**CITY OF MORO**

**MINUTES OF JANUARY 4, 2022**

**REGULAR COUNCIL MEETING**

*Written minutes may not contain a verbatim record of meeting events. If clarification or additional specific information is desired, please reference any available audio recording*

The Moro City Council met for a regular Council Meeting, Tuesday, January 04, 2022, 7:00 p.m,. The following were present, Mayor Bert Perisho, Councilors Andy Anderson, Bryan Cranston, James Alley, Seth vonBorstel, Erik Glover-City Administrator (CA), John English-Director of Public Works (DPW), Kirk Fatland Tenneson Engineering Contract Planner, James Baisinger-Azure Standard, Steven Hainline Azure Standard Moro Oregon, Dan Talley-Moro, Oregon, Ray Mabe-Moro, Scott Belshe-Moro

**CONSENT AGENDA-MINUTES-BILLS-FINANCIAL REPORT**-

There was a motion **(vonBorstel/Anderson)** to approve the December 2021 Regular Council Meeting minutes**. Motion Carried**

There was a motion **(vonBorstel/Alley)** to accept the financial report and approve November’s bills totaling $18,654.15, check #’s 12907-12921, and 15117 **Motion Carried**

**Public Hearing**

To consider a text amendment to the Moro Comprehensive Plan removing the specific

policy prohibiting the City from extending water services outside of the Urban Growth Boundary

Mayor Perisho opened the public hearing at 07:00 pm, and read the script for legislative hearing.

City Planner Kirk Fatland presented the Staff Report, and explained that the purpose of the hearing is to consider removing , Section, Goal 6, Policy 7 “that the City shall not provide water or sewer service out of the urban growth boundary.” Municipalities are prohibited by statute from extending sewer outside of the City limits. Planner Fatland detailed that the proposal and statewide planning goals, of citizen involvement, land use planning, agricultural lands, forest lands, to concern open space and protect natural and scenic resources, air, water, and land resource quality, areas subject to natural hazards, recreational needs, economic development, housing, public facilities and services, transportation, energy conservation, urbanization

Mayor Perisho asked for testimony from proponents

***Dan Talley Moro***- Shared that he has already supported the idea in previous meetings, and had nothing further to add.

Mayor Perisho asked for testimony from opponents

**Ray Mabe Moro-** Shared that he was against the proposal. Will the city have rate increases due to this? How far will the city extend? Drill a new well due to this? The City has lots of infrastructure problems without water outside of the City.

Mayor Perisho read a letter from Cindy Heather Judah, against the proposal into the record. The letter described not being in favor of the proposal. People that purchase land need to do research on where they are buying land for services, and water is a limited resource. If the comp plan is changed the outside of Moro will develop before the interior.

Mayor Perisho closed the public hearing at 07:10, and reentered into the business meeting and discussion from Council was heard.

Council President Anderson advised that he was in favor of removing the policy. The City already has 4 locations with water outside the City Limits. He advised that the city is looking at this from a broad perspective, not just one situation. This rule change is to remove a barrier to housing.

Councilor vonBorstel advised that this proposal is only water, not sewer. He advised that county regulations would control the construction of any homes outside the City limits of Moro, and he saw there would probably be 6 properties that would be buildable, and 2 are already built. In his view, this was a benefit not a subtraction for the City.

Councilor Alley Portland allowed water outside of its City limits, with a requirement of applying in writing and outside purchasers will get cut off before City residents, in an emergency. He felt that metering, and rates would need to be viewed separately.

Councilor Cranston advised that he felt this was best viewed as a conditional use, on a case by case basis by Council. He shared that when you buy ground it is worth more if it is in the City, because it has access to more services. However, it is hard to have growth unless we take a proactive step for the community, but it needed to be done responsibly.

Councilor vonBorstel shared that he felt contiguous properties only should be allowed.

Mayor Perisho advised that this is only amending the City Comp Plan to allow the City to establish internal policy and direction regarding this matter, and he was in favor of the comp plan change.

A motion was made (**vonBorstel/Anderson**) to Approve the Comp Plan Text Amendment as presented, striking the prohibition against water outside of City limits. **Motion Carried**

**Public Hearing**

To consider Variance Application #2021-01 for Dan Talley/Jeremy Mark 100 3rd Street Front Yard Setback

Mayor Perisho opened the Public Hearing for consideration of the variance at 07:19 pm. He explained the rules of procedure. He called for abstentions due to bias, prehearing contact, or personal interest none were heard. Mayor Perisho asked members of the audience if anyone questions the right of the City to hear the matter, none were heard. City Planner Fatland then presented the staff report. He advised that the variance application was more like an amendment since it was previously reviewed and approved by Council. Due to the fact that the home previously approved for the property was several years out, due to construction delays, and this home was longer but was readily available. He added public comment was received. Planner Fatland advised that during his review, it didn’t appear to be detrimental to City ordinance, and felt this was necessary for the protection of a property right. Every community that he works in, is struggling with getting houses sited and constructed right now.

Council President Anderson inquired with applicant Dan Talley as to why the house was shifted forward 10 feet into the front setback, instead of shifted back into the rear yard setback. Dan Talley advised his address was 200 Apex Lane in Moro, and that excavation costs would be increased, he had already observed the City discussions about amending the zoning ordinance to reduce setbacks, his house would still be further back than the abutting house on Scott Street, this alignment will place the house closer in line with the current house, and even if the house was shifted back he would have had to request a variance anyway.

Mayor Perisho asked for proponents to speak, none. Mayor Perisho requested testimony from opponents none were heard. Mayor Perisho advised that a letter of opposition was received from Cindy Heater-Judah. The letter detailed concerns with parking, traffic impediment and not needing more single lane roads, and in her view it may make more sense to push the house back and meet setback compliance in front.

Mayor Perisho closed the public hearing at 0729 pm. A motion was made (**Anderson/vonBorstel**) to approve the variance application as submitted, to grant a front setback of 10 feet for Parcel 2 of Partition Plat 2021-05, submitted by Mr Dan Talley and Jeremy Mark. **Motion Carried**

**Visitors/Correspondence**

**\*None**

**Citizens Comment Items on Agenda**

\*None

**PROJECT PRIORITIES** –

**WATER SYSTEM** – DPW English advised 2021 water tests are complete, season in in the books, no detects for water and no deficiencies. **Wastewater-** None

***Anderson Perry Engineers- Vista/Apex/Pinkerton Sewer Engineering***

DPW English advised that the overview was complete, any changes would be made after a site visit on January 11th by Brad Baird, Council President Anderson will join the meeting.

CA Glover- Advised that the City received a letter of response via email on 1-4-2022 from Brad Baird of Anderson Perry, in response to the cities previous letter sent, and there were some questions. Council President Anderson advised that the City didn’t need a full contract for the project, just shelf ready project plans, and in his view it would be best to have any secondary contacts for the City be assigned to the office Brad Baird works out of. Councilor vonBorstel advised he was impressed with the response from Brad Baird, and accepted responsibility for delays.

**Kirk Fatland City Planner Moro Zoning Ordinance Revision-**City Planner Kirk Fatland advised that he had done more digging on short term rental regulations, and presented some options. Some communities regulated them to commercial zone only, or an annual permit application. In the case of Moro commercial zone use only wouldn’t help as almost zero homes were located in commercial zone in Moro. He advised that it may make sense to allow the use for those that have residency at the property only, to prevent previous concerns of absentee managers the City had, or to ensure that there is a max timeframe per year that a property can be used. Councilor vonBorstel shared that he would hate to see an ordinance that prevented community members from renting a property they owned as an STR. Planner Fatland advised that it may be best to have a form that details maximum occupancy of a property, minimize parking allowed, and to ensure that each approved option would have a local contact. It was generally concluded by Council they were in favor of the annual permit process.

**Kirk Fatland City Planner Comprehensive Plan Amendment**

Planner Kirk Fatland advised that this was completed earlier in the meeting.

**FEMA Backup Generator Project Water System**

CA Glover advised that the earlier email from Brad Baird detailed status on the project, it would go out to bid this week with a January 27th deadline.

**ODOT ADA RAMP PROJECT**

CA Glover advised that he had no updates.

**PAST DUE WATER/SEWER ACCOUNTS** – CA Glover advised that there were 5 shutoffs sent, 2 paid, or made arrangements. The City was going to be doing physical door hangers, but hadn’t done so due to weather.

**CEDS – COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY LIST Prioritization** CA Glover advised that it was time to prioritize the City list for review by the County Court. He presented a draft of the previous submittal of the City for emergency backup generator, main street façade funding and telemetry. His suggestion was to eliminate the backup generator since it was covered under FEMA funding, and retain funding the Main Street Façade Program and Water System Telemetry. Councilor vonBorstel shared that Mainstreet funding may be addressed later by grants funding in the next agenda item. Council proposed #1 be a new municipal well, #2 be telemetry upgrade, and #3 to be main street façade funding.

**Oregon Main Street Program Grant Application**

CA Glover advised that The Oregon Main Street Grant program is back open again, and funds were prioritized this year. Given that the City has owners in the Moro Hotel, and in the Branding Iron who have some development plans, he’d like to see what we can do as a City to support those efforts.

The max grant under the program is $200,000. The grant does have a $60,000 match component, so the City would be getting $140k. His view is the City would continue the City/County/Private Owner match, roughly equating to $20k City, $20k County, $20k Private Owner. Historically our program is designed to address exterior cosmetic items, I do think it would be wise to look at opening up the potential for interior upgrades facilitating a business type, ADA issues, etc, but that could be addressed later in discussion about program rules. Mayor Perisho requested CA Glover get him and Council President Anderson on the next County Court agenda to ask for matching funds. A motion was made (**Cranston/vonBorstel**) to approve the City Administrator to submit an application to the Oregon Main Street Grant program in the amount of $200,000. **Motion Carried**

**COMMENTS FROM CITIZENS CONCERNING ITEMS NOT ON THE AGENDA**\*John English of Moro advised that when he was a kid, Moro had a sledding hill. He felt a temporary street barricade would be possible and could facilitate it safely. Councilor vonBorstel shared that he remembered coming from Grass Valley as a kid to sled. Felt that a street restriction could be used, only allowing local access and protect the kids. Councilor Cranston advised that he was recently involved in a traffic collision while his kids were sledding, he protected his kids from a vehicle using his own, he wants the kids to be able to sled safely. Council President Anderson advised that he was concerned about liability for the City. Mayor Perisho advised that liability for the City would exist, if it was official sponsored and he was previously on Council when the Moro City Park swing-set was taken out due to liability of someone getting hurt. Following brief discussion, Seth vonBorstel, Bryan Cranston and James Alley indicated they would be willing to buy barricades personally as city community members. Seth vonBorstel shared that in all reality parents are out there with their kids protecting them, and can setup the barricades during a snow event.

**Scott Belshe of Moro** inquired about who he would contact to figure out residential and commercial setback rules of the City, and roadway access permit questions. Mayor Perisho advised that CA Glover would be the City point of contact, and the State Access Permit Specialist of ODOT would be the choice for State access permits.

**GOOD OF THE ORDER**

**Councilor vonBorstel** advised that he sawa complaint on social media about the City streets during a recent snow event. He advised that the City has a snow plow policy, the City isn’t required to plow under 6” of snow and ninety percent of the time DPW English is plowing out there anyway. Other communities utilize the same policy, and Moro has limited staffing. Council President Anderson advised that he plows sidewalks when there are 3-4” of snow accumulation. Mayor Perisho advised that DPW English does not have time to do every street, sidewalk, and driveway in Moro. Private property owners are supposed to do right of way in front of their properties, and driveways. DPW English shared that he faced some delays on Monday due to having to operate the sewer snake all day. Councilor Alley shared that DPW English hustles for the City, and he routinely hears him out there late at night.

Meeting adjourned at 08:11 pm.

**The Next Council Meeting is scheduled for February 1, 2022 @ 7:00 p.m.**

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Bert Perisho, *Mayor*

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Date

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Attest, Erik Glover, City Administrator

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Date