth Boundary but outside the city limits. There was discussion about the lots being  
14 outside the city's jurisdiction and 500 Pioneer Street being previously considered for annexation  
15 but the Council opted not to pursue it.

16  
17 There was consensus to review the refined information at the next Committee meeting before  
18 taking it to the full Council.

19  
20 **LOC Private Service Warranty Program** – Chair Biscoe summarized the previous Committee  
21 discussion and request for additional information about what other cities are doing. Mr.  
22 Workman reviewed discussion he had with the City of Jefferson's City Administrator and their  
23 agreement with the company, including minimal royalties received and lack of receipt of  
24 information about subscribers.

25  
26 Councilor Causey recommended that Philomath not join this program and reviewed concerns  
27 about potential negative impacts for both homeowners and for the city. Mr. Workman described  
28 other options available to homeowners and suggested community education to remind  
29 homeowners that there are insurance programs available. Mr. Workman offered to place a  
30 post about insurance programs on the City Facebook page.

31  
32 **Local Improvement District (LID) Discussion** – Chair Biscoe tabled the discussion due to the  
33 information provided being higher level than anticipated and made reference to inconsistencies  
34 in the materials, including lack of other options. There was discussion about identifying other  
35 funding options that could be considered and having a higher level discussion about the City's  
36 policy and use of LID's and uniform application of the administration of assessments. Chair  
37 Biscoe compared the metrics that were used for the discussion a couple of years ago to give the  
38 North 12th Street homeowners an idea of how much improvements to that street could cost to  
39 the metrics used in the engineering report for improvements to North 11th Street. Chair Biscoe  
40 wanted to identify the policy to be used to apply consistent assessments if the City were to  
41 move forward with use of LID's and the use of LID's to improve streets that will be used by the  
42 community at large.

43  
44 Mr. Workman provided an overview of the prior request for information on North 12th Street that  
45 was initiated by the President of the road district, including an estimated project cost, number of  
46 homeowners on the street, and rough estimates of potential assessments. He suggested that  
47 the estimated information was not comparable to the engineer's report on North 11th Street.  
48 Chair Biscoe disagreed with Mr. Workman's characterization of the North 12th Street meeting to  
49 discuss improvements and described concerns about the method of determining assessments  
50 in the North 11th Street proposal. She cited the need to identify the guidelines and that the  
51 Committee is not currently in a position to hold that discussion at this time.

1  
2 There was further discussion regarding the options that were provided in the North 11th Street  
3 engineer's report and the City Engineer's recommended option based on linear feet in the  
4 packet memorandum. There was discussion about the Developer's Agreement with the Heather  
5 Glen Subdivision developer and the agreement reference to improvements as a linear footage  
6 of frontage. Mr. Workman reviewed the subdivision condition of approval for improvement of  
7 adjacent street frontage on a subdivision or development and reviewed the proposal in the  
8 meeting packet to hold Mr. Doud, Mr. Knutson and the City to that standard for the  
9 developments constructed by each along North 11th Street. Chair Biscoe described inequity of  
10 that proposal based on potential development of property on the north end of North 12th Street.  
11 Councilor Biscoe reiterated her position that any use of an LID needs to be equitable and  
12 consistent.

13  
14 Mr. Workman described the ballpark figure for curb, gutter and street that the City Engineer  
15 provided for the North 12th Street conversation and the rough estimation that was performed.  
16 There was discussion about the municipal code not defining the method of calculation, hence  
17 the providing of options and the goal of agreeing to a method that is most fair and agreeable to  
18 the affected property owners. Mr. Workman described the proposed allocation of the grant  
19 money received towards the North 11th Street project from the Corvallis Are Metropolitan  
20 Planning Organization (CAMPO).

21  
22 Chair Biscoe questioned the lack of SDC's being applied towards the North 12th Street estimate  
23 and the developers on North 11th Street being burdened inconsistently.

24  
25 Councilor Causey requested a walk-through of the proposal included in the packet at a future  
26 meeting. Chair Biscoe indicated a desire to review the information provided to the North "F"  
27 Street Road District for North 12th Street improvements to compare the differences in the  
28 proposals. Mr. Workman objected to using that information as a comparison because it wasn't  
29 presented as an LID.

30  
31 Mr. Workman raised the issue of Chair Biscoe's residence on North 12th Street and the  
32 personal nature of her position. Chair Biscoe denied that there was any conflict of interest and  
33 affirmed that she had discussed the issue with the City Attorney. Councilor Andrade agreed with  
34 Chair Biscoe's examination of the North 12th Street information so she could learn from it and  
35 better understand the spectrum of options.

36  
37 Chair Biscoe tabled the discussion until the next meeting.

38  
39 **Public Works Project Updates** – Chair Biscoe requested feedback from the Committee as to  
40 how to address issues at the Millpond Crossing development.

41  
42 Citing the time, Chair Biscoe adjourned the meeting at 7:07 p.m.

43  
44 Meeting recorded by Ruth Post, MMC, City Recorder

1 **Philomath Public Works Committee**  
2 **MINUTES**  
3 **October 19, 2021**  
4

5 **CALL TO ORDER:**

6 Chair Catherine Biscoe called the meeting to order at 5:00 p.m. The meeting was held via Zoom  
7 virtual technology due to the Oregon Governor's Executive Order restricting in-person meetings  
8 during the COVID-19 pandemic. The meeting was live-streamed on the City's Facebook page to  
9 provide public access.

10  
11 Chair Biscoe summarized the agenda for the meeting to discuss street funding mechanism  
12 options and noted the focus to proceed or terminate the local improvement district proposal for  
13 North 11th Street and the bigger conversation to determine policies for street infrastructure  
14 projects.

15  
16 **ROLL CALL:**

17 City Councilors: Jessica Andrade, Catherine Biscoe and Ruth Causey.  
18 Staff: City Manager Chris Workman and City Attorney Jim Brewer  
19 Guests: Mark and Kristin Knutson  
20

21 **MINUTES:**

22 Chair Biscoe delayed the process of approving the minutes of September 16, 2021, citing  
23 ongoing omissions she has commented on in the past. She cited the minutes as not including  
24 her action to table the discussion on LIDs due to the time and that there was no request for that  
25 level of information. She cited there was no reason other than time constraints for tabling the  
26 discussion. Chair Biscoe requested tabling of the minutes and requested that staff review the  
27 minutes to make them more reflective of the meeting. She added that Committee members  
28 should not have to review and cross-check the minutes and it's disrespectful of their time as  
29 volunteers. She requested that staff review the minutes and provide a more accurate reflection  
30 of why the issue was tabled to this meeting.

31 **TREE BOARD BUSINESS**

32 No business.  
33

34 **PUBLIC WORKS BUSINESS:**

35 **Street Infrastructure financing discussion** – Chair Biscoe noted the Committee has not made  
36 a determination of whether they will accept public testimony at meetings. She wanted to make it  
37 clear there was no intention of having staff address a recent email received from Mr. Knutson  
38 and that was a better discussion to have either via email or by the Council as a whole. She cited  
39 an email from Sandy Heath regarding mowing and fire safety issues that was restricted from  
40 being brought before the Committee as precedence.

41  
42 Chair Biscoe clarified that the Committee was not in a position to deliberate on information in  
43 the email or prepared to receive comment from staff regarding it and that it warranted full  
44 Council consideration.  
45

46 Chair Biscoe identified reviewing the information in the packet as a priority for the meeting with  
47 requested clarification from staff and a history of the proposed North 11th Street local  
48 improvement district (LID) going back to 2018. Councilor Causey requested discussion of the

1 alternatives that have been presented for the North 11th Street LID and what recommendation  
2 should be presented to the Council.

3  
4 Chair Biscoe noted she was unaware of any discussions in which the North 11th Street project  
5 and the Landmark Drive project had been combined for a single construction project or that they  
6 would go out for bid right away prior to this agenda memorandum. She considered that the  
7 Committee was still in a state of policy review and didn't believe the Council had engaged in  
8 conversations regarding that.

9  
10 Mr. Workman noted that the memo was in direct response to an email from Chair Biscoe  
11 requesting information on each of the different funding mechanisms. He offered to answer  
12 questions from the Committee on any of the options identified. He suggested that the  
13 Committee could identify those mechanisms they were not interested in and cross them off the  
14 list for further discussion.

15  
16 Chair Biscoe noted that her request for more detailed information was that it be emailed out and  
17 not reviewed at a meeting. Chair Biscoe listed the types of funding mechanisms identified in the  
18 memo and reiterated this was not about North 11th Street but was about policies that don't  
19 exist. She requested that Mr. Workman provide a timeline for the genesis of the North 11th  
20 Street project.

21  
22 Mr. Workman reviewed the infrastructure considerations from the development of the Flossy  
23 Overman Park on North 11th Street at approximately the same time as the Heather Glen  
24 Subdivision was being considered. He noted that it was about that time that a local improvement  
25 district to improve the street began to be discussed followed by its identification on the priority  
26 list and placement in the Strategic Plan as a local improvement district for full street  
27 improvements.

28  
29 Chair Biscoe reviewed the options in the Municipal Code for consideration of an LID, including  
30 the Council's own motion or a petition of one half of the property owners. She questioned if the  
31 Council had made an own motion to proceed and whether the Code reference to "according to  
32 benefits" was appropriately applied. She questioned if there was a time that the Council made a  
33 motion to proceed or if it was added to the Strategic Plan and ultimately in the Capital  
34 Improvement Plan. Mr. Workman clarified that the project was initiated by the City Council when  
35 it was approved for inclusion in both the Strategic Plan and the Capital Improvement Plan.

36  
37 Councilor Andrade questioned the inclusion of items in the Strategic Plan during work sessions  
38 without a formal vote and that inclusion in the CIP does not provide specific approval of the  
39 projects listed. She questioned if the LID was approved in the Strategic Plan with a formal vote  
40 or if it was a work session agreement. Mr. Workman explained that changes made to the  
41 Strategic Plan in work session result in a draft Strategic Plan that is then approved by motion at  
42 a regular City Council meeting.

43  
44 There was discussion about whether the context of the history of the North 11th Street project  
45 fulfilled the intention of the meeting to discuss alternative funding mechanisms. Chair Biscoe  
46 clarified that she wanted to have the context before taking it to the City Council and felt that the  
47 Code reference to a motion would be a specific motion.

48  
49 Chair Biscoe reviewed the Code text regarding the initiation of the engineer's report and  
50 required contents. Mr. Workman clarified that the report being referenced is the report that was  
51 prepared by the City's engineer and was approved for creation by the Council several months

1 ago on a split vote. Chair Biscoe cited concerns that there is not clear policy for the Council to  
2 follow or a written policy on what is an equitable, equal or fair assessment based on benefits.  
3 She noted there have been four different options for assessment in two different documents on  
4 a process that hasn't been concluded and that there was insufficient information to help develop  
5 a policy. She stated discussions were not looking holistically at how the Council decisions will  
6 impact the community.

7  
8 Chair Biscoe stated concern that, since the original engineer's report, Mr. Workman has  
9 proposed completely different assessment methods that are unbalanced. She described pieces  
10 she felt were missing and that the Committee was being rushed to make a decision because of  
11 Landmark Drive.

12  
13 Chair Biscoe felt that the Council was at a disadvantage in the discussion and doesn't have  
14 enough tools to navigate this space appropriately. She stated emails have included  
15 misrepresentation and made it difficult to look like they are intentionally looking at this. She  
16 described the rushed feeling of this decision to benefit the funding in January with Landmark  
17 Drive.

18  
19 Councilor Andrade questioned if the alternative funding option of General Fund dollars could  
20 apply to reallocation of existing dollars rather than collecting another fee. She noted a request  
21 she'd made for a Q and A session with the Finance Director but understood that there was  
22 transition occurring. She suggested reviewing existing funding and scrounging around from  
23 places such as police vehicle replacement.

24  
25 Councilor Causey stated she felt the City was run pretty tightly but supported looking at the  
26 budget to see if there is money there that can be applied to these projects. She noted she did  
27 not expect to find much. She also stated she does not feel rushed in any way. She stated if  
28 there wasn't sufficient support for this project, it wouldn't go forward.

29  
30 Chair Biscoe noted because this was a big project and there were two different topics going on,  
31 she had concerns of a decision on North 11th Street setting a precedent for other streets. There  
32 was discussion about other streets that need improvement and Mr. Workman identified the  
33 three specified for improvements in the Capital Improvement Plan as North 11th Street, South  
34 16th Street and North 18th Street. He summarized other streets considered turnpike streets that  
35 don't have curbs and gutters and are not at current city standards.

36  
37 Chair Biscoe noted that North 11th Street included properties with development and questioned  
38 what policy would be for funding improvements of other streets. Mr. Workman explained it would  
39 be based on Council priorities. Chair Biscoe questioned if other streets that could be improved,  
40 such as South 16th Street, have a clear funding allocation method. Mr. Workman clarified that  
41 the Municipal Code does not have a specified methodology, so it would be left to the Council to  
42 determine what methodology makes the most sense. He noted the Code does require the  
43 engineer's report to include a methodology or multiple methodologies and it is based on the  
44 engineer's sense of the project. He added that the Code allows for flexibility based on what  
45 makes sense for the particular project based on the circumstances of the city.

46  
47 Councilor Causey stated a preference for focusing on an improvement funding method that  
48 could support the improvement of all of the unimproved streets, without having to rely on  
49 whether or not there's a development on the street. She requested moving forward with a  
50 recommendation to the City Council that supported a broader approach to the issue.

1 Chair Biscoe questioned if there were any of the funding mechanisms in the packet memo that  
2 was more relevant or appropriate for pursuing. Consensus was to review each of the options.

3  
4 Councilor Andrade questioned if the projects include water, sewer and street improvements. Mr.  
5 Workman clarified that unimproved was not a reference to water and sewer lines, but did  
6 include Stormwater system improvements to replace open ditches, pavement, curbs, sidewalks  
7 on both sides of the street and street lights. Mr. Workman clarified that sidewalk installation was  
8 the adjacent homeowner's responsibility.

9  
10 Chair Biscoe dismissed reimbursement districts and special road districts as potential sources  
11 of funding for North 11th Street.

12  
13 Councilor Biscoe read the memo report section on Urban Renewal Districts and noted the staff  
14 comment that an URD was not likely to be supported for a local street like North 11th Street.  
15 She noted that this is a holistically larger conversation than just North 11th Street and noted that  
16 that criteria for an URD seems to fit the unimproved streets.

17  
18 Mr. Brewer clarified that there can be more than one URD, noting additional tracking  
19 requirements for incremental financing and summarized the State definition of blight. Mr. Brewer  
20 reviewed the impact of freezing property tax rates for the other taxing agencies associated with  
21 the urban renewal area and the requirement to receive their agreement to the creation of the  
22 district. He also reviewed the impact on other properties not within the URD having to pay for  
23 General Fund services that the properties within the district do not pay for due to the property  
24 tax freeze impacts and impacts on the City's General Fund. There was discussion about  
25 whether all of the unimproved streets could be included in a single URD.

26  
27 There was discussion about the area of the existing URD in the downtown core and the  
28 compression of the Downtown Safety & Streetscapes Project due to funding limitations from  
29 ODOT. Councilor Causey recommended inclusion of an urban renewal district for the Council to  
30 consider for further study. Mr. Brewer provided additional description of the impact on properties  
31 within the URD, including the authority for condemnation for such things as property acquisition  
32 or the need for right-of-way. He summarized the process of approving the district and the plan.

33  
34 Councilor Causey stated the unlikelihood of sufficient resources in the General Fund to fund  
35 projects of this magnitude. Mr. Workman described the discretion the Council can use in  
36 determining allocation within the General Fund, including examples of making cuts in park  
37 maintenance, the police department, the City Council department or other departments to  
38 transfer into the Street Fund. He reviewed current funding sources for the Street Fund, including  
39 the street utility fee, franchise fees, some state revenue sharing funds and grant dollars. Mr.  
40 Brewer clarified that funding for projects can come from multiple sources.

41  
42 With respect to General Fund dollars, Chair Biscoe requested staff provide a list of unimproved  
43 streets and an estimate of range of cost for bringing them up to City standards so the  
44 Committee can present a holistic scope of upgrading infrastructure to the Council. Councilor  
45 Causey agreed with inclusion and suggested it be considered a supplemental source of funding.

46  
47 There was discussion about use of transportation utility fees and staff's estimate that increasing  
48 the fee to \$12 per month would generate sufficient funds to perform a \$1 million project  
49 approximately every three years. Councilor Causey stated a level of lack of support for this  
50 option but noted if the fee were increased and combined with the grant funds and SDC's, the  
51 North 11th Street project could be constructed in two years. She described concerns with it



1 being applied to all residents, irrespective of income level, and would not likely be popular. Chair  
2 Biscoe questioned what that would bring the total increase to on a utility bill and agreed it was  
3 not relative to property value or income level.  
4

5 Chair Biscoe reviewed the staff memo regarding local option levies and cited advantages of one  
6 including the ability to complete almost one \$1 million project every three years, ease of  
7 calculation, short term revenue that can go away when projects are completed, revenue will  
8 increase with the number of homes and is capped at 3% per year. She described it as a  
9 proportional tax that takes the same percentage of income from everyone. She reviewed  
10 drawbacks as requiring approval by the voters, that it must be used for projects identified at the  
11 time it's approved, and requires properties that have already paid for their streets and sidewalks  
12 to pay for others.  
13

14 In response to Councilor Causey, Mr. Workman noted the deadline for the May 2022 ballot was  
15 possibly in January. Councilor Causey stated having the estimate for upgrading all of the streets  
16 would be helpful in evaluating the funding options. Chair Biscoe requested from staff a fairly  
17 accurate estimate of how many properties they're talking about to get an idea of the liability for  
18 those homeowners or property owners.  
19

20 Chair Biscoe reviewed the staff memo regarding general obligation bonds, citing advantages of  
21 low interest rates and drawbacks of them required to be approved by the electorate, repayment  
22 is required to be paid by funds on hand or fees collected, and expensive up-front costs for  
23 borrowing the funds. Mr. Brewer further described the up-front costs associated with bonds,  
24 including bond counsel, financial counsel, agents, and other costs. He offered to obtain cost  
25 information from another agency with recent bonding costs. Mr. Brewer clarified that the bonds  
26 are paid back through additional assessment on property taxes; but if that source does not  
27 generate sufficient funds, they must be paid out of the General Fund.  
28

29 Chair Biscoe noted in the hierarchy of sources that general obligation bonds and urban renewal  
30 districts seemed to be rising to the top. Mr. Brewer reviewed revenue bonds as a funding source  
31 with the expectation that the improvement will generate sufficient revenue to pay back the bond  
32 loan itself, such as a public-private partnership in which the private portion rental generates  
33 revenue to make the bond payment.  
34

35 Chair Biscoe reviewed the staff memo regarding LIDs, including the merits of being project and  
36 location specific, only affecting benefitting properties, set up limited to Council approval,  
37 flexibility in how properties are assessed, developers assessed to pay their share and flexible  
38 payment options. She also reviewed the drawbacks listed in the memo of higher cost to  
39 developers that have made improvements along the streets and residents outside of the LID  
40 getting benefits without being directly assessed.  
41

42 Chair Biscoe discussed benefits to others than the property owners, including the location of a  
43 new park and using the street as a cut-through. She cited ambiguity she identified in the method  
44 of assessment relative to linear frontage and flexibility of assessment in the recent options  
45 offered by staff. She cited the lack of clarity in the Municipal Code to determine assessment  
46 methodology as problematic in taking that to property owners. She cited inconsistencies in  
47 discussions in prior meetings and recommended the Committee recommend policy  
48 establishment within the Code. She did not feel the Code had been followed for the North 11th  
49 Street project. She considered that other cities are moving away from using this mechanism and  
50 recommended that 2-acre properties pay for potential streets developed on their property. She

1 noted this was not specific to North 11th Street but use of linear footage was also a concern on  
2 North 12th Street.

3  
4 There was discussion and agreement to allow public comment with a three minute time limit.

5  
6 Mark Knutson, Philomath, OR – Mr. Knutson questioned why system development charges  
7 (SDCs) were not discussed as a funding option. He noted the amount of SDCs his property  
8 development has made and compared it to the Newton Creek Estates Subdivision that does not  
9 have any unimproved streets adjacent to it. He described it as a lot of money and the hardship  
10 created by this discussion. He questioned the application of SDCs on developments that do not  
11 have an unimproved street. Chair Biscoe thanked Mr. Knutson for all of his emails and  
12 testimony and stated the Committee was looking for a better solution than an automatic LID  
13 without considering other funding.

14  
15 At Chair Biscoe’s request, Mr. Workman explained the use of SDCs in projects that are listed  
16 and prioritized within the master plan, such as the Transportation Master Plan over the next 10  
17 to 20 years. He briefly described the improvement and reimbursement segments of the SDC  
18 methodology. Mr. Workman clarified that the list of street projects is listed in the Street  
19 Methodology that the Council just adopted. He explained the process of adding a project to the  
20 methodology report list by adopting a new methodology and the possibility it would also require  
21 addition to the Transportation Master Plan list. Mr. Brewer clarified the ability to swap a project  
22 out of the methodology and replace it with a like-for-like priced project.

23  
24 Mr. Workman provided clarification on street projects included in the methodology and  
25 specifically inclusion of a line item labeled “local streets” in which a developer may be required  
26 to make partial street improvements relative to their project and SDC dollars may be available to  
27 complete the balance of the street improvement. He clarified there is a process for making  
28 additions to the adopted plans and methodologies but it is more involved than a single motion of  
29 the Council. Mr. Workman noted that the lists of projects in the plans are identified by staff  
30 based on their local knowledge and provided to consultants in formulating the plans.

31  
32 The Committee’s consensus was to include SDC funds in street improvement funding  
33 mechanisms where appropriate. Chair Biscoe questioned why SDCs weren’t originally included  
34 in the engineer’s North 11th Street LID report and questioned where the Developer’s Agreement  
35 was at.

36  
37 Councilor Causey explained the prohibitive cost of projects being placed on a particular group of  
38 property owners as one reason she was not a fan of LIDs. She noted the City Manager’s efforts  
39 to make it palatable but, in order to do so, making it a disproportionate cost on developers or  
40 property owners. On the other hand, she noted the ability to use SDCs and a grant towards the  
41 North 11th Street project and recommended receiving public input to see if there was an  
42 appetite for moving forward with the LID. She recommended the Committee not make the  
43 decision without hearing from the residents in the district.

44  
45 Councilor Andrade noted the residents who commented previously to the Council who did not  
46 support it and didn’t support continuing to spend time talking about potentially having and LID  
47 fund these improvements.

48  
49 Chair Biscoe did not support making any recommendation on North 11th Street at this meeting.  
50 She noted the next meeting is November 4th at which the Committee could consider whether to  
51 pursue it any further. She recommended public comments be directed towards what funding

1 mechanisms are to be considered by the Council and establishment of a policy on infrastructure  
2 improvements.

3  
4 Mark Knutson, Philomath, OR – Mr. Knutson compared a revised lower assessment option to  
5 blackmail when presented to property owners. He described shock at the latest proposal  
6 compared to the first proposal in which he was equitable with the other property owners. He  
7 stated concern that he would be outvoted by the other property owners who were getting a deal.  
8 He stated he was so exhausted by this fight that if he was offered a better deal he might accept  
9 it, consistent with what you see in other cities, because he’s afraid of the alternative.

10  
11 Councilor Causey recommended finalizing a funding mechanism recommendation to the  
12 Council at the Committee’s November meeting. She reiterated the request for additional  
13 information about all of the streets requiring improvements. She also suggested the need to  
14 step back and consider the priority of the project in relationship to other system upgrades such  
15 as replacement of sewer lines that need to be made but noted that was a Council decision.

16  
17 Chair Biscoe agreed and emphasized the value of prioritizing the funding mechanisms and  
18 identifying the appetite of the community for these types of expenditures versus others. She  
19 agreed with reviewing the additional information requested of staff and developing a  
20 recommendation for the Council to consider. She stated she was not confident with making a  
21 recommendation on the North 11th Street project at this time, citing concerns about the options  
22 that had been presented and that the latest was disproportionate to the Knutsons. Chair Biscoe  
23 recapped her expectations for the November 4 Committee meeting.

24  
25 Mr. Workman remarked that LIDs are within the Code and an LID was being used for  
26 improvements to Landmark Drive that a majority, but not all, of the property owners wanted. He  
27 added that there were situations where an LID can work and be effective and improve the area  
28 in which they are used. He suggested the difficulty of developing a policy that would work in  
29 every situation and that is part of the latitude in the Code to provide for different assessment  
30 options.

31  
32 With regard to the original engineer’s report, Mr. Workman noted that the Code is clear that the  
33 Council was to review it and had the option to request additional information before it is  
34 approved. He also noted that the report has not been approved and this was the Council’s  
35 opportunity to identify things they didn’t care for or wanted clarity or additional information on.  
36 He noted the report that was presented was the first draft, not a final draft; adding that his memo  
37 to the Committee was an attempt to apply additional information that could be helpful for the  
38 engineer to include in an update, including the impact of putting SDCs towards the project and  
39 options for applying the grant to the project. He advocated for not dismissing LIDs as a funding  
40 option and suggested that the North 11th Street LID had not fully run the course to reach its full  
41 potential.

42  
43 Chair Biscoe noted that the Landmark Drive LID was predominantly business owners who  
44 presented the request for improvements to the City and that there was little controversy. She did  
45 not feel that any of the North 11th Street proposals had been a fair and equitable application  
46 and that the Committee hadn’t had the opportunity to have that deliberation.

47  
48 Councilor Causey described the unlikelihood of coming up with a methodology that was  
49 acceptable to all property owners, but she acknowledged the need for North 11th Street to be  
50 priority due to safety issues. She cited the need to come up with a web of funding mechanisms  
51 to move this particular project forward. Chair Biscoe agreed with the need to have the

1 conversation on North 11th Street as a priority for safety concerns but wasn't comfortable  
2 continuing the conversation with the current funding recommendations.

3  
4 Chair Biscoe summarized the following expectations for the November 4 meeting: A summary of  
5 how many streets will need improvement in Philomath that could represent the funding  
6 mechanism recommendations coming from the Committee; how many streets need  
7 improvements and the adjacent property owners, so there's a correlation that may be relevant;  
8 what bond cost might look like if general obligation bonds were pursued; streets identified in  
9 the methodologies. She concluded that with provision of that information the Committee should  
10 be able to come to a conclusion on funding mechanisms at their next meeting.

11  
12 Chair Biscoe questioned if the Committee wanted to pursue the larger conversation of the North  
13 11th Street project. Councilor Causey stated she would like to present to the Council a  
14 prioritization of funding approaches and a recommendation with respect to the 11th Street LID.  
15 Councilor Causey questioned if North 11th Street and South 16th Street were prioritized along  
16 with \$1 million in sewer upgrades, could they be combined as an urban renewal district, which  
17 Mr. Brewer considered possible. Councilor Causey questioned when the federal ARPA funds  
18 had to be expended by, and Mr. Workman noted they needed to be expended by the end of  
19 fiscal year 2023/2024. He added to Mr. Brewer's information by noting that water and sewer  
20 upgrades were part of the downtown Urban Renewal District project, but they had to be listed  
21 within the urban renewal plan specifically when it was adopted.

22  
23 Councilor Causey requested additional information addressing the role of a developer in street  
24 improvements, noting the greater benefit they derive from the improved street than a  
25 homeowner who lives on the street, based on units sold or rented. Chair Biscoe agreed with the  
26 request.

27  
28 Councilor Andrade agreed with developing the recommendation to the Council to prioritize  
29 funding mechanisms but also supported holding the larger conversation on LIDs as a method  
30 for those who want to use it for funding their street. Councilor Andrade also questioned if  
31 developers of subdivisions could be legally treated differently than developers of individual lots  
32 because that gets at the issue of equity, citing information provided by Mr. Knutson regarding  
33 the City of Albany's treatment of subdivisions versus individual properties. Mr. Brewer offered to  
34 provide information regarding treatment in an LID of different land use development categories.  
35 Councilor Andrade described trying to apply a more equitable lens to the issue. Councilor  
36 Andrade agreed to formulate her request of staff via email.

37  
38 Councilor Causey requested examples of how other cities do this and emphasized she would  
39 like to see it consistently applied regardless of the funding method used. Chair Biscoe  
40 requested that this request be provided by email.

41  
42 Chair Biscoe adjourned the meeting at 7:20 p.m.

43  
44 Meeting recorded by Ruth Post, MMC, City Recorder

1 **Philomath Public Works Committee**  
2 **MINUTES**  
3 **November 4, 2021**  
4

5 **CALL TO ORDER:**

6 Chair Catherine Biscoe called the meeting to order at 5:00 p.m. The meeting was held via Zoom  
7 virtual technology due to the Oregon Governor's Executive Order restricting in-person meetings  
8 during the COVID-19 pandemic. The meeting was live-streamed on the City's Facebook page to  
9 provide public access.  
10

11 **ROLL CALL:**

12 City Councilors: Jessica Andrade (5:12 p.m.), Catherine Biscoe and Ruth Causey.  
13 Staff: City Manager Chris Workman and City Attorney Jim Brewer  
14 Guests: Mark and Kristin Knutson  
15

16 **MINUTES:**

17 **September 16, 2021 – Revised**

18 **October 19, 2021**

19 Approval of the minutes was deferred until Councilor Andrade was able to attend the meeting.  
20

21 **OTHER BUSINESS:**

22 **North 13th Street construction update** – Chair Biscoe requested an update on construction  
23 on North 13th Street. There was brief discussion about the Pioneer Connect fiber optic project,  
24 but Chair Biscoe noted this was not that project. Mr. Workman offered to email an update out to  
25 the Committee.  
26

27 **Missing sidewalk list update** – Chair Biscoe requested an update on staff providing a refined  
28 list of the missing sidewalks. There was brief discussion, including Councilor Causey's  
29 recollection that there were no burning issues with regard to missing sidewalks and  
30 recommended the issue be tabled at this time. Chair Biscoe concurred, unless Councilor  
31 Andrade requested it be addressed.  
32

33 **Housekeeping** – Chair Biscoe offered an apology to the City Recorder for comments at the  
34 October 19 meeting regarding the ongoing quality of minutes and that her intent was not to  
35 suggest a lack of professionalism. She noted that minutes require a certain level of reporting,  
36 citing issues with the February and March minutes regarding the implicit approval of the Capital  
37 Improvement Plan and the value of context for differing sides of an issue. She also cited a lack  
38 of context in the October 16 minutes, Lines 10-11, regarding reimbursement districts and  
39 special road districts.  
40

41 **TREE BOARD BUSINESS**

42 No business.  
43

44 **PUBLIC WORKS BUSINESS:**

45 **Street Infrastructure financing discussion** – Chair Biscoe noted the receipt of the list of  
46 unimproved streets as requested from staff. She summarized the estimated cost of bringing all

1 of the northern street up to City standards at \$14.2 to \$16.5 million and the southern streets at  
2 \$7 to \$8.1 million for a total range of \$21.2 to \$24.7 million.

3  
4 There was discussion about the use of general obligation bonds and urban renewal districts as  
5 having risen to the top of the potential funding mechanisms.

6  
7 Councilor Andrade joined the meeting at 5:12 p.m. Chair Biscoe took the Committee back to  
8 approval of the minutes.

9  
10 **MOTION:** Councilor Causey moved, Councilor Andrade second to approval the minutes of  
11 September 16, 2021 and October 19, 2021 as presented. Motion APPROVED unanimously.

12  
13 Chair Biscoe noted that the street improvement costs did not include water or sewer  
14 improvements for those street projects. There was brief discussion regarding the streets  
15 identified as also needing water and sewer replacements and the value of making those  
16 replacements prior to upgrading street surfaces.

17  
18 Mr. Workman described the variables involved in developing range estimates for the water and  
19 sewer replacements. Councilor Causey suggested prioritizing the streets list to identify those  
20 that are in the Safe Routes to School Plan and the sewer replacements needed due to the  
21 1950s era pipe. Mr. Workman concurred that some of the streets listed are not listed on the  
22 master plan as any type of priority and that staff could compare the list to the master plan lists  
23 and provide that information.

24  
25 Councilor Causey reviewed her recent meeting with Finance Director Joan Swanson to gain  
26 more understanding about the possible funding options and the potential need for a feasibility  
27 study. She described the intent of an urban renewal district (URD) to improve the property  
28 values within the district and the direct correlation of that to something like the downtown  
29 streetscapes project but questioned if it would apply to street improvements. She noted the  
30 need to sell an URD to the other taxing agencies. Mr. Brewer explained the approval  
31 requirements by three of the top four taxing agencies by dollar amount and the goal of an URD  
32 to improve property tax values when the district ends. There was discussion about the four  
33 largest taxing districts: School District, Benton County, Fire District and Linn-Benton Community  
34 College.

35  
36 Mr. Workman reviewed the history of the current Philomath URD. Councilor Causey expressed  
37 concerns about whether the taxing districts would have the same level of appreciation for a new  
38 URD as for the original one. Councilor Biscoe suggested a scenario in which upgrading the  
39 streets could lead to the desired increase in assessed values with the development of multi-  
40 family housing units and questioned if those would be the types of increased value that would  
41 appeal to the other districts.

42  
43 Mr. Brewer described the benefit of undeveloped properties within a URD area being of high  
44 value in creating enough growth in a short period of time to pay off the loans. Councilor Causey  
45 noted the value of other funding sources creating a package that would make it easier to get the  
46 other districts to agree to participate. Mr. Brewer described other monies that could potentially  
47 be available to rural communities.

1  
2 Chair Biscoe described values in improved housing options that could be of value to the taxing  
3 districts. She described concerns in using the current Transportation System Plan because it  
4 was approved in 2018 and things have changed. She described the need to identify priorities  
5 both in the documents and in the current community status.  
6

7 Councilor Causey suggested it might be beneficial to delay any new URD plans until the current  
8 URD sunsets, noting large projects on the community horizon for the next few years. Mr.  
9 Workman provided rough estimates of the amounts the current URD would be borrowing to  
10 complete the Downtown Safety & Streetscapes Project and the subsequent years of loan  
11 payments, but noted those numbers needed to be updated. He suggested the value of being  
12 able to sell a new URD based on the completion and success of the existing URD.  
13

14 Chair Biscoe questioned the prioritization of projects based on safety issues and the beneficiary  
15 outcome of projects and balancing that against other reasons for improving streets. Councilor  
16 Causey acknowledged that the use of an URD would be beneficial in the context of long-term  
17 planning and upgrading a wider area of streets, including sewer upgrades, but that the park and  
18 increased traffic on North 11th Street makes a local improvement district the most expedient of  
19 the three funding options under consideration. She summarized the implementation  
20 considerations for an URD and the expenses associated with general obligation bond funding  
21 resulting in at least a year delay and described discomfort with leaving 11th Street as is for that  
22 duration.  
23

24 Chair Biscoe appreciated Councilor Causey's viewpoint but felt that the benefit of North 11th  
25 Street is with the City of Philomath and not necessarily the local taxpayers. She questioned how  
26 the benefit of the street should be borne and that the residents on the street shouldn't be paying  
27 the larger portion. She drew comparison with the dangers of North 9th Street.  
28

29 There was discussion about the jurisdiction of North 9th Street as being split between the City  
30 and Benton County. Mr. Workman described the City's maintenance of the street as ending at  
31 the end of the sidewalks but that improvements to North 9th Street up to Marilyn Drive would  
32 probably be a joint project with the County.  
33

34 Mr. Brewer provided an overview of the mechanics of an URD and incremental tax collections  
35 being directed to the URD for developments. There was discussion about the incremental tax  
36 collections of the other taxing districts, with the exception of unique state school funding  
37 formulas, going towards the URD also.  
38

39 Councilor Causey reviewed the 25% maximum acreage or assessed value for a city that is  
40 allowed in an URD, noting that the current URD is 17.5% of the City's assessed value. Mr.  
41 Brewer suggested drawing the City into quadrants and grouping projects within those to create  
42 multiple separate URD over time.  
43

44 There was discussion about the prospect of wrapping sewer projects into the URD for streets  
45 that also need the pipe replacement. Mr. Workman described the value of an URD in building a  
46 significant project that has a substantial effect on property values and noted concerns about  
47 whether improvement of street infrastructure in residential areas would accomplish that goal. He

1 noted that there are other funding mechanisms that could better serve improvements in those  
2 areas.

3  
4 Chair Biscoe felt that any increased value in safety and affordability creates community benefit  
5 and noted the challenge of striking a balance between community cost and area owner cost.  
6 She didn't feel a local improvement district for North 11th Street, as proposed, was striking that  
7 balance.

8  
9 Committee consensus was to accept public comment.

10

11 Mark Knutson, Philomath, OR – Mr. Knutson summarized the increased property tax  
12 assessments for his properties on North 11th Street as a result of partitioning them into three  
13 properties in addition to the \$65,000 in street system development charges paid on his  
14 properties. Chair Biscoe thanked him for the illustration of the benefit of development of a parcel  
15 and increased housing opportunities. Mr. Brewer confirmed that, had an URD existed, the  
16 increased assessment would have been diverted to the URD.

17

18 Councilor Causey requested confirmation that the use of any of the other funding mechanisms  
19 notwithstanding, the Municipal Code would still make sidewalks the responsibility of  
20 homeowners and developers would still be responsible for paying for upgrades to streets  
21 adjacent to properties when they improve them. There was discussion about the definition of  
22 "development." Mr. Brewer confirmed that State law is consistent with the Philomath Code. He  
23 described the difference between using the term "developer" as a profession versus someone  
24 who develops their property. He concurred that the Code does require sidewalk installation by  
25 property owners and requirements for street frontage improvement when developing property.

26

27 There was additional discussion about the activities involved in developing property, including  
28 the difference in accessory dwelling units (ADUs).

29

30 Mr. Knutson described conversations with Mr. Workman regarding what would trigger street  
31 improvements, and Mr. Workman's confirmation that any improvements would trigger them. He  
32 questioned if he met the definition of a developer and the question of what is development. He  
33 stated he doesn't have a developer's license and questioned the application of any property  
34 improvement triggering street improvements, citing partitioning as an example.

35

36 Chair Biscoe suggested the Council might want to consider language improvement in the Code,  
37 citing reimbursement district references to any improvements. She questioned if there should be  
38 improvements that can be made without triggering a reimbursement district assessment or  
39 street improvements. She described improved expectations that could be derived from Code  
40 clarification.

41

42 Mr. Workman provided clarifications regarding The Boulevard Reimbursement District example  
43 as to hooking into the City's sewer system triggering the sewer reimbursement and the kind of  
44 improvement using the new access that would trigger the street reimbursement. He noted the  
45 references provided by Mr. Knutson in a recent email regarding cities that do not use LIDs and  
46 described contacts he made with representatives from Stayton. He described the LIDs in their  
47 Code but the policy of not using them. He reviewed the requirements by Stayton for street



1 improvements to be engineered and paid for by property owners prior to issuance of building  
2 permits and the elimination of use of non-remonstrance agreements.

3  
4 Mr. Workman suggested the Council could adopt a policy similar to Stayton's but noted that  
5 North 11th Street already has the situation of properties having been allowed development with  
6 a commitment by property owners to pay for street improvements by way of non-remonstrance  
7 agreements, developer agreements and conditions of approval. He suggested if the Council  
8 wants to move to that type of policy, the conversation on North 11th Street could revert to  
9 having developers install those street improvements that were deferred. He noted there would  
10 be pros and cons to making that policy change.

11  
12 Chair Biscoe stated she didn't see an efficiency to building streets one property at a time but still  
13 wanted to see a balance of the benefit to the community of improvement of the unimproved  
14 streets and allows Philomath to grow without property owners bearing the burden of  
15 infrastructure improvements. She noted that today's Council is looking at a different  
16 conversation than the Council of five years ago.

17  
18 Councilor Causey described North 11th Street as being different than the other unimproved  
19 streets, identifying the presence of three developers on the street who could and should make a  
20 significant street improvements: the Knutson's, Heather Glenn and the City property. She noted  
21 this situation doesn't exist on other unimproved streets with the same level of development.

22  
23 Councilor Causey agreed with Chair Biscoe's recognition of North 11th Street as having a  
24 broader community commitment and noted that the inclusion of system development charge  
25 funds speaks to that commitment. She also noted the addition of the grant in the mix and  
26 supported its allocation to all of the property owners, in recognition of the Council's recent  
27 support of the Northernwood industrial development grant application and administration. She  
28 also described conversations with constituents who believe that the City caters to developers  
29 and had concerns that applying SDC funds to the developed properties would be doing just that.  
30 Councilor Causey noted the exception of applying SDC funds to a development that specifically  
31 provides below market or affordable housing, which she would support. She supported the use  
32 of linear frontage in determining assessment amounts, with the stipulation that all non-  
33 developed property owner assessments be limited to the amount they would incur in installing  
34 sidewalks as required by City Code. She described this approach as not unfairly burdening any  
35 of the homeowners.

36  
37 Councilor Causey reminded the Committee of the 2008 sidewalk installation program in which  
38 homeowners were allowed to pay those costs over time and should be allowed in this instance  
39 also.

40  
41 Chair Biscoe thanked Councilor Causey for her input but directed the Committee back to the  
42 topic of discussing unimproved streets.

43  
44 Mr. Knutson stated it was never a consideration in moving forward that they would be rebuilding  
45 the streets and it must stand to reason that it wasn't clearly laid out. He reviewed the history of  
46 his street improvement discussions with Mr. Workman. He stated they would never have

1 purchased the property if they'd known they would have to rebuild the street and it wouldn't be  
2 feasible for an individual property owner to do so.

3  
4 Chair Biscoe suggested making a motion to move forward with recommending urban renewal  
5 districts as a funding mechanism for the undeveloped streets in the City of Philomath with an  
6 assumption the Committee will get recommendations for doing that by quadrants or by  
7 prioritizing streets that are Safe Routes to School, high traffic areas, or safety issues.

8  
9 **MOTION:** Chair Biscoe moved, Councilor Andrade second, the Committee propose using urban  
10 renewal districts for undeveloped streets in the City of Philomath.

11  
12 Councilor Causey questioned if the motion included North 11th Street. Chair Biscoe indicated  
13 that the need for a feasibility study for an URD would extend the timeline but wanted to know  
14 the specific history of the North 11th Street LID having been moved forward by the Council,  
15 including when and what specific motion was made. She made reference to implicit discussions  
16 in the Capital Improvement Plan and Strategic Plan. She stated the need to ensure  
17 homeowners aren't jeopardized by improvements and objected to use of linear frontage as a  
18 methodology, noting potential development on North 12th Street and property on North 11th  
19 Street that could be developed.

20  
21 **MOTION TO AMEND:** Councilor Causey moved to amend the motion to discuss other options  
22 for North 11th Street including LIDs. There was discussion about North 11th Street being  
23 unique. Chair Biscoe stated she was not prepared to move anything with North 11th Street  
24 forward without more and sufficient information and indicated that should be resolved by the  
25 time a feasibility study was completed and there was a vote before the Council. She clarified  
26 that more information is needed for North 11th Street.

27  
28 There was discussion with Mr. Brewer regarding whether the Committee should continue to hold  
29 the URD discussion at that level or if it should be moved to the Council level. Councilor Biscoe  
30 recounted the prior meeting discussions regarding funding options. She questioned how to get  
31 from the level of information currently covered to making a recommendation to the Council. Mr.  
32 Brewer provided options in prioritizing the Committee's preferences in funding options.

33  
34 Councilor Causey recommended more clearly defining pros and cons for each of the options  
35 and outstanding questions with respect to each and take them to the Council for a broader  
36 discussion. Chair Biscoe described the major scope of the conversation when including streets,  
37 water and sewer needs and suggested the recommendation be for a Council work session to  
38 address it.

39  
40 Councilor Causey noted limited discussions that have been held regarding general obligation  
41 bonds but also stated concerns about adding to existing indebtedness within the City for the  
42 sewer bonds. Mr. Workman provided information on the scheduled payments for the sewer  
43 bonds that go through 2032.

44  
45 Chair Biscoe cited the time for the two-hour meeting as almost being up and noted that further  
46 discussions on North 11th Street were unlikely to occur at this meeting due to time constrictions.

1 She reviewed requests to staff for the next meeting including pros and cons of funding options.  
2 There was discussion about which funding options that would include.

3  
4 Mr. Workman described typical process of prioritizing projects by need and then looking at  
5 available funding options to assemble a package to address the prioritized project. He described  
6 grouping several projects together and then identifying funding and the use of the master plans  
7 to identify and prioritize projects for inclusion in the capital improvement plan.

8  
9 Chair Biscoe questioned why North 9th Street wasn't on the CIP at this time and why an LID  
10 had been identified for North 11th Street. Mr. Workman reviewed the prioritization of North 9th  
11 Street on both the City's list and the need for it to rise to the top of Benton County's priority list in  
12 order to move forward with it. He explained the Committee could consider adding it to the CIP  
13 this year. He reviewed the history of adding North 11th Street to the CIP based on development  
14 that was beginning to occur five years ago. He reviewed safety concerns on South 16th Street  
15 and changes in development on North 9th Street.

16  
17 Chair Biscoe returned to discussion of her motion and the difficulty of prioritizing projects using  
18 a Transportation Plan that is three years old and out of touch with what is going on in the  
19 community.

20  
21 Councilor Causey restated the request from staff for prioritization of the unimproved streets.  
22 Chair Biscoe withdrew her motion and supported that request.

23  
24 Chair Biscoe questioned how the Committee wanted to prioritize the agenda for the next  
25 meeting. With regard to North 11th Street, she requested copies of construction agreements.

26  
27 Mr Knutson described process and policies for other cities in the state with regard to making  
28 improvements.

29  
30 Chair Biscoe requested copies of the irrevocable waivers of remonstrance and documents for  
31 Heather Glenn subdivision. She also referred to additional undeveloped property on North 11th  
32 Street and policy expectations for development of that property. Chair Biscoe described the  
33 property that lies between 10th and 11th Streets.

34  
35 Chair Biscoe requested an assessment of Chapter 371 to address her question of assurance  
36 that an assessment won't result in someone losing their home. She questioned the use of SDCs  
37 on North 11th Street and identification of it as beneficial to the entire community. She requested  
38 an argument for not assessing property based on square footage, citing linear footage as  
39 unequitable.

40  
41 There was agreement to request pros and cons for only URDs and general obligation bonds.  
42 Chair Biscoe revised her request to receive pros and cons of assessment by linear footage and  
43 by square footage.

44  
45 Chair Biscoe questioned the assessments on Knutsons and Heather Glenn based on units and  
46 insufficient information to evaluate the options, and why the Knutson property is bearing a  
47 heavier load in assessments.

1  
2 Mr. Workman requested clarification on the pros and cons list beyond what was provided at the  
3 prior meeting. Councilor Causey provided expanded examples of information to receive. He  
4 noted that the deferral agreements the City currently has were attachments to the engineer's  
5 report and referenced the condition of approval on the Heather Glenn Subdivision for frontage  
6 improvements. He summarized the improvements required due to frontage on the unimproved  
7 street. He described possible off-site improvements that could be required of a subdivision,  
8 citing Millpond Subdivision requirements to improve a portion of South 17th Street, and the need  
9 for improvements to be proportional. Chair Biscoe cited concerns about consistency of  
10 application.

11  
12 There was discussion about clarifying the pros and cons of linear versus area footage in general  
13 terms only. Chair Biscoe also asked for the City's policy on applying each.

14  
15 Chair Biscoe adjourned the meeting at 7:24 p.m.

16  
17 Meeting recorded by Ruth Post, MMC, City Recorder

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

**Philomath Public Works Committee**  
**MINUTES**  
**December 2, 2021**

**CALL TO ORDER:**

Chair Catherine Biscoe called the meeting to order at 5:10 p.m. The meeting was held via Zoom virtual technology due to the Oregon Governor’s Executive Order restricting in-person meetings during the COVID-19 pandemic. The meeting was live-streamed on the City’s Facebook page to provide public access.

**ROLL CALL:**

City Councilors: Jessica Andrade, Catherine Biscoe and Ruth Causey  
Staff: City Manager Chris Workman and City Attorney Jim Brewer  
Guests: Mark and Kristin Knutson

**MINUTES:**

**November 4, 2021** – Councilor Causey identified two Scrivener’s corrections that were already submitted to the City Recorder. Chair Biscoe requested the following changes:  
Page 1, Line 37: replace “opposing” with “differing”.  
Page 2, Lines 39: replace “... and several other positive outcomes of value to the community” with “with the development of multi-family housing units.”  
Page 3, Lines 30-32: requested clarification of where the City’s obligation ends with relation to North 9th Street. Mr. Workman clarified that his opinion was that the City’s obligation ended at Marilyn Drive. Mr. Brewer described jurisdictional responsibility and that some streets may be within the city limits but still under County jurisdiction. It was agreed that the clarifying discussion was captured in the current minutes and no amendment was necessary to the November 4 minutes.

**MOTION:** Councilor Causey moved, Chair Biscoe second, to approve the minutes as amended. Motion APPROVED 3-0 (Yes: Andrade, Causey and Biscoe; No: None).

**TREE BOARD BUSINESS**

No business.

**PUBLIC WORKS BUSINESS:**

**Undeveloped street prioritization** – Chair Biscoe thanked staff for their efforts in providing the additional information requested by the Committee.

Councilor Causey requested that public comment be excluded during this meeting due to the full agenda to be reviewed and the consideration that the Knutson’s have retained legal counsel regarding the North 11th Street Local Improvement District (LID) discussion. Mr. Brewer described rules of professional responsibility for attorneys that discourage direct communications with a party when they are known to be represented without the permission of their attorney. Consensus was to not take public comments at this meeting.

Chair Biscoe described the large amount of information received in the past five months by the Committee, including multiple N. 11th Street LID options, and the need to summarize the

1 conversations. She read her summarization into the record (Supplemental Agenda Item: C.  
2 Biscoe Statement), beginning with the referral of review of street funding alternatives from the  
3 Council and the N 11th Street LID topic, which is somewhat predicated on the street funding  
4 alternatives discussion.

5  
6 Chair Biscoe questioned if the Council specifically gave direction to make a recommendation  
7 regarding the N 11th Street LID, noted errors in the data, and stated concerns about potential  
8 legal ramifications. She described lack of clarity and overall Council confusion about the LID  
9 process, the approval of the Capital Improvement Plan, the multiple funding options for the LID  
10 that have been provided; none of which she considered fair and equitable. She described  
11 concern with the Heather Glenn Subdivision participation in an LID and considered the  
12 Engineer's Report to be of no value.

13  
14 Chair Biscoe described issues with the assessment options presented and the failure of the  
15 options to encourage replacement of single family dwellings with needed multi-family units. She  
16 noted the error in the data for 560 N 11th Street. She questioned pushing the LID through  
17 without sufficient data or established methodology to ensure equity and development of a  
18 cost/benefit analysis.

19  
20 As Chair of the Committee, she surmised that no further effort should be made to push forward  
21 the N 11th Street LID until a full set of recommendations be made for funding mechanisms for  
22 street infrastructure that include sewer and water upgrades and a process for maximum benefit  
23 of our expenditures. Her recommendation was that the LID not be pursued due to lack of  
24 confidence in the recommendations put forward at this time.

25  
26 Chair Biscoe described failure of the proposed assessment options to have been provided in a  
27 timeframe that would have provided assessment expectations to property owners such as the  
28 Knutsons before development of their property. She had great concerns about the City  
29 Manager's recommendation in the meeting packet memorandum and about potential future  
30 assessments on other streets in town.

31  
32 Councilor Causey noted that the only Council action to date on the N 11th Street LID was to  
33 order the Engineer's Report, and it has not been adopted. She requested that the City Manager  
34 walk through each of the funding approaches included in the packet spreadsheet. She  
35 described her concerns about an LID costing property owners more than the cost of installing  
36 sidewalks which they would otherwise be responsible for but also concerns about subsidizing  
37 development. She requested spending time in the meeting to gain understanding of the options  
38 that have been provided.

39  
40 Chair Biscoe stated uncertainties about the clarity of the LID initiation process and whether the  
41 Engineer's Report comes before the initiation or if it initiates the process, along with implied  
42 motions by inclusion of projects in the Capital Improvement Plan. She also remarked on the  
43 expense of the engineer's report for a document that was not providing the intended  
44 information. Councilor Causey disagreed with the appraisal that the Engineer's Report was of  
45 no value and that an LID could be moved forward by an implied motion. Chair Biscoe clarified  
46 that the Engineer's Report included an unviable option that, perhaps, has data that can be  
47 captured, or perhaps not.

1  
2 Councilor Andrade agreed with the question of the value of the Engineer's Report, citing that the  
3 numbers could easily be acquired by anyone with basic math skills, with the exception of the  
4 cost of the upgrade. Councilor Andrade stated she did not like LID's and also does not support  
5 subsidizing developers in the sense of large-scale projects. She described the goals of  
6 providing affordable housing and, due to HB2001, trying to have infill, redevelopment and  
7 creating partitions to create higher density housing. She questioned whether there were any  
8 large-scale developers interested in doing that kind of development but people like the Knutsons  
9 are interested in smaller-scale projects. She stated the City should support that kind of  
10 development and this was the best way to do it; otherwise, nobody would want to build on  
11 unimproved land. She suggested pursuing information about a fuel tax and requested more  
12 information about that at this meeting.

13  
14 Councilor Causey noted that the cost of the project included in the Engineer's Report is valuable  
15 and did not consider the Knutson units as falling into the affordable housing category. Chair  
16 Biscoe did not believe the Committee should be analyzing LID methodologies based on  
17 individual property owner types of units. There was brief discussion about references to  
18 affordable housing in relationship to the LID, the need for more housing, and whether more  
19 housing would result in more affordable housing.

20  
21 Councilor Biscoe referred back to the Council directive to consider alternative street  
22 improvement financing methods and the continual landing back to the N 11th Street LID, in  
23 which they lacked a solid mechanism for how it should work and what the assessment  
24 methodology should be when presented with obsolete information.

25  
26 Chair Biscoe recognized that Councilor Causey was requesting the City Manager present the  
27 options in the packet but noted that, since it wasn't a specific directive from the City Council,  
28 that should be a full Council conversation, noting that much of the information provided over the  
29 past five months was unviable. She noted the 15 options provided in the packet was an  
30 alarming number and illustrative of the lack of a procedure.

31  
32 Chair Biscoe illustrated a comparison of properties within the proposed LID spreadsheet to  
33 describe assessments that were not equitable based on units or based on potential  
34 development by size. Councilor Causey requested that Mr. Workman provide a review of the  
35 proposed options. Chair Biscoe continued comparison of properties and assessment options,  
36 noting that the information is unviable and caused concern for defensibility of any decision and  
37 creating precedent. She noted concerns that had been raised by an attorney for potential legal  
38 action.

39  
40 Councilor Causey agreed she had concerns but disagreed that the options provided were  
41 unviable and felt it was better to rely on the City's legal counsel for information. She requested  
42 that Mr. Workman provide a review of the options. There was discussion about the use of  
43 Council members' time to review the information provided. Councilor Andrade recommended  
44 staff reformat the spreadsheet to allow for screen sharing the information to benefit the public  
45 trying to follow along.

46

1 Mr. Workman clarified that his recommendation in the packet was intended to focus on whether  
2 the Committee recommended use of an LID to the full Council, rather than choosing a specific  
3 assessment option. He added that, if the Council determined to move forward with an LID, there  
4 would need to be amendments to the Engineer's Report, based on information identified during  
5 the Committee's discussions, before proceeding with next steps of the process.

6  
7 Chair Biscoe felt that other funding mechanisms had not been fully vetted and a  
8 recommendation could not be made yet to the Council. She noted that she had requested LID  
9 funding options be included on the agenda, which did not happen. She stated problems with  
10 looking at other funding options while still pushing an LID forward for N 11th Street. She also  
11 noted having requested the specific motions that came from the Council as part of the process.  
12 She stated the need to conclude discussions about street infrastructure funding options before  
13 forcing a project through that is just one of the projects on the high priority list.

14  
15 Councilor Causey suggested that, in order to determine if an equitable funding option could be  
16 arrived at on the LID, an explanation of the different assessment options was needed and it  
17 appeared that would take another 6 months to a year to complete.

18  
19 Chair Biscoe referred to the Safe Routes to School Plan with regard and making determinations  
20 of whether streets are safe or unsafe and questioned why N 11th Street was considered such a  
21 priority project over the other four streets listed as high priority. Mr. Brewer explained  
22 discretionary immunity for the Council as long as it has considered all of the alternatives in  
23 repairing a street that is a safety concern. Chair Biscoe questioned if an urban renewal district  
24 could be applied to address safety, and Mr. Brewer described parameters that would have to be  
25 evaluated. There was further discussion about the factors that would play into determining  
26 priorities and making decisions but would still provide discretionary immunity.

27  
28 Councilor Andrade described decisions made, such as approving the Capital Improvement Plan  
29 (CIP), and whether that implicitly approves moving a project forward. Mr. Brewer described the  
30 purpose of a CIP for planning, prioritizing and projecting projects and explained approval of  
31 funding in the budget to move projects forward.

32  
33 Councilor Causey identified factors that affect the prioritization of N 11th Street, including a new  
34 park increasing the presence of children, new housing on the street, and developed properties  
35 that are able to make a significant contribution to the improvements. Chair Biscoe identified  
36 development on N 9th Street and back-route traffic avoiding 53rd and Highway 20/34 as factors  
37 that have impacted increased traffic on N 9th, but cited lack of data to evaluate safety concerns  
38 of one street over another.

39  
40 Chair Biscoe redirected the Committee back to discussion of alternative funding mechanisms for  
41 street improvements. She requested staff's cooperation in moving a recommendation forward  
42 with viable information and summarized options that have been considered and new options.

43  
44 Mr. Workman requested that, if the Committee wants to spend more time reviewing other  
45 funding mechanism options, that they move forward a recommendation to the Council specific  
46 to the N 11th Street LID due to time sensitivity of that issue for summer construction. Chair  
47 Biscoe questioned the connection that makes a decision on the LID time sensitive. Mr.



1 Workman reviewed Council discussions in May about the project and Engineer's Report, the  
2 inclusion of the project in the CIP and budget for construction this summer, and combination of  
3 the project with the Landmark Drive LID for bidding.

4  
5 **MOTION:** Councilor Causey moved that the Committee forward the N 11th Street LID and  
6 alternative approaches for funding of the district, not necessarily the broad alternatives to the full  
7 Council for review. No second.

8  
9 Councilor Andrade requested reviewing a fuel tax for future improvement of street infrastructure,  
10 questioned if the City gets a share of County or State level of funding similar to the TLT, and  
11 agreed with Chair Biscoe regarding not considering the N 11th Street LID until the Council  
12 considers the alternatives. She noted the Committee has not discussed if the N 11th Street  
13 project should proceed to construction in summer 2022. She noted that the project may have  
14 been planned but did not recall this Council approving it for this deadline.

15  
16 Chair Biscoe noted that the Committee's directive was to consider alternative funding  
17 mechanisms and she couldn't speak to what previous Council's had approved. She noted she  
18 was not acknowledging the urgency to move the project forward. She suggested using the first  
19 meeting in January to make alternative funding mechanism recommendations that are solid and  
20 based on facts to send to the Council and hold a second meeting in January to use that  
21 recommendation to make a decision relative to N 11th Street. She reviewed a possible list of  
22 recommendations to move forward.

23  
24 Mr. Workman explained that Mayor Jones is looking for a recommendation of some type from  
25 the Committee at the December City Council meeting. Chair Biscoe acknowledged it would  
26 have been good to know there was a target date to address the topic but felt that a summary  
27 document could be provided for the meeting.

28  
29 Councilor Andrade addressed the undeveloped street priority list, questioning how the inherent  
30 information was used to prioritize the list. She recommended changing the municipal code to  
31 encourage more affordable housing to avoid developers owing the City money for providing a  
32 huge service but ensuring the large-scale developments do still pay for those street  
33 improvements. She stated the need for more time to come up with long-term systemic solutions  
34 for improving streets through, potentially, a fuel tax to better understand the urgency related to  
35 how streets are prioritized, and potential changes to the municipal code for a more equitable  
36 outcome and incentives for community members trying to build more affordable housing.

37  
38 Councilor Causey requested more information regarding the issue to be addressed at the  
39 December 13 Council meeting. Mr. Workman clarified it was the funding of N 11th Street for  
40 construction this summer. He reviewed the potential implementation of a gas tax in the City,  
41 adding that Benton County does not have a gas tax but the State does. He noted that the share  
42 of the State gas tax that the City receives as revenue every year is in the Street Fund based on  
43 per capita. There was discussion about a gas tax having to go to a vote, and Mr. Brewer  
44 described a potential for a regional gas tax.

45  
46 Chair Biscoe questioned if Mr. Workman could assemble a proposal describing the six  
47 alternative funding mechanisms that have been discussed for the Committee to review at the

1 January meeting. He felt it could be provided. The Committee agreed that they could hold a  
2 second meeting in January if necessary to complete the recommendation.

3  
4 Mr. Workman reviewed the Council schedule at the January work session to discuss the  
5 Strategic Plan and make decisions on projects that would impact the next budget year. Chair  
6 Biscoe indicated the benefit of having the opportunity to weigh in on the budget prior to  
7 preparation.

8  
9 Chair Biscoe recommended that there was no need to continue conversation at this meeting  
10 regarding N 11th Street without a recommendation to be able to be made to the Council in  
11 December. She recommended prioritizing the alternative funding mechanisms. There was  
12 discussion about the Committee providing the statement regarding insufficient time to complete  
13 review of the alternatives to the Council and the Council's options beyond that.

14  
15 Councilor Causey requested sufficient time to review the statement coming from the committee  
16 prior to the Council meeting. Mr. Workman provided options for addressing the statement,  
17 including the Chair's option to provide a statement not on behalf of the entire Committee. Mr.  
18 Brewer supported the second option.

19  
20 Councilor Andrade questioned the use of non-remonstrance agreements and conditions of  
21 approval for street improvements. Mr. Workman described the common use of agreements  
22 related to street improvements. Mr. Brewer described the reasons for using a non-remonstrance  
23 agreement as opposed to having the property owner do individual partial street improvements.  
24 There was discussion about the redundancy of use of the documents. Mr. Brewer described the  
25 efficiency of improvements being done in a singular project instead of short stretches.

## 26 27 **STAFF UPDATES**

28 **North 13th Street Construction:** Mr. Workman provided an update for the water line repair on  
29 North 13th Street caused by damage during installation of fiber optic line, noting that there were  
30 issues with the City's line locate of that water line leading to the damage of an estimated cost of  
31 \$25,000 with Pioneer Connect contributing to some of the cost.

32  
33 **146 N 9th Street:** Mr. Workman reported on the failure of a section of 1952-era pipe that  
34 resulted in a large cavity under the road that had to be excavated and paved over again. Mr.  
35 Workman offered to forward the Public Works Director's report.

36  
37 Mr. Workman explained that Pioneer Connect pays a franchise agreement fee that gives them  
38 the right to install the fiber optic line in the right-of-way. He described the extensive line locates  
39 that are currently being required of Public Works staff for this project. There was discussion  
40 about the utility companies passing full cost of the franchise fee on to their customers.

41  
42 There was discussion about the flagging in Marys River Park in the area of the reservoir and  
43 bioswale locations. Mr. Workman offered to report back with more information on the flagging.  
44 He also reported on receipt of a request from the Army Corps of Engineers to halt any  
45 construction at the reservoir site due to information transmitted by the Grand Ronde Tribe  
46 regarding recently reported discovery of native artifacts. He discussed questions regarding the  
47 survey already completed and is waiting for more information back from the Army Corps. There

1 was discussion about any potential project delay. Chair Biscoe requested access to drawings or  
2 schematics regarding the height of the reservoir.  
3  
4 Mr. Brewer recommended that members of the Committee submit their thoughts regarding the  
5 prioritization of alternative funding mechanisms to the City Manager for compilation and  
6 inclusion in the December 13 meeting packet.  
7  
8 Chair Biscoe adjourned the meeting at 7:06 p.m.  
9  
10 Meeting recorded by Ruth Post, MMC, City Recorder