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Rules of Conduct for Public Hearings

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the hearing.
2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.
3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.
4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the hearing.

**CITY OF MILLERSBURG
CITY COUNCIL MEETING**

Millersburg City Hall
4222 NE Old Salem Road
Albany OR 97321
December 11, 2018 @ 6:30 p.m.

Agenda

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. CHANGES AND ADDITIONS TO THE AGENDA
- E. CONSENT AGENDA
 - 1) Approval of October 23, 2018 City Council Work Session Minutes
 - 2) Approval of November 13, 2018 City Council Meeting Minutes
 - 3) Approval of Council Approval Report for Monthly City BillsAction: _____
- F. PRESENTATIONS
 - 1) Linn County Sheriff's Office Report
- G. PUBLIC COMMENT
- H. COUNCIL MEMBER AND STAFF COMMENTS
- I. CITY MANAGER'S REPORT
 - 1) Project Updates
 - 2) Water Project
- J. CITY ATTORNEY'S REPORT
- K. UNFINISHED BUSINESS
 - 1) Republic Services Rate Increase – Resolution 2018-24Action: _____

2) South Albany High School Senior Class Donation Request
Action: _____

NEW BUSINESS

1) Social Media Policy – Resolution 2018-26

Action: _____

2) City Hall Meeting Room Use – Resolution 2018-27

Action: _____

3) Street Fees Paid by Subdivision Developers – Resolution 2018-28

Action: _____

4) Parks Committee Appointments

Action: _____

5) Private Construction of Public Improvement Fees – Ordinance 141 & Resolution 2018-29

Action: _____

6) Professional Service Agreement – Operations Management International

Action: _____

7) Canvas Votes & Certification of Election – Resolution 2018-30

Action: _____

L. CLOSING PUBLIC COMMENT

M. CLOSING COUNCIL COMMENT

N. ADJOURNMENT

Note: Council may adjourn to executive session in accordance with ORS 192.660.

Upcoming Meetings & Events:

December 18, 2018 @ 6:00 p.m. – Planning Commission Meeting

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation to attend or participate, please notify the Millersburg City Hall in advance by calling 541-928-4523.



October 23, 2018 City Council Minutes

4222 NE Old Salem Road

Albany, OR 97321

6:30 p.m.

- A. CALL TO ORDER: Called to order by Mayor Lepin at 4:00 p.m.
- B. ROLL CALL
Councilors Present: Mayor Jim Lepin, Councilors Scott Cowan, Dave Harms, Scott McPhee, Don Miller
Councilors Absent: None
Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Forrest Reid, City Attorney; Kimberly Wollenburg, City Recorder
Presenters: Jim Harper, Cardno; Daniel Child, Cardno
- C. PLEDGE OF ALLEGIANCE
- D. CHANGES AND ADDITIONS TO THE AGENDA
None
- E. PUBLIC COMMENT
- F. UNFINISHED BUSINESS
- G. NEW BUSINESS
- 1) Stormwater Master Plan Update
Assistant City Manager/City Engineer, Janelle Booth, gave a brief introduction to Cardno, the consultant doing the Stormwater Master Plan. She noted the purpose of the presentation is for Cardno to give an overview of the draft plan, review the entire stormwater program, and share some of the recommended projects to address drainage. After Jim Harper, Cardno, introduced himself and Daniel Child, also of Cardno.
- Jim Harper said they started with mapping the stormwater system as the City didn't have a complete system map. They used as-builts submitted by developers, as-builts for roads, and sent out surveyors as well. Once they had collected all of the available data , they used a software program to develop the models of what's in the City and what is coming into the City. He noted they didn't inspect every pipe but went around and spot checked. They found the system is in really good shape overall. The south part of the City is older and there is no defined drainage system. Drainage in this area is blocked from flowing west to the river by development.

Another place they received useful information was during the City's Open House in June. After getting input, they reevaluated the system a bit then revised their report into the presented document.

Mr. Harper went over some of the recommendations from the report. They determined the main source of the issue with the north fork of Crooks Creek. There are also some issues with a few detention pond overflows. This isn't a failure of the primary drainage system but should be addressed. He noted the City design standards should be updated to help address future issues and allow the City to meet upcoming water quality regulations.

There was some discussion about erosion and sediment control during construction. Mr. Harper noted they didn't see a lot of indication of sediment in the system, but creating a robust single family residential program now will save a lot of time, effort, and expense in the long-run. Assistant City Manager/City Engineer Booth noted this is a permit requirement that will be soon implemented. Mayor Lepin asked about risk of water coming into City from the east side of I-5. Mr. Harper noted there are additional upcoming water quality requirements for municipal agencies and that there are partnerships to keep agricultural buffers along creeks. Discussion continued on options and recommendations in the draft Stormwater Master Plan.

Councilor Miller asked if a developer came in and mitigated wetlands, is there any way the City may prevent development of that real estate up to or within a stream? Assistant City Manager/City Engineer Booth said we can have our own requirements developers have to meet for setbacks. Mr. Harper noted the current setback requirement is 20 feet from the middle of the creek and Cardno is recommending that be changed to a 15 foot setback from the top of the bank. He noted that in places, Crooks Creek is wider than the current setback. He clarified these are recommendations only—no code is being changed.

Mr. Harper talked about the plan appendices and how the information can be used for future planning and how the flows coming into the City system were calibrated. He shared that Cardno is recommending some more capital projects that will be driven by development, and that one of the requirements of the state program for water quality is that cities identify and secure funding for our stormwater program. He noted that to address this, some communities charge a rain tax to residents or it comes in the SDCs charged to developers based on how much they are impacting the system.

There was some further discussion on the south end of Millersburg. Mayor Lepin said that he believes the Council should increase its focus on the south end. Mr. Harper explained what it would take to figure out what needed to be done in the south area, including surveys on private property. The Council, staff and Mr. Harper discussed the current drainage system, the drains, and the age of the area.

Mr. Harper noted that their primary focus was on what is the City's responsibility, the City right-of-way, and what drains from the City. They did not focus on private development. He said if the individual developers are draining out to the railroads, they will have to work with the railroads.

He said the next step is to post the draft on the website to allow for public comment. They'll evaluate and come up with a capital improvement plan for the Knox Butte area. Then, they'll take the comments and provide another draft for the Council for adoption potentially in the January 2019 City Council Meeting.

Assistant City Manager/City Engineer Booth noted that the Master Plan itself includes recommendation for the program but implementation and adoption of funding is separate. The funding mechanism will come later. A brief discussion followed regarding the timing of funding determination.

H. CLOSING PUBLIC COMMENT

- 1) Linda Westbrook, Millersburg Drive, asked about scope of what Cardno reviewed i.e. culverts and into farmers' fields and neighbors in her area. She noted she was concerned about all the work done in Crooks Creek north tributary related to potential obstructions. Mr. Harper said they did inspect the culverts, which seemed to be flowing good, but did not look into farmers' fields. Assistant City Manager/City Engineer Booth mentioned that just brush was removed from the north tributary to Crooks Creek and that Hoffman Estates doesn't appear to be an issue so City resources were focused on the biggest impact areas first. Discussion followed regarding potential issues around Millersburg Drive, Morningstar Drive, and downstream drainage.

I. CLOSING COUNCIL COMMENT

- 1) Councilor Cowan thanked Cardno for the great job they've done.
- 2) Councilor Miller noted that he really appreciated the maps. He thanks the public in attendance and asked for them to please pass along information to other residents they believe could be impacted.
- 3) Councilor McPhee asked Assistant City Manager/City Engineer Booth if the information Cardno provided is a part of GIS. She shared that yes, this information will be added to the City of Albany GIS site.
- 4) Mayor Lepin noted upcoming meetings and shared that the Planning Commission is working on updating the Land Use Code. Councilor Miller reminded those present these were public meetings so encouraged attendance.

J. ADJOURNMENT
Meeting adjourned at 5:50 p.m.

Respectfully submitted:

Reviewed by:

Kimberly Wollenburg
City Recorder

Kevin Kreitman
City Manager

Upcoming Meetings:

November 13, 2018 @ 6:30 p.m. – City Council Meeting

November 28, 2018 @ 6:00 p.m. – Planning Commission Meeting

November 27, 2018 @ 4:00 p.m. – City Council Work Session (Cancelled)

These minutes are not final until approved by the City Council.



November 13, 2018 City Council Minutes

4222 NE Old Salem Road
Albany, OR 97321
6:30 p.m.

A. CALL TO ORDER: Called to order by Mayor Lepin at 6:30 p.m.

B. ROLL CALL

Councilors Present: Mayor Jim Lepin, Councilors Dave Harms, Scott McPhee, Don Miller

Councilors Absent: Councilor Scott Cowan

Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Forrest Reid, City Attorney; Kimberly Wollenburg, City Recorder

Presenters: Linn County Sheriff Lieutenant Michelle Duncan

C. PLEDGE OF ALLEGIANCE

D. CHANGES AND ADDITIONS TO THE AGENDA

E. CONSENT AGENDA

1) Approval of October 9, 2018 City Council Meeting Minutes

2) Approval of revised Council Approval Report for Monthly City Bills

Action: **Motion to Accept Consent Agenda made by Councilor Don Miller; seconded by Councilor Dave Harms.**

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Absent
Councilor Dave Harms:	Aye
Councilor Scott McPhee:	Aye
Councilor Don Miller:	Aye

F. PRESENTATIONS

1) Monthly Report from the Linn County Sheriff's Office.

Linn County Sheriff's Office (LCSO) Lieutenant Duncan presented details on the report given to the City Council regarding responses within Millersburg over the last month. She highlighted the accidents, including the fatal hit and run that happened on Old Salem Road at the south end of the City.

Councilor Miller asked about all of the 9-1-1 hang ups. Lieutenant Duncan explained that most of these are likely issues with technology and not actually someone calling in. She provided further details then asked if the Council would like her to keep these on the report. The Council agreed she could leave the 9-1-1 hang ups off the monthly report.

G. PUBLIC COMMENT

Mayor Lepin went over the procedures regarding public comment.

- 1) Ambri Burton and Miller Clare, Millersburg seniors from South Albany High School, read a presentation to the Council regarding a request for a donation from the City of Millersburg for a senior graduation event. They requested a donation of \$10,000. Councilor McPhee asked the students what they've done for fund-raising. The students shared the events they've participated in and upcoming events. Mayor Lepin noted that requests of this sort should really come closer to budget time so they can be discussed and potentially factored into the budget. Mayor Lepin told the students this request would be put on the agenda in December, then the Council will make a decision.

H. COUNCIL MEMBER AND STAFF COMMENTS

- 1) Councilor Miller said the budget book looks great. He appreciates that it explains everything, it's easy to understand, and has a lot of information.

I. CITY MANAGER'S REPORT

1) Project Updates

Assistant City Manager/City Engineer Booth provided an overview of City projects and went over the staff report. More information is available online in the meeting packet. Highlighted projects included:

- i. Stormwater Master Plan: Draft of the plan was presented at the Council Work Session on October 23 and is now available on the website for public comment until November 26.
 - ii. Sewer Lift Station Construction: Construction is underway. Anticipated to be completed in January at the latest.
 - iii. Crack Sealing: This was completed on October 10 and October 17. The contractor ended up needing to use more material; however, the project was budgeted for \$25,000 but final costs were \$20,000.
 - iv. Woods Road Paving: Full width overlay along the Lone Oak Subdivision frontage was done October 3-5. The remainder of Woods Road north of Alexander Lane will be scheduled for spring of 2019.
 - v. Exercise Equipment in City Park: This is in the 2018-2019 budget; however, staff decided to wait until the Parks Master Plan work is completed.
 - vi. Safety Concerns on Conser Road, east side of Old Salem Road: Concerns have been expressed regarding the inability to clearly see the road demarcation. After road was chip sealed, the striping and reflectors were covered. To resolve, when the weather permits, we will be looking at restriping and adding reflectors.
- 2) Recreation Program Reimbursement: City Manager Kreitman recommended the City continue with the program as presented in the policy during the October 9, 2018 meeting and revisit the program overall for the 2019-2020 budget. Councilor McPhee noted he supports continuing to the end of fiscal year 2018-2019 then revisit the recreation program but thought we should also revisit the library reimbursement program since it was included in the policy.

Action: **Motion to Extend the Recreation Reimbursement Program until the end of the 2018-2019 Budget Cycle or Funds are Expended made by Councilor Scott McPhee; seconded by Councilor Don Miller.**

Mayor Jim Lepin:

Aye

Councilor Scott Cowan: Absent
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor Don Miller: Aye

- 3) City Manager Kreitman briefly spoke about the flyer provided from the League of Oregon Cities regarding their Elected Essentials classes coming up next year.
- 4) City Manager Kreitman noted that he looked at the voting numbers for Millersburg—at the number of registered voters against the number of our current residents since 2017. He also looked at the number of housing units since the 2010 census and believes the actual population of the City of Millersburg is closer to 2,500. Mayor Lepin noted that accuracy in this number is important as the size of the City means different rules apply especially in land use planning. City Manager Kreitman shared that it also has an impact on State Revenue Shared Funds. He is working with Portland State University to see about having the numbers adjusted since the number of registered voters seems to indicate we are much larger than the 1835 from 2017.
- 5) City Manager Kreitman shared that as of November 1, 2018, Station 15 is now staffed with a three person crew.
- 6) City Manager Kreitman told the Council there is a joint meeting with the City of Albany on November 29 at 5:00 p.m. to discuss composting.

J. CITY ATTORNEY'S REPORT
None

K. UNFINISHED BUSINESS
None

L. NEW BUSINESS

- 1) Lightspeed Franchise Agreement – Ordinance 139

City Manager Kreitman went over the staff report regarding granting Lightspeed a franchise agreement to provide services in the City of Millersburg. He noted that there are already two industries in the area receiving Lightspeed services. Lightspeed does not provide residential service. He said that the City Hall has contemplated moving from Comcast to Lightspeed for their upload/download speeds. He discussed that a lot of technology is moving to cloud-based software plus the City has experienced issues related to the reliability of Comcast service. Lightspeed has high reliability.

Action: **Motion to Adopt Ordinance Granting Lightspeed Networks a Franchise to Construct, Operate, & Maintain a Telecommunications Network within the City of Millersburg made by Councilor Scott McPhee; seconded by Councilor Don Miller.** Ordinance 139

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Absent
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye

Councilor Don Miller: Aye

2) Republic Services Recycling & Rate Increases – Resolutions 2018-23 & 2018-24
City Manager Kreitman went over the staff report for Republic Services' rate increase request. He then introduced Julie Roberts from Republic Services who went over the history of rate increases and calculation methodology. She spoke about the \$2 request and noted it was only for the cost of getting recycling to the market and doesn't include fuel, staffing, etc. City Manager Kreitman pointed out that the Council did approve the \$2 recycling increase but a resolution is needed so he asked the Council to approve the enclosed resolution. Mayor Lepin ask Ms. Roberts what processes are in place to monitor if costs for recycling need to go up or down. Ms. Roberts said that the City can requests reports at any time, and that if recycling normalizes again, they would come back. Councilor Harms asked about sourcing for new recycling markets. Ms. Roberts said Republic Services is always looking for this and has recently met with someone who can do more with paper products like the ice cream cartons. She said that none of their product is currently going to China.

Action: **Motion to Approve Resolution Authorizing a \$2/Month Rate Increase Per Residential Account for Recycling Costs for Republic Services made by Councilor Scott McPhee; seconded by Councilor Don Miller.**

Resolution 2018-23

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Absent
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor Don Miller: Aye

Next, City Manager Kreitman went over the options available in negotiating a new franchise agreement, including weekly yard debris pick-up, tree recycling, and leaf pick-up. He noted this was an all or none option meaning that everyone needed to participate or no one in whatever was chosen. Councilor McPhee asked about fuel costs and what CPI index was used to determine increases. Ms. Roberts shared that there are tons of indexes. Republic Services uses the CPI for the West Coast, from Seattle, and it's the commonly used one. The one previously used was from Portland; however, that index was discontinued last year. There was some discussion regarding the relevancy of using the particular index Republic Services chose to reflect diesel costs as the rates are pretty high over actual charges. Mayor Lepin noted that the City has given Republic Services over 200 new customers and asked if that was factored in. Ms. Roberts said the cost to provide services are determined at the end of the year.

Councilor McPhee asked what other options the City has. City Manager Kreitman said other places could come in and provide services in the City (from Salem, Portland, etc.) but there would likely be additional charges. Councilor McPhee noted it was common for cities to be served by several different companies. Both Councilor Harms and Councilor Miller said they'd be interested in knowing more details about costs.

Mayor Lepin asked Republic Services to take a realistic look at actual costs and bring back to the December meeting. Ms. Roberts said she could but reminded the Council the methodology they used was approved and fine with the City when the increase was zero. She will have something provided for the December meeting.

City Manager Kreitman reminded the Council the City is in the process of updating the franchise agreement so if the Council wanted to add or change services, now is the time to consider.

Action: **Motion to Approve Resolution for a Rate Increase for 2019 for Republic Services made by Councilor Don Miller; seconded by Councilor Scott McPhee. Motion withdrawn by Councilor Don Miller.**

- 3) Technology Services IGA with Oregon Cascades West Council of Governments
City Manager Kreitman briefed the Council on the staff report, specifically going over increased costs for labor, but noted the rates were competitive and included in the 2018-2019 budget. Councilor Miller asked about the percentage of increase. Councilor McPhee asked about our costs and what the City Manager expected to see within this fiscal year. City Manager Kreitman said we budgeted \$9,000 this year.

Action: **Motion to Approve IGA with Oregon Cascades West Council of Governments and Approval for City Manager to Sign the IGA made by Councilor Scott McPhee; seconded by Councilor Dave Harms.**

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Absent
Councilor Dave Harms:	Aye
Councilor Scott McPhee:	Aye
Councilor Don Miller:	Aye

- 4) Oregon Fire Code – Ordinance 140
City Manager Kreitman went over staff report requesting the adoption of the Oregon Fire Code. Mayor Lepin noted that he has visited businesses over the past months that have expressed their interest in getting this adopted. Councilor Harms said that as a business, he likes to know fire safety is being watched. City Manager Kreitman shared that insurers of businesses and industry often want to know that inspections are taking place. Resident Gary Keehn, Clearwater, asked if there will be a fine if the business is not in compliance. City Manager Kreitman assured him that there would be a fine after third occasion of non-compliance. He also shared that private hydrants are not currently being tested, and this program would ensure these are maintained.

Action: **Motion to Adopt the Oregon Fire Code made by Councilor Dave Harms; seconded by Councilor Don Miller.** **Ordinance 140**

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Absent
Councilor Dave Harms:	Aye
Councilor Scott McPhee:	Aye
Councilor Don Miller:	Aye

5) Parks Master Plan Contract

Assistant City Manager/City Engineer Booth went over the staff report and background and shared that there was a unanimous decision by the project evaluators to select Conservation Technix.

Action: **Motion to Approve Parks Master Plan Contract with Conservation Technix, Inc. and Authorize City Manager to Sign the Contract made by Councilor Scott McPhee; seconded by Councilor Don Miller.**

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Absent
Councilor Dave Harms:	Aye
Councilor Scott McPhee:	Aye
Councilor Don Miller:	Aye

6) Parks Committee – Adoption of Resolution 2018-25

Assistant City Manager/City Engineer Booth went over the staff report and history. The recommendation is to change the mission of the Parks Committee to act as more of an advisory body for the Parks Master Plan and will include more citizen representation from all areas throughout the City.

Action: **Motion to Adopt Resolution Repealing Resolution 2017-15 and Creating City of Millersburg Parks Committee made by Councilor Scott McPhee; seconded by Councilor Dave Harms.**

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Absent
Councilor Dave Harms:	Aye
Councilor Scott McPhee:	Aye
Councilor Don Miller:	Aye

M. CLOSING PUBLIC COMMENT

1) Robin Wilson Whitney, 2580 Tuscan Lane, asked several questions:

- i. She appreciated having information in our last utility bill about the Fire Station and wondered if there could be more information provided about upcoming events. She mentioned that she has been in the City for three years and she just heard about the City's Recreation Reimbursement Program and asked how new citizens are getting the information. City Manager Kreitman said that staff is providing this information to new residents when they call in to set up service. She asked some clarifying questions regarding the Recreation Reimbursement Program.
- ii. She asked about a newsletter and thought that would be a good place to put information like the Recreation Reimbursement Program. She noted that when she spoke to other residents, many had no idea what was going on, and she thought that having a newsletter go out with utility bills might help with providing information especially to those who don't use the internet.
- iii. She shared that there were residents in her area on the Parks Committee and that they told her it just "fizzled out."

City Manager Kreitman noted that residents could always go to the City website to find out information. He said they can see the agenda, and in the

provided packet, are the staff reports and any associated material. The idea is to make sure enough material is provided so citizens can be aware of what's going on.

Resident Laurie Hackstedt, 2650 Alexander Lane, asked how residents who do not have City utilities can know what's going on. How are they made aware? City Manager Kreitman said residents can provide an email address so we can let residents know what's going on or they can provide a mailing address and get on a mailing list.

- 2) Gary Keehn, 3254 Clearwater Drive, wondered if the plan was to ask citizens if they wanted to go to weekly yard debris pick-up. City Manager Kreitman said he wasn't sure this would go to the public as a whole (it would depend on how Council wanted to handle); however, discussion would be at a Council meeting and residents are welcome to attend. Mayor Lepin asked Mr. Keehn what his opinion is and he said that bi-weekly pick-up hasn't been a problem. If he has extra debris, he just bags it and put into the container when it's emptied for the next time.
- 3) Dennis Gunner, 4720 Terri Lane, asked what happens if the City says no to Republic Services. City Attorney Reid said Republic Services would cut back services. Mr. Gunner believes he is now getting less service and Republic Services want rates to go up. Mayor Lepin said this will be on the agenda in December for further discussion.
- 4) Doug Iverson, 2113 Summit Drive, wondered if recycling is an issue, why not alternate weekly between recycling and yard waste which would also reduce fuel costs. Mayor Lepin thought that was a good idea and asked City Manager Kreitman to pass that question along to Republic Services.

N. CLOSING COUNCIL COMMENT

- 1) Councilor Miller said that right now our position is when a developer comes in, he gives us a certain amount for Parks but wonders if we shouldn't slow down and quit taking money. He said he's had a lot of people ask about pocket parks, that there is an interest in them. City Manager Kreitman noted that is one of the things the Parks Master Plan will be looking at. As we don't have the Master Plan, we can't make that change.
- 2) Mayor Lepin shared that he and Greg Smith, Linn Economic Development Group, have begun a process of visiting businesses to talk about what the businesses need to be successful in Millersburg. Skills training and carpool opportunities have already surfaced, and we are working with the Chamber of Commerce and OCWCOG in an effort to provide support for one company already.
- 3) Councilor McPhee said he brought up last month about kids and bus stops and discussed the lighting at Castillo and Conser Roads and Old Salem Road and Alexander Lane. He's concerned that as we grow, and as he's seeing the school district grouping more and more kids in the busiest areas, that these are accidents waiting to happen. He asked if it is possible for the City to visit with the school district and speak with them about bus stops and the

concerns. City Manager Kreitman said that he would share the concerns with the school district. Councilor Miller mentioned another area of concern is Millersburg Drive and Noel Street. Councilor Harms noted that if the school district moved the bus stop on Alexander Lane about a 100 feet to the west, the stop would be in the bicycle lane which is wider. There was some discussion regarding adequacy of light at the bus stops and a need for better lighting. The areas with LED lights are better than the ones without.

O. ADJOURNMENT

Meeting adjourned at 8:40 p.m.

Respectfully submitted:

Reviewed by:

Kimberly Wollenburg
City Recorder

Kevin Kreitman
City Manager

Upcoming Meetings:

November 28, 2018 @ 6:00 p.m. – Planning Commission Meeting

December 11, 2018 @ 6:30 p.m. – City Council Meeting

These minutes are not final until approved by the City Council.



TO: Millersburg City Council
FROM: Kevin Kreitman
DATE: December 6, 2018, for the December 11, 2018 City Council Meeting
SUBJECT: Accounts Payable Monthly - Council Approval Report

Action Requested: Consent agenda approval of the attached accounts payable.

Discussion:

There are two items of interest we would like to bring to your attention. The first is the payment installment to the City of Albany Fire Department for fire protection for \$640,007.50 which includes the 8 months of staffing the station with 3 personnel. This is the first of 3 total payments. Our total cost for service this fiscal year is \$1,280,015. The remaining balance will be split in equal payments due March 15th and June 15th 2019.

The second item is the payment to Zion's Bank of \$363,000 representing the first payment installment of the refinanced 2001 Special Public Works Fund Loan through the Oregon Economic and Community Development Department (water system improvements) which the City entered into on August 27, 1999, with an interest of 5.25% due each December 1 through the year 2024. As a reminder, the refinanced loan rate is 2.9% and represents a net savings of \$184,153.38 over the remaining life of the loan.

Also included is a copy of our Local Government Invest Pool (LGIP) account balances; the main account 5809 – Millersburg City Of, includes street, water, and sewer SDC funds(restricted), property taxes received, franchise fees received, user fees for water and sewer, and planning and building fees received. We are currently earning 2.5% interest as compared to 1.55% a year ago on the LGIP accounts.

We also instituted an accounting change this past year closing a bank savings account, which we received minimal interest on and lowered the amount of funds we hold in our main bank account. Taking a more proactive management stance by moving funds to our bank account from our LGIP account as required, this allows us to take maximum advantage of the interest rate we receive through the LGIP account.

Discussion:

Statements attached.

**City of Millersburg
Council Approval Report
(Council Approval Report)**

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
483 MetLife - Group Benefits, PO Box 804466, Kansas City, MO, 64180-4466		45896 11132018	11/13/18	DENTAL & VISION INSURANCE	12/01/18	\$776.96	\$776.96	01-1214	DENTAL & VISION INSU	\$9,600.00	\$6,724.00
							\$776.96				
23 Pacific Power, PO Box 26000, Portland, OR, 97256-0001		6576810	11/20/18	STREET LIGHTS POWER	11/20/18	\$5,146.00	\$5,146.00	02-1323	STREET LIGHTS POWE	\$40,000.00	\$21,418.70
							\$5,146.00				
41 Providence Health Plan, PO Box 4167, Portland, OR, 97208-4167		110171 11122018	11/12/18	MEDICAL INSURANCE	12/01/18	\$6,625.95	\$6,625.95	01-1211	MEDICAL INSURANCE	\$85,000.00	\$51,870.25
							\$6,625.95				
719 Zions Bank, One South Main, Suite 1700, Salt Lake City, UT, 84133		9001 11022018	11/02/18	Water Plant Loan Principal	12/01/18	\$363,000.00	\$363,000.00	05-1802	LOAN PAYMENTS	\$310,000.00	\$310,729.45
		9001 11022018	11/02/18	Water Plant Loan Interest	12/01/18	\$30,030.95	\$30,030.95	05-1806	INTEREST PAYMENT	\$142,700.00	\$142,700.00
							\$393,030.95				
Total Bills To Pay:							\$405,579.86				

**City of Millersburg
Council Approval Report
(Council Approval Report)**

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
104	Best Heating & Cooling, P.O. Box 567, Scio, OR, 97374										
		11996610	07/17/18	CITY HALL MAINTENANCE & SUPPLIES	09/11/18	\$147.50	\$147.50	01-1309	CITY HALL MAINTENAN	\$22,000.00	\$14,455.94
		12370684	08/20/18	CITY HALL MAINTENANCE & SUPPLIES	09/11/18	\$183.80	\$183.80	01-1309	CITY HALL MAINTENAN	\$22,000.00	\$14,455.94
							\$331.30				
26	Century Link, PO Box 91155, Seattle, WA,										
		224B 11202018	11/20/18	SEWER MISCELLANEOUS EXPENSES AND LIFT STATION UTIL	12/12/18	\$50.52	\$50.52	04-1328	SEWER MISCELLANEO	\$25,000.00	\$18,494.16
							\$50.52				
18	Comcast, PO Box 34744, Seattle, WA, 98124-1744										
		0213455 11222018	11/22/18	CITY HALL UTILITIES	12/12/18	\$325.77	\$325.77	01-1317	CITY HALL UTILITIES	\$15,000.00	\$10,447.48
							\$325.77				
39	LifeMap Billing, PO Box 6840, Portland, OR, 97228-6840										
		IN0401869	11/18/18	DISABILITY INSURANCE	12/07/18	\$139.74	\$139.74	01-1212	DISABILITY INSURANC	\$3,200.00	\$2,641.04
							\$139.74				
							\$847.33				
							Total Bills To Pay:				

**City of Millersburg
Council Approval Report
(Council Approval Report)**

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
539	Barrett Business Services Inc., 421 Water Avenue NE, Albany, OR, 97321										
3093416	11/09/18	Astrid Hesberg w/e	11/4/18		12/11/18	\$585.65	\$585.65	01-1332	CONTRACTED SERVIC	\$99,500.00	\$66,930.29
3094223	11/16/18	Astrid Hesberg w/e	11/11/18		12/11/18	\$585.65	\$585.65	01-1332	CONTRACTED SERVIC	\$99,500.00	\$66,930.29
3095187	11/23/18	Astrid Hesberg w/e	11/18/18		12/11/18	\$464.10	\$464.10	01-1332	CONTRACTED SERVIC	\$99,500.00	\$66,930.29
3095848	11/30/18	Astrid Hesberg w/e	11/25/18		12/11/18	\$397.80	\$397.80	01-1332	CONTRACTED SERVIC	\$99,500.00	\$66,930.29
3093416	11/09/18	Dennis Bowen w/e	11/4/18		12/11/18	\$380.25	\$380.25	01-2302	PARK SUPPLIES & MAI	\$55,000.00	\$35,374.66
3094223	11/16/18	Dennis Bowen w/e	11/11/18		12/11/18	\$380.25	\$380.25	01-2302	PARK SUPPLIES & MAI	\$55,000.00	\$35,374.66
3095187	11/23/18	Dennis Bowen w/e	11/18/18		12/11/18	\$253.50	\$253.50	01-2302	PARK SUPPLIES & MAI	\$55,000.00	\$35,374.66
3095848	11/30/18	Dennis Bowen w/e	11/25/18		12/11/18	\$380.25	\$380.25	01-2302	PARK SUPPLIES & MAI	\$55,000.00	\$35,374.66
309449	11/16/18	Jennifer Richardson w/e	11/11/18		12/11/18	\$731.25	\$731.25	03-1321	STORMWATER MASTE	\$65,000.00	\$35,436.63
3095187	11/23/18	Jennifer Richardson w/e	11/18/18		12/11/18	\$390.00	\$390.00	03-1321	STORMWATER MASTE	\$65,000.00	\$35,436.63
3095403	11/23/18	Mark Yeager w/e	10/7/18		12/11/18	\$260.00	\$260.00	04-1409	WETLANDS/WASTEWA	\$107,500.00	\$75,201.72
							\$4,808.70				
478	Beery Elsner & Hammond, LLP, 1750 SW Harbor Way, Suite 380, Portland, OR, 97201-5106										
MILLERS 1101201	11/01/18	LEGAL SERVICES			12/11/18	\$68.63	\$68.63	01-1339	LEGAL SERVICES	\$75,000.00	\$74,170.00
							\$68.63				
596	Cardno, Inc., P.O. Box 123400, Dallas, TX, 75321-3400										
511825	11/19/18	STORMWATER MASTER PLAN			12/19/18	\$14,539.00	\$14,539.00	03-1321	STORMWATER MASTE	\$65,000.00	\$35,436.63
							\$14,539.00				
29	CH2MHill OMI, Department 1267, Denver, CO, 80291-1267										
351259-003	11/27/18	OMI SERVICES FOR DIRECT RESPONSIBLE CHARGE (DRC) W			12/27/18	\$3,806.28	\$3,806.28	05-1307	OMI SERVICES FOR DI	\$10,000.00	\$8,731.24
							\$3,806.28				
721	Charles Whitney										
11142018	11/14/18	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM			12/11/18	\$200.00	\$200.00	01-2301	PARKS & RECREATION	\$15,000.00	\$11,855.60
							\$200.00				
50	City of Albany, PO Box 490, Albany, OR, 97321										
0020614	11/13/18	CONTRACTED FIRE SERVICES			12/15/18	\$640,007.50	\$640,007.50	01-4301	CONTRACTED FIRE SE	\$1,000,000.00	\$1,000,000.00
							\$640,007.50				
722	David Denos										
12062018	12/06/18	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM			12/11/18	\$48.00	\$48.00	01-2301	PARKS & RECREATION	\$15,000.00	\$11,855.60
							\$48.00				
659	David Evans & Associates, Inc., Dept LA 24340, Pasadena, CA, 91185-4340										
432824	11/16/18	PCPI EXPENSE			12/16/18	\$2,324.14	\$2,324.14	02-1303	PCPI EXPENSE	\$20,000.00	\$14,130.11
432824	11/16/18	SEWER PCPI			12/16/18	\$2,324.15	\$2,324.15	04-1303	SEWER PCPI	\$15,000.00	\$9,130.10
432824	11/16/18	PCPI EXPENSE			12/16/18	\$2,324.15	\$2,324.15	05-1303	PCPI EXPENSE	\$15,000.00	\$9,130.10

**City of Millersburg
Council Approval Report
(Council Approval Report)**

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance	
							\$6,972.44					
696	EZ-Access, 700 Milwaukie Avenue N, Algonia, WA, 98001-7408											
IN586875		11/27/18	Temporary Station		12/11/18	\$1,150.00	\$1,150.00	01-4403	Temporary Station	\$295,000.00	\$4,088.34	
							\$1,150.00					
	Fire Department, P.O. Box 490, Albany, OR, 97321											
MB-2018-10		11/21/18	EQUIPMENT/FURNISHINGS FOR NEW STATION		11/21/18	\$6,198.11	\$6,198.11	01-4305	EQUIPMENT/FURNISHI	\$125,000.00	\$1,306.79	
							\$6,198.11					
16	Forrest Reid, 135 SW 5th Avenue, Albany, OR, 97321											
12012018		12/01/18	CITY ATTORNEY		12/11/18	\$7,325.00	\$7,325.00	01-1316	CITY ATTORNEY	\$80,000.00	\$42,975.00	
							\$7,325.00					
425	Jim Lepin											
12062018		12/06/18	MILEAGE		12/11/18	\$103.01	\$103.01	01-1351	MILEAGE	\$1,500.00	\$949.55	
							\$103.01					
720	McGovern Maintenance, PO Box 1025, Lebanon, OR, 97355											
3519bb		11/07/18	STREET CONSTRUCTION		11/07/18	\$890.00	\$890.00	02-1404	STREET CONSTRUCTI	\$137,000.00	\$131,625.00	
							\$890.00					
447	R.L Reimers Company, 3939 Old Salem Road Suite# 200, Albany, OR, 97321											
218537		11/30/18	MORNINGSTAR AND ATI PUMP STATION UPGRADES		12/11/18	\$29,489.90	\$29,489.90	04-1403	MORNINGSTAR AND AT	\$385,000.00	\$85,769.73	
							\$29,489.90					
334	Sharon Herbes											
11272018		11/27/18	LIBRARY SERVICES		12/11/18	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,960.00	
							\$40.00					
Total Bills To Pay:							\$715,646.57					



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Reports

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Reports - Current Balance Summary Report as of 12/7/2018

Your **Current Balance** represents your End of Day balance, from the prior Business day, plus or minus any pending transactions scheduled to settle today. Please note that this balance is only an indication of your balance and may change as additional transactions are entered or reversed. In addition, depending on the type of transactions, your current balance may or may not be available for withdrawal.

MILLERSBURG CITY OF Show inactive accounts :
 3049 - MILLERSBURG CITY/PERLENFEIN W PARK ZUHL

Investment Type	Current Balance
Oregon LGIP	\$93,122.28
Subtotal	\$93,122.28

3063 - MILLERSBURG EAGLES NEST/MILLERSBURG DR

Investment Type	Current Balance
Oregon LGIP	\$329,778.13
Subtotal	\$329,778.13

3064 - CITY OF MILLERSBURG STREET SDCS

Investment Type	Current Balance
Oregon LGIP	\$1,021,614.74
Subtotal	\$1,021,614.74

3065 - CITY OF MILLERSBURG PARK SDCS

Investment Type	Current Balance
Oregon LGIP	\$325,771.36
Subtotal	\$325,771.36

3839 - MILLERSBURG CITY OF/WETLANDS PROJECT

Investment Type	Current Balance
Oregon LGIP	\$26,757.73
Subtotal	\$26,757.73

5809 - MILLERSBURG CITY OF

Investment Type	Current Balance
Oregon LGIP	\$11,966,794.72
Subtotal	\$11,966,794.72

Grand total \$13,763,838.96

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LINN COUNTY SHERIFF'S OFFICE

Jim Yon, Sheriff
 1115 S.E. Jackson Street, Albany, OR 97322
 Albany, OR. 97322
 Phone: 541-967-3950
 www.linnsheriff.org

2018

MONTHLY REPORT TO THE CITY OF MILLERSBURG FROM THE LINN COUNTY SHERIFF'S OFFICE

FOR THE MONTH OF: November

TRAFFIC CITATIONS: _____	4
TRAFFIC WARNINGS: _____	10
TRAFFIC CRASHES: _____	1
ADULTS CITED/VIOLATIONS: _____	0
ADULTS ARRESTED : _____	4
JUVENILES CITED/VIOLATIONS: _____	0
JUVENILES ARRESTED: _____	0
COMPLAINTS/INCIDENTS INVESTIGATED: _____	109
TRAFFIC HOURS: _____	11
ADMINISTRATION HOURS: _____	4.75
ALARM LAW ONLY WITH RESPONSE: _____	4
 TOTAL HOURS SPENT:	
MILLERSBURG	123

CONTRACT HOURS= 113 HOURS

**Jim Yon,
 Sheriff, Linn County**

By: Sergeant Greg Klein



TO: Millersburg City Council
VIA: Kevin Kreitman, City Manager
FROM: City Staff
DATE: December 4, 2018 for Council Meeting December 11, 2018
SUBJECT: Project Updates Memo

Monthly Update on Projects:

Staff are currently in the process of implementing many projects and activities in the City to address objectives of the Strategic Plan, direction from Council, and needs Staff have identified. In order to facilitate tracking these tasks, a Gantt chart has been developed. As Staff continue to work on these tasks, the Gantt chart will be periodically updated and provided for Council and public information. The most recent version of the Gantt chart is attached to this memo. Tasks in blue are complete, tasks in yellow are in progress, and tasks that are not colored have not been started.

There are many tasks currently in progress. An overview of several specific tasks is provided below.

Audit Preparation:

During the month of November, City Staff were very busy preparing for the annual audit. All materials have now been provided to the auditor and a draft of the results of the audit is expected by the end of this month.

Stormwater Master Plan Update:

Comments on the draft Stormwater Master Plan have been submitted to Cardno. No comments were received from the public on the draft document posted to the website, but verbal comments from the public have been incorporated into the report and Staff comments. The intent is to present the final report for adoption at the January 2019 Council meeting.

Sewer Lift Stations Construction:

Construction on the ATI Sewer Lift Station is nearing completion. Work currently being conducted includes electrical, construction of canopy, startup and testing, and final site work. The project is anticipated to be complete in late December or January.

Parks Master Plan:

A kickoff meeting was held on November 26. Conservation Technix (Consultant) is working on preparing the Public Involvement Plan, drafting a list of potential questions for the survey, and identifying an initial list of potential stakeholders.

Street Striping:

Conser Road east of Old Salem Road was striped to address safety concerns. For the upcoming year, Staff are considering re-striping of all arterials and collectors throughout the City and establishing a regular schedule for striping activities in the future. For paint striping, it is necessary to re-stripe regularly because the paint loses its reflectivity, usually within a year. The City could also consider thermoplastic striping, which has a higher installation cost, but longer life. Options will be considered and presented with next year's budget and CIP.

Rate and SDC Study:

Staff have been working on collecting and sending the required information to the Consultant. The Consultant has been mainly focusing on the water and sewer rates, working with our financials and billing data. The SDC work to date has been focused on the determination of the value of the City's assets. Staff will be meeting with the Consultant in mid-December to update the schedule.

MS4 Permit Release:

The Municipal Separate Storm Sewer System General Permit was released on November 30. Staff are currently reviewing the permit to evaluate changes from the draft permit and determine the impacts to the City.

ID	Task Mode	Task Name	Duration	Start	Finish	Resource Names
1		Millersburg Tasks				
2						
3		Charter	377 days	Tue 2/13/18	Wed 7/24/19	Kevin,Forrest
4		Complete update of charter	365 days	Thu 3/1/18	Wed 7/24/19	
5		Signatures for checks	41 days	Tue 2/13/18	Tue 4/10/18	Kevin,Forrest,Kim
6		Appointment of officers and employees - Section 12 CC				
7						
8		Ordinances and Code	269 days	Mon 1/22/18	Thu 1/31/19	Forrest,Kim,Kevin
9		Update Code of Ordinances - change to Municipal Code	269 days	Mon 1/22/18	Thu 1/31/19	
10		Add sewer and storm water - see 34.22 Utilities				
11		Add and adopt section regarding wastewater treatment system - regulations, fees.				
12		Move Streets and Sidewalks Title IX (93) to Title V Public				
13		Need to add SDCs - Look at adopting similar to City of Albany Municipal Code 15.16				
14		Resolutions - need to update water resolution with new billing cycle CO 50.05				
15		Billing procedures				
16		Ordinances and Resolutions missing attachments	1 day	Mon 1/22/18	Mon 1/22/18	
17		Land Use Development Code	269 days	Mon 1/22/18	Thu 1/31/19	John Morgan,Matt Straite
18		Determine correct version of current code	1 day	Mon 1/22/18	Mon 1/22/18	
19		Update/Re-write LUDC			Thu 1/31/19	
20		Comprehensive Plan Update			Thu 1/31/19	
21						
22		Policies, Procedures, and Standards	240 days	Mon 1/22/18	Fri 12/21/18	
23		Purchasing	240 days	Mon 1/22/18	Fri 12/21/18	Kim,Kevin
24		Adopt new purchasing policy	11 days	Tue 2/27/18	Tue 3/13/18	Kevin,Forrest
25		Join Oregon Cooperative Procurement Program	1 day	Tue 1/9/18	Tue 1/9/18	
26		Procurement forms				Kim
27		Staff reimbursement forms				Kim
28		Review resolution 2017-11 regarding returned checks in comparison to ORS 30.701(5)				Jake
29		Ethics Policy				Kevin,Janelle
30		Fleet policy and best practices for vehicles				Kevin,Janelle
31		Computer/electronics use policy				Kevin,Janelle
32		Equipment use policy				Kevin,Janelle
33		Billing policy				Kim
34		Alcohol use policy for parks and city hall	1 day	Fri 7/13/18	Fri 7/13/18	Kim,Forrest
35		Safety procedures and training	231 days	Fri 2/9/18	Fri 12/28/18	Kevin,Janelle
36		Safety manual			Fri 12/28/18	
37		Staff training plans				
38		Ergo evaluations				
39		PPE				
40		Permits	126 days	Thu 7/5/18	Fri 12/28/18	
41		Review grading and ROW permits, modify if needed	0 days	Thu 7/5/18	Thu 7/5/18	Janelle
42		Establish erosion control permit			Fri 12/28/18	Janelle
43						

Task	Summary	Inactive Milestone	Duration
Split	Project Summary	Inactive Summary	Manual S
Milestone	Inactive Task	Manual Task	Manual S

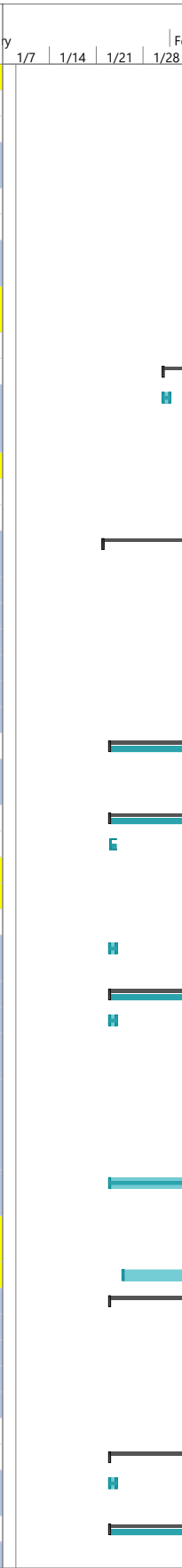
Project: Task List
Date: Thu 11/8/18

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
44		Document Record Keeping and Retention	235 days	Mon 1/29/18	Fri 12/21/18		Kim
45		New filing system	240 days	Mon 1/29/18	Fri 12/28/18		
46		Electronic	130 days	Mon 7/2/18	Fri 12/28/18		Kim
47							
48		Budget	124 days	Thu 1/25/18	Tue 7/17/18		
49		Supplemental Budget - address funds which are over budget	74 days	Thu 1/25/18	Tue 5/8/18		Jake
50		Funding for Stormwater Master Plan	1 day	Fri 3/16/18	Fri 3/16/18		Kevin,Janelle
51		Funding for temporary fire station	1 day	Tue 6/12/18	Tue 6/12/18		Kevin,Janelle,Jake
52		Funding for rate and SDC update	1 day	Tue 4/10/18	Tue 4/10/18		Kevin,Janelle
53		2018-2019 Budget	75 days	Mon 3/19/18	Fri 6/29/18		Jake,Kevin,Janelle
54		New budget layout	1 day	Fri 3/16/18	Fri 3/16/18		Jake
55		Insure there is no comingling of SDC funds	1 day	Mon 3/19/18	Mon 3/19/18		
56		Temporary fire station operation	1 day	Mon 3/19/18	Mon 3/19/18		
57		Permanent fire station	1 day	Mon 3/19/18	Mon 3/19/18		
58		Maintenance needs	1 day	Mon 3/19/18	Mon 3/19/18		
59		Office in maintenance facility?	1 day	Mon 3/19/18	Mon 3/19/18		
60		Equipment life/replacement costs tracking	239 days	Tue 1/23/18	Fri 12/21/18		
61		City Hall Equipment					
62		Parks/Maintenance Equipment					
63		Fire Station					
64							
65		IGAs	77 days	Mon 1/22/18	Tue 5/8/18		
66		Sewer IGA	122 days	Mon 1/22/18	Tue 7/10/18		Kevin,Janelle,Forrest
67		Fire IGA	57 days	Mon 1/22/18	Tue 4/10/18		Kevin
68							
69		Planning, Building, and Development	274 days	Tue 2/13/18	Fri 3/1/19		
70		Missing Permits/Permit Numbers	1 day	Wed 4/4/18	Wed 4/4/18		Matt Straite
71		Ability to get on County online system for building permits			Fri 12/21/18		Kevin,Janelle
72		Comp Plan review every even year			Thu 1/31/19		John
73		Land use joint training session by John Morgan	1 day	Mon 4/30/18	Mon 4/30/18		John,Kevin
74		Payment of fees prior to issuing building permits - CO 50.05(B)(2)	1 day	Tue 2/13/18	Tue 2/13/18		
75		Check Sheets/manuals	116 days	Fri 5/18/18	Fri 10/26/18		
76		Policies and Procedures			Fri 12/28/18		John,Matt
77		Permit forms			Fri 12/28/18		John,Matt
78		Packets to hand out with each permit			Fri 12/28/18		John,Matt
79		Engineering standards	110 days	Mon 10/1/18	Fri 3/1/19		Janelle
80		Private Construction of Public Infrastructure Process	1 day	Tue 2/13/18	Tue 2/13/18		
81		Code language to support PCPI process	1 day	Tue 2/13/18	Tue 2/13/18		Janelle,Kevin
82		Ordinance to adopt code language	1 day	Tue 2/13/18	Tue 2/13/18		Janelle,Kevin
83		Establish warranty bond amount (10% of construction cost)	1 day	Tue 2/13/18	Tue 2/13/18		Janelle
84		Make sure all other forms and fees have been developed	1 day	Tue 2/13/18	Tue 2/13/18		Janelle
85		Reimbursement Agreement	73 days	Fri 9/28/18	Tue 1/8/19		Janelle,Kevin
86							
87		SDC Review	410 days	Mon 4/2/18	Fri 10/25/19		Kevin,Janelle,consultant
88		Contract with consultant for review	86 days	Mon 2/12/18	Mon 6/11/18		Janelle
89		Water	91 days	Tue 9/4/18	Tue 1/8/19		
90		Sewer	91 days	Tue 9/4/18	Tue 1/8/19		
91		Streets	91 days	Tue 9/4/18	Tue 1/8/19		
92		Parks	261 days	Fri 10/26/18	Fri 10/25/19		

Project: Task List
Date: Thu 11/8/18

Task		Summary		Inactive Milestone		Duration
Split		Project Summary		Inactive Summary		Manual
Milestone		Inactive Task		Manual Task		Manual

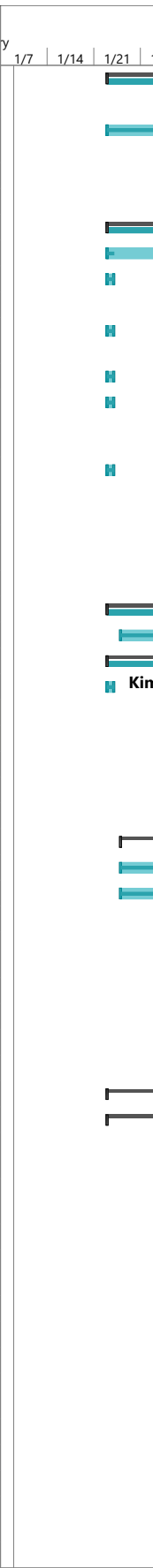
ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
93		Stormwater	78 days	Fri 10/26/18	Tue 2/12/19		
94							
95		Utility Billing	71 days	Mon 3/26/18	Mon 7/2/18		
96		Review of water and sewer service accounts	1 day	Mon 3/26/18	Mon 3/26/18		Kim,Jake
97							
98		Utility Rates	237 days	Mon 2/12/18	Tue 1/8/19		
99		Contract with consultant for review and update of rates	86 days	Mon 2/12/18	Mon 6/11/18		Janelle
100		Update rate structure for water and sewer	92 days	Mon 9/3/18	Tue 1/8/19		Janelle,consultant
101							
102		Update fees	233 days	Wed 1/31/18	Fri 12/21/18		
103		Public records requests - need to update ordinance for new law in place by 1/1/18 - see CO 34.04	1 day	Wed 1/31/18	Wed 1/31/18		Kim
104		Planning fees			Fri 12/21/18		John,Matt
105		Other fees - update recent list?			Fri 12/21/18		Kevin,Janelle
106							
107		Development of Capital Improvement Plan (CIP)	180 days	Mon 1/22/18	Fri 9/28/18		Janelle,Kevin
108		Streets	20 days	Wed 4/4/18	Tue 5/1/18		
109		Sewer	20 days	Wed 4/4/18	Tue 5/1/18		
110		Water	20 days	Wed 4/4/18	Tue 5/1/18		
111		Stormwater	20 days	Wed 4/4/18	Tue 5/1/18		
112		Parks	20 days	Wed 4/4/18	Tue 5/1/18		
113		Adoption of 2018-2022 CIP	1 day	Tue 6/12/18	Tue 6/12/18		
114		City Hall work	284 days	Tue 1/23/18	Fri 2/22/19		
115		Budgeting information for City Hall upgrades	1 day	Fri 4/27/18	Fri 4/27/18		Kevin,Janelle,Sean
116		Audio Visual Systems	284 days	Tue 1/23/18	Fri 2/22/19		Sean,Kevin
117		Council Chambers		Tue 1/23/18			
118		Upgrade sound system					
119		Video system					
120		Consider new audience chairs?					
121		Small table and chair for presentations/addressing	1 day	Tue 1/23/18	Tue 1/23/18		
122		Conference Room	27 days	Tue 1/23/18	Wed 2/28/18		
123		Portable TV/monitor	1 day	Tue 1/23/18	Tue 1/23/18		
124		Connect conference tables to phone, internet	1 day	Thu 2/15/18	Thu 2/15/18		Sean
125		Separate zone for alarm (make sure there is a delay) so conference room can be used for meetings by public	1 day	Wed 2/28/18	Wed 2/28/18		Kim
126		Cabling requirements for phone/internet	27 days	Tue 1/23/18	Wed 2/28/18		Sean
127		Records Room reorganization - rolling files	170 days	Mon 7/2/18	Fri 2/22/19		Kim,Jake
128		Office space modifications	282 days	Thu 1/25/18	Fri 2/22/19		Kevin,Janelle
129		Painting City Hall	187 days	Tue 1/23/18	Wed 10/10/18		Sean
130		Quotes for budget	1 day	Fri 4/6/18	Fri 4/6/18		
131		Solicit Bids/quotes	1 day	Fri 6/1/18	Fri 6/1/18		
132		Award	1 day	Mon 7/2/18	Mon 7/2/18		
133		Complete work	0 days	Fri 8/10/18	Fri 8/10/18		
134							
135		Fire Protection	208 days	Tue 1/23/18	Thu 11/8/18		
136		Notify Linn County of request to withdraw	1 day	Tue 1/23/18	Tue 1/23/18		
137		Temporary station	94 days	Tue 1/23/18	Fri 6/1/18		Kevin,Janelle
138		Site selection	1 day	Fri 4/13/18	Fri 4/13/18		Kevin,Janelle



Project: Task List
Date: Thu 11/8/18

Task		Summary		Inactive Milestone		Duration
Split		Project Summary		Inactive Summary		Manual
Milestone		Inactive Task		Manual Task		Manual

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
139		Design	124 days	Tue 1/23/18	Fri 7/13/18		
140		Land use and building permits	1 day	Fri 7/20/18	Fri 7/20/18		Janelle,Matt
141		Building and foundation requirements	114 days	Tue 1/23/18	Fri 6/29/18		Janelle
142		Utilities	1 day	Fri 9/28/18	Fri 9/28/18		Janelle
143		Site work (surfacing and roads)	1 day	Fri 9/7/18	Fri 9/7/18		Janelle
144		Equipment	169 days	Tue 1/23/18	Fri 9/14/18		Kevin
145		Building - Millersburg to provide	114 days	Tue 1/23/18	Fri 6/29/18		
146		Bay - Albany to provide	1 day	Tue 1/23/18	Tue 1/23/18		
147		Emergency generator			Fri 10/19/18		
148		Furnishings - Millersburg to provide	1 day	Tue 1/23/18	Tue 1/23/18		
149		Response equipment - Albany	1 day	Tue 1/23/18	Tue 1/23/18		
150		Computer equipment - City of Albany with Millersburg to purchase?	1 day	Tue 1/23/18	Tue 1/23/18		
151		Radio, tap out equipment - City of Albany with Millersburg to purchase?	1 day	Tue 1/23/18	Tue 1/23/18		
152		Signage - Millersburg Station - 15 Albany Fire Department?			Thu 11/8/18		
153							
154		Millersburg Park	225 days	Tue 1/23/18	Mon 12/3/18		
155		Slide installation	28 days	Thu 1/25/18	Mon 3/5/18		Sean
156		Reservations	225 days	Tue 1/23/18	Mon 12/3/18		
157		New reservation form	1 day	Tue 1/23/18	Tue 1/23/18		Kim,Jake
158		Online reservations			Fri 12/21/18		Kim,Jake
159		Review reservation fees					Jake
160		Ball fields	53 days	Wed 3/7/18	Fri 5/18/18		Sean,Janelle
161		South ball field rehabilitation work	1 day	Fri 5/18/18	Fri 5/18/18		Sean,Janelle
162		Baseball field use agreements	1 day	Wed 3/7/18	Wed 3/7/18		Kevin,Janelle
163		Lighting	157 days	Thu 1/25/18	Fri 8/31/18		
164		Solicit and receive quotes	57 days	Thu 1/25/18	Fri 4/13/18		Sean
165		Award work	114 days	Thu 1/25/18	Tue 7/3/18		
166		Complete work	104 days	Tue 4/10/18	Fri 8/31/18		Sean
167		Park/city hall safety inspection checklist			Fri 12/21/18		Janelle,CIS
168		Park safety inspection	1 day	Tue 5/1/18	Tue 5/1/18		Sean,CIS,Janelle
169		Change emergency callout signage	1 day	Fri 9/14/18	Fri 9/14/18		Sean,Jake
170		Parks Master Plan RFQ development	1 day	Fri 9/14/18	Fri 9/14/18		Janelle
171							
172		Water Distribution System	244 days	Tue 1/23/18	Fri 12/28/18		Janelle,Kim,Sean
173		Water master plan	159 days	Tue 1/23/18	Fri 8/31/18		
174		Follow up with state on their review comments	1 day	Fri 2/2/18	Fri 2/2/18		Janelle
175		submit finance component when available			Fri 12/28/18		Janelle
176		Annual water audit			Fri 12/28/18		Janelle,Kim
177		Meter testing and replacement program			Fri 12/28/18		Janelle
178		Leak detection program			Fri 12/28/18		Janelle
179		Public education			Fri 12/28/18		Janelle,Kim
180		Industrial conservation measures			Fri 12/28/18		Janelle
181		Consider weather station on park irrigation system			Fri 12/28/18		Janelle,Sean
182		Track metered hydrant water usage	1 day	Fri 12/28/18	Fri 12/28/18		Janelle,Jake
183		Plan review exemption letter (annual)	1 day	Tue 3/27/18	Tue 3/27/18		Janelle
184		OHA requirements tracking			Fri 12/28/18		Janelle
185		Water Management and Conservation Plan Update Feb 2022					Janelle
186							



Project: Task List
Date: Thu 11/8/18

Task		Summary		Inactive Milestone		Duration
Split		Project Summary		Inactive Summary		Manual
Milestone		Inactive Task		Manual Task		Manual

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
187		Sewer Collection System	152 days	Thu 5/3/18	Fri 11/30/18		
188		Inspection and maintenance program (manholes and piping)	1 day	Thu 5/3/18	Thu 5/3/18		Janelle
189		Lift Station Project - ATI summer/fall 2018			Fri 11/30/18		Janelle
190							
191		Stormwater	252 days	Mon 1/22/18	Tue 1/8/19		
192		Stormwater Master Plan	252 days	Mon 1/22/18	Tue 1/8/19		
193		Contract with consultant	17 days	Mon 1/22/18	Tue 2/13/18		
194		Kickoff meeting	1 day	Thu 3/1/18	Thu 3/1/18		
195		Review and Finalize Plan	252 days	Mon 1/22/18	Tue 1/8/19		
196		Fencing detention basins	110 days	Mon 4/16/18	Fri 9/14/18		Janelle,Sean
197		Receive quotes	1 day	Mon 4/16/18	Mon 4/16/18		Janelle
198		Complete work	1 day	Fri 9/14/18	Fri 9/14/18		Janelle,Sean
199		Crooks Creek vegetation removal - main channel and tribs	1 day	Fri 10/19/18	Fri 10/19/18		Janelle
200		TMDL	241 days	Fri 1/26/18	Fri 12/28/18		
201		Yearly reporting - next due Mar 1, 2018	1 day	Thu 3/1/18	Thu 3/1/18		Janelle
202		Submit revised matrix to DEQ	29 days	Fri 9/21/18	Wed 10/31/18		Janelle
203		Update every five years - next due					Janelle
204		Stormfilter cartridges at Crooks Creek on Millersburg drive - regular checking/cleaning/replacement			Fri 11/16/18		Janelle
205		MS4	229 days	Tue 2/13/18	Fri 12/28/18		
206		Join Oregon ACWA	1 day	Tue 2/13/18	Tue 2/13/18		Kevin,Janelle
207		Submit comments to DEQ	1 day	Wed 2/28/18	Wed 2/28/18		Janelle,Mark Y
208		Pursue waiver	1 day	Tue 2/13/18	Tue 2/13/18		
209		Have Millersburg storm drain facilities added to Albany GIS			Fri 12/21/18		Kevin,Janelle
210							
211		Tranportation/Streets	258 days	Wed 2/7/18	Fri 2/1/19		
212		Bridge and pavement reporting to ODOT			Fri 2/1/19		Janelle
213		Establish a street maintenance program (crack filling, sealing, overlay, etc.)	1 day	Fri 5/25/18	Fri 5/25/18		Janelle
214		Woods Road conceptual design for future development	1 day	Fri 12/28/18	Fri 12/28/18		Janelle
215		Adopt new road frontage fees	1 day	Wed 2/7/18	Wed 2/7/18		Janelle
216		Bollards on Parker and Morningstar	158 days	Wed 2/7/18	Fri 9/14/18		Janelle
217		Receive quotes	1 day	Fri 7/6/18	Fri 7/6/18		
218		Complete work	1 day	Fri 9/14/18	Fri 9/14/18		
219		Street sweeping quotes and bid	1 day	Tue 9/4/18	Tue 9/4/18		Kevin,Janelle
220							
221		Miscellaneous	224 days	Tue 2/13/18	Fri 12/21/18		
222		Master email list			Ongoing		Kim
223		Status of current agricultural land leases - see CO 34.03	1 day	Tue 2/13/18	Tue 2/13/18		Forrest
224		Franchise Agreements - identify agreements and dates	1 day	Fri 7/27/18	Fri 7/27/18		Kim
225		Newsletter			Fri 12/21/18		Kim
226		Banking services	80 days	Tue 3/13/18	Mon 7/2/18		Jake
227		Office credit card machine	1 day	Fri 2/16/18	Fri 2/16/18		Jake
228		New copy machine	1 day	Tue 2/13/18	Tue 2/13/18		Kim
229		LGPI pool funds	1 day	Tue 2/27/18	Tue 2/27/18		Kevin,Jake
230		After hours callout service	1 day	Thu 5/31/18	Thu 5/31/18		Jake
231		Post utility rate and SDC info to website once changes are adopted			Fri 2/22/19		Janelle,Kim
232							
233		HR	184 days	Tue 4/10/18	Fri 12/21/18		

Project: Task List
Date: Thu 11/8/18

Task		Summary		Inactive Milestone	
Split		Project Summary		Inactive Summary	
Milestone		Inactive Task		Manual Task	

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
234		Oregon Savings Growth Plan	1 day	Tue 4/10/18	Tue 4/10/18		Jake
235		Annual evaluations			Fri 12/14/18		Kevin,Janelle
236		Update employee manual			Fri 12/21/18		Kevin,Forrest

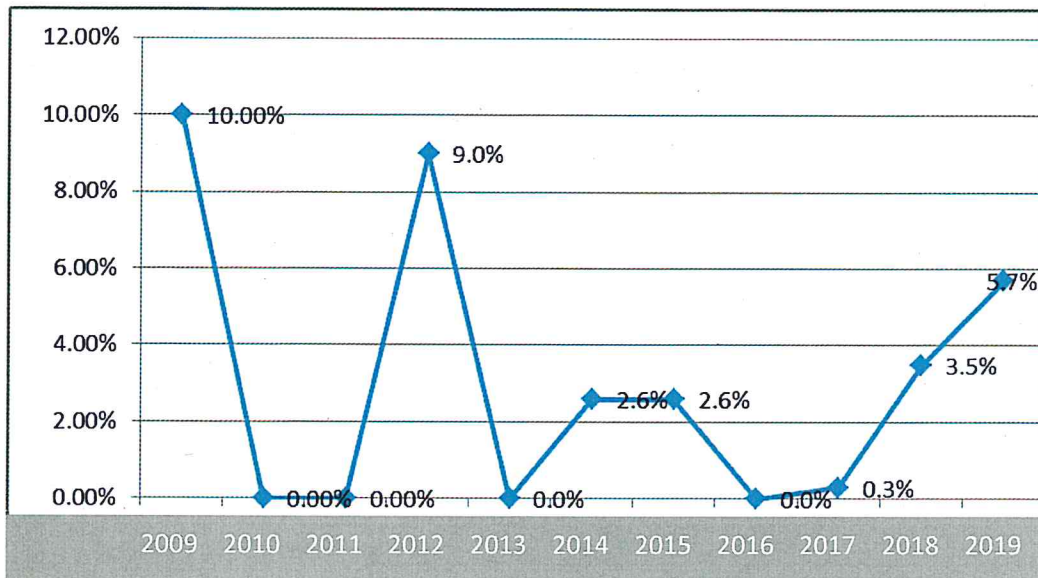
Project: Task List
Date: Thu 11/8/18

Task		Summary		Inactive Milestone	
Split		Project Summary		Inactive Summary	
Milestone		Inactive Task		Manual Task	

Republic Services - City of Millersburg RRI

	Index: June 30, 2017	Index: June 30, 2018	% Change	Weight	Refuse Index
CPI - West Size Class B/C All Urban Consumers	147.98	152.094	2.8%	65%	1.8%
CPI - West Coast Ultra Low Sulfur Diesel	2.757	3.735	35.5%	10%	3.5%
Coffin Butte Disposal Rate (4.0% cap)	\$ 41.50	\$ 42.00	1.2%	25%	0.3%
Rate Adjustment %					5.7%
					100.0%
Adjustment Factor					105.7%

Millersburg Rate History 2009-2019



- 2014 shows the first year of the RRI rate adjustment methodology.
- Prior to 2014, rate increases were as high as 10% with 2-3 years in between.
- The RRI is a more gradual way to adjust rates, rather than the previous rate increase every 2-3 years and is easier for rate payers.
- Increases from 2009 to 2012 (3 years) amounted to 19%, while increases from 2013 to 2019 (6 years) amount to 14.45% .

Must Stay At Curb

MISC:	XCS-Container Over Weight Charge per 500 lbs	\$17.93	EP1-Container Off Route Pick Up In area - 30 min	\$59.56	EP2-Container Off Route Pick Up - Out of Area 60 min	\$119.11	LOC-Lock & Key	\$25.03
							LLK-Locking Container Set Up	\$59.65

Industrial	
Prepayment 10-30yd	\$300.00
Prepayment 40yd	\$350.00
10yd Haul	\$209.61
20yd Haul	\$209.61
30yd Haul	\$222.71
40yd Haul	\$235.82
15yd Compactor Haul	\$271.55
20yd Compactor Haul	\$271.55
30yd Compactor Haul	\$291.88
40yd Compactor Haul	\$291.88
Asbestos Haul	\$108.99

Rent	
Temp Rent Per Day	Prorated Per Day
Temp Industrial Rent Per Month	\$327.90
Perm Industrial Rent Per Month	\$115.51
Perm Industrial Rent Per Month 10yd RE (lidded)	\$134.63
Perm Industrial Rent Per Month 20yd RE (lidded)	\$134.63
Perm Industrial Rent Per Month 30yd RE (lidded)	\$134.63
Perm Industrial Rent Per Month 40yd RE (lidded)	\$140.53
Perm Industrial Rent Per Month 10yd RE (lidded) not crank	\$161.95
Perm Industrial Rent Per Month 20yd RE (lidded) not crank	\$161.95
Perm Industrial Rent Per Month 30yd RE (lidded) not crank	\$161.95
Perm Industrial Rent Per Month 40yd RE (lidded) not crank	\$167.97

Disposal *Pass Through	
Trash - Per Ton	\$42.00
YW/Wood - Per Ton	\$40.75
Enviromental Fee Per Haul	\$16.25
SheetRock Disposal Per Ton	SAME AS TRASH
Metal	None
Concrete	\$75.00

Security Box	
Rent	\$120.00
Delivery Per Hour - One Hour Min	\$75.00

Compactor Cleaning	Per Hour
--------------------	----------

Version: 7/10/2018

Resi Pi% 3.50%

Com Pi% 3.50%

Ind Pi% 3.50%

RS of Albany

Rate Effective 1/1/19

Resi		
All		
Service	Monthly	Bi-Monthly
1 Can	\$23.61	\$47.22
Add can	\$17.31	\$34.62
20g cart	\$17.63	\$35.26
32g cart	\$19.76	\$39.52
90g cart	\$30.84	\$61.68
On call 35G	\$13.73	
Up-drive	\$18.95	\$37.90
YC Only	\$8.40	\$16.80
CO Only	\$8.40	\$16.80
Extra YC	\$8.40	\$16.80
Extra CO	\$8.40	\$16.80
RC Only	\$8.40	\$16.80
Extra RC	\$8.40	\$16.80
Enclosure	\$25.19	\$50.38
Misc		
Return Trip (In Area-On Service Day)-RTN		\$27.43
EXC-Wash Cart		\$44.33
Residential Container Exchange (1x year @ no charge)		\$22.63
Residential Extra Pick Up - EXR HOURLY-60 MIN		\$125.90
LLK-Locking Cart Set Up		\$28.88

Special Pick Ups - IF ALBANY - ServDay (Not Tues)	
IF LEBANON - Wed ONLY	
Special Pick Ups - IF ALBANY - ServDay (Not Tues)	
BU1-Dead Large Animal	\$126.27
FUR-Furniture	\$34.94
MAT-Mattress or boxspring	\$28.99
TRE-Christmas Trees (up to 8 ft and noinsel)	\$10.05
Special Pick Ups - Delivery Rt - Serv Day	
APP-Appliance Without Freon	\$29.37
APN-Appliance With Freon	\$39.63
TIR-Tires	\$15.13
BU2-Tires with rim	\$22.63
BU3-Truck Tires	\$32.70
BU4-Truck Tires with rim	\$46.56
Misc	
EXB-Extra 32 gal can/bag/box/heavy	\$10.05
Extra loose garbage per yard-EXY	\$25.19
Time per minute to p/u loose garbage-MIN	\$1.62
LLK-Locking Cart Set Up	\$28.88
Container Repair 3rd Party Labor Rate	\$76.95
Truck Time-HRS	\$125.90
Labor Charges Per Hour	\$97.20

Supplemental Service Fees	
Commercial Delivery	\$30.00
Commercial Exchange-EXC	\$46.56
Commercial Dry Run-DRY	\$62.94
Commercial Extra Lift-EXT	See EXT Rates
Commercial Extra Yardage-EXY	\$25.19
Commercial Relocate-REL	\$125.90
Commercial Removal	NA
Industrial Delivery	\$47.82
Industrial Exchange-EXC	HOURLY
Industrial Dry Run-DRY	\$47.82
Industrial Relocate-REL	\$47.82
Industrial Removal	\$47.82
Residential Delivery	\$30.00
Residential Removal	NA
Fees	
Late Fee	1.5% or 5.00 Min
Returned Check Fee	\$25.00
Service Interrupt Fee	\$30.00
Account Origination Fee	\$10.00
Commercial Container Recovery Fee	\$480.00
Industrial Container Recovery Fee	\$4,000.00
Bin Replacement	\$15.00
32/35g Cart Recovery/Replacement	\$75.00
65G/RC Cart Recovery/Replacement	\$75.00
90g,Yc Cart Recovery/Replacement	\$75.00
Monthly Recycle Processing Surcharge	\$2.00

Temp		
Size	Dump Fee	Max Rent
3yd	\$91.94	\$37.54
Rent: 1st week free		
After One Week	\$3.82	Per Day
Temp Delivery Schd		
FR 1 - LINN CO		T/F
FR 2/3/4 - SE/NE ALBANY		M/H
FR 2/3/4 - SW/NW ALBANY		T/F
FR 5 - Lebanon		W/F
FR 6/7 - Linn Co		T/F
FR 6 - Harrisburg		W
FR 9 - Harrisburg		W
FR 11 - NOT AVAILABLE		NA
FR 12 - Scio		T
Size	Dump Fee	Max Rent
300g YW	\$42.85	\$26.46
Rent: 1st week free, then prorated		
Div: On Serv Day Only - Pu: Only on yw day		

Commercial Stab						
Size	1/week	2/week	3/week	4/week	5/week	
1.5 yd	\$129.47	\$240.94	\$352.40	\$464.12	\$575.57	
2 yd	\$157.21	\$294.66	\$419.19	\$569.56	\$707.02	
3 yd	\$195.90	\$368.35	\$540.78	\$713.38	\$885.83	
4 yd	\$233.44	\$440.90	\$648.24	\$855.79	\$1,063.13	
6 yd	\$321.69	\$613.12	\$904.78	\$1,196.21	\$1,487.63	
8 yd	\$392.72	\$748.16	\$1,092.24	\$1,458.98	\$1,849.28	

Commercial Manual						
Size	Bi/Wk	1/week	2/week	3/week	4/week	5/week
1 yd	NA	NA	NA	NA	NA	NA
1.5 yd	NA	\$153.39	\$291.08	\$428.87	\$566.34	\$703.90
2 yd	NA	\$187.82	\$357.72	\$527.52	\$697.44	\$867.12
3 yd	NA	\$239.70	\$456.61	\$682.20	\$892.17	\$1,113.72
4 yd	NA	\$286.34	\$546.35	\$804.41	\$1,063.71	\$1,321.86
5 yd	NA	\$333.41	\$638.72	\$938.27	\$1,240.48	\$1,541.93
6 yd	NA	\$397.81	\$764.20	\$1,126.55	\$1,489.36	\$1,851.59
8 yd	NA	\$482.36	\$921.41	\$1,352.37	\$1,783.11	\$2,205.62

Commercial Compactors						
Size	1/week	2/week	3/week	4/week	5/week	EXT
2 yd	\$375.65	\$715.45	\$1,055.03	\$1,394.87	\$1,734.23	\$103.96
3 yd	\$479.37	\$913.22	\$1,364.39	\$1,784.36	\$2,227.45	\$129.82
4 yd	\$572.70	\$1,092.72	\$1,608.80	\$2,127.41	\$2,643.74	\$163.11
5 yd	\$666.81	\$1,277.45	\$1,715.30	\$2,267.80	\$2,819.90	See Kevin
6 yd	\$795.60	\$1,528.40	\$2,253.09	\$2,978.70	\$3,703.18	\$234.95
8 yd	\$964.72	\$1,842.82	\$2,704.72	\$3,566.19	\$4,411.25	\$302.63

Commercial On Call Containers/EXT Rates		
Size	Dump Fee	Rent
1 yd	NA	NA
1.5 yd	\$43.33	\$32.00
2 yd	\$51.97	\$34.76
3 yd	\$64.92	\$37.54
4 yd	\$81.55	\$40.31
6 yd	\$117.46	\$43.20
8 yd	\$151.31	\$45.97

Commercial Food Waste	
90g Emptied Weekly	\$57.75
Each Additional Cart	\$9.38
Commercial Yard Debris	
90g with Trash	\$0.00
Extra YC	\$8.40
Commercial Comingled Recycle	
Commercial Recycling	\$2.00

Must Stay At Curb

MISC:	XCS-Container Over Weight Charge per 500 lbs	\$18.95	EP1-Container Off Route Pick Up In area - 30 min	\$62.95	EP2-Container Off Route Pick Up - Out of Area 60 min	\$125.90	LOC-Lock & Key	\$26.46
							LLK-Locking Container Set Up	\$63.05

Industrial	
Prepayment 10-30yd	\$317.10
Prepayment 40yd	\$369.95
10yd Haul	\$221.56
20yd Haul	\$221.56
30yd Haul	\$235.40
40yd Haul	\$249.26
15yd Compactor Haul	\$287.03
20yd Compactor Haul	\$287.03
30yd Compactor Haul	\$308.52
40yd Compactor Haul	\$308.52
Asbestos Haul	\$115.20

Rent	
Temp Rent Per Day	<i>Prorated Per Day</i>
Temp Industrial Rent Per Month	\$327.90
Perm Industrial Rent Per Month	\$122.09
Perm Industrial Rent Per Month 10yd RE (lidded)	\$142.30
Perm Industrial Rent Per Month 20yd RE (lidded)	\$142.30
Perm Industrial Rent Per Month 30yd RE (lidded)	\$142.30
Perm Industrial Rent Per Month 40yd RE (lidded)	\$148.54
Perm Industrial Rent Per Month 10yd RE (lidded) not crank	\$171.18
Perm Industrial Rent Per Month 20yd RE (lidded) not crank	\$171.18
Perm Industrial Rent Per Month 30yd RE (lidded) not crank	\$171.18
Perm Industrial Rent Per Month 40yd RE (lidded) not crank	\$177.54

Disposal *Pass Through	
Trash - Per Ton	\$42.00
YW/Wood - Per Ton	\$40.75
Enviromental Fee Per Haul	\$16.25
SheetRock Disposal Per Ton	SAME AS TRASH
Metal	None
Concrete	\$75.00

Security Box	
Rent	\$120.00
Delivery Per Hour - One Hour Min	\$75.00

Compactor Cleaning	Per Hour
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Version: 7/10/2018

Resi Pi% 5.70%

Com Pi% 5.70%

Ind Pi% 5.70%

RESOLUTION NO. 2018-24

**A RESOLUTION OF THE CITY OF MILLERSBURG, OREGON, APPROVING
A RATE INCREASE FOR 2019 FOR REPUBLIC SERVICES**

WHEREAS, the City of Millersburg contracts, via a franchise agreement, with Republic Services to provide necessary disposal services to industry, residences, commercial sites, and others within the City of Millersburg; and,

WHEREAS, the City acknowledges that costs of these provided services increase with time; and,

WHEREAS, the City has given due consideration to ORS 459A.085; and,

WHEREAS, Republic Services has requested an increase for 2019 of 5.7%, or an average of \$1.23 per residential account per month, based on the Consumer Price Index, fuel pricing and disposal costs.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILLERSBURG AS FOLLOWS:

The City of Millersburg approves the rate increase for Republic Services for 2019 of 5.7%, or an average of \$1.23 per residential account per month.

Effective Date. This resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this ____ day of _____, 2018.

Jim Lepin, Mayor
City of Millersburg, Oregon

ATTEST:

Kimberly Wollenburg
City Recorder



TO: Millersburg City Council
FROM: Kevin Kreitman
DATE: November 28, 2018, for the December 11, 2018 City Council Meeting
SUBJECT: Social Media Policy

Action Requested:

Approval of the attached proposed Social Media Policy.

Discussion:

The City of Millersburg currently posts information on NextDoor and we are also establishing Facebook and Twitter accounts for communicating with our citizens. With this in mind we feel it is important to have adopted a City Policy on Social Media addressing appropriate use of these platforms and to ensure compliance with City and State policy.

Budget Impact:

None.

Recommendation:

Staff recommends Council approval of the attached resolution authorizing the adoption of the Social Media Policy.

Attachment(s):

- Social Media Policy
- Resolution 2018-26 - Social Media Policy



Social Media Policy

	Policy/Procedure Title: Social Media Policy/Procedure #: HR 100.2 Version #/Date: December 11, 2018 Ver. 1.0
Drafted by: Kim Wollenburg, City Recorder	Reviewed & Approved by: Name: Kevin Kreitman, City Manager
Effective Date: December 11, 2018	Signature: _____ Date: _____
Next Review Date: December, 2019	Legal Review/Approval: _____ Date: _____

Purpose

To better meet the communication needs of residents, the City of Millersburg (City) wishes to establish a positive and informative social media presence. City staff have the responsibility to use the City's social media resources in an efficient, effective, ethical, and lawful manner pursuant to all existing City policies and procedures. This policy also provides guidelines and standards for City staff regarding the use of social media for communication.

Social media includes, but is not limited to:

- Social networking sites such as Facebook, LinkedIn, Twitter, and Nextdoor
- Blogs
- Social news sites such as Reddit and BuzzFeed
- Video and photo sharing sites such as YouTube, Instagram, SnapChat, and Flickr
- Wikis, or shared encyclopedias such as Wikipedia
- An ever-emerging list of new web-based platforms generally regarded as social media or having many of the same functions as those listed above

As used in this policy, "staff" means all City representatives, including employees and other agents of the City, such as independent contractors, volunteers, or council or commission members.

Policy

It is the policy of the City to provide consistent messaging and branding in official City social media sites. Social media sites are used to:

- Release news and other public information in addition to traditional distribution outlets; and,
- Engage the community.

City social media accounts are considered a City asset. City social media sites may be modified or removed by the City at any time and without notice, as described in this document.

All social media sites created and utilized during the course and scope of an employee's performance of his/her job duties will be identified as belonging to the City, including a link to the City's official website.

Scope

This policy applies to any existing or proposed social media sites sponsored, established, registered, or authorized by the City. This policy also covers the private use of the City's social media accounts by all City staff, including its agents, council members, appointed board or commission members, and all volunteers to the extent it affects the City. Use of social media by City staff is also subject to other applicable City policies (i.e., technology use policies, harassment policies, etc.). Questions regarding the scope of this policy should be directed to the City Attorney, City Manager, or City Manager designee.

Definitions

"Blog" means a self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."

"Page" means the specific portion of a social media site where content is displayed.

"Post" means content a user shares on social media site or the act of publishing content to the site.

"Public Record" is all information created, stored, sent, or received by the City in connection with City business or using City assets or facilities which includes most forms of electronic media devices (ORS 192.005 (5)).

"Social Media" means a category of internet-based resources that integrate user-generated content and user participation.

"Transitory or Ephemeral" are records of transitional nature. If the record:

- Lasts for only a short period of time; and
- Does not document communications created or received by the agency; and
- Does not directly relate to a City program or City administration; and
- Is not specified in the City General Records Retention Schedule (OAR 166-200) or in ORS 192.170

it is considered transitory and does not need to be retained. Examples are advertising circulars, drafts of a document that has already been finalized, or directing a user to information on the City's website.

Rules of Use

- 1) Only authorized users are allowed to use social media on behalf of the City. No one may use their personal social media site accounts to post information on behalf of the City.

- 2) All approved sites will be clearly marked as the City of Millersburg site and will be linked with the official City website (www.cityofmillersburg.org). No one may establish social media accounts or websites on behalf of the City unless authorized in accordance with this policy.
- 3) All official City presences on social media sites or services are considered an extension of the City's information networks and must comply with all applicable laws, regulations, and policies.
- 4) City social media accounts accessed and utilized during the course and scope of an employee's performance of his/her job duties may not be used for private or personal purposes or for the purpose of expressing private or personal views on personal, political, or policy issues or to express personal views or concerns pertaining to City employment relations matters.
- 5) No social media site may be used by the City or any City staff or agent to disclose private or confidential information. No social media site should be used to disclose sensitive information; if there is any question as to whether information is private, confidential, or sensitive, contact the City Attorney, City Manager or City Manager designee.
- 6) The City will "friend," "like," "follow," or subscribe to social media accounts that are professionally relevant. The City will not engage with groups or individuals known to be inconsistent with the City's discrimination and other policies.
- 7) City staff are not permitted to engage in dialogue or online discussions with visitors to City social media sites, except as follows:
 - a. May direct visitors with questions and/or requests for additional information; or
 - b. May respond to questions using generalized answers; or
 - c. May use social media sites to refer users to the City's official website for forms, documents, online services, and other information necessary to conduct business with the City.
- 8) When using social media sites as a representative of the City, staff and agents will act in a professional manner. Examples include but are not limited to:
 - Adherence to all City personnel and computer use policies.
 - Use only appropriate language.
 - Be aware that content will not only reflect on the writer but also on the City as a whole, including elected officials and other City staff and agents. Make sure information is accurate and free of grammatical errors.
 - Not providing private or confidential information, including names, or using such material as part of any content added to a site.
 - Not negatively commenting on community partners or their services, or using such material as part of any content added to a site.
 - Not providing information related to pending decisions that would compromise negotiations.
 - Be aware that all content added to a site is subject to open records/right to know laws, and discovery in legal cases.
 - Always keep in mind the appropriateness of content.
 - Comply with any existing code of ethical behavior established by the City.
 - Comply with the Terms of Use of each social media site.

Content

In general, content should be:

- City-related or sponsored and of community interest;
- Relevant/crafted to the social media platform used;
- Straightforward, helpful, and friendly. (We encourage the use of personal pronouns (we, our, you, your)); and,
- Focused on a single topic whenever possible.

Content should direct the community to the City's website and connect with Council goals. Content may include, but is not limited to, written information, photographs, videos and hyperlinks.

To avoid perception that the City endorses or provides favorable treatment to any private person or business enterprise, no corporate or commercial logos or direct links to vendor sites are allowed. Links to external sites are limited to:

- Albany Chamber of Commerce,
- Governmental agencies,
- Hospitals,
- Museums, libraries, historical organizations or similar non-profit organizations that provide cultural resources to residents and visitors to the City,
- Public non-profit educational resources, and
- Other non-commercial agencies which may be relevant to the business of the City and provide information or services to site users.

Commenting

When commenting, the following apply:

- Comments should relate to City matters and to the topics being discussed in the original post and not contain:
 - Spam,
 - Advertising or solicitations of any kind,
 - Advocate illegal activity or violence,
 - Products or political organization,
 - Endorsement of political candidate,
 - Infringement on copyrights, trademarks, or intellectual property rights of others,
 - Not violate any policy of the City of Millersburg.
- Comments should be family friendly and not contain abusive or vulgar language, sexually explicit subject matter, hate speech, or derogatory terms of offensive content.
- Comments should not contain personal or defamatory remarks about a person's age, education, ethnicity, race, family status, gender, national origin, class, physical ability or qualities, religion, sexual orientation, thought processes, or personality.
- A posted comment is the opinion of the poster only and does not imply endorsement or agreement by the City of Millersburg, its elected officials or staff.

- Comments are not considered formal public comment in relation to land use or other matter under formal City review, but they may be shared with City Council and staff for general consideration.
- The City reserves the right to determine which comments are unacceptable for its page and followers who repeatedly violate the comment policy may be prohibited.
- The City reserves the right, but does not assume the obligation, to hide posted comments that are inconsistent with the comment policy.
- Submission of a comment constitutes acceptance of this policy, which may be revised at any time.
- This site is monitored by City staff and therefore will not be monitored on a 24-hour basis. Comments, posts, and questions will be responded to in a timely fashion.

Personal Social Media Use

The City respects staff and agents' rights to post and maintain personal websites, blogs, and social media pages, and to use and enjoy social media on their own personal devices during non-work hours. The City requires staff and agents to act in a prudent manner with regard to website and internet postings that reference the City, its staff, its operation, or its property. Staff, agents, and others affiliated with the City may not use a City brand, logo, or other City identifiers on their personal sites, nor post information that purports to be the position of the City without prior authorization.

City staff and agents are discouraged from identifying themselves as City staff when responding to or commenting on blogs with personal opinions or views. If a staff member chooses to identify him or herself as a City employee, and posts a statement on a matter related to City business, a disclaimer similar to the following must be used:

"These are my own opinions and do not represent those of the City of Millersburg."

Occasional access to personal social media websites during work hours is permitted only as approved in City of Millersburg employment policy, but staff and agents must adhere to the guidelines outlined above. Staff and agents should also review the Content Ownership section of this policy (below).

Content Ownership

All social media communications or messages composed, sent, or received on City equipment in an official capacity are the property of the City and will be subject to the Oregon Government Data Practices Act. This law classifies certain information as available to the public upon request. The City also maintains the sole property rights to any image, video, or audio captured while a City employee is representing the City in any capacity.

The City retains the right to monitor employee's social media use on City equipment and will exercise its right as necessary. Users should have no expectation of privacy. Social media is not a secure means of communication.

Public Meetings

Authorized users who are City Council members must not communicate with another Council member on social media regarding substantive City and Council matters. Simultaneous postings or tweets by a quorum of Council members on the same subject may constitute a public meeting and violate Oregon's Public Meetings Law.

Policy Violations

Violations of the Policy by City staff may result in disciplinary action up to and including discharge from employment.

Public Records Retention

Like email, communication via City-related social networking sites is a public record.

- Authorized users must ensure that they take appropriate steps to preserve original public records created or maintained on the City's social media accounts.
- The content of the public record dictates how long the City must retain the record. Consult with City Recorder if there are questions on the appropriate retention.
- If an authorized user receives a public records request for records created or maintained on the City's social media account(s), the user must refer the person making the request to the City Recorder.
- The City will include the following statement on social networking sites:

Communication via this site (whether by a City employee or the general public) may be subject to monitoring and disclosure to third parties pursuant to Oregon Public Records laws.

RESOLUTION NO. 2018-26

**A RESOLUTION OF THE CITY OF MILLERSBURG, OREGON, ADOPTING A
CITY OF MILLERSBURG SOCIAL MEDIA POLICY**

WHEREAS, the City Council has identified the use of social media as a method to effectively provide information and increase communication with cities; and

WHEREAS, a policy is needed to address issues including responsibilities and access to City posters on social media, content guidelines, and public records retention; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILLERSBURG, Oregon, that the “City of Millersburg Social Media Policy” attached as Exhibit “A” is hereby adopted.

Effective Date. This Resolution shall be effective upon its approval and adoption.

Duly Passed by the City Council this 11th day of December, 2018.

Jim Lepin, Mayor
City of Millersburg, Oregon

ATTEST:

Kimberly Wollenburg
City Recorder



TO: Millersburg City Council
FROM: Kevin Kreitman
DATE: November 28, 2018, for the December 11, 2018 City Council Meeting
SUBJECT: City Hall Meeting Room Use Policy

Action Requested:

Approval of the attached proposed City Hall Meeting Room Use Policy—Outside Governmental Agencies and Non-Profits.

Discussion:

The City of Millersburg has received requests for use of our meeting room and council chambers by individuals, businesses, groups, non-profit agencies, and other governmental agencies. This policy would establish how we handle requests moving forward from non-profit or governmental agencies.

Currently we do not have any policy or procedures in place addressing use or rental of City Hall including use by private parties, and it should be noted that the proposed policy does not allow the use or rental of City Hall facilities by individuals or private groups going forward due to the risks and liabilities the City faces.

Should Council feel the need to continue allowing rental of City Hall to private parties, we recommend modifying the proposed policy and also establishing an additional policy spelling out what type of use is or is not allowed, clearly identify rules and regulations: responsibility for damage to facilities and appropriate prohibitions. Additionally, we would recommend having a City employee on-site as a building attendant any time the building would not normally be occupied when rented and factoring those additional costs into the rental fee.

Budget Impact:

None

Recommendation:

Staff recommends Council approval of the attached resolution authorizing adoption of the City Hall Meeting Room Use Policy—Outside Governmental Agencies and Non-Profits.

Attachment(s):

- City Hall Meeting Room Use Policy
- Resolution 2018-27 - City Hall Meeting Room Use Policy



City Hall Meeting Room Use Policy Outside Public Agencies and Non-Profits

	Policy/Procedure Title: City Hall Meeting Room Policy Policy/Procedure #: Admin 100.1 Version #/Date: December 11, 2018 Ver. 1.0
Effective Date: December 11, 2018	Reviewed & Approved by: Name: Kevin Kreitman, City Manager
Next Review Date: December, 2019	Signature: _____ Date: _____
	Legal Review/Approval: _____

Purpose

The City of Millersburg (City) may provide meeting space for use by other public agencies and non-profit groups Monday through Friday during regular business hours. Agencies or groups wishing to reserve either the Council Chambers or City Hall meeting rooms should contact the City Recorder at (541) 928-4523. **Rooms cannot be reserved more than thirty (30) days in advance.**

Agencies and groups using City Hall must return a copy of this form, acknowledging their awareness of City policies and procedures each calendar year they wish to use the building. Use of the meeting rooms will not be permitted until a copy of this form has been returned to the City Recorder's Office at Millersburg City Hall, 4222 NE Old Salem Road. The form can also be mailed to the office at 4222 NE Old Salem Road, Albany, Oregon, 97321, or emailed to info@cityofmillersburg.org.

Policy

A. Adopted Policies

Groups using these rooms must abide by the following City policies. Failure to abide by these policies or any damage to City Hall meeting space will result in termination of meeting room use and elimination of your agency's or group's future use of City Hall meeting rooms.

1. Use of City Hall meeting rooms, except for the City Council Chambers, is restricted to use by the City Council and City staff between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, unless the City Manager determines that outside use is appropriate and does not interfere with regular City business. The City Council Chambers may be used by outside groups during the working day if no City activity conflicts with that use. The City Council Chambers and meeting room are not available for use after 5:00 p.m., Monday through Friday, or on weekends or holidays unless a City official who has been approved by the City Manager for the particular meeting or event will be participating in the scheduled meeting or event.
2. Meeting rooms shall be scheduled on a first-come, first-serve basis **no more than thirty (30) days in advance**. Any conflicts in scheduling shall be resolved by the

City Manager or his/her designee as outlined in the "Priority of Use" section of this policy. This portion of the policy may be waived at the discretion of the City Manager.

3. Scheduling of these meeting rooms shall be done between 8:00 a.m. and 5:00 p.m., Monday through Friday with the City Recorder's Office at Millersburg City Hall, 4222 NE Old Salem Road, Albany OR 97321. Reservations can also be made by contacting the City Recorder's Office at 541-928-4523 or by emailing info@cityofmillersburg.org.
4. The meeting room must be left in its original condition. All chairs, tables, and other equipment must be returned to the positions they were in at the beginning of the use. The lights need to be turned off and the door needs to be shut after using the meeting room.
5. Users are responsible for their own setup, take down, cleanup, storage, and any damage done to City facilities by their groups or persons whom they may invite to attend. When reserving a meeting room, users should allow enough time to complete these tasks.
6. The removal of chairs and tables from any meeting room is prohibited. Equipment may not be moved outside the room without prior authorization.
7. Smoking is prohibited in all portions of City Hall.
8. All parking issues are the responsibility of the user.
9. The use of the following is prohibited in City Hall meeting rooms: alcohol, open flames or candles, confetti, glitter, cellophane tape, nails, staples, and screws.
10. Users are not permitted to enter the office areas of City Hall, and the meeting rooms may be locked to prevent entry into the office areas.
11. Do not unplug the phone from the wall in any of the meeting rooms. Users must arrange for their own materials and equipment.
12. Any group wishing to use the sound system in the City Council Chambers must first contact the City Manager's Office for permission and training. Other IT equipment in the Council Chambers is reserved for use by City staff.
13. No religious services or commercial fund-raisers shall be permitted in City Hall.
14. In order to avoid the possibility of implied City endorsement of a particular political philosophy, groups that advocate the election of a particular candidate, the advocacy of a particular political party or doctrine, the passage or defeat of any state or local measure, or similar activity shall not be permitted at Millersburg City Hall.
15. Use of the City meeting rooms must not interfere with the conduct of City

business. Disruptive or noisy groups will be required to leave the meeting rooms upon direction of the City Manager or his/her designee.

16. Children under the age of 16 must be under adult supervision at all times. For the safety of the child, they are prohibited from running in the building and any other behavior that, in the reasonable judgment of any City official, may create a risk of injury. In addition, in order to avoid disruption of others in the building, the adult supervisors are required to keep the children engaged in quiet and safe activities.
17. City Hall meeting rooms shall not be used for private or commercial functions.
18. City events or meetings take precedence over all other uses. The City of Millersburg reserves the right to cancel, with notice to the user, any meeting room use reservation. Cancellations will only be made for unavoidable circumstances. Any use of the meeting rooms can be terminated and future use by a user will be eliminated if the user fails to observe all restrictions and guidelines spelled out in this policy.

B. Priority of Use

1. The Millersburg City Council, the Planning Commission, and other approved City boards, commissions, and committees.
2. All other City of Millersburg programs or activities.
3. City-supported, non-profit groups, such as the Albany-Millersburg Economic Development Corporation and Linn Economic Development Group, especially those which do not have their own meeting space.
4. Other public agencies.
5. Other non-profit agencies.

C. Administrative Procedures

1. A coffee maker is available for use in the meeting room and the kitchen.
2. Although food and beverage is permitted, users must avoid food or drink that may stain or damage the facilities or furniture. In particular, users should not bring red or orange punch, grape punch or juice, or tomato juice.
3. Users must assume that equipment will not be available in a meeting room and should plan to provide their own equipment and if they wish to utilize any city equipment they will need to make arrangements ahead of time
4. Copies for meeting participants will be charged at the rate of \$2.00 for the first page and 10¢ for each additional page.

5. Telephone messages will be delivered to users and meeting attendees in emergency situations only. Telephones are available for outgoing calls in the meeting room.

6. Please observe all signage about the alarms on doors when exiting.

D. User Acceptance

I acknowledge that I have received a copy of these City Hall meeting room policies and procedures and that my agency will comply with these policies and procedures while using City Hall. I understand that if my agency or group fails to comply with these policies and procedures or if there is damage to City Hall facilities because of my agency's actions, future use of City Hall will be denied.

NAME (*please print*): _____ TITLE: _____

AGENCY: _____ PHONE #: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

SIGNATURE: _____ DATE: _____

RESOLUTION NO. 2018-27

**A RESOLUTION OF THE CITY OF MILLERSBURG, OREGON, APPROVING
CREATION, UPDATING, AND ADMINISTRATION OF A POLICY
REGARDING USE OF CITY HALL FACILITIES BY OUTSIDE PUBLIC
AGENCIES AND NON-PROFITS**

WHEREAS, the City of Millersburg’s City Hall has limited meeting space; and,

WHEREAS, the City acknowledges that outside public agencies and non-profits may wish to conduct meetings at the City Hall; and,

WHEREAS, the City recognizes that a coherent and consistent policy needs to exist regarding use of City Hall facilities by outside public agencies and non-profits; and,

WHEREAS, the City Council would like the City Manager to create, update, and administer this policy;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILLERSBURG AS FOLLOWS:

The Council of the City of Millersburg directs the City Manager to create, update, and administer a policy regarding use of City Hall facilities by outside public agencies and non-profits.

Effective Date. This resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 11th day of December, 2018.

Jim Lepin, Mayor
City of Millersburg, Oregon

ATTEST:

Kimberly Wollenburg
City Recorder



TO: Millersburg City Council
VIA: Kevin Kreitman, City Manager
FROM: Janelle Booth, Assistant City Manager/City Engineer
DATE: December 3, for the December 11, 2018 City Council Meeting
SUBJECT: Repeal Resolution 2016-12 Street Fees Paid by Subdivision Developers

Action Requested: Approval of Resolution 2018-28 Repealing Resolution 2016-12.

Discussion: In 2016, the City Council passed a resolution stating that street fees collected from subdivision developers of property abutting undeveloped streets shall be separately accounted for in the City's budget, and those fees and related accrued interest which are un-spent by the City twenty years after the subdivision plat has been approved by the City, shall be returned to the subdivision developer or the subdivision developer's heir.

This policy is inconsistent with the way in which the majority of cities handle similar fees. Most cities, which collect fees to cover future costs of road improvements, do not limit expenditure of the funds collected to a specific project. Instead the funds are treated as connection fees and become a revenue within the utility fund. This provides more flexibility for the City in determining the best use of available funds and prioritization of projects, while allowing the developer to discharge their obligation to contribute to required infrastructure improvements.

Repeal of Resolution 2016-12 would not impact the current agreements for street fees collected for Zuhlke Lane (Alexander Estates) and for the west end of Millersburg Drive (Eagle's Nest Subdivision).

Staff is also asking for Council consensus on the City establishing developer connection fees for all utilities (streets, water, sewer, and stormwater), as well as a program for System Development Charge (SDC) credits and capital reimbursement agreements. These have been recommended by consultants, and are also in place in many communities. If there is Council consensus for consideration, this proposal will be presented at a future Council meeting.

Budget Impact: None at this time. More flexibility in the future for use of resources within the street fund.

Recommendation: Approval of Resolution 2018-28 Repealing Resolution 2016-12

Attachment(s):

- Resolution 2016-12
- Resolution 2018-28 Repealing Resolution 2016-12

RESOLUTION NO. 2016- 12

A RESOLUTION PERTAINING TO STREET FEES PAID BY SUBDIVISION REAL ESTATE DEVELOPERS OF PROPERTY ABUTTING UNDEVELOPED STREETS

WHEREAS, the City of Millersburg requires subdivision developers of real estate to pay for the improvement to city standards of off-site roadways which serve subdivisions; and,

WHEREAS, the City of Millersburg desires to improve off-site roadways to city standards in an orderly and timely manner; and,

WHEREAS, the City of Millersburg acknowledges that not all undeveloped streets may be improved and/or developed to city standards; and,

WHEREAS, the money deposited with the City of Millersburg by the developer of the subdivision may only be used to improve to city standards those off-site roadways or other improvements occurring within the cities right of way or easement that are associated with that particular subdivision to which the money was deposited; and,

WHEREAS, the City of Millersburg intends to return un-spent street fees to the subdivision developer, or assignee or heir of developer, after twenty (20) years from the date of the City of Millersburg's signing the Plat for any subdivision development abutting the undeveloped street;

NOW, THEREFORE, BE IT RESOLVED that street fees collected from subdivision developers of property abutting undeveloped streets shall be separately accounted for in the Cities budget, and those fees and related accrued interest which are un-spent by the City twenty (20) years after the subdivision plat has been approved by the City to pay for improvements in the cities right of way or for improvements to city standards of the undeveloped streets abutting the developer's property, shall be returned to the subdivision developer or developer's assignee or heir. It is the sole responsibility of the subdivision developer to keep the City apprised of current contact information for developer, developer's assignee or heir.

NOW, THEREFORE BE IT RESOLVED that this Resolution is hereby approved by the Millersburg City Council.

DATED AND EFFECTIVE THIS 13th DAY OF DECEMBER, 2016



Clayton Wood, Mayor
City of Millersburg, Oregon

ATTEST:



Barbara Castillo
City Administrator/Recorder

RESOLUTION NO. 2018-28

**A RESOLUTION TO REPEAL RESOLUTION 2016-12 WHICH IS A
RESOLUTION PERTAINING TO STREET FEES PAID BY SUBDIVISION
REAL ESTATE DEVELOPERS OF PROPERTY ABUTTING UNDEVELOPED
STREETS**

WHEREAS, the City of Millersburg requires subdivision developers of real estate to pay for the improvement to City standards of off-site roadways which serve subdivisions; and,

WHEREAS, the payment of street fees is an obligation of the developer to contribute to infrastructure which benefits the subdivision; and,

WHEREAS, the City of Millersburg desires to improve off-site roadways to City standards in an orderly and timely manner; and,

WHEREAS, the City of Millersburg reserves the right to determine the best use of funds and prioritization of projects; and,

WHEREAS, it is the intent of the Millersburg City Council to honor, abide, and fully comply with Resolution 2016-12, regarding any monies which were deposited with the City of Millersburg by a developer of a subdivision pursuant to Resolution 2016-12 between December 13, 2016, the effective date of Resolution 2016-12, and December 11, 2018; and,

WHEREAS, Resolution 2016-12 restricts the City's ability to use the funds in the most beneficial and prioritized fashion;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILLERSBURG AS FOLLOWS:

Resolution 2016-12 is hereby repealed.

Effective Date. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 11th day of December, 2018.

Jim Lepin, Mayor
City of Millersburg, Oregon

ATTEST:

Kimberly Wollenburg



TO: Millersburg City Council
 VIA: Kevin Kreitman, City Manager
 FROM: Janelle Booth, Assistant City Manager/City Engineer
 DATE: December 3, for the December 11, 2018 City Council Meeting
 SUBJECT: Parks Committee Appointments

Action Requested: Appointment/Reappointment of Parks Committee Members

Discussion: In November 2018, the City Council passed Resolution 2018-25 modifying the Parks Committee to serve as an advisory body for the development of the Parks Master Plan. The Resolution states that the Parks Committee will consist of a minimum of five (5) and a maximum of twelve (12) citizens at large. The Resolution also includes a desire for the Parks Committee to include representation from different areas within the City.

Staff have contacted the previously appointed Parks Committee members to determine their interest in continuing with the committee. The list below contains the names of previous Parks Committee members who have indicated they would like to continue being a part of the Parks Committee. Previous members who said they were not able to continue or did not respond to attempts to contact them are not included in the list. Two additional residents have also expressed an interest in becoming a part of the Parks Committee. The list below includes the name, street, and quadrant of the City for each interested resident.

<u>Name</u>	<u>Street</u>	<u>Quadrant</u>	<u>Previous Member?</u>
John Andersen	Tuscan Lane	NW	Yes
Don Dixon	Granite Avenue	SW	Yes
Michael Wertz	Umpqua Lane	SE	Yes
Carlye Haima	Katelyn Way	SW	Yes
Jenny Wolfenbarger	North Park Court	SE	Yes
Wendy Major	Katelyn Way	SW	Yes
Justin Toews	Sedona Road	NW	Yes
Caryl Thomas	Evergreen Avenue	NW	No
Bob Nelson	Levi Lane	SW	No

Budget Impact: None.

Recommendation: Appointment/Reappointment of five (5) to twelve (12) Parks Committee members.

Attachment(s):

- Resolution 2018-25

RESOLUTION 2018-25

APPROVING CREATION OF CITY OF MILLERSBURG PARKS COMMITTEE

WHEREAS, the City Council of Millersburg passed Resolution 2017-15 establishing a Parks Committee; and

WHEREAS, members of the Parks Committee were appointed by the Mayor and approved by the Council; and

WHEREAS, the City Council desires representation on the Parks Committee from all areas of the City of Millersburg; and

WHEREAS, the purpose and expectations of the Parks Committee have changed since the Parks Committee was initially formed;

NOW THEREFORE THE CITY COUNCIL FOR THE CITY OF MILLERSBURG RESOLVES:

Resolution 2017-15 is repealed and replaced by Resolution 2018-25.

The Parks Committee shall consist of a minimum of five (5) and a maximum of twelve (12) Millersburg citizens at large; and

A minimum of one (1) Parks Committee member from each quadrant of the City of Millersburg representing the diversity of Millersburg's citizens is desired; and

North-South quadrants are defined by 54th Avenue and East-West quadrants are defined by the west edge of the Millersburg Park boundary; and

Members of the Parks Committee shall be appointed in December, 2018 by the City Council; and

The Parks Committee shall select a Chair and Vice-Chair from among their members; and

The purpose and expectations of the Parks Committee is to serve in an advisory capacity to City staff and the Parks Master Plan consultant for development of the Parks Master Plan; and

The Parks Committee shall bring forth their findings and recommendations to the City Council; and

The Parks Committee shall serve in an advisory capacity to the City Council and have no executive, administrative, or spending authority; and

Following adoption of the Parks Master Plan, recommend formation of a Parks Commission to guide the implementation of the Parks Master Plan; and

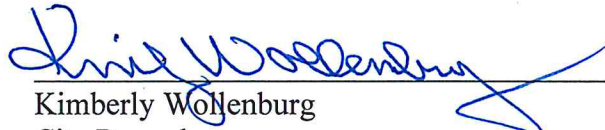
The Parks Committee shall sunset following the adoption of the Parks Master Plan.

Adopted this 13th day of November, 2018.



Jim Lepin
Mayor

ATTEST



Kimberly Wollenburg
City Recorder



TO: Millersburg City Council
VIA: Kevin Kreitman, City Manager
FROM: Janelle Booth, Assistant City Manager/City Engineer
DATE: December 4, for the December 11, 2018 City Council Meeting
SUBJECT: Private Construction of Public Improvements (PCPI) Fees

Action Requested: Approval of Ordinance 141 and Resolution 2018-29 modifying PCPI fees.

Discussion: In February 2018, the City Council adopted the Private Construction of Public Improvements (PCPI) permitting process. Fees were established in the implementing ordinance to offset the City's costs associated with drawings review, construction inspection, and implementation of the program.

In November 2018, the first two subdivisions (Sweetwater 3rd Addition, Phase 3 and West Valley Estates, Phase 1) were permitted under this new process. In assessing the construction permit fees, it has become apparent that the adopted fee structure of a \$100 fixed fee plus 3.5% of the construction cost results in significantly higher fees for an average to larger project than the same project would pay within the City of Albany.

Because the intent of the fee is to offset the City's costs, Staff recommends modifying the construction permit fee to be based on a graduated scale, similar to the fee structure used by the City of Albany. This will be a more equitable assessment of fees based on the scale of the project. The fee structure is provided below:

PERMIT TO CONSTRUCT PUBLIC FACILITIES:

- a) A fixed fee of \$100, plus
- b) 4% of the project cost from \$0 to \$25,000, plus
- c) 3% of the project cost from \$25,001 to \$50,000, plus
- d) 2.5% of the project cost above \$50,000.

No changes to the drawing review fee of \$100 fixed fee plus 0.6% of the Engineer's construction cost estimate are recommended.

If Council approves this change, Staff also requests Council approval to refund the difference between the construction permit fees collected under the current fee structure and the proposed fee structure for the two subdivisions currently being permitted (Sweetwater 3rd Addition, Phase 3 and West Valley Estates, Phase 1).

Budget Impact: None.

Recommendation: Approval of Ordinance 141 and Resolution 2018-29 and approval to refund the difference in fees for Sweetwater 3rd Addition, Phase 3 and West Valley Estates, Phase 1.

Attachment(s):

- Ordinance 2018-141 and Exhibit A
- Resolution 2018-29 PCPI Fees

ORDINANCE NO. 141

**AN ORDINANCE MODIFYING THE PERMITTING PROCESS AND
ACCOMPANYING FEES FOR PRIVATE CONSTRUCTION OF PUBLIC
IMPROVEMENTS**

WHEREAS, private construction of public improvements occurs in the City of Millersburg; and,

WHEREAS, the City of Millersburg requires permitting and accompanying fees for private construction of public improvements; and,

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO
ORDAIN AS FOLLOWS:** The City of Millersburg adopts attached “Exhibit A” dated December 11, 2018 as the revised permitting process.

This Ordinance becomes effective thirty (30) days from date of passage.

PASSED by the Council and approved by the Mayor this 11th day of December, 2018.

Jim Lepin, Mayor
City of Millersburg, Oregon

ATTEST:

Kimberly Wollenburg
City Recorder

Exhibit A

PRIVATE CONSTRUCTION OF PUBLIC IMPROVEMENTS

Sections:

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- 3. Approval of Drawings and Specifications Required**
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1. Definitions

For the purposes of this exhibit, the words set out in this section shall have the following meanings:

- (1) "Acceptance" means written acknowledgment by the City of Millersburg that the public improvement has been completed in accordance with the drawings, specifications, and permit conditions, as approved; that the City of Millersburg has received and approved record drawings and warranty guarantee; and that all required right-of-way and easements have been approved and dedicated. The date of acceptance is the initial day of the warranty period.
- (2) "City" means the City of Millersburg, Oregon.
- (3) "City Engineer" means the City Engineer of the City of Millersburg.
- (4) "Private engineer" means a professional engineer (or engineering firm), registered by the State of Oregon, who designs the public improvement for City approval.
- (5) "Public improvement" means a facility to be privately constructed, to

- be owned by the City of Millersburg, and to be located within public right-of-way or easement, more specifically including but not limited to the following:
- i. Water mains, valves, fittings, fire hydrants, etc.;
 - ii. Water service lines (upstream from the water meter), water meters, and appurtenant valves, fittings, etc.;
 - iii. Water reservoirs;
 - iv. Sanitary sewer mains, manholes, and sewer service laterals;
 - v. Pumping stations or pumping facilities;
 - vi. Streets, roadways, and alleys;
 - vii. Bikeways and bridges; and,
 - viii. Drainage piping, inlets, manholes, and detention facilities.
- (6) "Owner/Developer" means the person or entity in which record title to the property proposed for development is held or the duly authorized agent therefor, and shall be the applicant for review of the construction drawing and specifications, and shall be the applicant for the permit to construct public facilities.
- (7) "Contractor" means a person or entity licensed, bonded and insured in accordance with state and local requirements to install or perform work on public municipal facilities in Oregon, who has been retained by the owner to construct the public improvements as shown on the approved plans and specifications.
- (8) "City of Millersburg Standard Construction Specifications" means City of Albany Standard Construction Specifications, which have been adopted by the City of Millersburg.

Facilities constructed under public contract with the City of Millersburg are not public improvements for the purposes of this exhibit.

2. Permit Required

Excepting persons under contract with the City of Millersburg or employees of the City performing work for the City, no person shall begin to construct or otherwise perform any work on a public improvement, as defined herein, without obtaining a permit to construct public facilities, and complying with the provisions of this exhibit and all permit conditions.

3. Approval of Drawings and Specifications Required

Construction drawings and specifications for public improvements shall be submitted to the City for drawing review and approval. Written approval, on the drawings, of the City Engineer or his/her designated representative is required prior to issuance of the permit.

- (1) Drawings and specifications submitted for approval shall be subject to the standards, specifications, policies and procedures, and drawing review fees of the City in effect at the time of application or

reapplication for drawing review. Additionally, said drawings shall be consistent with the City's facility plan for the type of facility being constructed.

- (2) Unless specifically waived in writing by the City Engineer, all drawings and specifications must be stamped by a registered professional engineer
- (3) Drawing and specification approval shall be void upon expiration of one (1) year from the date of written approval. Drawing approval extensions may be granted by the City for a maximum of two (2) extensions of one (1) year (or portions thereof) each upon the finding by the City Engineer that the facts upon which the approval was based have not changed to an extent sufficient to require resubmittal of drawings for review.
- (4) Only those drawings marked with the written approval of the City Engineer are valid for the purposes and requirements of this chapter.

4. Drawing Review Application and Fee

An application for drawing review is required and shall be accompanied by a drawing review fee. The application shall include an itemized construction estimate and such other information as may be required by the City Engineer. The construction estimate shall meet the approval of the City Engineer or his/her authorized representative. Unapproved drawings returned to the private engineer may be resubmitted a maximum of two (2) additional times before a second (new) drawing review fee is charged.

5. Drawing Submittal and Public Improvement Standards

The City Engineer is authorized to develop application procedures for the submittal of drawings and specifications for approval, and standards for the form and content of drawings and specifications. The City Engineer is additionally authorized to develop design standards, construction standards, and testing procedures for proposed public improvements. In the case where drawings are submitted for public improvements for which no standards have been developed, the submittal and design shall meet the approval of the City Engineer. In making such approval, the City Engineer shall consider the future operation and maintenance of the facility, and sound engineering principles and practice.

6. Permit Issuance

Issuance of a permit to construct public facilities shall be subject to all of the following:

- (1) Approval of the plans and specifications as specified in this exhibit.
- (2) Payment of a permit fee as established in Section 8 herein.

- (3) Submittal of evidence of public liability and property damage insurance in the amounts listed in the City of Millersburg Standard Construction Specifications. This insurance shall cover the contractor, all subcontractors, and the City of Millersburg and its employees.
- (4) Dedication of all needed rights-of-way and easements, as determined by the City Engineer. The City may delay acceptance and recording of the dedications until the construction is completed.
- (5) Submittal of a signed contract with a private engineer to provide construction (including survey and staking where appropriate) and inspection services on the project, and to provide reproducible record drawings (as-builts) of the completed improvements.
- (6) Submittal of a performance and payment guarantee as specified in Section 9.
- (7) Submittal of a warranty guarantee as specified in Section 10.
- (8) Submittal of evidence that all contractors are licensed by the State of Oregon.
- (9) Compliance with the City of Millersburg Standard Construction Specifications, except as specifically amended by the conditions of permit issuance or this exhibit.
- (10) The applicant's signature on the permit form constituting acknowledgment of and agreement to abide by all conditions of permit approval.
- (11) The requirement that the permittee maintain an approved permit, including drawings, on the construction site for the entire period of construction.

The applicant is responsible for providing or otherwise complying with all items listed in this section

7. Permit Duration

An issued permit is valid for one (1) year. A permit extension may be granted by the City for a maximum of two (2) extensions of one (1) year (or portions thereof), upon the submittal of documentation by the permittee and finding by the City Engineer that the conditions beyond the control of the permittee have created a condition whereby the work could not be completed within the time frame of permit validity, and that the facts upon which the permit issuance was based have not changed to an extent sufficient to require resubmittal of permit application.

8. **Permit Fees**

Permit fees shall be charged to offset City costs. The fees for water, sewer, street, and storm drain projects shall be credited to the City's water, sewer, street, and storm drain funds respectively. Fees for other projects shall be credited to the general fund.

- (1) The permit fee and the drawing review fee shall be established by resolution of the Millersburg City Council.
- (2) The itemized estimated construction cost used to calculate the permit fee shall be developed by the private engineer based upon the approved plans. The itemized estimated construction cost shall be comparable with current bid prices for City contract projects and must meet the approval of the City Engineer.
- ~~(3) Drawing & Specification Review \$100 fixed fee, plus 0.6% of estimated construction cost.
Private Construction of Public Improvement Permit \$100 fixed fee, plus 3.5% of construction cost~~

9. **Performance and Payment Guarantee**

A performance and payment guarantee in the amount of 100 percent (100%) of the approved estimated cost of construction shall be provided to the City prior to issuance of the permit. The performance and payment guarantee shall ensure completion of the work in conformance with the approved drawings and specifications and payment of all bills and liabilities for work and materials, including the preparation of record drawings. The performance and payment guarantee shall be one of the following:

- (1) A performance and payment bond referencing the approved drawings, specifications, and permit requirements; or
- (2) Written evidence in a form and of a content approved in writing by the City Attorney guaranteeing completion of the work to the City in conformance with the approved drawings, specifications, and other permit provisions, and payment of all billings and liabilities for work and materials, including the preparation of record drawings. The period of validity of the guarantee shall be for the duration of construction until written acceptance of the public improvement by the City.

10. **Warranty Guarantee**

The owner/developer and contractor shall stipulate, on a form provided by the City, that 100 percent (100%) of the work performed in relation to the project shall be warranted and that a warranty guarantee shall be provided during the one (1) year warranty period as defined in the City of Millersburg Standard Construction Specifications. The warranty guarantee shall insure prompt corrective work on all or any part of the public facility which requires repair,

reconstruction, or replacement (at the option of the City), or which does not continue to meet the requirements of the City of Millersburg Standard Construction Specifications during the one (1) year warranty period. The one (1) year warranty period shall begin at the time of written acceptance of the public facility by the City and shall continue for an additional year following City acceptance of any warranty repair. The warranty guarantee for the 100 percent (100%) warranty shall reference the approved plans, specifications, and permit requirements, and the warranty period beginning at the time of written acceptance by the City. The warranty guarantee shall be one of the following:

- (1) A 100 percent (100%) warranty guarantee incorporated with the payment and performance guarantee.
- (2) A warranty maintenance bond in the amount of 10 percent (10%) of the approved estimated cost of construction, or the actual final construction cost if it exceeds the original estimated amount.
- (3) Written evidence in a form and of a content approved in writing by the City Attorney guaranteeing repair, reconstruction, or replacement of all or any part of the public facilities (at the option of the City) during the warranty period beginning at the time of written acceptance of the public facility by the City and providing monetary assurance therefor.

If at any time the provided warranty guarantee is insufficient to cover the required warranty work, the City will be entitled to the necessary additional funds from the owner/developer thirty (30) days following written demand. If the additional funds are not received by the City within thirty (30) calendar days of written request, the City may file an action at law for the collection of the additional amounts plus all attorney fees and legal costs.

11. Preconstruction Conference

Prior to construction, the permittee shall conduct a preconstruction conference to discuss the schedule, coordination, and specifics of the project. The private engineer and the contractor shall attend the preconstruction conference. In addition, representatives of the City and affected utilities shall be given an opportunity to attend. The requirement for a preconstruction conference may be waived in writing by the City Engineer.

12. Notice Before Beginning Work

Written notice of at least two (2) full working days, exclusive of weekends, after the preconstruction conference shall be given to the City by the permittee of the *time* that work is to begin. In the event of a temporary cessation of work activities, two (2) full working days' notice shall be given again before the resumption of any additional work.

13. Working Hours and Overtime Costs

Except as approved by the City in writing, construction activities shall be limited

to the daytime, 7:00 a.m. to 6:00 p.m., Monday through Friday. If it is necessary to perform construction work on Saturdays, Sundays, City holidays, or outside the eight-hour regular working day, City approval is required a minimum of two (2) full working days, exclusive of weekends, prior to such work. Any costs, including inspection overtime and benefit costs, incurred by the City due to such work, shall be fully paid to the City prior to acceptance of the work. Said costs are in addition to any other permit or inspection fees specified in this exhibit.

14. Construction in Accordance with Permit Conditions

All construction of public facilities shall be performed in accordance with the approved plans, specifications, and other requirements and conditions of a permit to construct public facilities. Any deviations shall require written approval of the City Engineer or his/her authorized representative.

15. Testing

Certification and testing of products, materials, compaction, and work shall be performed in accordance with the procedures and standards referenced in Section 5 of this exhibit, and the City of Millersburg Standard Construction Specifications. All costs for testing and certification, including compaction testing, shall be the responsibility of the permittee. These costs are not included in any permit or inspection fees listed elsewhere in this exhibit.

16. Suspension of Permit - Stop Work Order

- (1) At any time after the issuance of a permit required by this exhibit, the City Engineer may suspend the same upon a finding that any of the following grounds exist:
 - a. False, misleading, or erroneous data or information submitted in connection with securing the permit; or
 - b. Materials, workmanship, installation, work, or conditions which do not meet the requirements of the approved plans, specifications, permit requirements and conditions; or
 - c. Any contractor performing or proposed to perform work is not licensed by the State of Oregon; or
 - d. Violation of any of the provisions of this code governing the work being done under the permit.
- (2) Upon suspension of a permit as provided in subsection (1) of this section, the City Engineer shall cause to be issued a written "stop work order", one copy of which shall be sent by regular mail to the permittee at the address shown on the permit application, one copy of which shall be sent by regular mail to the permittee's engineer overseeing the work, and one copy of which shall be delivered to the contractor (or the contractor's employee).
- (3) It shall be unlawful for any person to cause, suffer, or permit any work

to be done for which a permit

- (4) is required by this chapter when a "stop work order" has been issued as provided in subsection (2) of this section, or when a permit has expired, or prior to permit issuance.

17. Penalties

In addition to the penalties for an infraction as set forth within the Millersburg City Code, permittees, private engineers, and contractors who violate the permit conditions or the provisions of this exhibit may be denied future permits or prohibited from designing or constructing future public improvements within the City. Said denial or prohibition shall be made in writing by the City Engineer and shall remain in effect for one (1) year.

18. City Acceptance of the Public Improvement

Once completed in accordance with the approved plans, specifications, and permit requirements and conditions, the City shall accept the public improvement provided:

- (1) The City has received and approved reproducible record drawings referenced in Section 5; and
- (2) All required rights-of-way and easements have been approved and dedicated; and
- (3) The warranty guarantee specified in Section 10 of this exhibit is provided and approved; and
- (4) The City is paid for any costs due to overtime, weekend, or holiday inspection.

Acceptance of public improvements shall be made in writing by the City Engineer.

RESOLUTION NO. 2018-29

A RESOLUTION TO ADOPT FEES FOR THE PRIVATE CONSTRUCTION OF PUBLIC IMPROVEMENTS

WHEREAS, the City of Millersburg requires that fees are collected to offset City costs; and

WHEREAS, the fees for private construction of public improvements are to be set by resolution; and,

WHEREAS, future adjustments may be set by resolution and made in proportion to the change in the Engineering News Record (ENR) Construction Cost Index (Seattle); and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILLERSBURG that the fees charged for review of construction drawings for public facilities, and the fees charged for permits to construct public facilities as specifically described herein are hereby adopted, and may be adjusted in the future according to the ENR Index (Seattle).

DRAWING REVIEW AND APPLICATION:

- a) A fixed fee of \$100, plus
- b) 0.6% of the Engineer's construction cost estimate.

PERMIT TO CONSTRUCT PUBLIC FACILITIES:

- a) A fixed fee of \$100, plus
- b) 4% of the project cost from \$0 to \$25,000, plus
- c) 3% of the project cost from \$25,001 to \$50,000, plus
- d) 2.5% of the project cost above \$50,000.

Effective Date. This effective date of these fees shall be January 11, 2019.

Duly passed by the City Council this 11th day of December, 2018.

Jim Lepin, Mayor
City of Millersburg, Oregon

ATTEST:

Kimberly Wollenburg
City Recorder



TO: Millersburg City Council
FROM: Kevin Kreitman
DATE: November 28, 2018, for the December 11, 2018 City Council Meeting
SUBJECT: Professional Service Agreement Amendment with Operations Management International (CH2M Hill)

Action Requested:

Approval to sign an amendment to the Professional Services Agreement with Operations Management International (OMI), to provide Millersburg with an Oregon certified Level 1 Distribution Direct Responsible Charge (DRC).

Discussion:

The City of Millersburg, as a provider of water distribution, is required by law to provide a person who will act as DRC for our water infrastructure and to oversee our sampling plan and other regulatory requirements. The City of Millersburg entered into contract with OMI January 1, 2017, for this service. The initial term of agreement was for a one (1) year period which upon conclusion of the initial term would continue on a month-to-month basis.

This past year, Council approved an amendment to the original agreement for a new one (1) year period with provision for renewal for two (2) year periods if approved by the both parties in writing. That agreement (Amendment #1) ends on December 31st, and we are asking Council approval to maintain the agreement with OMI with a new amendment (Amendment #2) to the contract which is attached and represents a 2% cost increase from our current monthly fee.

The cost associated with approval of Amendment #2 as updated will result in a new monthly base fee for services of to \$647.08 compared to our current \$634.41 monthly rate.

Budget Impact:

Total annual increase of the base monthly fee for service is \$152.04.

Recommendation:

Staff recommends Council approval and authorization of the City Manager to sign Amendment #2 to the Professional Services Agreement with OMI.

Attachment(s):

- Agreement for Professional Services for Distribution Direct Responsible Charge with OMI (CH2M Hill)
- Amendment #1 Professional Services Agreement with OMI (CH2M Hill)
- Amendment #2 Professional Services Agreement with OMI (CH2M Hill)

OMI

AGREEMENT FOR PROFESSIONAL SERVICES

1 This Agreement for Professional Services (the "Agreement") is made and entered into this day of January, 2017 (the "Effective Date") by and between Operations Management International, Inc., a California corporation ("CH2M HILL"), whose address for formal notice is 9191 S. Jamaica Street, Englewood, Colorado 80112 and The City of Millersburg, OR. ("Owner"), whose address for formal notice is 4222 Old Salem Rd NE, Albany, OR 97321, who collectively shall be referred to as the "Parties."

The Parties agree to enter into this Agreement for certain services that CH2M HILL is to perform for the benefit of Owner, subject to the terms and conditions set forth below:

1. SCOPE OF SERVICES

CH2M HILL will perform the scope of services set forth in Appendix A of this Agreement ("the Services"). CH2M HILL shall perform the Services with the degree of skill and diligence normally employed by similarly situated personnel performing the same or similar services and within the design capacity and capability of Owner's facilities, when applicable.

2. TERM AND TERMINATION

- 2.1. The initial term of this Agreement shall be for a period of one (1) year, commencing on the Effective Date. Upon conclusion of the initial term, this Agreement shall continue on a month to month basis, unless terminated by either party.
- 2.2. This Agreement may be terminated by CH2M HILL for its convenience on thirty (30) calendar days' written notice; or by either party for cause upon thirty (30) calendar days' written notice to the other party, if either party fails to substantially perform through no fault of the other and does not commence correction of such nonperformance within five (5) calendar days of written notice and diligently complete the correction thereafter. Upon termination, CH2M HILL shall be paid for all authorized work performed up to the termination date.

3. COMPENSATION

Owner will compensate CH2M HILL as set forth in Appendix B. Monthly invoices will be issued by CH2M HILL for all work performed under this Agreement. Work performed under this Agreement may be performed using labor from affiliated companies of CH2M HILL. Such labor will be billed to Owner under the same billing terms applicable to CH2M HILL's employees.

4. INVOICES AND TERMS OF PAYMENT

- 4.1. CH2M HILL will submit invoices on a monthly basis to Owner each month. Each invoice will be prepared on CH2M HILL's standard form and supported by documentation according to CH2M HILL's standard practice.
- 4.2. Invoices are due and payable on receipt. Interest at a rate of 1-1/2 percent per month, or the maximum permitted by law if less, will be charged on all past-due amounts starting thirty (30) calendar days after date of invoice. Payments will first be credited to interest and then to principal. In the event of a disputed or contested billing, only that portion so contested shall be withheld from payment, and the undisputed portion shall be paid. Interest shall accrue on any contested portion of the billing and shall be immediately payable if the contested billing is resolved in favor of CH2M HILL. No interest will be due on any disputed portion of the billing if the dispute is ultimately mutually resolved.
- 4.3. If Owner fails to make payment in full within thirty (30) calendar days of the date due for any undisputed billing, CH2M HILL may, after giving seven (7) calendar days' written notice to Owner, suspend services under this AGREEMENT until paid in full, including

interest. In the event of suspension of services, CH2M HILL will have no liability to Owner for delays or damages caused by Owner because of such suspension.

5. OBLIGATIONS OF CH2M HILL

5.1. Standard of Care

The standard of care applicable to Services is the degree of skill and diligence normally employed by those performing similar services at the time Services are performed. If CH2M HILL delivers services, reports or documents based on information provided by others, CH2M HILL does not warrant their accuracy, and is not responsible for any errors or omissions that have been incorporated into such documents by others. Owner's sole remedy for CH2M HILL's breach of this standard of care is the re-performance of those Services directly related to such breach up to the limit of remedy set forth in this Agreement.

5.2. CH2M HILL's Insurance

CH2M HILL will maintain throughout this Agreement the following insurance:

- a) Worker's compensation and employer's liability insurance as required by the state where the work is performed.
- b) Comprehensive automobile and vehicle liability insurance covering claims for injuries to members of the public and/or damages to property of others arising from use of motor vehicles, including onsite and offsite operations, and owned, non-owned, or hired vehicles, with \$1,000,000 combined single limits.
- c) Commercial general liability insurance covering claims for injuries to members of the public or damage to property of others arising out of any covered negligent act or CH2M Hillssion of CH2M HILL or of any of its employees, agents, or subcontractors, with \$1,000,000 per occurrence and in the aggregate.
- d) Owner will be named as an additional insured with respect to CH2M HILL's liabilities hereunder in insurance coverages identified above (except with respect to worker's compensation and employer's liability insurance) and CH2M HILL waives subrogation against Owner as to said policies.

5.3. Independent Contractor; Subcontracts

- 5.3.1. CH2M HILL represents that it is an independent contractor and will perform services as an independent contractor and not as an agent or employee of Owner.
- 5.3.2. CH2M HILL may retain such other subconsultants or subcontractors as it may deem desirable for proper and timely performance of services. CH2M HILL shall be responsible for the management of the subcontractors and subconsultants in the performance of their work.
- 5.3.3. The Services performed by CH2M HILL under this Agreement shall be considered advisory only. Owner shall solely be responsible for the management and direction of its employees in following CH2M HILL's advice and recommendations. No provision in this Agreement shall be construed to confer any managerial or supervisory authority on CH2M HILL. CH2M HILL shall have no responsibility in supervising, managing or directing Owner's employees and shall not be liable for the actions of Owner's employees in carrying out recommendations provided for by CH2M HILL.

5.4. Access to Records

CH2M HILL will maintain accounting records, in accordance with generally accepted accounting principles. Records relating to services will be available to Owner during CH2M HILL's normal business hours for a period of one (1) year after CH2M HILL's final invoice under this Agreement for examination to the extent required to verify the direct costs

(excluding established or standard allowances and rates) incurred hereunder, but excluding proprietary and confidential financial information. Only audit cost-reimbursable items will be subject to audit.

6. OBLIGATIONS OF OWNER

6.1. Owner-Furnished Data

Owner will provide to CH2M HILL all data in Owner's possession, including copies of all applicable project requirements, design criteria or constraints, design and construction details or standards, previous reports, surveys, process descriptions, material balance sheets, process and instrumentation diagrams, permits issued by state, federal or local authorities relating to the operation of the project, and other information required or relating to CH2M HILL's services on the project. CH2M HILL will reasonably rely upon the accuracy, timeliness, and completeness of the information provided by Owner.

6.2. Access to Facilities and Property

Owner will make its facilities accessible to CH2M HILL as required for CH2M HILL's performance of its services and will provide labor and safety equipment as required by CH2M HILL for such access. Owner will perform, at no cost to CH2M HILL, such tests of equipment, machinery, pipelines, and other components of Owner's facilities as may be required in connection with CH2M HILL's services.

6.3. OSHA Compliance.

Owner shall have the sole responsibility for identifying and performing any current or future improvements which may be required at the Project to bring the facilities within OSHA compliance.

6.4. Operations Assistance and Services

Owner authorizes CH2M HILL to operate, modify, inspect and otherwise physically manipulate equipment, furnishings, property and other elements associated with the Services. Owner authorizes CH2M HILL to take such actions in these respects as CH2M HILL considers necessary to meet the objectives of the work.

6.5. Advertisements, Permits, and Access

Unless otherwise agreed to in the, Owner will and has the sole responsibility for obtaining, renewing, arranging, and paying for all advertisements for bids; permits and licenses required by local, state, or federal authorities (including those required for the operation of the project); and land, easements, rights-of-way, and access necessary for CH2M HILL's Services.

6.6. Timely Review

Owner will examine CH2M HILL's studies, reports, sketches, drawings, specifications, proposals, and other documents; obtain advice of an attorney, insurance counselor, accountant, auditor, bond and financial advisors, and other consultants as Owner deems appropriate; and render in writing decisions required by Owner in a timely manner.

6.7. Prompt Notice

Owner will give prompt written notice to CH2M HILL whenever Owner observes or becomes aware of any development that affects the scope or timing of CH2M HILL's Services, or of any defect in the work of CH2M HILL. Owner will give CH2M HILL prompt notice when it is unable to follow the directives and advice of CH2M HILL in any way related to the Services or promptly upon discovery that the directives or advice of CH2M HILL has not been followed in relation to the Services being performed.

6.8. Asbestos or Hazardous Substances

- 6.8.1. If asbestos or hazardous substances in any form are encountered or suspected while performing the Services, CH2M HILL will stop its own work in the affected portions of the PROJECT to permit testing and evaluation.
- 6.8.2. If asbestos is suspected, CH2M HILL will, if requested, manage the asbestos remediation activities using a qualified subcontractor at an additional fee and contract terms to be negotiated.
- 6.8.3. If applicable, if hazardous substances other than asbestos are suspected, CH2M HILL will, if requested, conduct tests to determine the extent of the problem and will perform the necessary studies and recommend the necessary remedial measures at an additional fee and contract terms to be negotiated.
- 6.8.4. Owner recognizes that CH2M HILL assumes no risk and/or liability for a waste or hazardous waste site originated by other than CH2M HILL.

6.9. Owner's Insurance

- 6.9.1. Owner will maintain property insurance on all facilities and property used by CH2M HILL or associated in any way with the project.
- 6.9.2. Owner will provide for a waiver of subrogation as to all Owner-carried property damage insurance, in favor of CH2M HILL, CH2M HILL's officers, employees, affiliates, and subcontractors.

6.10. Litigation Assistance

The Services to be performed under this Agreement does not include costs of CH2M HILL for required or requested assistance to support, prepare, document, bring, defend, or assist in litigation undertaken or defended by Owner. All such Services required or requested of CH2M HILL by Owner, except for suits or claims between the parties to this Agreement, will be reimbursed as mutually agreed.

6.11. Changes

Owner may request changes to the Services. If such changes affect CH2M HILL's cost of or time required for performance of the services, an equitable adjustment will be made through an amendment to this Agreement. All requested changes will be made in writing and are subject to acceptance by CH2M HILL.

7. GENERAL LEGAL PROVISIONS

7.1. Authorization to Proceed

Execution of this Agreement by Owner will be authorization for CH2M HILL to proceed with the work, unless otherwise provided for in this Agreement.

7.2. Force Majeure

CH2M HILL is not responsible for damages or delay in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the control of CH2M HILL. In any such event, CH2M HILL's agreement price and schedule shall be equitably adjusted.

7.3. Fines and Civil Penalties

CH2M HILL shall not be liable for any fines or civil penalties which may be imposed by a regulatory or enforcement agency for violations occurring on or after the commencement date of this Agreement, as a result of the failure to comply with the terms and conditions of any duly authorized permit, court order, administrative order, law, statute, or ordinance or that result from violations that occurred prior to the commencement date of this Agreement.

7.4. Limitation of Liability

CH2M HILL's liability for Owner's damages, in the aggregate, shall not exceed the total compensation received by CH2M HILL from Owner for services provided under this Agreement for the year of the Agreement in which the liability was incurred. CH2M HILL's liability to Owner under this Agreement specifically excludes any and all indirect or consequential damages arising from the Work contemplated under this Agreement. CH2M HILL shall not be liable for fines or civil penalties, which may be imposed by a regulatory agency, which are occasioned by the provision of services under this Agreement. The limitations of liability shall apply whether CH2M HILL's liability arises under breach of contract or warranty; tort, including negligence; strict liability; statutory liability; or any other cause, except the limitations shall not apply to willful misconduct or gross negligence. Said limitations shall apply to CH2M HILL's officers, affiliated corporations, employees, and subcontractors.

7.5. Indemnification

To the maximum extent permitted by law, the Parties agree to defend, indemnify and hold each other harmless from liability for claims, damages, costs and attorneys' fees arising from property damage, injury or death to a person, including their employees, caused by the negligent acts or omissions or willful misconduct of the indemnifying Party or any other party for whom the indemnifying Party is legally liable. Neither Party must indemnify the other against liability or damages arising out of death or bodily injury to persons or damage to property to the extent caused by the negligence of the indemnified Party.

7.6. Consequential Damages

To the maximum extent permitted by law, CH2M HILL and CH2M HILL's affiliated corporations, officers, employees, and subcontractors shall not be liable for Owner's special, indirect, or consequential damages, whether such damages arise out of breach of contract or warranty, tort including negligence, strict or statutory liability, or any other cause of action. In order to protect CH2M HILL against indirect liability or third-party proceedings, Owner will indemnify CH2M HILL for any such damages.

7.7. Severability and Survival

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the enforceability of the remaining provisions shall not be impaired thereby. Limitations of liability indemnities and other express representations shall survive termination of this Agreement.

7.8. No Conflict of Interest for Future Work

The scope of Services performed by CH2M HILL under this Agreement does not preclude CH2M HILL from proposing on or providing such services to Owner in the future. Information and knowledge gained by CH2M HILL in providing services under this Agreement shall not constitute a conflict of interest in proposing on or providing full contract operations, full contract maintenance, or full contract utility management.

7.9. Jurisdiction

The law of the State where the scope of Services is being performed shall govern the validity of this Agreement, its interpretation and performance, and any other claims related to it.

7.10. Third Party Beneficiaries and Scope of Services

This Agreement gives no rights or benefits to anyone other than Owner and CH2M HILL and has no third party beneficiaries. The Work to be performed for Owner by CH2M HILL is defined solely by this Agreement, and not by any other contract or agreement that may be associated with the Work.

7.11. Assignments

This is a bilateral Agreement for professional services. Neither party shall have the power to or will assign any of the duties or rights or any claim arising out of or related to this Agreement, whether arising in tort, contract or otherwise, without the written consent of the other party. Any unauthorized assignment is void and unenforceable. These conditions and the entire Agreement are binding on the heirs, successors, and assigns of the parties hereto.

7.12. Dispute Resolution

The parties will use their best efforts to resolve amicably any dispute, including use of alternative dispute resolution options.

7.13. Ownership of Work Products and Intellectual Property

All of the Work products of CH2M HILL in executing this Project (including all the rights related to such Work Products) shall be the sole property of CH2M HILL, subject to the rights of the Owner, as the case may be. All reports, data, information, documents, specifications, flow-charts, discoveries, know-how, inventions, processes, firmware, computer software, source and object code, and software documentation as well as any resulting intellectual property, including but not limited to, invention disclosures, provisional patent applications, regular patent applications, patents, trade secrets, proprietary information, copyrights, trademarks, service marks, domain names, trade dress, and moral rights developed during the course of, or as a result of, the Project shall be the sole property of CH2M HILL, subject to the rights of the Owner, as the case may be.

8. **APPENDICES AND SIGNATURES**

This Agreement, including its Appendices, constitutes the entire Agreement, supersedes all prior written or oral understandings, and may only be changed by a written amendment executed by both parties. The following Appendices and schedules are hereby made a part of this Agreement:

Appendix A—Scope of Services

Appendix B—Compensation

IN WITNESS WHEREOF, the parties execute below:

Approved for Owner (Print and sign name)

By CLAYTON WOOD

Name Clayton Wood

Title MAJOR

Date 12-13-14

Approved for CH2M HILL (Print and sign name)

By Elliott Wheeler

Name ELLIOTT WHEELER

Title SR DESIGNATED MANAGER

Date 15 DEC 2014

APPENDIX A – SCOPE OF SERVICES

CH2M Hill will perform the following Services on behalf of Client for the Project described on page 1 of this Agreement:

1. Provide an Oregon certified Level 1 Distribution Direct Responsible Charge (DRC) Operator.
2. Ensure all required lab samples are properly reported to the State.
3. Ensure the City of Millersburg has collected the required two (2) Chlorine residual samples per week and properly recorded.
4. Submit a quarterly report to City of Millersburg City Manager.
5. Provide an "on call operator" available by phone 24 hours a day, seven days a week.
6. Review all related Standard Operating Procedures (SOP) and maintain for access.
7. Participate in any State/County audits or inspections.

CH2M Hill will perform the following Services including travel time, at a rate of \$150.00 per hour, mileage rate based on \$0.54 per mile, on behalf of Client for the Project described on page 1 of this Agreement:

1. Respond to onsite requests
2. Report writing
3. Boil water notice compilation and distribution
4. Respond to emergencies services
5. Develop sampling plans (Lead & Copper, Disinfection By-Products, Total Coliform, etc....)
6. Take corrective actions when the results of analyses or measurements indicate maximum contaminant levels have been exceeded.

APPENDIX B – COMPENSATION

Compensation by Owner to CH2M HILL will be as follows:

Client will compensate CH2M HILL as set forth in Attachment B. Work performed under this AGREEMENT may be performed using labor from affiliated companies of CH2M HILL. Such labor will be billed to Client under the same billing terms applicable to CH2M HILL's employees.

1 INVOICES AND TERMS OF PAYMENT

- 1.1 Unless otherwise agreed to by the Parties in Attachment B hereto, monthly invoices will be issued by CH2M HILL for all Work performed under this Agreement. The monthly base fee for services is six hundred twenty-five dollars (\$625.00)
- 1.2 Invoices are due and payable on receipt. Interest at a rate of 1-1/2 percent per month, or that permitted by law if lesser, will be charged on all past-due amounts starting 30 days after date of invoice. Payments will first be credited to interest and then to principal. In the event of a disputed or contested billing, only that portion so contested shall be withheld from payment, and the undisputed portion shall be paid. Interest shall accrue on any contested portion of the billing and shall be payable immediately if the contested billing is resolved in favor of CH2M HILL.
- 1.3 In the event of a disputed billing, only the disputed portion will be withheld from payment, and Client shall pay the undisputed portion. Client will exercise reasonableness in disputing any bill or portion thereof. No interest will accrue on any disputed portion of the billing until mutually resolved.
- 1.4 If Client fails to make payment in full within 30 days of the date due for any undisputed billing, CH2M HILL may, after giving 7 days' written notice to Client, suspend services under this AGREEMENT until paid in full, including interest. In the event of suspension of services, CH2M HILL will have no liability to Client for delays or damages caused by Client because of such suspension.



AMENDMENT NO. 1
to the
PROFESSIONAL SERVICES AGREEMENT
for
THE CITY OF MILLERSBURG, OREGON

This Amendment No. 1 (the "Amendment") to the Professional Services Agreement for the City of Lebanon, Oregon, dated January 1, 2017 (the "Agreement") is made effective this 1st day of January 2018 between the City of Millersburg, Oregon (hereinafter "Owner") and Operations Management International, Inc. (hereinafter "CH2M HILL").

NOW THEREFORE, Owner and CH2M HILL agree to amend the Professional Services Agreement as follows:

1. Article 2.1 is hereby deleted in its entirety and replaced with the following:
The initial term of this Agreement shall be for a period of one (1) year, commencing on January 1, 2017. This agreement is hereby extended until December 31, 2018. Thereafter, this Agreement may be renewed for two (2) one-year periods if approved in writing by both parties. Both Parties will begin negotiations of renewals within 120 days prior to expiration.

2. Article 2.3 is hereby added to this Agreement:
With CH2M HILL staff resources interconnected between this Agreement and the City of Lebanon agreement, should CH2M HILL's agreement with the City of Lebanon terminate for any reason, this Agreement may be terminated at the same time. If the Parties wish to continue services under this Agreement upon termination of the City of Lebanon Agreement, the Parties agree to re-negotiate the fee.

3. Appendix B, 1.1 is hereby deleted in its entirety and replace with the following:
Unless otherwise agreed to by the Parties in Appendix B hereto, monthly invoices will be issued by CH2M HILL for all Work performed under this Agreement. The monthly base fee for services is Six Hundred Thirty Four Dollars and Forty One Cents (\$634.41).

This Amendment No. 1 and the Agreement constitutes the entire agreement between the Parties and supersedes all prior oral and written understandings with respect to the subject matter set forth herein. Unless specifically stated all other terms and conditions of the Agreement shall remain in full force and effect. Neither this Amendment nor the Agreement may be modified except in writing signed by an authorized representative of the Parties.

The Parties, intending to be legally bound, indicate their approval of the Amendment by their signatures below.

IN WITNESS WHEREOF, the parties execute below:

Approved for Owner (Print and sign name)

By [Signature]
Name Kevin Freeman
Title City Manager
Date 2/14/18

Approved for CH2M HILL (Print and sign name)

By [Signature]
Name Gary Young
Title Manager of Projects
Date Jan. 31, 2018

AMENDMENT NO. 2
to the
PROFESSIONAL SERVICES AGREEMENT
for
THE CITY OF MILLERSBURG, OREGON

This Amendment No. 2 (the "Amendment") to the Professional Services Agreement dated January 1, 2017 (the "Agreement") is made effective this 1st day of January 2019 between the City of Millersburg, Oregon (hereinafter "Owner") and Operations Management International, Inc. (hereinafter "CH2M HILL").

NOW THEREFORE, Owner and CH2M HILL agree to amend the Professional Services Agreement as follows:

1. Article 2.1 is hereby deleted in its entirety and replaced with the following:
The initial term of this Agreement shall be for a period of one (1) year, commencing on January 1, 2017. This agreement is hereby extended until December 31, 2019. Thereafter, this Agreement may be renewed for one (1) one-year periods if approved in writing by both parties. Both Parties will begin negotiations of renewals within 120 days prior to expiration.
2. Appendix B, 1.1 is hereby deleted in its entirety and replace with the following:
Unless otherwise agreed to by the Parties in Appendix B hereto, monthly invoices will be issued by CH2M HILL for all Work performed under this Agreement. The monthly base fee for services is Six Hundred Forty Seven Dollars and Eight Cents (\$647.08).

This Amendment No. 2 and the Agreement constitutes the entire agreement between the Parties and supersedes all prior oral and written understandings with respect to the subject matter set forth herein. Unless specifically stated all other terms and conditions of the Agreement shall remain in full force and effect. Neither this Amendment nor the Agreement may be modified except in writing signed by an authorized representative of the Parties.

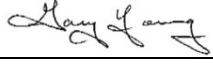
The Parties, intending to be legally bound, indicate their approval of the Amendment by their signatures below.

IN WITNESS WHEREOF, the parties execute below:

Approved for Owner (Print and sign name)

By _____
Name _____
Title _____
Date _____

Approved for CH2M HILL (Print and sign name)

By 
Name Gary Young
Title Manager of Projects
Date November 26, 2018



TO: Millersburg City Council
VIA: Kevin Kreitman, City Manager
FROM: Kimberly Wollenburg, City Recorder
DATE: December 6, for the December 11, 2018 City Council Meeting
SUBJECT: Canvas Votes – Resolution 2018-30

Action Requested: Approval of Resolution Canvassing November 6, 2018 Election Votes

Discussion: The City recently received the certification of the November 6, 2018 election results of votes cast by Millersburg registered voters. Per the Millersburg City Charter, the Council is to canvas the votes and act as the final judge of the election and qualifications of its members. The attached Resolution notes the results of the election and identifies the two winners of the election based on the votes then directs the City Recorder to send Certificates of Election to the winners.

Budget Impact: None.

Recommendation: Approve Resolution 2018-30 canvassing the votes cast at the November 6, 2018 general election and directing City Recorder to issue Certificates of Election to persons declared elected.

Attachment(s):

- Linn County Certification of Election Results
- Resolution 2018-30
- Certificates of Election

Office Report
 Linn County
 General Election November 06, 2018
 All Precincts, All Districts, All ScanStations, All Contests, All Boxes
 Final and Official
 Total Ballots Cast: 55621, Registered Voters: 87362, Overall Turnout: 63.67%
 90 precincts reported out of 90 total

City of Millersburg, Council Members (Vote for 2)

Precinct	Ballots Cast	Reg. Voters	Total Votes	Jim Lepin	Robin Wilson Whitney	Chris Patton	Scott Cowan	Write-in	Write-in	Over Votes	Under Votes
Precinct 076	1351	1846	1955	577 29.51%	415 21.23%	338 17.29%	592 30.28%	25 1.28%	8 0.41%	2	745
Total	1351	1846	1955	577 29.51%	415 21.23%	338 17.29%	592 30.28%	25 1.28%	8 0.41%	2	745

I hereby certify this copy to be a true, full and correct copy of the original now on record in my office.
 STEVE DRUCKENMILLER

[Signature] November 23, 2018
 County Clerk
 Deputy

**FINAL & OFFICIAL
WRITE-IN TALLY
GENERAL ELECTION
NOVEMBER 6, 2018
LINN COUNTY, OREGON
PAGE 5**

CITY OF LYONS, MAYOR

OTHER 21

CITY OF LYONS, COUNCIL MEMBER

TROY DONOHUE	20*
JERRY TABLER	8
DAVID DARROW	3
STUART CHRISTENSEN	3
BRANDON SMITH	3
DAVID CASNER	2
AMANDA COURTAD	2
ROBERT GREB	2
AMANDA SHINE	2
NOAH SHINE	2
JAMES E. WALLO	2
JAMES BALLEVIC	1
MARIA BAUMANN	1
DAN BODI	1
DARREL BODINEHEIMER	1
TODD DONAHUE	1
JEFF ELLISON	1
DEBORAH GARLAND	1
MARK ORR	1
PETE PIERCE	1
TIM ROOS	1
SHILO SMITH	1
WES SMITH	1
MICKY VALENTINE	1
WILLIAM WHITNEY	1
CHRIS WOOLY	1

CITY OF MILL CITY, MAYOR

OTHER 61

CITY OF MILL CITY, COUNCIL MEMBERS

OTHER 47

CITY OF MILLERSBURG, COUNCIL MEMBERS

OTHER 33

CITY OF SCIO, COUNCIL, POSITION 1

OTHER 13

CITY OF SCIO, COUNCIL, POSITION 3


OTHER 10

CITY OF SCIO, COUNCIL, POSITION 6

OTHER 11

I hereby certify this copy to be a true, full and correct copy of the original now on record in my office.

STEVE DRUCKENMILLER

 November 23, 2018
County Clerk
Deputy

*Positions elected by write-in.

RESOLUTION NO. 30

**A RESOLUTION CANVASSING THE VOTES CAST AT
THE GENERAL ELECTION HELD NOVEMBER 6, 2018**

WHEREAS, a general City election was held on November 6, 2018, during which time legal voters of the City of Millersburg considered the election of City officers; and,

WHEREAS, pursuant to state law, the Linn County Clerk has certified the results of said election, said certification having been issued on the 23rd day of November, 2018; and

WHEREAS, the City Charter, Section 28, requires that the City Council meet and canvass the returns of said election at the first regularly scheduled meeting following receipt of the Linn County Clerk's certification of election results.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MILLERSBURG, OREGON, AS FOLLOWS:

Section 1. That the votes cast by electors of the City of Millersburg for two (2) City Councilors at the general election of November 6, 2018, are hereby found, determined, and declared to be as follows:

COUNCILOR

Jim Lepin	577
Robin Wilson Whitney	415
Chris Patton	338
Scott Cowan	592
Miscellaneous write-ins	33

Pursuant to Millersburg City Charter Section 9 (6), the Millersburg City Council is the final judge of the election and qualifications of its members.

Section 2. Pursuant to the foregoing election results, certified to by the Linn County Clerk and canvassed and ratified by the City Council by this resolution, it is hereby found, determined, and declared that the following are the official results of the general election held on November 6, 2018.

COUNCILOR	Scott Cowan
COUNCILOR	Jim Lepin

Section 4. The City Recorder is hereby directed to issue Certificates of Election to the persons declared elected in Section 2 above within thirty (30) days after the effective date of this Resolution.

Effective Date. This Resolution shall be effective upon its approval and adoption.

Duly Passed by the City Council this 11th day of December, 2018.

Jim Lepin, Mayor
City of Millersburg, Oregon

ATTEST:

Kimberly Wollenburg
City Recorder



City of Millersburg, Oregon

County of Linn

422 NE Old Salem Road, Albany OR 97321

Phone: (541) 928-4523

www.cityofmillersburg.org

Certificate of Election

It appears from the official canvass of the votes cast at the Election for the City of Millersburg held within and for the City of Millersburg, County of Linn, State of Oregon, on Tuesday, the 6th day of November, 2018, that

Scott Cowan

*of Millersburg, State of Oregon was one of two (2) candidates receiving the highest number of votes cast for the office of **Councilor** of the City of Millersburg at said Election.*

*NOW, THEREFORE, I, Kimberly Wollenburg, City Recorder and Chief Elections Officer of the City of Millersburg, State of Oregon, by virtue of the authority vested in me under the statute for the State of Oregon, Chapter 254.565, do hereby grant this **Certificate of Election** and declare said Scott Cowan of Millersburg, State of Oregon, to be duly elected to the Office of Councilor of the City of Millersburg, for the term ending December 31, 2022.*

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said City of Millersburg to be hereunto affixed this 11th day of December, 2018.

*Kimberly Wollenburg
Chief Elections Officer
City Recorder*

ACCEPTANCE

I, Scott Cowan, having received notice from the City Recorder of the City of Millersburg, Oregon, that a General Election held in said City on November 6, 2018, that I was elected to the office of Councilor for the term of four (4) years, hereby certify that I do accept the office at the first regular meeting of the Council in January 2019.

Scott Cowan



City of Millersburg, Oregon

County of Linn

422 NE Old Salem Road, Albany OR 97321

Phone: (541) 928-4523

www.cityofmillersburg.org

Certificate of Election

It appears from the official canvass of the votes cast at the Election for the City of Millersburg held within and for the City of Millersburg, County of Linn, State of Oregon, on Tuesday, the 6th day of November, 2018, that

Jim Lepin

*of Millersburg, State of Oregon was one of two (2) candidates receiving the highest number of votes cast for the office of **Councilor** of the City of Millersburg at said Election.*

*NOW, THEREFORE, I, Kimberly Wollenburg, City Recorder and Chief Elections Officer of the City of Millersburg, State of Oregon, by virtue of the authority vested in me under the statute for the State of Oregon, Chapter 254.565, do hereby grant this **Certificate of Election** and declare said Jim Lepin of Millersburg, State of Oregon, to be duly elected to the Office of Councilor of the City of Millersburg, for the term ending December 31, 2022.*

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said City of Millersburg to be hereunto affixed this 11th day of December, 2018.

*Kimberly Wollenburg
Chief Elections Officer
City Recorder*

ACCEPTANCE

I, Jim Lepin, having received notice from the City Recorder of the City of Millersburg, Oregon, that a General Election held in said City on November 6, 2018, that I was elected to the office of Councilor for the term of four (4) years, hereby certify that I do accept the office at the first regular meeting of the Council in January 2019.

Jim Lepin