

**PHILOMATH COMMON COUNCIL**  
**MINUTES**  
**March 11, 2013**

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6 **1. CALL TO ORDER**

7 The common council of the City of Philomath was called to order on Monday, March 11,  
8 2013, at 7:00 PM in the Philomath City Hall Council Chambers by Mayor Rocky Sloan.

9  
10 **Present:** Mayor Rocky Sloan, Councilors Nolan Bartlow, Matt Bierek, Charla Koeppe,  
11 Josh Kvidt, Jason Leonard and Sean Manning.

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13 **Staff:** Randy Kugler, City Manager; Ken Elwer, Chief of Police; Kevin Fear, Public  
14 Works Director; and Joan Swanson, Finance Director.

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16 **2. CONSENT AGENDA**

17 **2.1 City Council Minutes – February 11, 2013**

18 **2.2 Police Committee Minutes – February 19, 2013**

19 **2.3 Public Works Committee Minutes – March 7, 2013**

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21 **MOTION:** Councilor Koeppe moved, Councilor Manning second, to approve the  
22 consent agenda and the council agenda for March 11, 2013, as presented.  
23 Motion APPROVED 7-0 (Yes: Bartlow, Bierek, Koeppe, Kvidt, Leonard, Manning  
24 and Sloan; No: None.)  
25

26 **3. ITEMS REMOVED FROM CONSENT AGENDA**

27 **3.1** None.

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29 **4. PRESENTATIONS**

30 **4.1 Tom Nelson, Corvallis Economic Development Manager –** Mr. Nelson  
31 distributed copies of The Corvallis Economic Development Strategy – 2012  
32 (supplemental agenda item #4.1). He explained that Benton County pays about  
33 1/3 of his budget and he stated he represents Philomath as much as he  
34 represents anyone in Benton County. He provided his background and the steps  
35 taken by the City of Corvallis since 2010 to form the Economic Development  
36 Commission, which has also been endorsed by the County, and the EDC goals.  
37

38 Mr. Nelson stated he was a conduit for following up on leads to develop industrial  
39 properties in Philomath. He reviewed the steps his office is taking to improve  
40 economic development resources. Councilor Bierek questioned how much  
41 influence Mr. Nelson has with the Willamette Angel Conference. Mr. Nelson  
42 stated he was a coordinator for this area for the Willamette Angel Conference.  
43 There was discussion about the future of the RIM Conference. Councilor Bierek  
44 questioned what assurances Philomath has that businesses interested in locating  
45 in Philomath won't be diverted to Corvallis. Mr. Nelson stated that would not  
46 happen under his leadership.  
47

48 Mr. Kugler questioned if Mr. Nelson is available to review a lead and help meet  
49 with property owners. Mr. Nelson stated he could and could help provide the  
50 regional workforce data. Mayor Sloan described the types of industrial properties  
51 Philomath has available and the pro-business attitude Philomath has. Mr. Nelson  
52 described the important factors businesses consider in selecting a location.  
53

1           **4.2 Jennifer Moore, United Way of Benton & Lincoln Counties** – Ms. Moore  
2 provided a history of the Oregon 2-1-1 Network resource and information referral.  
3 She stated the goal is to be available statewide by the end of this calendar year.  
4 She described the call center services. She stated, since inception in 2011, the  
5 three county network of Benton, Lincoln and Linn Counties has fielded over  
6 3,000 phone calls and website visits. She described the development of a  
7 database of service providers and the way 2-1-1 service connects people in need  
8 of resources to the correct service provider. She provided examples of people  
9 who have received assistance. She stated 2-1-1 information is available at  
10 www.211info.org. She stated that of the 741 calls received in Benton County in  
11 2012, 75 were from the Philomath zip code. She described plans for the future to  
12 improve services and fill the gaps of most needed services. Councilor Kvidt  
13 suggested adding a link from the City’s website to the 2-1-1 website. Ms. Moore  
14 stated that they could use the exposure because their marketing efforts have  
15 been very low budget. Mayor Sloan suggested that members of Mr. Crocker’s  
16 Senior Social Studies class in attendance at the meeting take the business cards  
17 and information provided by Ms. Moore to help get the word out.  
18

19 **5. VISITORS/PETITIONS**

20 **5.1** None.  
21

22 **6. STAFF REPORTS**

23 **6.1 City Manager** – Mr. Kugler report Steven Oien Construction was the low bidder  
24 on the park shelter foundation and site work and work has begun. He stated that  
25 \$5,500 in donations have been received in the past week for the shelter from  
26 both businesses and one private citizen. He also stated that grant applications  
27 are being submitted to Ford Family Foundation and the Benton County  
28 Foundation. There was additional discussion about the grant applications. Mr.  
29 Fewel provided additional information about the structure of the Benton County  
30 Foundation.  
31

32 **6.2 Public Works Director** – Mr. Fear reminded the Council that Spring Cleanup is  
33 scheduled for April 8-13. He stated that they will get extra empty bins on Friday  
34 and stay open on Saturday until the bins are full. He announced that the annual  
35 Arbor Day tree planting will be on April 26 at Noon alongside the bike path  
36 between Highway 20/34 and Richard Place. He provided a brief update on the  
37 Applegate Street Project and stated the bid came in lower than expected, which  
38 will allow for alternative projects to be completed that will bring that area up to the  
39 Safe Routes to School Plan standard. He stated notices will be mailed to all  
40 property owners in that area to keep them informed. Construction is slated to  
41 begin early June. Mr. Fear also stated that Public Works would be conducting the  
42 annual routine flushing of the fire hydrants during the first two weeks in May. He  
43 provided the Council with an update on the circumstances at the Water  
44 Treatment Plant that led to a boil water order on February 22nd and 23rd for a  
45 several block area near the treatment plant. Mayor Sloan described the issues he  
46 dealt with, including stores that passed on incorrect information to citizens. He  
47 described steps that have been taken to improve the public notification process  
48 for the future.  
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50 **6.3 City Recorder** – Excused.  
51

52 **6.4 Finance Director** – No report.  
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1           **6.5     Police Chief** – No report.

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3           **6.6     City Attorney** – No report.

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5   **7.     COUNCIL REPORTS**

6   **6.1     Basketball Hoops on Street** – Councilor Manning reported that she had a  
7           contact from a citizen who she referred to the City Manager regarding basketball  
8           hoops on the street. Mr. Kugler explained the City’s new proactive stance to  
9           remove basketball hoops from the streets and sidewalks and letters have been  
10          sent to several residences. He described a tripping incident involving a basketball  
11          hoop and the liability involved. He stated that the City does not have an issue  
12          with families moving them onto the sidewalk while in use as long as they move  
13          them back onto private property afterwards. He stated Public Works has received  
14          one call from an elderly citizen thanking him for the action.

15  
16   **8.     NEW BUSINESS**

17   **8.1     Award of Applegate Street Reconstruction Project contract** – Mr. Fear stated  
18          the request is to award the contract to Pacific Excavation. He stated they were  
19          the low bidder out of four bidders received and the bid price is better than was  
20          hoped. Councilor Bierek stated it is a needed project with pipes that need to be  
21          replaced. Mayor Sloan questioned whether there would be nighttime lane  
22          closures. Mr. Fear stated it should be possible for at least one lane to remain  
23          open during daytime and should be fully open overnight. Councilor Bartlow asked  
24          about the timeline for the project. Mr. Fear stated the contract allows the  
25          contractor 90 days to begin the project after June 1 but must be completed by  
26          September 30.

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28           **MOTION:** Councilor Bierek moved, Councilor Bartlow second, the City Council  
29          award the Applegate Street Reconstruction Project contract, including  
30          alternatives, to Pacific Excavation for the bid price of \$1,252,331.00 plus a  
31          contingency of 10%. Motion APPROVED 7-0 (Yes: Bartlow, Bierek, Koeppe,  
32          Kvidt, Leonard, Manning and Sloan; No: None.)

33  
34   **8.2     2013-2014 Capital Improvement Plan** – Ms. Swanson explained the updated  
35          CIP is basically Public Works’ plan. She stated that most of the schedules are  
36          driven by system development charges. She explained that during the recent  
37          economic downturn, SDC’s have reduced substantially and that this CIP reflects  
38          a much scaled back plan for that reason. She stated the only major project in this  
39          CIP is the Applegate Street Reconstruction Project. Mayor Sloan requested that  
40          Ms. Swanson explain the zeroes in the 2013-14 Equipment Replacement  
41          Schedule and Facility Improvement Schedule column. She explained that the life  
42          expectancy of some of the equipment has been extended and the reduced  
43          allocations for 2013-2014 and 2014-2015 are in hopes that construction will  
44          increase by 2015 and SDC’s will subsequently increase. She reviewed the  
45          Infrastructure Improvement Schedules for Water, Sewer, Street, Park, Storm  
46          Drain, and Bike Path/Footpath. Mr. Kugler explained the two projects in the Park  
47          Infrastructure Improvement Schedule with the dollars for a North 11th Street Park  
48          project being the match for the park grant that the Council will consider applying  
49          for under Agenda Item #9.3. Ms. Swanson explained that the Bike Path/Footpath  
50          funds are derived from State gas tax and 1% is required to be dedicated for bike  
51          and footpath construction. She explained that the full amount is scheduled for the  
52          bike path construction in the Applegate Street Project. Mayor Sloan stated that  
53          the zero balances are a new situation for the City; and yet, he has always  
54          appreciated the way that year after year, Public Works has done more with less.

1 He stated it is disheartening to see. Ms. Swanson explained that the City has  
2 historically completed projects as funds were accumulated and has completed  
3 projects even during the economic downturn because it was possible to take  
4 advantage of low bids. She said it is the City's responsibility not to hoard money  
5 but to put it to use. Mr. Kugler explained that should the City return to building 15  
6 homes per year, the funding levels would resume; and in a community of this  
7 size, 15 homes is reasonable. He noted that multi-family, commercial and  
8 industrial SDC's are not contemplated in the budget because they are entirely  
9 unpredictable; but one good industrial construction project could have a  
10 substantial impact on SDC revenues.

11  
12 Councilor Leonard questioned if there was any flexibility in SDC fees to  
13 encourage growth. Mr. Kugler stated that this is an interesting topic throughout  
14 the state, with different cities taking different attitudes. He stated that he is not  
15 convinced that reducing SDCs will encourage construction; and at the end of the  
16 day, the infrastructure still needs to be replaced or expanded and the expense  
17 needs to be paid. He stated SDCs are a cost of doing business. Mayor Sloan  
18 stated this is a complaint by contractors in every city.

19  
20 **MOTION:** Councilor Manning moved, Councilor Leonard second, the 2013-2014  
21 Capital Improvement Plan be approved as presented. Motion APPROVED 7-0  
22 (Yes: Bartlow, Bierek, Koeppe, Kvidt, Leonard, Manning and Sloan; No: None.)  
23

24 **9. ORDINANCES/RESOLUTIONS**

25 **9.1 Ordinance #783 amending PMC 9.15 regarding graffiti – First Reading –**

26 Councilor Bierek stated concerns about the definition and that, as written, it  
27 would apply to every sign in town. He suggested the insertion of additional  
28 language that would clear that up. He also stated that the rock at the high school  
29 exemplifies the definition of graffiti as set out in the ordinance. He requested  
30 tabling the ordinance for additional review. Councilor Bartlow concurred with  
31 Councilor Bierek's comments. Chief Elwer explained this was reviewed by the  
32 Police Committee and agreed with Councilor Bierek's points. Council tabled the  
33 ordinance by consensus.  
34

35 **9.2 Resolution 13-01 proposing 2013-2014 utility fee rates –** Mr. Kugler explained

36 that the utility rates have been reviewed by the Public Works Committee to be  
37 effective July 1. He stated that prior discussion about the lack of SDCs impact  
38 the utility fees, and there is understanding that these are very real costs to rate  
39 payers. He said the needs of the system are balanced with the positions of  
40 residents. He stated the Sewer Fund is the most in need this year and a 5.9%  
41 increase is proposed, with no increase in water, street, and storm drain. He  
42 explained the rate comparison with other mid-valley cities and Philomath remains  
43 in the middle. He stated that some of these cities, however, probably experience  
44 more boil water notices than Philomath; and Philomath offers a safe, efficient  
45 system. Councilor Kvidt clarified that this is a 5.9% increase overall, but it is  
46 greater than 5.9% for sewer only. Ms. Swanson confirmed that is correct.  
47 Councilor Manning questioned when and how much was the last increase. Mr.  
48 Kugler explained rates are reviewed and increased every year. He explained that  
49 different cities have different approaches but he recommends incremental  
50 increases each year rather than going three years without an increase and then  
51 having to do 20%. He stated it's based on the belief that rates are set to meet the  
52 needs of the system, rather than the Council setting rates politically. He stated he  
53 recommends the pay-as-you-go plan.  
54

1 Councilor Sloan explained the mid-valley city comparison to students in the  
2 audience. Councilor Kvidt noted that cities with lower rates seem to be along the  
3 Willamette. Mr. Kugler explained that some of the cities listed may also have  
4 bonds that their citizens are paying through property taxes in addition to the  
5 stated rates. He stated that Philomath does not have any of those additional  
6 bond costs passed on through property taxes.  
7

8 **MOTION:** Councilor Bartlow moved, Councilor Bierek second, the City Council  
9 approve Resolution 13-01 setting utility rates for 2013-2014. Motion APPROVED  
10 7-0 (Yes: Bartlow, Bierek, Koeppe, Kvidt, Leonard, Manning and Sloan; No:  
11 None.)  
12

13 **9.3 Resolution 13-02 authorizing application for a park grant** – Mr. Kugler  
14 explained that to apply for a State Park grant, the Council has to give approval  
15 for staff to apply. Mayor Sloan explained the location of the proposed North 11th  
16 Street park.  
17

18 **MOTION:** Councilor Kvidt moved, Councilor Koeppe second, the  
19 City Council approve Resolution 13-02 authorizing application for a Local  
20 Government Grant from the Oregon Parks and Recreation Department and  
21 delegating authority to the City Manager to sign the application. Motion  
22 APPROVED 7-0 (Yes: Bartlow, Bierek, Koeppe, Kvidt, Leonard, Manning and  
23 Sloan; No: None.)  
24

25 **10. INFORMATION/CORRESPONDENCE**

26 **10.1 Letter from Philomath Chamber regarding caboose** – No comments.

27 **10.2 Downtown Streetscape Improvements Project progress report from MSA** –  
28 No comments.

29 **10.3 City website hits report for February 2013** – Mayor Sloan noted that website  
30 hits were slightly up and this may have been due to the boil water issue.

31 **10.4 Philomath Connection ridership for February 2013** – No comments.  
32

33 **11. ADJOURNMENT**

34 **9.1 Adjournment** – Seeing no further business, Mayor Sloan adjourned the meeting  
35 at 8:19 p.m.  
36

37 SIGNED:  
38 Rocky Sloan, Mayor

ATTEST:  
Ruth Post, MMC, City Recorder