

**CITY OF JEFFERSON**  
Regular Council Meeting  
Public Hearing  
March 28, 2019  
6:30pm

**COUNCILORS PRESENT:** Walt Perry, Dave Beyerl, Bob Rossiter, Edna Campau, David Watkins, Mayor  
Michael Myers, Audrey Webster

**COUNCILORS ABSENT:** None

**STAFF PRESENT:** Sarah Cook, City Recorder; Jeff Buskirk, PWD; MCSO Sgt. Parise, Commander Kast,  
Deputy Olson; Amy Dixon, COG Planner

- I. **COUNCIL MEETING CALL TO ORDER/FLAG SALUTE** – Mayor Myers called the meeting to order at 6:30pm and led in the flag salute.
  
- II. **PUBLIC HEARING** – Street Vacation – File# VAC 19-01

Mayor Myers opened the public hearing at 6:31pm and read the hearing script regarding the vacation ordinance public hearing. There were no declarations of conflict of interest stated, no bias or prejudice, and no ex-parte communication. Councilor Watkins announced he was the liaison to the Planning Commission, so he was present during their hearing. Receiving no objections from the audience on the notice of the hearing, Mayor Myers explained the process the hearing would take and directed Contract Planner, Amy Dixon to present the staff report. Amy entered the staff report and all its attachments into the record and noted a couple typographical errors before proceeding to offer a complete summary of the report and all 5 criteria, which had been met. She noted the condition placed on the vacation, which was the dedication of the property next to the vacated property and recommended the Council approve the vacation with the noted condition.

Applicant Statement: Jeff Buskirk, the City's Public Works Director stated the main goal was to get services back in the City's right of way where they could control what went on around them, noting if there was infrastructure in easements, it often caused problems because people built upon them, planted trees, etc. In addition, work typically costs more because many contractors won't bid the work if it involved private property. Jeff noted it was in the City's best interest to put the ROW back the way it was in the mid-60's, all the way through. He confirmed for Councilor Webster that the City did not have plans for that area at any time in the near future.

Public testimony for those in favor of the vacation:

Joe Parrott, 2782 Bastille Ave, Salem, spoke on behalf of Joan Posch and thanked the Council for their diligence in getting this completed. They had reviewed the staff report, conditions, and findings and took no issue with any of it. They were ready to move forward and cooperate as needed to complete the vacation and dedication. Mr. Parrott addressed the letter that was submitted to the Council in opposition, which asked them to deny the vacation request. He didn't feel that was a good idea for either party.

Public testimony for those opposed to the vacation:

Ron Gilles, owner of lot 900 in the vicinity of the vacation had submitted written testimony prior to the meeting, which had been signed by his neighbors, and was included in the Council packets. He shared information on when the original owners (Bradley's) had expanded 40 feet to the lot sizes; however, he was unsure why they didn't continue the ROW. Mr. Gilles said the area was currently graveled, which he and his neighbors had maintained and been using for personal parking. He indicated he had a driveway coming off of Marion Rd, but his neighbors did not have access to their own property so they use the space on 4<sup>th</sup> street to

park head in. He felt Marion Rd. had become a mad house after the bridge was improved and the weight restrictions were removed. He agreed leaving things as they were was probably not a wise move; however, he and his neighbors thought an easement needed to be granted to the City that went down 4<sup>th</sup> street and through private property whether Bates St. was eventually improved at some point or not. Their preference was for the City to maintain an easement after the vacation occurred, as rights for the City to do any necessary repair work on the utilities. In speaking with the Public Works Director, Mr. Gilles understood the water and sewer went to Bates St. and then made a 90 degree turn and served the last 2 houses in the City limits. The property up for sale in the area included a section that was zoned commercial and they feared any type of commercial development would bring in trucks, which would be using 4<sup>th</sup> street to access Marion Rd. or Bates St, which would interfere with the quality of life of the 3 private residences on 4<sup>th</sup> street.

Councilor Beyerl commented that 4<sup>th</sup> street wouldn't be developed for many years if ever anytime soon, because there were far more important priorities in front of it; however, should it be punched through, he didn't see where it would pull trucks or heavy traffic because it was only a block long and not wide enough for vehicles turning in/out, noting they'd still need to use Bates, 3<sup>rd</sup> or Jefferson-Marion.

Ron Gilles replied to Councilor Beyerl, noting he understood what he was saying now, but also knew how fast things could change and if somebody bought the property and decided on a huge development it was a legitimate concern to him and his neighbors. He added, even if it wasn't semi's, even single unit trucks or vehicles, noting for example, if a storage unit was built on the property, people would be using that access 24/7. Discussion ensued about the option to put signs up that prevented large trucks from access; however, they recognized that enforcement would be an issue.

Councilor Perry asked Ron Gilles if the same proposal was occurring anywhere else in town if he would be opposed to it, to which Mr. Gilles indicated he would not be. Mayor Myers confirmed with Jeff Buskirk that the small section of 4<sup>th</sup> street was already dedicated for a street.

Public testimony for neutral comments – none

Rebuttal by the applicant – Jeff Buskirk said the right of way should go through, explaining that in the 60's it was changed and one portion was dropped for some reason and they didn't move the entire ROW over. Whether the City opened the street or not, he was of the opinion that the utilities needed to be in the City's own control and not on private property.

With no further testimony, Mayor Myers closed the hearing at 7:08pm and the Council would go into deliberation. Councilor Beyerl still agreed with the Public Works Director and he didn't see the City developing any time in the near future, but to have control of the City's own utilities was best. Councilor Webster said she was torn because if she lived somewhere for 40 years she'd be concerned too, but at the same time she felt the City was making a very logical argument. She was not strongly concerned about the options for development because there were many places in town open for development and there wasn't any. Based on the City's original testimony, it was not a high priority for the City to spend the money to punch 4<sup>th</sup> street through so she didn't believe it would have a significant noticeable impact, noting this was a City and even though the occupants of the three homes were used to having a somewhat private place, it was still a City road and always had been. Councilor Rossiter shared that his backyard faced a field that was readied for a subdivision so he understood the concerns of the surrounding neighbors. Having years of driving experience operating buses and other large vehicles, he expressed concern about the possibility of large vehicles utilizing 4<sup>th</sup> Street. Councilor Watkins agreed the vacation should take place but suggested the Council have a look at some sort of restricted access, which the City Council agreed with.

Adoption of Ordinance – Mayor Myers read the ordinance adoption procedures. There were no abstentions. Moving ahead, Mayor Myers read Ordinance #710 by title only for the first reading. Councilor Rossiter moved that the ordinance be adopted and passed to the second reading by title only. Councilor Beyerl seconded. All in favor: Ayes – 6, Opposed – 0. **APPROVED.**

Mayor Myers read the title of Ordinance #710 for the second reading. Councilor Beyerl moved that the ordinance pass and that the title of the ordinance become the ordinance. Councilor Perry seconded. Roll Call Vote: Perry - yes, Watkins - yes, Campau - yes, Webster - yes, Rossiter - yes, Beyerl - yes. **APPROVED.** Mayor Myers noted they would look at restricting access on 4<sup>th</sup> street and asked Jeff Buskirk to coordinate with Ron Gilles on it.

Before moving to the next topic, Mayor Myers presented Sergeant Don Parise with a certificate of appreciation and small gift to recognize his time as the Jefferson Contract Sergeant.

Break: 7:20; Reconvene: 7:25pm

### III. MARION COUNTY COMMUNITY FORUM – w/MC Commissioners

Commissioner Kevin Cameron chaired the forum and indicated Sam Brentano was in a previous meeting with the Senior Disability Board and was unable to attend. The newest Commissioner, Colm Willis, introduced himself and shared background, indicating he was from Stayton. Before getting to business, Commissioner Cameron noted they had one of the finest deputies in Garrett Olson and shared a story about when he helped his neighbors find a lost dog.

Moving on, Commissioner Cameron said they'd started their state of the county meeting with a presentation at Sedcor, like they did each year. After that, they make their way around the County to make smaller presentations in the communities they represent. It was noted that Commissioner Brentano worked a lot on transportation, infrastructure and solid waste, which Kevin briefly expanded on in his absence. Colm Willis was working on housing and homelessness, stating there were about 2600 homeless people in Marion & Polk County. There were not enough houses for everybody who needed them, in part because of historic land use planning and they hadn't developed as many houses as the number of people that came to the County. They were looking at how to incentivize the private market to build. In addition, he explained they were looking into how to help people in need of services, those with mental health and substance abuse, not just housing shortage. Kevin Cameron talked about on the implementation of the Law Enforcement Assisted Diversion program (LEAD) and the approval of the East Salem public services initiative, where each household in East Salem paid \$120 per year to fund the hiring of police officers for that area, freeing up other deputies to work other areas of the County. He complimented the Sheriff's Office for how fast they had been and they were always trying to find people of quality to hire. Moving on to economic development, Danielle Gonzalez was introduced and she was leading the cause on a broadband program, which Jefferson was just familiarized with. It was also noted that the City library was a recipient of some lottery dollars awarded to help furnish the new library. The Commissioners also shared information about the two properties the County had that were going to the City; one of which had already occurred and the other can't transfer until DEQ finalized their inspections. With that, the Commissioners opened the forum for public comment.

Michelle Nunes indicated she was present last year where there had been a lot of discussion about homelessness and was curious what improvements had been made since then. Commissioner Willis responded, explaining that in the last 18 months they had been able to house 145 of the hardest to house people with the use of gap funding, they prioritized some housing vouchers and then matched some funds to get those people into housing, they were working on a plan for continuing care with their homeless task force,

and also adopted codes in MC that allowed accessory dwelling units, similar to what Jefferson had recently done.

Dave Beyerl thanked the commissioners for working with the City on the 2 properties.

Deputy Olson explained the City was looking at ways to increase revenue for public safety and asked the Commissioners to explain the process they took with East Salem. Commissioner Cameron noted it was a long process; about 2 years. They held town halls, made presentations with numbers showing services they were receiving compared to services they would or could receive, etc. Working with the public works department, they came up with a formula using the population and number of commercial properties to determine a fee of \$10/month per household, which would provide them an additional 10 deputies. When people heard that, they were mostly supportive, he said.

Jeff Buskirk, PWD – inquired about the latest news on the dam. Commissioner Cameron responded that the lake level had just hit the same level it was in 2015 and it was within 3 or 4 days of not being able to generate electricity because the water was so low. He explained grants had been obtained to lower ramps and the Army Corps was working on plans to engineer it so they could attach it to the dam and not have to take the lake down as far or for as long. He spoke about the impact on the fish and their apparent unawareness of how it impacted communities downstream. Moving on to broadband, Kevin Cameron shared an app called TestIt, which would test how fast a persons’ broadband was, and they were collecting data from that app to justify the need for improved services.

With no further comments or questions, the Council thanked the Commissioners for coming, the audience applauded, and they were excused. Break: 8:06pm; Reconvene: 8:12pm.

**IV. OLD BUSINESS – none**

**V. NEW BUSINESS**

**5.1 Citizen Request to Amend Parking Code on N. Sunrise Dr.**

Jo Robertson, N. Sunrise Dr. - addressed the Council, explaining she had moved to the property in 1993 and everybody parked perpendicular to the curb, which provided plenty of room for. Many years later, she said she received a letter from the City informing them that they couldn’t park that way in a cul-de-sac; however, a Planning Commissioner at the time informed her it was considered a “brow” and that it was ok for them to park that way. She went on to explain the lack of parking available in front of her house and that if she parked against the curb, as the code indicates, she would block driveways so she’d have to park in front of other people’s homes, which she believed would cause more problems; therefore, she was requesting the code be changed to allow for head-in parking on her street.

Deputy Olson understood whether it was a brow, cul-de-sac, or side of the street, ORS 811.570 referred to any roadway that was open to the public or maintained by the City required parking to be parallel to the curb and the right-side wheels must be within 12” of the curb. Open discussion ensued on the specifics of Sunrise Dr. and how it would impact other cul-de-sacs in town if a change was made for that one. Mayor Myers was disappointed with the response provided by the Fire Department, which he felt lacked a professional opinion. Councilor Beyerl thought additional research needed to be done if they were to even consider a change, but he did question how it could impact other areas of town if the code was changed for that one. Councilor Webster confirmed Ms. Robertson had an ADA permit, and thought if the Council was to consider a change that perhaps they could exempt people with those permits. After further consideration, the Council came to the conclusion that they could not make an informed decision without more information in front of them,

specifically, the ORS cited by the deputy, a formal response from the Fire Department, how many other similar areas in town might be affected by a change, etc. In the interim, the parking regulations would stay as they were and any enforcement on the perpendicular parking on N. Sunrise Dr. would be on hold until a formal decision of the Council was made. Staff was directed to send a letter to each address explaining as such. It was pointed out that parking in such a way created a hazard to others and that even though enforcement was put on hold, if they continued to park in that manner and an accident was caused, they would be solely responsible.

5.2 Resolution# 1048, Supporting Continued and Increased Fish Habitat Mitigation Within the N. Santiam River

Mayor Myers offered background on the matter and explained that the cities mentioned in the resolution were seeking support of other cities. Councilor Watkins moved to adopt Resolution #1048. Councilor Perry seconded. Discussion: Audrey Webster confirmed the intent of the resolution and felt the improvements made to the boat ramp last summer fell right in line with it. All in favor: Ayes – 6, Opposed – 0. **APPROVED.**

5.3 Applicant for Art Donation Review Comm – Councilor Beyerl moved to appoint Mark Manning; Councilor Rossiter seconded. All in favor: Ayes – 6, Opposed – 0. **APPROVED.**

5.4 Proclamation Declaring April as Child Abuse Prevention Month – Councilor Beyerl moved; seconded by Walt Perry. All in favor: Ayes – 6, Opposed – 0. **APPROVED.**

**VI. DISCUSSION/INFO**

6.1 Crime Prevention Week Planning

A memo was presented from the Technology Committee with an interest in putting more info in the hands of citizens about how they could be responsible for their own crime prevention. It was intended to be an easy hand out type flyer, shareable, and available on the City's website, in the welcome folders, etc. Members of the TC would also staff a booth at the upcoming Festival of Flowers where it, and other information, would be on hand. Council was supportive of the idea.

**VII. CONSENT AGENDA** – Councilor Campau moved to approve, seconded by Councilor Webster. All in favor: Ayes – 6, Opposed – 0. **APPROVED.**

**VIII. COMMITTEE/DEPT UPDATES**

LAC – working on days for Concerts at the Conser; Patti Ball reported CLG grant was 90% complete; Karen & Patti attended grants and non-profit workshop; discussed historic homes plaque  
Ad-Hoc - seeking business person on the committee; discuss historic award designations  
Library Comm – general library discussion; new auto-renewal process; Katherine announced pregnancy  
FOL – fundraising continues; paid off all architectural and construction costs of the Library!  
Planning – discussed earlier in meeting  
Chamber – much more people getting involved; Michelle Nunes added the women in business expo was a huge success with over 70 people in attendance through the night  
MPO – hired transportation planner for COG; housekeeping tasks at the meeting  
Parks & Rec – hiring lifeguards; budget calendar set; finished spring/summer sports registrations; looking at electronic registration program

MWACT – Dundee bypass largely discussed; talked about setting up a joint transportation system between Salem and Albany, using Jefferson as a central hub/transfer point; met with Dana Nichols for assistance with improvements of OR 164 and TGM grant app

School Board – hired Brad Capener as permanent superintendent

Fire Dept – 38 cent levy on May ballot; won't provide a full time chief or pay raises for staff, but much needed pay raises for EMT's and replacement of out of date equipment; 4 of the 5 directors will also be on the ballot for re-election

LOC – attended congressman Schrader round-table; main issues were education, transportation, infrastructure, and immigration

Technology – crime prevention planning; met Danielle Gonzalez from MC who spoke with them about the broadband program and the benefits Jefferson will see from that

TAC – joint meeting with Corvallis TAC; big topic was alternate forms of transportation, such bike paths, walking paths, cross walks; grant applications are out with alternatives if grant doesn't go through

**IX. VISITORS** – none

**X. COUNCIL COMMENTS**

Dave Beyerl shared a conversation he had with ODOT rep about pot holes and noticed they were out the next day repairing them.

Walt Perry invited new MPO coordinator, Dana Nichols on a tour of Jefferson. She brought along 2 ODOT planners with her and they visited the full length of the highway through town, south main, and down Talbot.

Audrey Webster suggested the Council share shifts to staff the City's booth at the May 4<sup>th</sup> FOF.

Mayor Myers took a moment to recognize Councilor Walt Perry and read a thank-you card sent to Walt from LOC for participating and speaking at the Elected Essentials Workshop. In addition, he was instrumental in getting Dana Nichols connected to staff to work on TGM grant.

**XI. CALENDAR CHANGES** – Mayor suggested adding Jefferson's 150<sup>th</sup> anniversary planning to the summer worksession calendar months.

**XII. ADJOURNMENT** – Councilor Beyerl moved; Walt Perry seconded. All were in favor and the meeting closed at 9:16pm.

**MINUTES APPROVED** this 25<sup>th</sup> day of April, 2019.



Michael D. Myers, Mayor

ATTEST:



Sarah Cook, City Recorder