

**PHILOMATH CITY COUNCIL
MINUTES
March 14, 2016**

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6 **1. CALL TO ORDER**

7 The City Council of the City of Philomath was called to order on Monday, March 14,
8 2016, at 7:00 p.m. in the Philomath City Hall Council Chambers by Mayor Rocky Sloan.
9

10 **2. ROLL CALL**

11 Present:

12 Mayor Rocky Sloan
13 Councilor Angie Baca
14 Councilor Doug Edmonds
15 Councilor Charla Koeppel
16 Councilor Jason Leonard
17 Councilor Sean Manning
18 Councilor Eric Niemann
19

Excused:

20 Staff Present:

21 City Manager Chris Workman
22 Deputy City Attorney Dan Miller
23 Finance Director Joan Swanson
24 Public Works Director Kevin Fear
25 Planner Jim Minard
26 City Recorder Ruth Post
27

Police Chief Ken Rueben

28 **3. CONSENT AGENDA**

29 **3.1 City Council Minutes** – February 8, 2016 – Councilor Niemann clarified Page 6,
30 Agenda Item Section #5.2, that he had thanked Mr. M’Gann for his military
31 service to the country.

32 **3.2 Public Works Committee Minutes** – February 3, 2016

33 **3.3 Police Committee Minutes** – February 4, 2016

34 **3.4 Park Advisory Board Minutes** – February 2, 2016

35 **3.5 Finance/Administration Committee Minutes** – March 1, 2016

36 **3.6 Park Advisory Board Minutes** – March 1, 2016
37

38 **MOTION:** Councilor Baca moved, Councilor Edmonds second, to approve the
39 consent agenda as amended and the council agenda for March 14, 2016, as
40 presented. Motion APPROVED 7-0 (Yes: Baca, Edmonds, Koeppel, Leonard,
41 Manning, Niemann and Sloan; No: None.)
42

43 **4. ITEMS REMOVED FROM CONSENT AGENDA**

44 **4.1** None.
45

46 **5. VISITORS/PETITIONS**

47 **5.1 Lily’s Grant for Guidance** – Chad Matthews, Philomath School District – Mr.
48 Matthews stated he was not representing Lily’s Grant for Guidance but, instead,
49 the Inspired program at the School District. He described the program that began
50 at the Middle School and has now grown to the Elementary and High Schools.
51 He stated it is a complete day including speakers, activities and lessons. He

1 requested that the Council consider recognizing April 13, 2016, as “Inspired Day”
2 for Philomath. He stated that Lily’s Grant for Guidance helped provide vital
3 financial support to pay for speakers, shirts and other costs.
4

5 **5.2** Elaine Hall, Philomath, OR – Ms. Hall reminded the Council that she lives on
6 Starlight Village where there is the continuing issue with the water supply when
7 the power goes out. She had volunteered for the Water Master Plan update
8 citizens committee and wanted to know the status of that. Mr. Workman stated
9 that the engineer just began work on that plan update and he would reach out to
10 her within the next two weeks.
11

12 **5.3** Xan Augerot, Corvallis, OR – Ms. Augerot introduced herself as a candidate for
13 Benton County Commissioner. She described her past involvement as Executive
14 Director for the Marys River Watershed Council. She stated she has a passion
15 for resource and infrastructure management.
16

17 **5.4** Ann Schuster, Corvallis, OR – Ms. Schuster introduced herself as a current
18 Benton County Commissioner and invited the Council to any County
19 Commissioner meetings they’d like to attend. She encouraged partnerships
20 between the local governmental agencies.
21

22 **5.5** Jeff Lamb, Philomath, OR – Mr. Lamb distributed Supplemental Agenda Item
23 #5.5 and that Philomath encourage Governor Brown to veto Senate Bill1573
24 which would negate Philomath’s voter approved annexation charter amendment.
25 He stated that SB 1573 attacks home rule rights of cities like Philomath and that
26 voters would appreciate a show of solidarity from the Council.
27

28 **5.6** Mike Kibble, Philomath, OR – Mr. Kibble requested that the Council confirm he is
29 not subject to any fines for the tiny house on the lot adjacent to his house on
30 South 17th Street. Mayor Sloan stated the Kibbles would be contacted if the
31 issue is placed back on a Council agenda. He encouraged Mr. Kibble to contact
32 the City Manager regarding resolving the unpermitted placement of the tiny
33 house.
34

35 **6. PUBLIC HEARINGS**

36 **6.1 PC15-06 Amendment of Zoning Code. Applicant: David Dodson; Location:**
37 **City wide R3 Zone standards.** Mayor Sloan opened the public hearing at 7:29
38 p.m. Mr. Miller read the rules and order for testimony on the application. No
39 conflicts of interest or ex-parte contacts were disclosed and none were rebutted.
40

41 Presentation of staff report: Mr. Minard explained the application to increase
42 densities in the R3 zones. He stated that a review of density rules in other
43 communities suggested that Philomath’s rules are out-of-date. He described the
44 rationale for recommending the higher densities only on collector and arterial
45 streets and the applicant was agreeable to this stipulation. He stated that the
46 staff report shows the findings are in compliance with statewide planning goals.
47 Mr. Minard provided clarification on the proposed locations that would be
48 approved for the higher density standard, such as those fronting the highway and
49 part of North 19th Street.
50

1 Councilor Edmonds questioned what the resulting impact would be by allowing
2 the higher densities. Mr. Minard stated it would most likely result in more 3-story
3 townhouse style apartment complexes. Councilor Edmonds questioned if there
4 were potential infrastructure issues from that type of development. Mr. Minard
5 noted that each unit would generate system development charges and would pay
6 for the impact on infrastructure just like any other development.
7

8 Presentation by the applicant: David Dodson, Willamette Valley Planning,
9 Corvallis, OR – Mr. Dodson explained he is representing a client who would like
10 to develop a property in Philomath and described how the existing standards do
11 not support higher density projects. He explained his research of the standards
12 for other jurisdictions as described in the application. He stated the proposed
13 amendment would put Philomath in line with those other jurisdictions. He noted
14 that there has been no apartment construction in Philomath in many years and
15 there aren't a lot of newer rentals available in Philomath. He recently purchased
16 an older home in Philomath to keep as a rental and has first-hand knowledge of
17 the rental limitations in Philomath.
18

19 Mr. Dodson explained that current Oregon building code requires that every
20 ground floor apartment unit be constructed as accessible or convertible to
21 accessible. He stated his concurrence with the staff recommendation that the
22 higher density standard be limited to the collector and arterial streets and the
23 coincidence with availability of public transportation on those streets. He stated
24 that the plan example provided in the application has since been updated.
25

26 Councilor Baca stated she believes that every bedroom in an apartment should
27 have a parking space. Mr. Minard stated that the final submission for any
28 apartment complex would be subject to site design review. Mr. Dodson described
29 some of the other City standards that impact design.
30

31 Councilor Manning questioned if a new apartment complex would help
32 encourage a grocery store. Mr. Dodson described some of the issues from a
33 planning perspective for grocery stores that he has worked with in the past.
34 Councilor Edmonds questioned what issues concerned the Planning Commission
35 when they considered this application. Mr. Minard stated that some of the same
36 questions were asked by the Planning Commission during their public hearing
37 last month. Councilor Edmonds questioned what rate Mr. Dodson anticipated
38 new apartments would be rented for. Mr. Dodson stated he didn't have that
39 information, but it would likely be less than in Corvallis and the project he is
40 working on are expected to be smaller 1 and 2 bedroom units.
41

42 Councilor Edmonds questioned the project timeline. Mr. Dodson stated a project
43 of this size will take up to a year. Councilor Leonard questioned safety issues on
44 North 19th Street. Mr. Dodson described the importance of creating connectivity
45 and emphasizing safety with a project of this type. He mentioned fire access
46 routes as one example.
47

48 Presentation by proponents: None.

49 Presentation by opponents: None.
50
51

1 Testimony of neutral parties including governmental bodies: None.

2
3 Rebuttal by the applicant, limited to issues raised by opponents: None.

4
5 Mr. Dodson waived the 7-day period to submit final written arguments. Mayor
6 Sloan closed the public hearing at 8:05 p.m.

7
8 **6.2 P15-06 Discussion and decision** – Mayor Sloan opened the application to
9 discussion by the Council. Mr. Workman emphasized that the application is to
10 amend the code language and not a specific development project. He stated the
11 need to go to the 3-story structure to make apartment complexes pencil out as
12 profitable and the need to have those accessible ground floor apartments for
13 older residents. Mr. Workman stated the decision for the Council is whether the
14 higher density is better for the community or not. Mr. Minard described the impact
15 of adding additional living units in spurring commercial construction activity.
16 There was discussion about demolishing single family dwellings to construct
17 townhouses as is happening in Corvallis and other communities.

18
19 **MOTION:** Councilor Baca moved, Councilor Leonard second, to accept the
20 findings of fact as presented and direct the City Manager to have the appropriate
21 ordinance with amending language be presented to the City Council for
22 consideration and action. Motion APPROVED 6-1 (Yes: Baca, Edmonds,
23 Koeppe, Leonard, Manning, and Sloan; No: Niemann.)

24
25 **7. STAFF REPORTS**

26 **7.1 City Manager** – Mr. Workman directed the Council’s attention to the flyer for the
27 “If I Were Mayor” student contest and described the program offered by the
28 League of Oregon Cities. There was discussion about prizes to be offered to
29 local winners. Mr. Workman also reported that the LOC has announced dates for
30 the annual conference and is taking requests for session topics.

31
32 Mr. Workman stated that the Kibbles have been given a couple of options
33 regarding the tiny house. Councilor Edmonds stated his appreciation for efforts
34 by staff to resolve the tiny house issue.

35
36 **7.2 Public Works Director** – Mr. Fear reported on coordinated efforts with ODOT to
37 improve issues associated with the highway medians. He stated the medians
38 create sight distance safety issues and are expensive to maintain and keep
39 weeded. He noted that there are only about 5 of the median trees that are going
40 to survive another year or so. He described a two to three year project which will
41 result in a more hardscaped look with some of the plants being transplanted to
42 other city locations. He noted there is no water to most of the medians resulting
43 in issues keeping the trees viable. He stated the Public Works Committee has
44 reviewed and approved the median plans and removal of plants will begin within
45 the next two weeks.

46
47 Mr. Fear reported that the DEQ completed the wastewater treatment plant
48 inspection and the City got no negative feedback. He stated that plant operators
49 Dennis Lewis and James Winge do an excellent job of operating Philomath’s
50 system. He stated there were also no significant deficiencies in the water

1 treatment plant inspection. All reports and sampling have been submitted on time
2 and the water quality is excellent.

3
4 Mr. Fear also reported on the trees removed on South 15th Street and the
5 relocation of the sidewalk.

6
7 **7.3 City Recorder** – Ms. Post reported that the City’s new building permit program
8 through the State’s ePermitting system went live this morning without any major
9 glitches. She thanked members of the Council for creating their new accounts
10 with the Oregon Government Ethics Commission. This will mark the first year that
11 Annual Statements of Verified Economic Interest are required to be submitted
12 electronically. They will be due by April 15. Finally, she reported that this week is
13 Sunshine Week which is dedicated to promoting easy access to public records.
14 She stated that Philomath does not get a lot of public records requests because
15 we do a good job of providing them via our website.

16
17 **7.4 Finance Director** – No report.

18
19 **7.5 Police Chief** – Excused.

20
21 **7.6 Deputy City Attorney** – Mr. Miller stated the City Attorney’s office is monitoring
22 SB 1573 and will have a report at the next meeting.

23
24 Councilor Edmonds questioned if the recent legislation increasing minimum wage
25 will have an impact on the City. Ms. Swanson stated it would not have an impact
26 on the City as there are no minimum wage employees.

27
28 **8. COUNCIL REPORTS**

29 **8.1 Councilor Niemann** – Councilor Niemann reported on the success of the
30 Philomath High School boys’ basketball team in winning the state championship.
31 He also reported on the production of the Lion King at the Middle School. Finally
32 he stated that he counted 55 flags displayed in the community on Presidents’
33 Day.

34
35 **8.2 Councilor Edmonds** – Councilor Edmonds reported on the upcoming robotics
36 competition at Philomath High School on March 25-26.

37
38 **9. ORDINANCES & RESOLUTIONS**

39 **9.1 Resolution 16-01 Setting utility rates** – Ms. Swanson summarized the utility
40 fees that have been reviewed and recommended by the Public Works
41 Committee. She stated the Committee considered both a cost of living only
42 increase of 1.57% in sewer rates and a 6.8% increase that would provide both for
43 cost of living and funds towards replacement of aging sewer pipes. The
44 Committee ultimately recommended the 6.8% increase. She noted that the sewer
45 base fee is low in comparison to other area communities.

46
47 Ms. Swanson also described constraints in the general fund due to a lack of
48 revenue growth. She stated the Committee recommended moving the Comcast
49 franchise revenue from the street fund to the general fund and increasing the
50 street utility fee. They also recommended an increase to the storm drain fee. Ms.

1 Swanson noted that this fee has never been increased during its 17 years of
2 existence.

3
4 Ms. Swanson stated that staff is very sensitive to the impact of increases on
5 customers while also recognizing the responsibility to maintain these vital City
6 systems. Councilor Leonard stated the Public Works Committee devoted
7 substantial time to discussing the recommendations.
8

9 Mr. Fear stated there is still approximately 30,000 feet of the older sewer line that
10 still needs to be replaced. He described recent collapsed lines that have required
11 emergency repairs. He noted these pipes are anywhere around 11-feet deep and
12 are expensive to repair. He stated that three to four bad failures are occurring
13 every year. He described the need to have an ongoing plan for replacement to
14 remain in good standing with DEQ.
15

16 **MOTION:** Councilor Edmonds moved, Councilor Manning second, the City
17 Council approve Resolution 16-01 setting utility fees in the City of Philomath as
18 presented. Motion APPROVED 7-0 (Yes: Baca, Edmonds, Koeppe, Leonard,
19 Manning, Niemann and Sloan; No: None.)
20

21 **9.2 Resolution 16-02 Authorizing application for park grant** – Mr. Workman
22 stated the Park Advisory Board has done a great job in surveying the
23 neighborhood for the proposed North 11th Street park and providing feedback on
24 the final design. He stated they were enthusiastic about assisting with the
25 application for a State parks grant. Mr. Workman stated that only about one-third
26 of the applications for this grant are approved and it has been a few years since
27 the City last received this grant. He stated the City has a 20% match for the grant
28 application and emphasized the need for a park on the north side of town.
29

30 **MOTION:** Councilor Niemann moved, Councilor Edmonds second, the City
31 Council approve Resolution 14-02 authorizing application for a Local
32 Government Grant from the Oregon Parks and Recreation Department and
33 delegating authority to the City Manager to sign the application. Motion
34 APPROVED 7-0 (Yes: Baca, Edmonds, Koeppe, Leonard, Manning, Niemann
35 and Sloan; No: None.)
36

37 **10. NEW BUSINESS**

38 **10.1 Review and adoption of 2016-2017 Capital Improvement Plan** – Ms.
39 Swanson reviewed the purpose of the capital improvement plan as a roadmap
40 and timeline for projects. She reviewed the facility improvement schedule and the
41 only anticipated project is to remodel the lunch room at the Public Works office.
42 On the water infrastructure improvement schedule, Mr. Fear described the
43 project to upsize the water main on North 12th Street. He stated this project is
44 listed in the current water master plan and this area has seen the most
45 construction growth in recent years. In the sewer infrastructure schedule, the
46 base fee rate increase will provide funding to replace some of the old concrete
47 pipe. Mr. Fear described combining those funds with an Urban Renewal Area
48 sewer project to maximize the improvements.
49

50 Ms. Swanson stated there are no street projects planned in the coming year. In
51 the park schedule, Ms. Swanson recommended allocating \$80,000 in available

1 SDC funds towards the North 11th Street park. Mr. Workman stated there are
2 concerns about the undergrounding of the power lines at the park and the cost
3 for that has not been fully identified. There was a brief discussion about the City
4 Park restroom replacement project.
5

6 On the storm drain schedule, Ms. Swanson explained that this schedule will
7 finally return to a positive balance due to the approved rate increase. On the bike
8 path/footpath schedule, Ms. Swanson described an anticipated project to install
9 lighting on the Hunsaker bike path through East Newton Creek Park. On the
10 equipment schedule, she described the sewer camera to survey existing lines
11 and help identify those that need to be a top priority for replacement.
12

13 **MOTION:** Councilor Edmonds moved, Councilor Manning second, the City
14 Council approve the 2016-2017 Capital Improvement Plan as presented. Motion
15 APPROVED 7-0 (Yes: Baca, Edmonds, Koeppe, Leonard, Manning, Niemann
16 and Sloan; No: None.)
17

18 **10.2 Highway 20 Realignment Project update – Jerry Wolcott, ODOT** – Mr. Wolcott
19 distributed copies of the Powerpoint presentation on the Highway 20 Pioneer
20 Mountain to Eddyville project (Supplemental Agenda Item #10.2). He reviewed
21 the closures that will be necessary due to blasting on the west end of the project.
22 He stated this is unavoidable and ODOT created the schedule to try to minimize
23 impact and keep a consistent schedule. He stated the project is expected to be
24 completed this Fall.
25

26 **11. INFORMATION & CORRESPONDENCE**

- 27 **11.1 Website report for February 2016** – No comment.
- 28 **11.2 Philomath Connection ridership for February 2016**– No comment.
- 29 **11.3 Plum Creek flower basket contribution letter** – No comment.
- 30

31 **12. ADJOURNMENT**

32 **12.1 Adjournment** – Seeing no further business, Mayor Sloan adjourned the meeting
33 at 9:40 p.m.
34

35 SIGNED:
36 Rocky Sloan, Mayor

ATTEST:
Ruth Post, MMC, City Recorder