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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**

April 10, 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 March 13, 2018 City Council Meeting Minutes
 - 2) Approval of Council Approval Report for Monthly City Bills
- F. PRESENTATIONS
 - 1) Linn County Sheriff's Office Report
- G. PUBLIC HEARING
 - 1) Proposed amendment to Section 22 of the City of Millersburg Charter regarding signature authority on drafts and warrants of the City.
- H. PUBLIC COMMENT
- I. COUNCIL MEMBER AND STAFF COMMENTS
 - 1) Budget Committee Opening (Mayor)
 - 2) Project Updates

3) Stormwater Master Plan Update (verbal)

J. CITY MANAGER'S REPORT

- 1) Refinancing of DEQ Wastewater Loan (verbal)
- 2) Recognition of Mayor Woods (verbal)

K. CITY ATTORNEY'S REPORT

- 1) Elections (verbal)

L. UNFINISHED BUSINESS

M. NEW BUSINESS

- 1) Participation in Oregon Savings Growth Plan
- 2) Signature Authority Ordinance & Resolution
- 3) Pavement Patching Resolution
- 4) South Ball Field Improvements
- 5) Rate and SDC Study
- 6) Fire Service IGA

N. CLOSING PUBLIC COMMENT

O. CLOSING COUNCIL COMMENT

P. ADJOURNMENT

Upcoming Meetings:

April 17, 2018 @ 6:00 p.m. – Planning Commission Meeting



February 13, 2018 City Council Minutes

City Hall
4222 Old Salem Road NE
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, Don Miller, Scott Cowan, Dave Harms,
Scott McPhee and Student Representative Bradley Johnston

Councilors Absent: None

Staff Present: Kevin Kreitman, City Manager; Kimberly Wollenburg, City
Recorder; Janelle Booth, Assistant City Manager/City
Planner; Forrest Reid, City Attorney; Jake Gabell, Deputy
Recorder

Presenters: None

C. PLEDGE OF ALLEGIANCE

D. CHANGES AND ADDITIONS TO THE AGENDA

1) Revised Council Approval Report for Monthly City Bills

E. CONSENT AGENDA

- 1) Approval of January 23, 2018 City Council Work Session Summary
- 2) Approval of February 13, 2018 City Council Meeting Minutes
- 3) Approval of February 27, 2018 City Council Work Session Summary
- 4) Approval of January 18, 2018 Albany-Millersburg Joint Session Minutes
- 5) Approval of revised Council Approval Report for Monthly City Bills

The City Recorder, Kimberly Wollenburg, reviewed the revised report for the monthly city bills noting the additions with a high dollar amount and explaining them then opened for Council questions. No one had any questions about the monthly city bills for February/March.

Action: **Motion to Adopt Consent Agenda as presented made by Scott McPhee, seconded by Scott Cowan: Passed 5-0**

F. GUEST PRESENTATIONS

- 1) Monthly Report from the Linn County Sheriff's Office.
Sheriff Bruce Riley spoke about his retirement effective June 1 and that Undersheriff, Jim Young, is currently running unopposed. Sheriff Riley thanked the Council for the positive long-term relationship. After the sheriff spoke, Lt. Duncan gave a report of incidents over past month.
- 2) Mayor Lepin introduced members of AMEDC Executive Committee and County Commissioner Roger Nyquist in the audience and complimented their work and support of Millersburg. He then gave a brief history of the Intermodal Project and a continuation of his January 23, 2018 work session presentation regarding developing Millersburg industrial properties into a city-owned industrial park, where most properties would be leased. This project is intended to be a partnership with the intermodal project, creating a much larger footprint for an "inland port". He noted the idea is to develop long-term revenue for Millersburg. He indicated he wanted to ensure the Council was still in agreement with proceeding. Councilor Cowan said his only concern is the buffer. Mayor Lepin noted that is being worked on and that there will be a buffer. He also noted work is being done on wetland delineations for all City-owned property and directed the Council to the open items on the material he provided. He stated of particular concern is making sure the projects can happen without a bond or increasing taxes.

Councilor Cowan commented that the reload site had not been determined. Roger Nyquist, Linn County Commission Chairman, said there are two sites in the running – Millersburg and Brooks – and he believes there's an 85% chance of the project coming into fruition for Millersburg. Councilor Cowan asked about timing. Chairman Nyquist said it could be anywhere from a month to a year. Mayor Lepin noted a benefit to Millersburg is there is no need to be in a hurry.

Councilor Cowan asked about AMEDC having potential ownership of the IP property. Chairman Nyquist said yes, the County would purchase the referenced IP property and transfer ownership to AMEDC. Councilor Cowan then asked where revenues would be for Millersburg. Chairman Nyquist said via property taxes and franchise fees. Councilor Cowan next asked about Millersburg participation on AMEDC—who makes the decision on what businesses come in? Chairman Nyquist noted that Mayor Lepin and Councilor Harms are both involved. Councilor Cowan said he is 100% supportive of this partnership, that it's a win-win.

Councilor McPhee agreed that it all sounded good and that the project is a win for Millersburg as a city. He asked if it included 10 acres of the City's residential rental. Mayor Lepin said it didn't and he's not sure about the options for that property, that there was discussion of a fire house or something but nothing definite.

Councilor Harms mentioned support of other communities, like Lebanon, and noted he thinks things are good. Councilor McPhee talked about how anything to free up the I-5 highway stoppage and the number of trucks on Old Salem Road is a good thing.

At 7:09 p.m., Mayor Lepin closed the general meeting and opened the public hearing.

G. PUBLIC HEARING

Mayor Lepin began the public hearing on the proposed amendment to Section 22 of the City of Millersburg Charter regarding signature authority on drafts and warrants of the City by reading the public notice, including the proposed change:

Currently, Section 22 reads as follows:

"All drafts and warrants upon the funds of the city shall be signed by the mayor and the president of the council, and in the absence of either one of these persons, by a council member designated by the mayor or president of the council, whichever one is present."

The proposed amended Section 22 would read as follows:

"All drafts and warrants upon the funds of the city shall be signed by city staff, and/or city officers, and/or city agents, as designated by Council Resolution."

Mayor Lepin asked for comments from the attending public and Council. Citizen Dennis Gunner asked if there would need to be a change done every month. Mayor Lepin said no. A question was asked about who mandates there must be two signatures. Mayor Lepin said the charter dictates that.

After hearing no more comments, Mayor Lepin closed the Public Hearing at 7:12 p.m.

H. PUBLIC COMMENT

- 1) After the public hearing, there was continuing discussion regarding the need for two signatures, confirming this was a Council policy and not in the charter. City Attorney, Forrest Reid, said the charter revision will mandate a City resolution to decide the number of signatures. He also said the resolution can indicate any time frame if necessary. Councilor McPhee asked about using the account clearing house process noting we can't use the process without two signatures.

Councilor Cowan said he is in favor of the accountability of having two signatures and suggested there be three staff signers plus the mayor as a back-up. Mayor Lepin said the resolution can be amended to specify two signatures. Citizen Kelly Kohl said, as a banker, she approves of having two signatures. Citizen Gary Keehn suggested having one City Council member and one staff sign. Mayor Lepin said that's an option for the Council to decide.

Councilor Cowan thinks at least one Council member should sign then one staff member. City Manager, Kevin Kreitman, clarified that two or more staff would be primary signers with a Council member available as a back-up signer. Mayor Lepin said it's not required to have one Council member but could have a Council member designated as back-up. Councilor Cowan said it's worth continuing dialogue about that option as an alternative. Citizen Connie Lepin expressed a concern about segregation of duties so the person buying is not the person paying. Ms. Wollenburg spoke about the process controls currently in place to have a review of the accounts payable and receivables. Mr. Kreitman said there would be more discussion around the resolution. The next Public Hearing on the Charter is scheduled for April 10, 2018.

- 2) Citizen Lori Yaeger asked about mosquito control over the summertime and stated that the standing water where she lives (Sonora near Woods) causes the mosquito problem to be really bad. There was some discussion regarding home remedy options to control mosquitos. Councilor Cowan asked about whether this pond is a stormwater detention pond. Janelle Booth, Assistant City Manager/Engineer, noted that this is the location where the Lone Oak subdivision detention pond will be and that detention ponds are not designed to hold water long-term.

Action: Mr. Kreitman said the City will take a look at the pond.

- 3) Citizen Kelly Paul asked about having a band at her home. Mr. Kreitman said they'd researched the ordinances and that there isn't anything specific in the ordinances but there is a noise ordinance. Several people suggested Ms. Paul speak to her neighbors.
- 4) Scott Stimpson shared that the scout troop had finished the first half of the placement of the stormwater labels on the drains. He also spoke briefly about a scout project where they rebuilt a wall used for tennis practice, and he'd return at a later date to brief the Council.

I. COUNCIL MEMBER AND STAFF COMMENTS

- 1) Councilor Cowan asked about status of Clayton Wood's recognition. Mr. Kreitman said he's reviewing some options and waiting to get a quote and would update the Council as soon as the quote was received.
- 2) Councilor McPhee mentioned the tree overhanging Alexander. Ms. Booth said that R&R is scheduled to come back on the 14th to trim the overhanging portion of the tree up to a minimum of 14' clearance. He asked about the owner's responsibility for trees. Mr. Reid said in the past, the City shouldered the responsibility. Mr. Kreitman said if the tree is in the City right-of-way, the City is responsible.
- 3) Councilor Cowan mentioned the drainage at Woods and Millersburg Drive on the north side of Millersburg Drive. He said the property owner expressed concerns. Ms. Booth said that some work had been done but maybe owner is not aware. Councilor Cowan said he was aware of some but may still be an issue.
- 4) Mayor Lepin discussed the planning chart done by City staff and the scope of the work to be done, including a lot of work on the budget and

planning. He asked for Council to hold off on new projects until after the budget is completed and encouraged others to hold off on new tasks requests until staff is through the process.

J. CITY MANAGER'S REPORT

- 1) Mr. Kreitman shared with the Council that beginning with the April meeting, the meetings would be recorded then posted to the website for citizens.
- 2) Mr. Kreitman asked for the Council to appoint Jake Gabell, Deputy City Recorder, as Budget Officer for the FY 2018-2019 budget.
Action: **Motion to Appoint Jake Gabell as Budget Officer for FY 2018-2019 made by Scott McPhee, seconded by Dave Harms: Passed 5-0**
- 3) Mr. Kreitman presented a background of our Enterprise Zone and previous discussion and noted Council had nodded their approval; however, for the record, there needs to be a motion and second then approval to move forward.
Action: **Motion to Join Linn County for Joint Enterprise Zone to be Voted on at a Later Date made by Scott Cowan, seconded by Scott McPhee: Passed 5-0**
- 4) Mr. Kreitman spoke about budgeting around staffing for support from the Linn County Sheriff Office (LCSO) and noted staffing would be considered in the 2018-2019 budget.
- 5) Ms. Booth shared that the stormwater master plan surveying has begun and will continue through the end of the week. After that, they will move forward with the next phase.
- 6) Ms. Booth presented an overview of the discussion from the 2/27/18 Council Work Session. She noted there were two subdivisions that were not required to install STOP signs on intersections of local roads and. She stated that city staff have the ability to install these STOP signs and are moving forward with this work based on council direction from the 2/27/18 work session. Mr. Kreitman said the Planning Commission was looking at a complete rewrite of the development code and will likely look at STOP signs and revising code language.
- 7) Mr. Kreitman went over staff planning Gantt chart. When asked if this could be posted, he said it would be with the minutes but would also be put in the City's website.
Action: **City staff to ensure Gantt chart is posted to the City of Millersburg website.**
- 8) Ms. Booth shared with the Council the park slide installation photos. Mr. Kreitman noted that the delay was that the old slide came in three parts; however, the new slide came in all in one piece and due to the size and weight they had to make arrangements to have it installed. Mayor Lepin asked if the slide was part of the assets covered by insurance and Mr. Kreitman said he believes it is. Councilor Cowan said the discussion on the slide leads into what drove the slide's replacement in the first place and asked about the possibility of adding cameras in the park. Mr. Kreitman noted that park lighting improvements is on the Gantt chart and that

adding cameras would be challenging as there are no phone lines so any system would have to be self-contained. He said this could be added to the budget if the Council desired.

K. CITY ATTORNEY'S REPORT

None

L. UNFINISHED BUSINESS

None

M. NEW BUSINESS

1) Agricultural Land Lease Extension

Mr. Reid briefed Council from the staff report regarding the lease and the contract allowing for one of two annual extensions. He requested the Council approve this first of the two annual extensions.

Action: **Motion by Scott McPhee to Authorize City Attorney to Draft Documents to Renew the Leases for Parcels 1-4 with Creekside Farms, LLC and Authorize the City Manager to Sign; seconded by Scott Cowan. Passed 5-0.**

2) Purchasing Ordinance

Mr. Kreitman gave a brief background regarding the new City Purchasing Code and indicated the draft with track changes showed the changes made to Code after the February 27, 2018 Council Work Session. He asked for the adoption of the ordinance establishing the Purchasing Code.

Action: **Motion made by Scott Cowan to Approve Ordinance #135 Establishing the City of Millersburg Purchase Code And Declaring an Emergency; seconded by Don Miller. Passed 5-0.**

Ordinance 135

3) Temporary Fire Station

Mr. Kreitman gave an overview regarding the conceptual plan and cost estimate to construct a temporary fire station. Ms. Booth shared that staff are in the process of siting the station and went over the budget impact of the cost estimate requesting the Council authorize \$200,000 now and approval to begin procurement as that needed to be started now. She said the plan is to return to the Council with a cleaner estimate. Mr. Gabell noted that the City received more revenue than budgeted and said the idea is to do a supplemental budget or resolution to establish line items as funds need to be moved. Mr. Kreitman went over the revenues and increase in the Construction Excise Tax. He further noted there is a potential for the need to do a supplemental budget for changes over 10% of fund. He said the Council will need to decide if they want interest funds to stay in General Fund or be shown elsewhere.

Action: **Motion to Authorize up to \$200,000 and Approval to Begin Processes for Purchases and Site Development for the Temporary Fire Station made by Don Miller; seconded by Scott McPhee. Passed 5-0.**

4) Updating Resolutions 2017-23 & 2017-24

Ms. Booth presented the staff report and proposed resolutions for partnering with AMEDC for City-owned industrial property to clarify language. The new resolutions replace the 2017 resolutions.

Action: **Motion made by Scott McPhee for the Adoption of Resolutions Repealing Resolutions 2017-23 & 24; seconded by Scott Cowan. Passed 5-0.** Resolutions 2018-7 & -8

N. CLOSING PUBLIC COMMENT

- Gary Keehn asked if the LCSO increases by 10% as they are doing now and close in and Millersburg starts new budget in July, how does Millersburg get the staffing? Mr. Kreitman noted we need to have the number available when we start our budget.
- Gary Keehn confirmed that item #4 under New Business was pulled.
- Gary Keehn asked if property taxes will increase to \$3.50 in July, and Mr. Kreitman confirmed they likely would. (Note: based on the proposed costs associated with the City taking on responsibility for providing fire service as was discussed at the public hearing withdrawing from Albany Rural and Jefferson Rural Fire Districts. The need for the City to increase the tax rate from the current \$1.70 per thousand of assessed value to the maximum allowed of \$3.50 per thousand, would be required for the City to maintain a portion of the current \$1.70 per thousand currently levied for City operations. This was shared and discussed at the town hall meetings and the public hearing on September 12, 2017. Beginning July 1, 2018 citizens will no longer be taxed by the rural fire districts and City will be taking responsibility for service).

O. CLOSING COUNCIL COMMENT

- Councilor Miller said that on behalf of Parker and Noel lane residents, they wanted to thank the City for the removal of the trees.
- Councilor Cowan asked, regarding recording, if the equipment has the ability to pick up conversations. Mr. Kreitman confirmed it did.
- Councilor Cowan noted that in the past, there has been increase in protection of law enforcement and believes it was not long ago. Given growth and truck stop, he doesn't know where we should go but believes it is worth continuing to discuss.

P. ADJOURNMENT

Meeting adjourned at 8:20 p.m.

Respectfully submitted:

Reviewed by:

Kimberly Wollenburg
City Recorder

Kevin Kreitman
City Manager

Upcoming Meetings:

March 20, 2018 @ 6:00 p.m. – Planning Commission Meeting & Public Hearing

April 10, 2018 @ 6:30 p.m. – Council Meeting & Public Hearing

April 17, 2018 @ 6:00 p.m. – Planning Commission Meeting & Public Hearing

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

DRAFT



TO: Millersburg City Council
FROM: Kevin Kreitman, City Manager
DATE: April 5, 2018, for the April 10, 2018 Council Meeting
SUBJECT: Accounts Payable Monthly - Council Approval Report

Action Requested: Consent agenda approval of the attached accounts payable Council Approval Report. One item of interest includes a payment to Greater Albany Public Schools for their School Excise Tax in the amount of \$108,976.00. This is a pass-through payment we collect for the school district at the time building permits are issued.

Included is a copy of our Local Government Invest Pool (LGIP) account balances; the main account 5809 – Millersburg City Of, includes water and sewer SDC funds, property taxes received, franchise fees received, user fees for water and sewer, planning and building fees received. Our debt service payment for our portion of the Wastewater Reclamation Facility improvements was transferred to the City of Albany, from this account in the amount of \$187,380. This loan was recently refinanced by the City of Albany and resulted in approximately \$346,000 in savings to Millersburg over the remaining 11 years, for our 10% portion of the loan costs.

We would also like to point out that the interest earned on the LGIP account recently increased from 1.85% to 2.10%.

Discussion:
Council Approval Report and 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
13	Sean Shearer, [REDACTED]	04032018	04/03/18	Park Supplies & Maintenance	04/03/18	\$70.00	\$70.00	01-5230	Park Supplies & Mainten	\$50,000.00	\$19,788.46
							\$70.00				
18	Comcast, PO Box 34744, Seattle, WA, 98124-1744	03222018	03/22/18	Telephone	04/11/18	\$301.51	\$301.51	01-5320	Telephone	\$6,000.00	\$3,604.77
							\$301.51				
23	Pacific Power, PO Box 26000, Portland, OR, 97256-0001	149327510074	03/12/18	O&M Sewer Lines	03/28/18	\$69.67	\$69.67	06-5656	O&M Sewer Lines	\$80,000.00	\$41,658.91
							\$69.67				
26	Century Link, PO Box 91155, Seattle, WA,	03202018	03/20/18	O&M Sewer Lines	04/08/18	\$49.85	\$49.85	06-5656	O&M Sewer Lines	\$80,000.00	\$41,658.91
							\$49.85				
31	Samaritan Health Services, PO Box 1189, Corvallis, OR, 97339-0369	7000114849 02271	02/27/18	Supplemental Medical Benefit	03/19/18	\$239.00	\$239.00	01-5050	Supplemental Medical Be	\$7,200.00	\$6,895.49
							\$239.00				
41	Providence Health Plan, PO Box 4167, Portland, OR, 97208-4167	180710021855	03/12/18	Medical Insurance	04/01/18	\$7,647.20	\$7,647.20	01-5060	Medical Insurance	\$72,000.00	\$26,714.65
							\$7,647.20				
46	Diagnostic Imaging, STE 100, 1165 Union Street NE, Salem, OR, 97301	03062018	03/06/18	Supplemental Medical Benefit	03/06/18	\$124.14	\$124.14	01-5050	Supplemental Medical Be	\$7,200.00	\$6,895.49
							\$124.14				
251	Dustin Patton, [REDACTED]	04032018	04/03/18	Telephone	04/03/18	\$70.00	\$70.00	01-5320	Telephone	\$6,000.00	\$3,604.77
							\$70.00				
458	Chad E. Davis Construction, 2420 Pacific Avenue, Forest Grove, OR, 97116	04032018	04/03/18	Water & Sewer User Fees	04/03/18	\$80.00	\$80.00	07-4010	Water & Sewer User Fee	\$900,000.00	\$310,115.84
							\$80.00				
483	MetLife - Group Benefits, PO Box 804466, Kansas City, MO, 64180-4466	TS0594896	03/13/18	Dental & Vision Insurance	04/01/18	\$230.14	\$230.14	01-5056	Dental & Vision Insuranc	\$12,000.00	\$6,115.77
							\$230.14				
546	Diversified Properties, 1010 Airport Road, Albany, OR, 97322	04032018	04/03/18	Water & Sewer User Fees	04/03/18	\$80.00	\$80.00	07-4010	Water & Sewer User Fee	\$900,000.00	\$310,115.84
							\$80.00				
561	Kimberly Wollenburg, [REDACTED]	04032018	04/03/18	Telephone	04/03/18	\$70.00	\$70.00	01-5320	Telephone	\$6,000.00	\$3,604.77

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	
							\$70.00					
566	Jake Gabell, [REDACTED]	04032018	04/03/18	Telephone	04/03/18	\$70.00	\$70.00	01-5320	Telephone	\$6,000.00	\$3,604.77	
							\$70.00					
Total Bills To Pay:								\$9,101.51				

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
1	Greater Albany Public School District 8J, 718 Seventh Avenue SW, Albany, OR,										
	04022018	04/02/18	School Excise Tax	04/02/18	\$108,976.23	\$108,976.23	01-5445	School Excise Tax	\$620,000.00	\$258,877.21	
	04022018	04/02/18	School Excise Tax	04/02/18	\$0.00	\$0.00	01-5445	School Excise Tax	\$620,000.00	\$258,877.21	
						\$108,976.23					
7	4S Sign, LLC, 30255 HWY 34, Albany, OR, 97321										
	45878	03/14/18	Signs	04/10/18	\$231.90	\$231.90	02-5140	Signs	\$3,000.00	(\$334.11)	
	45889	03/27/18	Signs	04/10/18	\$1,342.20	\$1,342.20	02-5140	Signs	\$3,000.00	(\$334.11)	
						\$1,574.10					
16	Forrest Reid, 135 SW 5th Avenue, Albany, OR, 97321										
	032018	04/03/18	Legal Services	04/03/18	\$7,675.00	\$7,675.00	01-5355	Legal Services	\$75,000.00	\$9,306.89	
						\$7,675.00					
27	Metereaders, LLC., PO Box 1902, Lake Oswego, OR, 97035										
	8310	04/02/18	Water Treatment Plant O & M	04/02/18	\$824.25	\$824.25	07-5675	Water Treatment Plant O	\$430,000.00	\$264,953.71	
						\$824.25					
48	Cintas Corporation-172, PO Box 650838, Dallas, TX, 75265-0838										
	172403260	03/20/18	Park Supplies & Maintenance	04/10/18	\$70.00	\$70.00	01-5230	Park Supplies & Mainten	\$50,000.00	\$19,788.46	
	172403262	03/20/18	Park Supplies & Maintenance	04/10/18	\$78.65	\$78.65	01-5230	Park Supplies & Mainten	\$50,000.00	\$19,788.46	
	172403261	03/20/18	City Hall Maintenance & Supplies	04/10/18	\$59.55	\$59.55	01-5600	City Hall Maintenance &	\$30,000.00	\$16,227.26	
						\$208.20					
49	Home Depot, Home Depot Credit Service/Dept. 32 - 2501856748, PO Box 9001043, Louisville, KY, 40290-1043										
	603532250185674	03/13/18	Park Supplies & Maintenance	04/10/18	\$16.39	\$16.39	01-5230	Park Supplies & Mainten	\$50,000.00	\$19,788.46	
						\$16.39					
55	Mid-Valley Newspapers, PO Box 742548, Cincinnati, OH, 45274-2548										
	138-60001411 031	03/25/18	Printing, Advertising & Recording	04/25/18	\$1,391.40	\$1,391.40	01-5420	Printing, Advertising & Re	\$5,000.00	\$2,922.77	
						\$1,391.40					
76	Coleen Haxby,										
	03192018	03/19/18	Parks & Recreation	04/10/18	\$63.20	\$63.20	01-5200	Parks & Recreation	\$25,000.00	\$16,936.00	
						\$63.20					
85	Xterma Pest Control, Inc., P.O. Box 321, Sweet Home, OR, 97386										
	03082018	03/08/18	City Hall Maintenance & Supplies	03/08/18	\$35.00	\$35.00	01-5600	City Hall Maintenance &	\$30,000.00	\$16,227.26	
						\$35.00					
101	Michele Ferguson,										
	201702Fall	04/05/18	Parks & Recreation	04/10/18	\$63.20	\$63.20	01-5200	Parks & Recreation	\$25,000.00	\$16,936.00	
	201703Winter	04/05/18	Parks & Recreation	04/10/18	\$63.20	\$63.20	01-5200	Parks & Recreation	\$25,000.00	\$16,936.00	
	201704Spring	04/05/18	Parks & Recreation	04/10/18	\$63.20	\$63.20	01-5200	Parks & Recreation	\$25,000.00	\$16,936.00	
						\$189.60					

**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	
173	Jano's Trophies, 1129 SE Santiam Rd., Albany, OR, 97321									
26786	02/28/18	Office Supplies	02/28/18	\$30.00	\$30.00	01-5340	Office Supplies	\$15,000.00	\$741.95	
27612	03/26/18	Office Supplies	04/03/18	\$700.00	\$700.00	01-5340	Office Supplies	\$15,000.00	\$741.95	
					\$730.00					
327	De Lage Landen Financial Services, Inc., PO Box 41602, Philadelphia, PA, 19101-1602									
58412777	04/01/18	Contracted Services	04/01/18	\$351.78	\$351.78	01-5510	Contracted Services	\$70,000.00	\$26,142.02	
					\$351.78					
328	Valley Merchant Police, Inc, PO Box 14, Albany, OR, 97321									
27184	03/31/18	Contracted Services	03/31/18	\$240.00	\$240.00	01-5510	Contracted Services	\$70,000.00	\$26,142.02	
					\$240.00					
376	Brittney Minnick,									
81566004	03/25/18	Parks & Recreation	04/10/18	\$68.00	\$68.00	01-5200	Parks & Recreation	\$25,000.00	\$16,936.00	
81648152	03/25/18	Parks & Recreation	04/10/18	\$52.00	\$52.00	01-5200	Parks & Recreation	\$25,000.00	\$16,936.00	
					\$120.00					
438	Kristen Barnes,									
81911253	03/14/18	Parks & Recreation	04/10/18	\$96.00	\$96.00	01-5200	Parks & Recreation	\$25,000.00	\$16,936.00	
					\$96.00					
448	Meribeth Gabell,									
03172018	03/17/18	Library Services	04/10/18	\$40.00	\$40.00	01-5440	Library Services	\$3,000.00	\$1,240.00	
					\$40.00					
449	Mary Messersmith,									
03152018-2	03/15/18	Parks & Recreation	04/10/18	\$79.20	\$79.20	01-5200	Parks & Recreation	\$25,000.00	\$16,936.00	
03152018	03/15/18	Library Services	04/10/18	\$40.00	\$40.00	01-5440	Library Services	\$3,000.00	\$1,240.00	
					\$119.20					
461	Monica Berry,									
101334228	04/03/18	Parks & Recreation	04/10/18	\$24.00	\$24.00	01-5200	Parks & Recreation	\$25,000.00	\$16,936.00	
					\$24.00					
466	CH2MHill Engineers, Inc, PO Box 201869, Dallas, TX, 75320-1869									
381139763	04/03/18	Planning Consultants - Engineering	04/03/18	\$18,285.95	\$18,285.95	01-5100	Planning Consultants - E	\$200,000.00	(\$12,663.71)	
381139764	04/03/18	Pump Station Upgrade	04/03/18	\$1,831.03	\$1,831.03	06-5765	Pump Station Upgrade	\$900,000.00	(\$102,895.94)	
					\$20,116.98					
515	Pollard Water, PO Box 417592, Boston, MA, 02241-7592									
0103707	03/20/18	Park Supplies & Maintenance	04/10/18	\$104.26	\$104.26	01-5230	Park Supplies & Mainten	\$50,000.00	\$19,788.46	
					\$104.26					
539	Barrett Business Services Inc., 421 Water Avenue NE, Albany, OR, 97321									
3060168	02/16/18	Planning Consultants - Engineering	04/10/18	\$975.00	\$975.00	01-5100	Planning Consultants - E	\$200,000.00	(\$12,663.71)	

**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
		306033	03/09/18	Planning Consultants - Engineering	04/10/18	\$650.00	\$650.00	01-5100	Planning Consultants - E	\$200,000.00	(\$12,663.71)
		3064330	03/23/18	Planning Consultants - Engineering	04/10/18	\$260.00	\$260.00	01-5100	Planning Consultants - E	\$200,000.00	(\$12,663.71)
							\$1,885.00				
551	Verizon, PO Box 660108, Dallas, TX, 75266-0108										
		9803789417	03/19/18	City Hall Utilities	04/11/18	\$40.01	\$40.01	01-5650	City Hall Utilities	\$15,000.00	\$5,099.88
							\$40.01				
562	Superior Floor & Power Sweep, 4676 Commercial St SE, PMB 166, Salem, OR, 97302-1902										
		7151	04/01/18	Park Supplies & Maintenance	04/10/18	\$700.00	\$700.00	01-5230	Park Supplies & Mainten	\$50,000.00	\$19,788.46
		6864	04/01/18	Miscellaneous Contractual	04/01/18	\$425.00	\$425.00	02-5550	Miscellaneous Contractu	\$20,000.00	\$8,848.59
							\$1,125.00				
568	R & R Tree Service, Inc., 1710 Commercial St NE, Salem, OR, 97301										
		RO257281	03/31/18	Miscellaneous Contractual	04/10/18	\$225.00	\$225.00	02-5550	Miscellaneous Contractu	\$20,000.00	\$8,848.59
							\$225.00				
575	Kathie Strathern,										
		8185917	03/20/18	Parks & Recreation	04/10/18	\$40.80	\$40.80	01-5200	Parks & Recreation	\$25,000.00	\$16,936.00
		8185943	03/20/18	Parks & Recreation	04/10/18	\$40.80	\$40.80	01-5200	Parks & Recreation	\$25,000.00	\$16,936.00
							\$81.60				
583	Edmondson's Drapery, Inc., P.O. Box 2080, Clackamas, OR, 97015-2080										
		34339	03/15/18	City Hall Maintenance & Supplies	04/10/18	\$2,353.00	\$2,353.00	01-5600	City Hall Maintenance &	\$30,000.00	\$16,227.26
							\$2,353.00				
584	First American Title Company of Oregon, P.O. Box 31001-2266, Pasadena, CA, 91110-2266										
		5167-709910138	03/12/18	Rental Expenses	04/10/18	\$275.00	\$275.00	01-5450	Rental Expenses	\$15,000.00	\$13,615.04
							\$275.00				
585	MorganCPS Group, 1308 Marigold Street NE, Keizer, OR, 97303-3553										
		8619	03/20/18	Contracted Services	04/20/18	\$2,020.00	\$2,020.00	01-5510	Contracted Services	\$70,000.00	\$26,142.02
		8619	03/20/18	Contracted Services	04/20/18	\$0.00	\$0.00	01-5510	Contracted Services	\$70,000.00	\$26,142.02
		8619	03/20/18	Planning Services - February 2018	04/20/18	\$0.00	\$0.00	01-5510	Contracted Services	\$70,000.00	\$26,142.02
		8619	03/20/18	Planning Services - February 2018	04/20/18	\$0.00	\$0.00	01-5510	Contracted Services	\$70,000.00	\$26,142.02
							\$2,020.00				
586	On Electric Group, Inc., 1709 SE 3rd Avenue, Portland, OR, 97214										
		531288	03/23/18	City Hall Maintenance & Supplies	04/23/18	\$338.77	\$338.77	01-5600	City Hall Maintenance &	\$30,000.00	\$16,227.26
							\$338.77				
587	Julie Breazeal,										
		03262018	03/26/18	Library Services	04/10/18	\$40.00	\$40.00	01-5440	Library Services	\$3,000.00	\$1,240.00
							\$40.00				
588	Mathijs Van Den Bogaard,										

**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
		03232018	03/23/18	Library Services	04/10/18	\$40.00	\$40.00	01-5440	Library Services	\$3,000.00	\$1,240.00
							\$40.00				
589	Jeanie Kim,										
		03122016	03/12/18	Library Services	04/10/18	\$40.00	\$40.00	01-5440	Library Services	\$3,000.00	\$1,240.00
							\$40.00				
							\$151,358.97				

Total Bills To Pay:



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Reports

- [Balance Summary](#)
- [Current Balance Summary](#)
- [Monthly Summary](#)
- [Previous Month Trans](#)
- [Month to Date Trans](#)
- [Query & Download Trans](#)
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- Statements
- [Monthly Statements](#)
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- [Documents](#)
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- Information
- [Account Information](#)
- [Wire Payee Instructions](#)
- [ACH Payee Instructions](#)
- [Holiday Schedule](#)
- [News & Alerts](#)
- [EON Enhancements](#)

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[▶ Transactions](#)
[▶ Tools / Forms](#)

Reports - Current Balance Summary Report as of 4/5/2018

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	\$91,724.55
Subtotal	\$91,724.55

3063 - MILLERSBURG EAGLES NEST/MILLERSBURG DR

Investment Type	Current Balance
Oregon LGIP	\$324,828.27
Subtotal	\$324,828.27

3064 - CITY OF MILLERSBURG STREET SDCS

Investment Type	Current Balance
Oregon LGIP	\$1,006,280.66
Subtotal	\$1,006,280.66

3065 - CITY OF MILLERSBURG PARK SDCS

Investment Type	Current Balance
Oregon LGIP	\$320,881.65
Subtotal	\$320,881.65

3839 - MILLERSBURG CITY OF/WETLANDS PROJECT

Investment Type	Current Balance
Oregon LGIP	\$26,356.10
Subtotal	\$26,356.10

5809 - MILLERSBURG CITY OF

Investment Type	Current Balance
Oregon LGIP	\$10,492,606.04
Subtotal	\$10,492,606.04

Grand total \$12,262,677.27

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LINN COUNTY SHERIFF'S OFFICE

Bruce W. Riley, Sheriff

1115 S.E. Jackson Street
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:

March

TRAFFIC CITATIONS: -----	0
TRAFFIC WARNINGS: -----	14
TRAFFIC CRASHES: -----	0
ADULTS CITED / VIOLATIONS: -----	0
ADULTS ARRESTED: -----	0
JUVENILES CITED / VIOLATIONS: -----	0
JUVENILES ARRESTED: -----	0
COMPLAINTS/INCIDENTS INVESTIGATED: -----	101
TRAFFIC HOURS-----	13.5
ADMINISTRATION HOURS-----	5

TOTAL HOURS SPENT IN: MILLERSBURG 130

CONTRACT HOURS= 113 HOURS

**Bruce W. Riley,
Sheriff, Linn County**

By: Sergeant Greg Klein

3/13/2018

Procedure for proposed changes to the City Charter

The Council would like to amend Section 22 of the Millersburg City Charter in order to make payment of invoices submitted to the City more efficient.

In order to amend the City Charter, Section 35 of the Millersburg City Charter requires the Council to follow a specific procedure. That procedure has three steps; they are as follows:

- 1) Posting notice in two public places of the current section and the proposed amending language;
- 2) Publishing the notice in a newspaper (ADH) for three consecutive weeks;
- 3) Provide two public hearings regarding the proposed amendment prior to a vote by the Council.

This is the second of the two public hearings.

The Council may briefly discuss this proposed change to the City Charter and then the Council will receive testimony from the audience regarding this proposed change.

NOTICE OF PUBLIC HEARINGS ON PROPOSED CHARTER CHANGES

NOTICE IS HEREBY GIVEN that public hearings concerning the proposed amendment to Section 22 of the City of Millersburg Charter will be held during the March 13, 2018 and April 10, 2018 City Council meetings in the City Council Chambers at the Millersburg City Hall, 4222 Old Salem Road NE, Albany, Oregon.

Currently, Section 22 reads as follows:

“All drafts and warrants upon the funds of the city shall be signed by the mayor and the president of the council, and in the absence of either one of these persons, by a council member designated by the mayor or president of the council, whichever one is present.”

The proposed amended Section 22 would read as follows:

“All drafts and warrants upon the funds of the city shall be signed by city staff, and/or city officers, and/or city agents, as designated by Council Resolution.”

The official copy of the proposed charter amendment with specific changes shall be posted in the Millersburg City Hall, on the City website, and in the Firehouse Corner Deli for inspection. Copies are also available to members of the public upon request to info@cityofmillersburg.org.



TO: Millersburg City Council
VIA: Kevin Kreitman, City Manager
FROM: City Staff
DATE: April 3, 2018 for Council Meeting April 10, 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 updated Gantt chart for March, 2018 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.

Morningstar Basin Sewer Manhole Inspection:

In January 2018 City of Albany operations staff performed inspection of 136 sewer manholes in the Morningstar basin (inspection report attached). The results of the inspection found that five manholes have groundwater infiltration issues and need to be grouted to repair the leaks. The estimated cost of the repair work is \$5,000, which is currently available in the sewer utility fund.

Requests for Quotations (RFQs):

On April 3, 2018 RFQs for the following projects were sent out to local contractors:

- RFQ 2018-001 Bollard Installation at NE Shayla Drive and NE Megan Street – estimated cost \$2,000
- RFQ 2018-002 Detention Basin Fencing – estimated cost \$5,000

Both RFQs require quotes to be submitted by April 16, 2018 and the work to be completed by June 15, 2018.

Upcoming projects which are planned to be contracted through the RFQ process include:

- Morningstar Basin Sewer Manhole Repair – estimated cost \$5,000
- Kathryn Lane Repair – estimated cost \$52,000 (to be constructed in FY 2018-2019)
- Repair of sewer lateral beneath Old Salem Road

Pavement Management Program and Condition Assessment (CAPS and StreetSaver):

Millersburg's Strategic Plan identifies an objective to develop and implement a proactive maintenance plan for city streets. Previously Millersburg has not had the tools to assess and monitor the condition of its city streets. In the past, Linn County has maintained an inventory and condition assessment of Millersburg's streets through the StreetSaver program and a contract with Capital Assets and Pavement Services, Inc. (CAPS).

Millersburg has received a quotation from CAPS to migrate the existing data from the Linn County account to a newly created account for Millersburg and perform a distress rating of city streets. The total quoted amount for this work is \$5,250 (quotation attached). Based on previous Council direction, staff is moving forward with this contract.

Once the data migration is complete, Millersburg will have the necessary tools to implement an ongoing pavement management and maintenance plan. Ongoing costs consist of a yearly StreetSaver program license at \$750 per year and distress rating of roadways on a recommended three-year cycle. The 2018 cost for distress rating is \$2,500.

Erosion and Sediment Control Permit:

In order to properly operate and maintain Millersburg's storm drainage system, it is important the system be protected from sediment accumulation. It is also important to protect the natural resources of our area from impairment due to sediment pollution. Sites with disturbances greater than five acres in area are required to obtain a 1200-C permit through Oregon DEQ. However, sites smaller than five acres in Millersburg are not currently required to obtain any permits related to erosion and sediment control. Each residential building lot is considered a separate site, therefore falling beneath the five-acre criteria, even when constructed concurrently by the same builder.

Many communities have implemented their own erosion and sediment control permit to address these smaller disturbances. Staff are currently considering adoption of an erosion and sediment control permit. Although the City is not required by a regulatory agency to adopt a permit at this time, the upcoming MS4 permit will require the City to implement a permitting program. Although not required at this time, it is recommended that the City move forward with implementing an erosion and sediment control permit. Additional information will be presented at a future Council meeting.

Budget:

Work on developing the FY 2018-2019 budget is in progress. The revised budget layout is complete, and Staff are working to prepare for Budget Committee

review. Budget Committee meetings have been scheduled for May 3 and May 17. The proposed budget schedule is attached.

Capital Improvements Program (CIP):

Staff is currently working on developing a Capital Improvements Program (CIP) for all planned improvements within the City, which will include parks, public facilities, stormwater, transportation, wastewater, and water. The proposed CIP will be provided to the Budget Committee and Council prior to the first Budget Committee meeting.

STOP Signs in Subdivisions:

City Staff installed nine STOP signs on existing sign poles in the Eagle's Nest and Woods Estates subdivisions. Two of the existing sign poles were relocated to place the STOP signs at the appropriate locations. The cost of the project was \$960 for the sign materials plus approximately 7 hours of City Staff labor.

Tree Trimming on Alexander Lane:

There was a tree with limbs overhanging Alexander Lane, which did not have the required height clearance of 14' above the road surface. City Staff spoke with the property owner and gained permission to have the limbs removed. R&R Tree Service removed the limbs in March.

Temporary Fire Station:

Work to prepare for a temporary fire station facility continues. Site selection is currently under review. A Department of State Lands (DSL) representative visited the proposed sites on March 28 and performed a wetlands determination. Wetland determinations are a free service provided by DSL to determine whether wetlands are present on a property. Wetland determinations are effective for five years from the date of the determination.

A determination will result in one of three outcomes:

- Property is cleared of any wetland constraints.
- Property contains wetlands and a wetland delineation is required to more precisely determine wetland extents prior to construction or mitigation.
- Part of the property is cleared of wetland constraints and may be developed without a wetland delineation. The remainder of the property requires a delineation prior to construction or mitigation.

The outcome of the wetland determination for the proposed sites is as follows:

- City Property across Conser from City Hall – wetlands are existing on part of the property. Part of property could be cleared of wetlands, but a delineation would be required for the remainder. Need to determine if area that can be cleared is sufficient for the temporary station.

- Palm Harbor Site – wetlands are existing on the site. A wetland delineation will be required for development of this property.
- City Property along Old Salem Road, south of City-owned home – cleared of wetland constraints.

Based on the outcome of the wetland determination, the Palm Harbor site is no longer under consideration. Access, utility, and development costs, along with site constraints for both City property sites are being evaluated, and a site will be selected.

Staff is also researching temporary station foundation and installation requirements, contractors, and costs.

General Ledger and Utility Software:

Since the first part of 2018, as a result of the change in water and sewer billing and a failed piece of hardware, City Staff have experienced a number of issues with the general ledger and utility billing software. In correcting and auditing water and sewer accounts, the following items were resolved:

- Installation of temporary hardware to address long-standing dropped network connections that corrupted database
- Recovery, correction and remerge of database

Staff continues to perform audits of water and sewer accounts.

- Research into no consumption report revealed five broken meters and three that required updated readers to allow accounts to accurately reflect water consumption.
- Found a number of accounts which receive water and/or sewer services and haven't been billed for six months or longer.

Other accomplishments:

- Customers now have the ability to pay utility accounts with a credit card in City Hall.
- Hydrant accounts cleaned up and billed resulting in an additional \$10,000 plus in revenue.

In progress:

- Regularly customers request the option to set up recurring payments and the ability to see outstanding balances online. To view outstanding balances, Staff has a quote from the software vendor for an additional \$75 per month to allow this access and is under consideration.
- Ongoing clean-up of the general ledger to give Staff the means to provide accurate accounting to Council and citizens.

City Administration:

The following tasks have been completed:

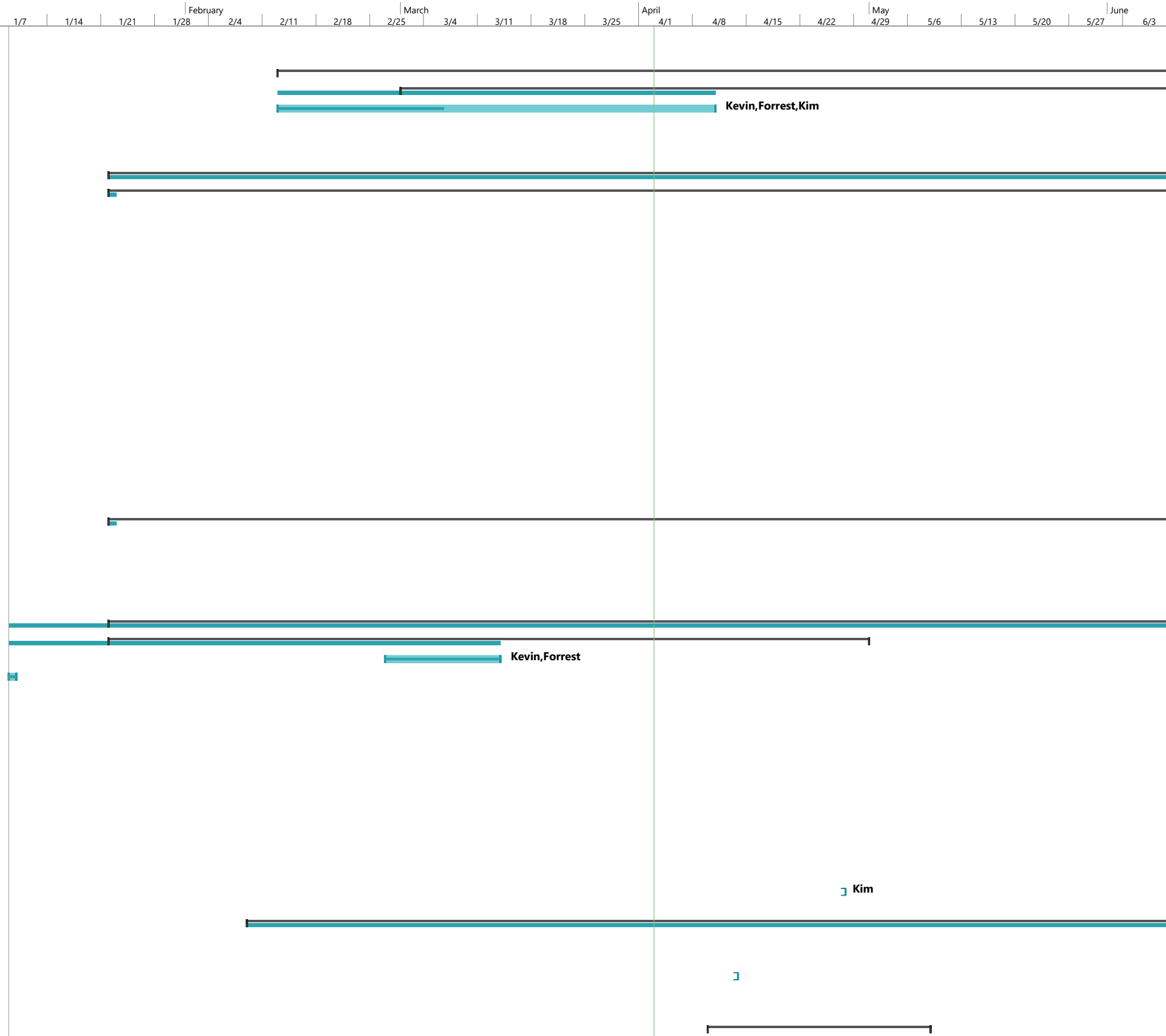
- Utility Change Form (attached) includes information to go over with new residents
- Parks Reservation Form
- Public Records Request Form
- Commission and Committee Application
- Purchasing Code

Additional Projects/Tasks:

Additional projects/tasks which require Council action at this time are presented as individual staff reports. These tasks include:

- SDC and Rate Study
- Pavement Patching Resolution and ROW Permit
- Millersburg Park South Ball Field Work

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
1	?	Millersburg Tasks					
2	?						
3	?	Charter	199 days	Tue 2/13/18	Fri 11/16/18		Kevin,Forrest
4	?	Complete update of charter	187 days	Thu 3/1/18	Fri 11/16/18		
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					
17	?	City manager has been listed in the CO - research whether this change was done by ordinance					
18	?	Land Use Development Code	269 days	Mon 1/22/18	Thu 1/31/19		John Morgan,Matt Straite
19	?	Determine correct version of current code					
20	?	Update/Re-write LUDC					
21	?	Comprehensive Plan Update					
22	?						
23	?	Policies, Procedures, and Standards	199 days	Mon 1/22/18	Thu 10/25/18		
24	?	Purchasing	71 days	Mon 1/22/18	Mon 4/30/18		Kim,Kevin
25	?	Adopt new purchasing policy	11 days	Tue 2/27/18	Tue 3/13/18		Kevin,Forrest
26	?	Join Oregon Cooperative Procurement Program	1 day	Tue 1/9/18	Tue 1/9/18		
27	?	Procurement forms					Kim
28	?	Staff reimbursement forms					Kim
29	?	Review resolution 2017-11 regarding returned checks in comparison to ORS 30.701(5)					Jake
30	?	Ethics Policy					Kevin,Janelle
31	?	Fleet policy and best practices for vehicles					Kevin,Janelle
32	?	Computer/electronics use policy					Kevin,Janelle
33	?	Equipment use policy					Kevin,Janelle
34	?	Billing policy					Kim
35	?	Alcohol use policy for parks and city hall			Fri 4/27/18		Kim
36	?	Safety procedures and training	185 days	Fri 2/9/18	Thu 10/25/18		Kevin,Janelle
37	?	Safety manual			Thu 10/25/18		
38	?	Staff training plans					
39	?	Park inspections			Fri 4/13/18		
40	?	Ergo evaluations					
41	?	PPE					
42	?	Permits	21 days	Tue 4/10/18	Tue 5/8/18		

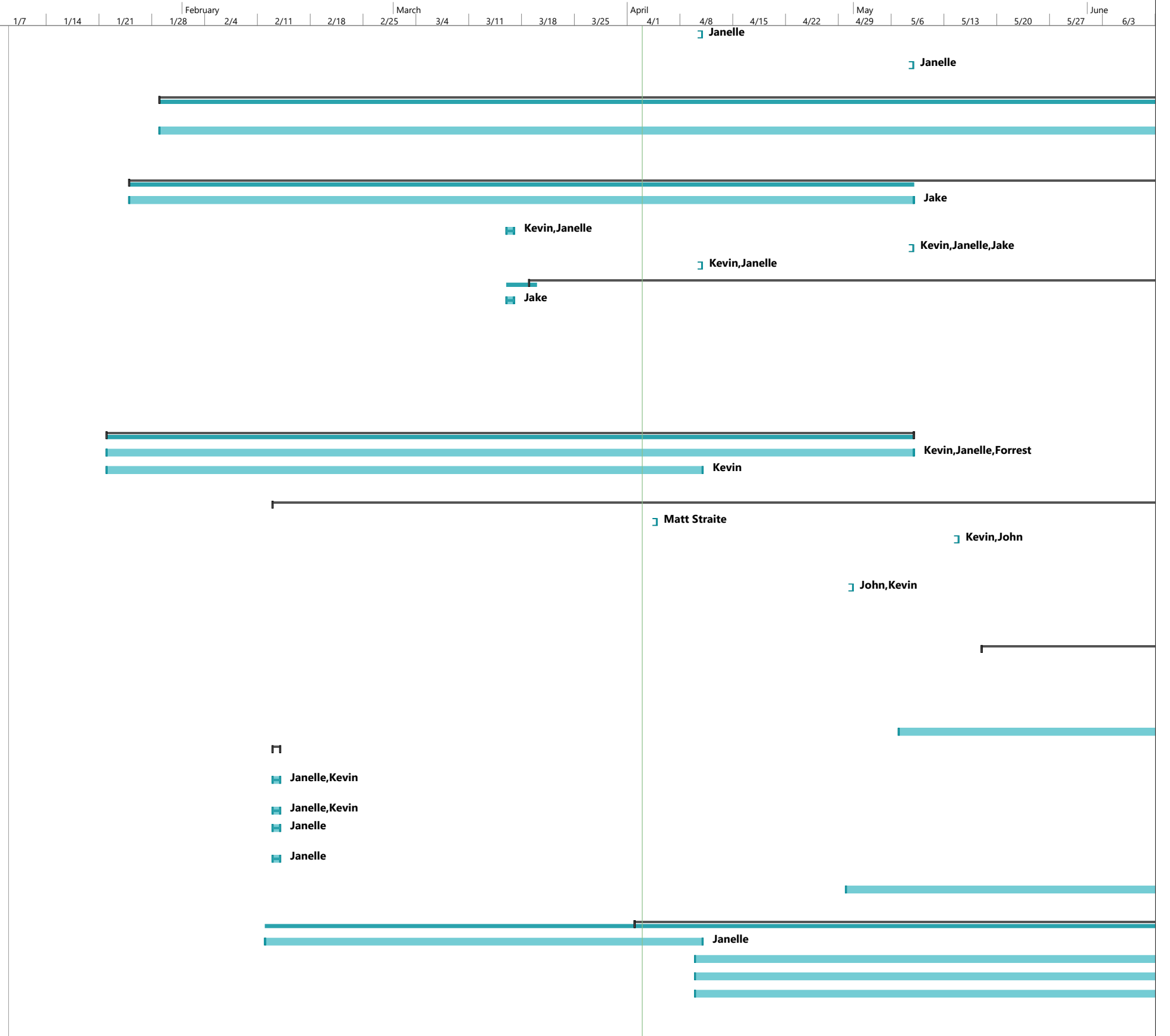


50

Project: Task List
Date: Tue 4/3/18

Task		Summary		Inactive Milestone		Duration-only		Start-only		External Milestone		Manual Progress	
Split		Project Summary		Inactive Summary		Manual Summary Rollup		Finish-only		Deadline			
Milestone		Inactive Task		Manual Task		Manual Summary		External Tasks		Progress			

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
43	?	Review grading and ROW permits, modify if needed			Tue 4/10/18		Janelle
44	?	Establish erosion control permit			Tue 5/8/18		Janelle
45	?						
46	?	Document Record Keeping and Retention	235 days	Mon 1/29/18	Fri 12/21/18		Kim
47	?	New filing system	155 days	Mon 1/29/18	Fri 8/31/18		
48	?	Electronic	125 days	Mon 7/2/18	Fri 12/21/18		Kim
49							
50	?	Budget	124 days	Thu 1/25/18	Tue 7/17/18		
51	?	Supplemental Budget - address funds which are over budget	74 days	Thu 1/25/18	Tue 5/8/18		Jake
52	✓	Funding for Stormwater Master Plan	1 day	Fri 3/16/18	Fri 3/16/18		Kevin,Janelle
53	?	Funding for temporary fire station			Tue 5/8/18		Kevin,Janelle,Jake
54	?	Funding for rate and SDC update			Tue 4/10/18		Kevin,Janelle
55	?	2018-2019 Budget	75 days	Mon 3/19/18	Fri 6/29/18		Jake,Kevin,Janelle
56	✓	New budget layout	1 day	Fri 3/16/18	Fri 3/16/18		Jake
57	?	Insure there is no comingling of SDC funds					
58	?	Temporary fire station operation					
59	?	Permanent fire station					
60	?	Maintenance needs					
61	?	Office in maintenance facility?					
62							
63	?	IGAs	77 days	Mon 1/22/18	Tue 5/8/18		
64	?	Sewer IGA	77 days	Mon 1/22/18	Tue 5/8/18		Kevin,Janelle,Forrest
65	?	Fire IGA	57 days	Mon 1/22/18	Tue 4/10/18		Kevin
66							
67		Planning, Building, and Development	253 days	Tue 2/13/18	Thu 1/31/19		
68	?	Missing Permits/Permit Numbers			Wed 4/4/18		Matt Straite
69	?	Ability to get on County online system for building permits			Mon 5/14/18		Kevin,John
70	?	Comp Plan review every even year			Thu 1/31/19		John
71	?	Land use joint training session by John Morgan			Mon 4/30/18		John,Kevin
72	?	Payment of fees prior to issuing building permits - CO 50.05(B)(2)					
73	?	Check Sheets/manuals	31 days	Fri 5/18/18	Fri 6/29/18		
74	?	Policies and Procedures			Fri 6/29/18		John,Matt
75	?	Permit forms			Fri 6/29/18		John,Matt
76	?	Packets to hand out with each permit			Fri 6/29/18		John,Matt
77	?	Engineering standards	66 days	Mon 5/7/18	Mon 8/6/18		Janelle
78	✓	Private Construction of Public Infrastructure Process	1 day	Tue 2/13/18	Tue 2/13/18		
79	✓	Code language to support PCPI process	1 day	Tue 2/13/18	Tue 2/13/18		Janelle,Kevin
80	✓	Ordinance to adopt code language	1 day	Tue 2/13/18	Tue 2/13/18		Janelle,Kevin
81	✓	Establish warranty bond amount (10% of construction cost)	1 day	Tue 2/13/18	Tue 2/13/18		Janelle
82	✓	Make sure all other forms and fees have been developed	1 day	Tue 2/13/18	Tue 2/13/18		Janelle
83	?	Reimbursement Agreement	37 days	Mon 4/30/18	Tue 6/19/18		Janelle,Kevin
84							
85	?	SDC Review	186 days	Mon 4/2/18	Mon 12/17/18		Kevin,Janelle,consultant
86	?	Contract with consultant for review	42 days	Mon 2/12/18	Tue 4/10/18		Janelle
87	?	Water	130 days	Tue 4/10/18	Mon 10/8/18		
88	?	Sewer	130 days	Tue 4/10/18	Mon 10/8/18		
89	?	Streets	130 days	Tue 4/10/18	Mon 10/8/18		
90	?	Parks	86 days	Mon 8/20/18	Mon 12/17/18		
91	?	Stormwater	86 days	Mon 8/20/18	Mon 12/17/18		

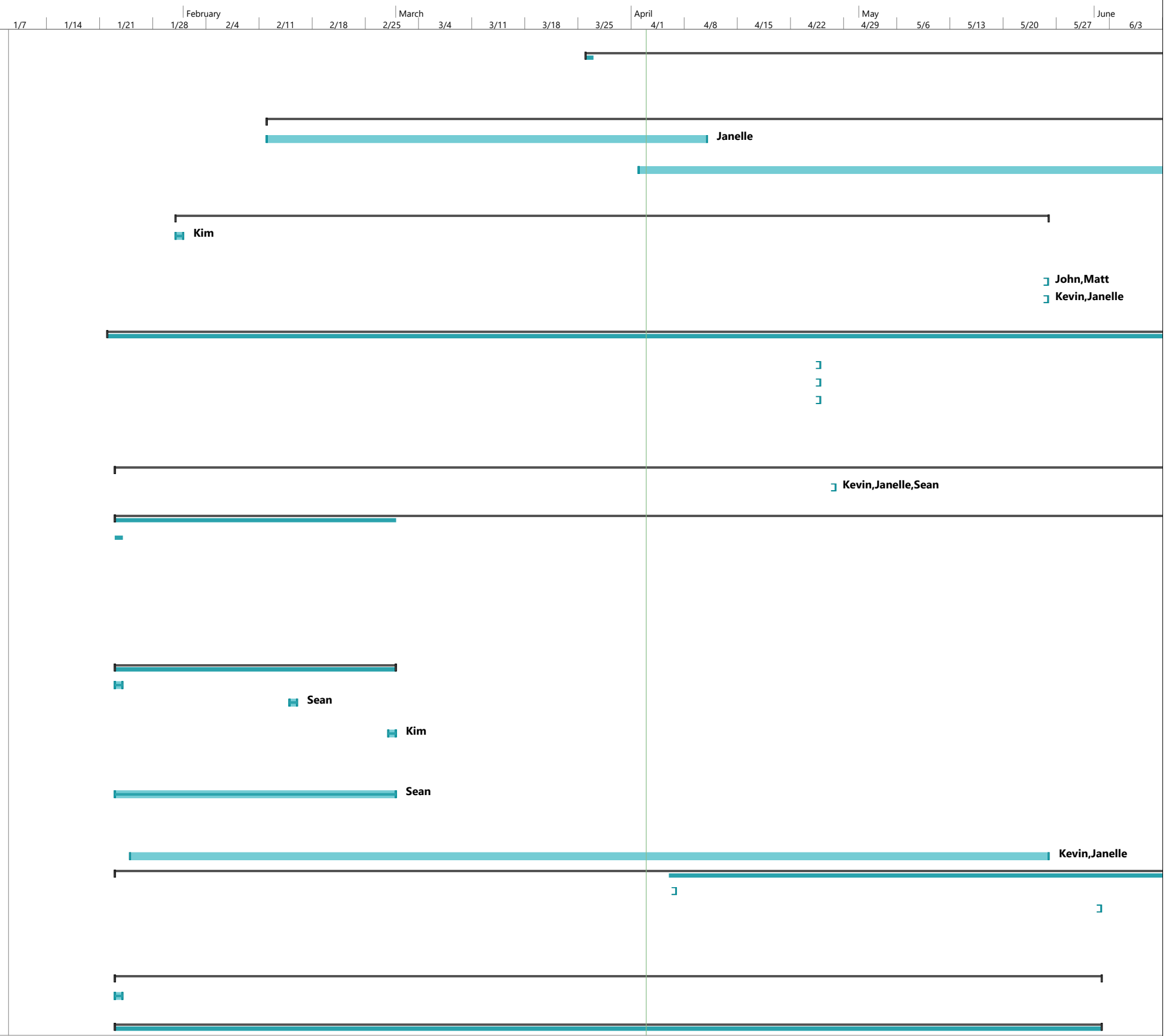


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Project: Task List
Date: Tue 4/3/18

Task		Summary		Inactive Milestone		Duration-only		Start-only		External Milestone		Manual Progress	
Split		Project Summary		Inactive Summary		Manual Summary Rollup		Finish-only		Deadline			
Milestone		Inactive Task		Manual Task		Manual Summary		External Tasks		Progress			

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
92							
93		Utility Billing	71 days	Mon 3/26/18	Mon 7/2/18		
94		Review of water and sewer service accounts					Kim,Jake
95							
96		Utility Rates	165 days	Mon 2/12/18	Fri 9/28/18		
97		Contract with consultant for review and update of rates	42 days	Mon 2/12/18	Tue 4/10/18		Janelle
98		Update rate structure for water and sewer	130 days	Mon 4/2/18	Fri 9/28/18		Janelle,consultant
99							
100		Update fees	83 days	Wed 1/31/18	Fri 5/25/18		
101		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
102		Planning fees			Fri 5/25/18		John,Matt
103		Other fees - update recent list?			Fri 5/25/18		Kevin,Janelle
104							
105		Development of Capital Improvement Plan (CIP)	180 days	Mon 1/22/18	Fri 9/28/18		Janelle,Kevin
106		Streets			Wed 4/25/18		
107		Sewer			Wed 4/25/18		
108		Water			Wed 4/25/18		
109		Stormwater			Fri 9/28/18		
110		Parks			Fri 9/28/18		
111							
112		City Hall work	187 days	Tue 1/23/18	Wed 10/10/18		
113		Budgeting information for City Hall upgrades			Fri 4/27/18		Kevin,Janelle,Sean
114		Audio Visual Systems	179 days	Tue 1/23/18	Fri 9/28/18		Sean,Kevin
115		Council Chambers					
116		Upgrade sound system					
117		Video system					
118		Consider new audience chairs?					
119		Small table and chair for presentations/addressing					
120		Consider raising council area by 6"?					
121		Conference Room	27 days	Tue 1/23/18	Wed 2/28/18		
122		Portable TV/monitor	1 day	Tue 1/23/18	Tue 1/23/18		
123		Connect conference tables to phone, internet	1 day	Thu 2/15/18	Thu 2/15/18		Sean
124		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
125		Cabling requirements for phone/internet	27 days	Tue 1/23/18	Wed 2/28/18		Sean
126		Records Room reorganization - rolling files	65 days	Mon 7/2/18	Fri 9/28/18		Kim,Jake
127		Office space modifications	87 days	Thu 1/25/18	Fri 5/25/18		Kevin,Janelle
128		Painting City Hall	187 days	Tue 1/23/18	Wed 10/10/18		Sean
129		Quotes for budget			Fri 4/6/18		
130		Solicit Bids/quotes			Fri 6/1/18		
131		Award			Mon 7/2/18		
132		Complete work			Mon 10/1/18		
133							
134		Fire Protection	94 days	Tue 1/23/18	Fri 6/1/18		
135		Notify Linn County of request to withdraw	1 day	Tue 1/23/18	Tue 1/23/18		
136		Temporary station	94 days	Tue 1/23/18	Fri 6/1/18		Kevin

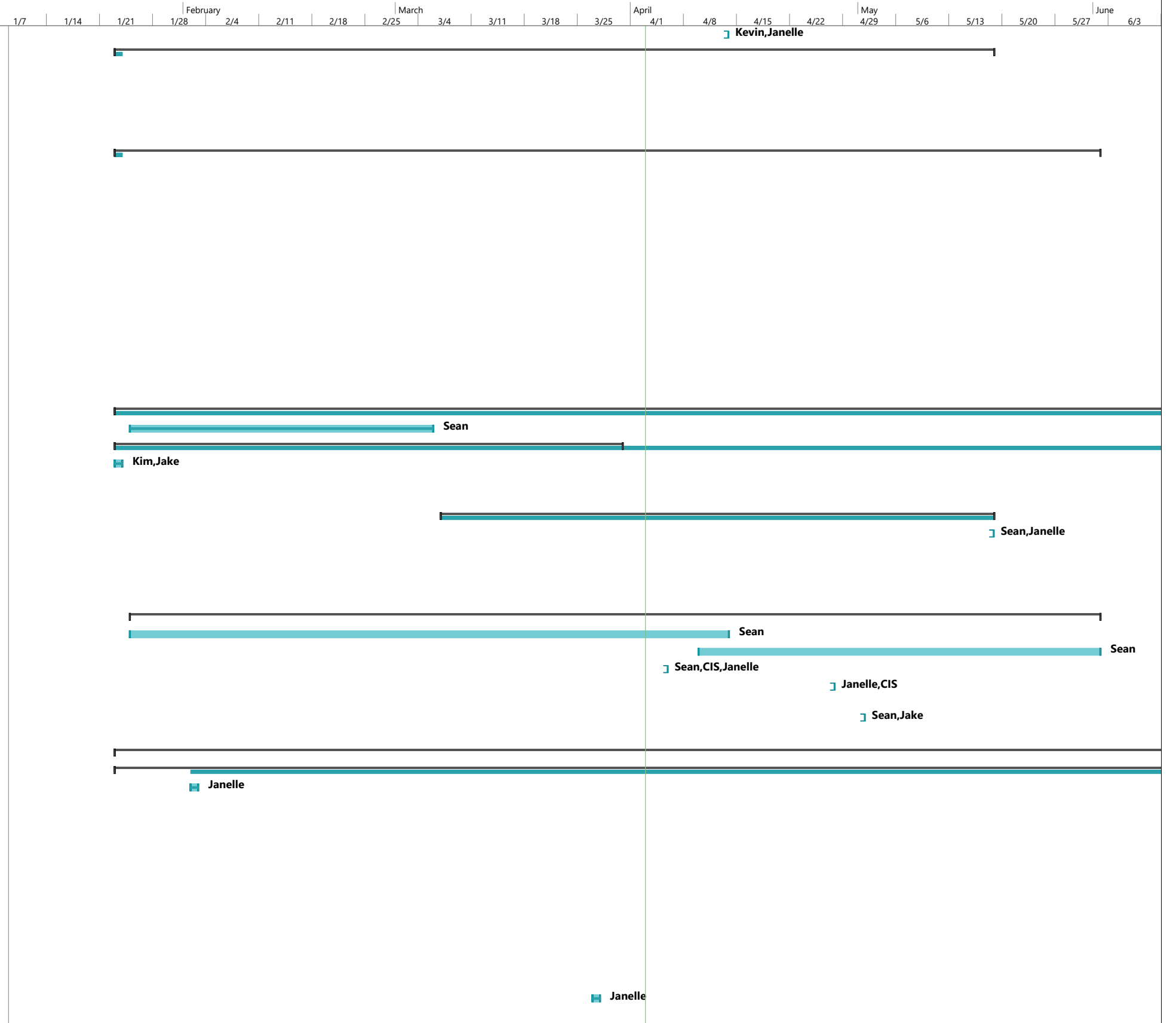


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Project: Task List
Date: Tue 4/3/18

Task	Summary	Inactive Milestone	Duration-only	Start-only	External Milestone	Manual Progress
Split	Project Summary	Inactive Summary	Manual Summary Rollup	Finish-only	Deadline	
Milestone	Inactive Task	Manual Task	Manual Summary	External Tasks	Progress	

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
137	?	Site selection			Fri 4/13/18		Kevin,Janelle
138	?	Design	84 days	Tue 1/23/18	Fri 5/18/18		
139	?	Land use and building permits					Janelle,Matt
140	?	Building and foundation requirements					Janelle
141	?	Utilities					Janelle
142	?	Site work (surfacing and roads)					
143	?	Equipment	94 days	Tue 1/23/18	Fri 6/1/18		Kevin
144	?	Building - Millersburg to provide					
145	?	Bay - Albany to provide					
146	?	Emergency generator					
147	?	Furnishings - Millersburg to provide					
148	?	Response equipment - Albany					
149	?	Computer equipment - City of Albany with Millersburg to purchase?					
150	?	Radio, tap out equipment - City of Albany with Millersburg to purchase?					
151	?	Signage - Millersburg Station - 15 Albany Fire Department?					
152							
153	?	Millersburg Park	225 days	Tue 1/23/18	Mon 12/3/18		
154	✓	Slide installation	28 days	Thu 1/25/18	Mon 3/5/18		Sean
155	?	Reservations	49 days	Tue 1/23/18	Fri 3/30/18		
156	✓	New reservation form	1 day	Tue 1/23/18	Tue 1/23/18		Kim,Jake
157	?	Online reservations			Mon 12/3/18		Kim,Jake
158	?	Review reservation fees					Jake
159	?	Ball fields	53 days	Wed 3/7/18	Fri 5/18/18		Sean,Janelle
160	?	South ball field rehabilitation work			Fri 5/18/18		Sean,Janelle
161	?	Baseball field use agreements					Kevin,Janelle
162	?	Ball field equipment and storage room access					Sean,Janelle
163	?	Water for south field					Sean,Janelle
164	?	Lighting	92 days	Thu 1/25/18	Fri 6/1/18		
165	?	Solicit and receive two more quotes	57 days	Thu 1/25/18	Fri 4/13/18		Sean
166	?	Award and perform work	39 days	Tue 4/10/18	Fri 6/1/18		Sean
167	?	Park safety inspections			Thu 4/5/18		Sean,CIS,Janelle
168	?	Park/city hall safety inspection checklist			Fri 4/27/18		Janelle,CIS
169	?	Change emergency callout signage			Tue 5/1/18		Sean,Jake
170							
171	?	Water Distribution System	244 days	Tue 1/23/18	Fri 12/28/18		Janelle,Kim,Sean
172	?	Water master plan	159 days	Tue 1/23/18	Fri 8/31/18		
173	✓	Follow up with state on their review comments	1 day	Fri 2/2/18	Fri 2/2/18		Janelle
174	?	submit finance component when available			Fri 8/31/18		Janelle
175	?	Annual water audit			Fri 12/28/18		Janelle,Kim
176	?	Meter testing and replacement program			Fri 12/28/18		Janelle
177	?	Leak detection program			Fri 12/28/18		Janelle
178	?	Public education			Fri 12/28/18		Janelle,Kim
179	?	Industrial conservation measures			Fri 12/28/18		Janelle
180	?	Consider weather station on park irrigation system			Fri 12/28/18		Janelle,Sean
181	?	Track metered hydrant water usage			Fri 12/28/18		Janelle,Jake
182	✓	Plan review exemption letter (annual)	1 day	Tue 3/27/18	Tue 3/27/18		Janelle
183	?	OHA requirements tracking			Fri 12/28/18		Janelle

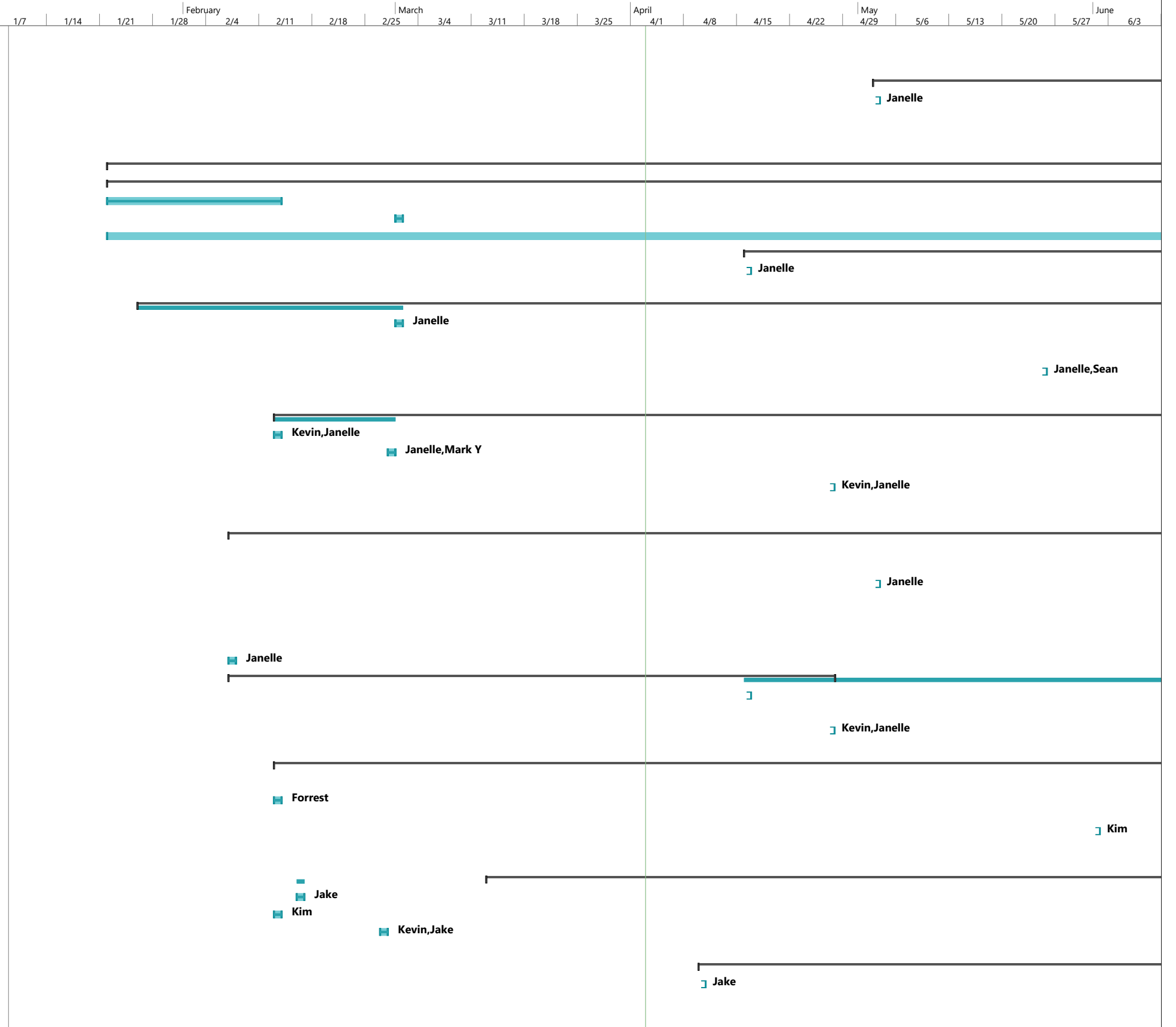


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Project: Task List
Date: Tue 4/3/18

Task		Summary		Inactive Milestone		Duration-only		Start-only		External Milestone		Manual Progress	
Split		Project Summary		Inactive Summary		Manual Summary Rollup		Finish-only		Deadline			
Milestone		Inactive Task		Manual Task		Manual Summary		External Tasks		Progress			

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
184	?	Water Management and Conservation Plan Update Feb 2022					Janelle
185	?						
186	?	Sewer Collection System	152 days	Thu 5/3/18	Fri 11/30/18		
187	?	Inspection and maintenance program (manholes and piping)		Thu 5/3/18			Janelle
188	?	Lift Station Project - ATI summer 2018			Fri 11/30/18		Janelle
189	?						
190	?	Stormwater	245 days	Mon 1/22/18	Fri 12/28/18		
191	?	Stormwater Master Plan	245 days	Mon 1/22/18	Fri 12/28/18		
192	✓	Contract with consultant	17 days	Mon 1/22/18	Tue 2/13/18		
193	✓	Kickoff meeting	1 day	Thu 3/1/18	Thu 3/1/18		
194	?	Ongoing support to consultant	245 days	Mon 1/22/18	Fri 12/28/18		
195	?	Fencing detention basins	45 days	Mon 4/16/18	Fri 6/15/18		Janelle,Sean
196	?	Receive quotes			Mon 4/16/18		Janelle
197	?	Complete work			Fri 6/15/18		Janelle,Sean
198	?	TMDL	241 days	Fri 1/26/18	Fri 12/28/18		
199	✓	Yearly reporting - next due Mar 1, 2018	1 day	Thu 3/1/18	Thu 3/1/18		Janelle
200	?	Update every five years - next due					Janelle
201	?	Stormfilter cartridges at Crooks Creek on Millersburg drive - regular checking/cleaning/replacement			Fri 5/25/18		Janelle,Sean
202	?	MS4	229 days	Tue 2/13/18	Fri 12/28/18		
203	✓	Join Oregon ACWA	1 day	Tue 2/13/18	Tue 2/13/18		Kevin,Janelle
204	✓	Submit comments to DEQ	1 day	Wed 2/28/18	Wed 2/28/18		Janelle,Mark Y
205	?	Pursue waiver					
206	?	Have Millersburg storm drain facilities added to Albany GIS			Fri 4/27/18		Kevin,Janelle
207	?						
208	?	Tranportation/Streets	233 days	Wed 2/7/18	Fri 12/28/18		
209	?	Bridge inspections - insure they are on a regular schedule			Fri 12/28/18		Janelle
210	?	Establish a street maintenance program (crack filling, sealing, overlay, etc.)			Thu 5/3/18		Janelle
211	?	Woods Road conceptual design for future development			Fri 7/27/18		Janelle
212	✓	Adopt new road frontage fees	1 day	Wed 2/7/18	Wed 2/7/18		Janelle
213	?	Bollards on Parker and Morningstar	58 days	Wed 2/7/18	Fri 4/27/18		Janelle
214	?	Receive quotes			Mon 4/16/18		
215	?	Complete work			Fri 6/15/18		
216	?	Street sweeping quotes and bid			Fri 4/27/18		Kevin,Janelle
217	?						
218	?	Miscellaneous	119 days	Tue 2/13/18	Fri 7/27/18		
219	?	Master email list			Ongoing		Kim
220	✓	Status of current agricultural land leases - see CO 34.03	1 day	Tue 2/13/18	Tue 2/13/18		Forrest
221	?	Franchise Agreements - identify agreements and dates			Fri 6/1/18		Kim
222	?	Newsletter			Fri 7/27/18		Kim
223	?	Banking services	80 days	Tue 3/13/18	Mon 7/2/18		Jake
224	✓	Office credit card machine	1 day	Fri 2/16/18	Fri 2/16/18		Jake
225	✓	New copy machine	1 day	Tue 2/13/18	Tue 2/13/18		Kim
226	✓	LGPI pool funds	1 day	Tue 2/27/18	Tue 2/27/18		Kevin,Jake
227	?						
228	?	HR	59 days	Tue 4/10/18	Fri 6/29/18		
229	?	Oregon Savings Growth Plan			Tue 4/10/18		Jake
230	?	Annual evaluations			Fri 6/15/18		Kevin,Janelle
231	?	Update employee manual			Fri 6/29/18		Kevin,Forrest



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Project: Task List
Date: Tue 4/3/18

Task		Summary		Inactive Milestone		Duration-only		Start-only		External Milestone		Manual Progress	
Split		Project Summary		Inactive Summary		Manual Summary Rollup		Finish-only		Deadline			
Milestone		Inactive Task		Manual Task		Manual Summary		External Tasks		Progress			

2018 Manhole Inspection Summary

Summary:	136 total MHs - Morningstar & Millersburg basins	
	2 inaccessible	
	5 with issues - see next tab	
	How long did it take, person hours, cost, other summary information?	
	This project took 53 hour two staff member one TV van at a cost of \$13,847.19.	

ID	Address	As-Builts	Project Name	Date Installed	Date Inspected	Issues?
1031630030	3057 MILLERSBURG DR NE	Contract #8	Millersburg Sanitary Sewage Collection System Contract #8	02/01/1992	1/5/2018	No
1031630040	3143 MILLERSBURG DR NE	Contract #8	Millersburg Sanitary Sewage Collection System Contract #8	02/01/1992	1/5/2018	No
1031630050	3303 MILLERSBURG DR NE	Contract #8	Millersburg Sanitary Sewage Collection System Contract #8	02/01/1992	1/5/2018	No
1031630060	3353 MILLERSBURG DR NE	Contract #8	Millersburg Sanitary Sewage Collection System Contract #8	02/01/1992	1/5/2018	No
1031630070	38747 MORNINGSTAR RD NE	Contract #9	Millersburg Sanitary Sewage Collection System Contract #9	03/04/1993	1/5/2018	No
1031630080	3360 LAUREN AVE NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/4/2018	No
1031630090	6327 ELENA ST NE	SI-05-14	Morning Star Subdivision Phase 2 & 3	04/13/2006	1/3/2018	No
1031630100	6225 ELENA ST NE	SI-05-14	Morning Star Subdivision Phase 2 & 3	04/13/2006	1/3/2018	No
1031630110	6192 ELENA ST NE	SI-05-14	Morning Star Subdivision Phase 2 & 3	04/13/2006	1/3/2018	No
1031630120	3336 LAUREN AVE NE	SI-05-14	Morning Star Subdivision Phase 2 & 3	04/13/2006	1/3/2018	No

Millersburg Manhole Inspection Report
March 2018

ID	Address	As-Builts	Project Name	Date Installed	Date Inspected	Issues?
1031640010	38724 MORNINGSTAR RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	Not Inspected - Lift Station Under Construction	
1031640020	38724 MORNINGSTAR RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/5/2018	No
1031640030	38721 MORNINGSTAR RD NE	Contract #9	Millersburg Sanitary Sewage Collection System Contract #9	03/04/1993	1/5/2018	No
1031640040	38747 MORNINGSTAR RD NE	Contract #9	Millersburg Sanitary Sewage Collection System Contract #9	03/04/1993	1/5/2018	Yes
1031640050	6553 OLD SALEM RD NE	Contract #10	Millersburg Sanitary Sewage Collection System Contract #10	02/08/1994	1/8/2018	No
1031640060	6457 OLD SALEM RD NE	Contract #10	Millersburg Sanitary Sewage Collection System Contract #10	02/08/1994	1/8/2018	No
1031640070	6404 OLD SALEM RD NE	Contract #10	Millersburg Sanitary Sewage Collection System Contract #10	02/08/1994	1/8/2018	Yes
1031640080	6404 OLD SALEM RD NE	Contract #10	Millersburg Sanitary Sewage Collection System Contract #10	02/08/1994	1/8/2018	No
1031640090	6435 OLD SALEM RD NE	Contract #10	Millersburg Sanitary Sewage Collection System Contract #10	02/08/1994	1/8/2018	No
1031640100	6404 OLD SALEM RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/11/2018	No
1031640110	6225 OLD SALEM RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/11/2018	No
1031640115	3414 LAUREN AVE NE	SI-05-05	Morning Star Subdivision	05/11/2005	1/3/2018	No
1031640120	6415 MEGAN ST NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/8/2018	Yes
1031640130	6225 OLD SALEM RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	05/01/1996	1/8/2018	No
1031640140	3407 MARY KAY AVE NE	SI-05-05	Morning Star Subdivision	05/11/2005	1/3/2018	No
1031640150	3407 MARY KAY AVE NE	SI-05-05	Morning Star Subdivision	05/11/2005	1/3/2018	No
1031640160	6330 MEGAN ST NE	SI-05-05	Morning Star Subdivision	05/11/2005	1/3/2018	No

Millersburg Manhole Inspection Report
March 2018

ID	Address	As-Builts	Project Name	Date Installed	Date Inspected	Issues?
1031640165	6228 MEGAN ST NE	SI-05-05	Morning Star Subdivision	05/11/2005	1/3/2018	No
1031640170	3410 LAUREN AVE NE	SI-05-05	Morning Star Subdivision	05/11/2005	1/3/2018	No
1031640180	6195 ROSEMARIE ST NE	SI-05-14	Morning Star Subdivision Phase 2 & 3	04/06/2006	1/3/2018	Yes
1031640190	6227 ROSEMARIE ST NE	SI-05-14	Morning Star Subdivision Phase 2 & 3	04/06/2006	1/3/2018	No
1031640200	6329 ROSEMARIE ST NE	SI-05-14	Morning Star Subdivision Phase 2 & 3	04/06/2006	1/3/2018	No
1032110010	5877 OLD SALEM RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/4/2018	No
1032110030	5124 OLD SALEM RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/5/2018	No
1032110040	5284 OLD SALEM RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/5/2018	No
1032110050	5284 OLD SALEM RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/5/2018	No
1032110060	5475 OLD SALEM RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/8/2018	No
1032110070	5475 OLD SALEM RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/8/2018	No
1032110080	3469 SIUSLAW CT NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/8/2018	No
1032110090	5475 OLD SALEM RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/8/2018	No
1032110100	5801 OLD SALEM RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/3/2018	No
1032110110	5880 OLD SALEM RD NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/3/2018	No
1032110130	3700 WESTERN WAY NE	SI-96-12	Western Way Construction	01/30/1997	1/5/2018	No
1032110140	3700 WESTERN WAY NE	SI-96-12	Western Way Construction	01/30/1997	1/5/2018	No
1032110150	3700 WESTERN WAY NE	SI-96-12	Western Way Construction	01/30/1997	1/5/2018	No

Millersburg Manhole Inspection Report
March 2018

ID	Address	As-Builts	Project Name	Date Installed	Date Inspected	Issues?
1032110160	3412 CLEARWATER DR NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/9/2018	No
1032110170	3415 CLEARWATER DR NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/9/2018	No
1032110180	5786 CLEARWATER CT NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/9/2018	No
1032110190	3459 SIUSLAW CT NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/10/2018	No
1032110200	3499 SIUSLAW CT NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/10/2018	No
1032110220	3533 STEELHEAD RUN DR NE	SI-03-09	ART LLC	05/10/2004	1/3/2018	No
1032110230	3653 STEELHEAD RUN DR NE	SI-03-09	ART LLC	05/10/2004	1/3/2018	No
1032110240	3773 STEELHEAD RUN DR NE	SI-03-09	ART LLC	05/10/2004	1/3/2018	No
1032120000	3146 NEHALEM AVE NE	SI-06-14	Sweetwater Estates Third Addition	04/05/2007	1/8/2018	No
1032120010	5910 NESTUCCA AVE NE	SI-17-03	Sweetwater Estates Additions Phase 2	09/01/2017	1/8/2018	No
1032120020	5877 OLD SALEM RD NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No
1032120030	5877 OLD SALEM RD NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No
1032120040	5877 OLD SALEM RD NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No
1032120050	3170 MILLERSBURG DR NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No
1032120060	3002 MILLERSBURG DR NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No
1032120070	3002 MILLERSBURG DR NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No
1032120080	3007 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	Yes
1032120090	3007 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No

Millersburg Manhole Inspection Report
March 2018

ID	Address	As-Builts	Project Name	Date Installed	Date Inspected	Issues?
1032120100	3007 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No
1032120110	2861 54TH AVE NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No
1032120120	3007 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No
1032120125	3080 54TH AVE NE	SI-16-14	Bailey Estates	10/12/2016	1/4/2018	No
1032120130	3080 54TH AVE NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/10/2018	No
1032120140	3023 ALEXANDER LN NE	SI-16-14	Bailey Estates	10/12/2016	1/10/2018	No
1032120150	3007 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No
1032120155	3007 ALEXANDER LN NE	SI-16-14	Bailey Estates	10/12/2016	1/10/2018	No
1032120160	2905 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No
1032120170	2961 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	No
1032120175	6053 COQUILLE CT NE	SI-06-14	Sweetwater Estates Third Addition	04/05/2007	1/8/2018	No
1032120180	5929 COQUILLE CT NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/8/2018	No
1032120190	5917 COQUILLE CT NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	Not Inspected - Manhole is buried under Homeowner's front porch	
1032120200	5821 COQUILLE LN NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/9/2018	No
1032120210	3328 CLEARWATER DR NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/9/2018	No
1032120220	3344 CLEARWATER DR NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/9/2018	No
1032120230	3357 SIUSLAW AVE NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/10/2018	No

Millersburg Manhole Inspection Report
 March 2018

ID	Address	As-Builts	Project Name	Date Installed	Date Inspected	Issues?
1032120240	5528 LUCKIAMUTE CT NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/10/2018	No
1032120250	5512 LUCKIAMUTE CT NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/10/2018	No
1032120260	3377 SIUSLAW AVE NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/10/2018	No
1032120270	5448 SILETZ LN NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/10/2018	No
1032120280	5424 SILETZ LN NE	SI-98-25	Sweetwater Estates - Phase 1 & 2	12/23/1998	1/10/2018	No
1032120290	3277 SIUSLAW AVE NE	SI-02-03	Sweetwater Estates First Addition	01/01/2002	1/10/2018	No
1032120300	5618 UMPQUA LN NE	SI-02-03	Sweetwater Estates First Addition	01/01/2002	1/10/2018	No
1032120310	5658 UMPQUA LN NE	SI-02-03	Sweetwater Estates First Addition	01/01/2002	1/10/2018	No
1032120320	5524 UMPQUA LN NE	SI-02-03	Sweetwater Estates First Addition	01/01/2002	1/10/2018	No
1032120330	5431 UMPQUA LN NE	SI-02-03	Sweetwater Estates First Addition	01/01/2002	1/10/2018	No
1032120340	3342 54TH AVE NE	SI-02-15	54th Avenue Sewer & Waterline Extension	01/26/2004	1/10/2018	No
1032120350	3238 54TH AVE NE	SI-02-15	54th Avenue Sewer & Waterline Extension	01/26/2004	1/10/2018	No
1032120360	3212 54TH AVE NE	SI-02-15	54th Avenue Sewer & Waterline Extension	01/26/2004	1/10/2018	No
1032120370	3143 CLEARWATER DR NE	SI-03-12	Sweetwater Estates Second Addition	12/16/2003	1/9/2018	No
1032120380	3165 CLEARWATER DR NE	SI-03-12	Sweetwater Estates Second Addition	12/16/2003	1/9/2018	No
1032120390	3243 CLEARWATER DR NE	SI-03-12	Sweetwater Estates Second Addition	12/16/2003	1/9/2018	No
1032120400	3180 54TH AVE NE	SI-04-10	North Park Estates Subdivision	12/14/2004	1/10/2018	No
1032120410	5233 UMPQUA LN NE	SI-04-10	North Park Estates Subdivision	12/14/2004	1/10/2018	No

Millersburg Manhole Inspection Report
March 2018

ID	Address	As-Builts	Project Name	Date Installed	Date Inspected	Issues?
1032120420	3082 YELLOWSTONE PL NE	SI-04-10	North Park Estates Subdivision	12/14/2004	1/10/2018	No
1032120430	3222 YOSEMITE PL NE	SI-04-10	North Park Estates Subdivision	12/14/2004	1/10/2018	No
1032120440	5233 UMPQUA LN NE	SI-04-10	North Park Estates Subdivision	12/14/2004	1/10/2018	No
1032120450	6037 SILTCOOS CT NE	SI-06-14	Sweetwater Estates Third Addition	04/05/2007	1/8/2018	No
1032120460	3204 NEHALEM AVE NE	SI-06-14	Sweetwater Estates Third Addition	04/05/2007	1/8/2018	No
1032120470	3242 NEHALEM AVE NE	SI-06-14	Sweetwater Estates Third Addition	04/05/2007	1/8/2018	No
1032120480	2820 ALEXANDER LN NE	SI-07-03	West Park	05/23/2007	1/11/2018	No
1032120490	5025 UMPQUA LN NE	SI-08-04	Melody Acres Phase 1	06/04/2008	1/10/2018	No
1032120500	5892 NESTUCCA AVE NE	SI-17-03	Sweetwater Estates Additions Phase 2	09/01/2017	1/8/2018	No
1032120510	5880 NESTUCCA AVE NE	SI-17-03	Sweetwater Estates Additions Phase 2	09/01/2017	1/8/2018	No
1032120520	Intersection of Clearwater Dr And Nestucca Ave	SI-17-03	Sweetwater Estates Additions Phase 2	09/01/2017	1/9/2018	No
1032120530	5635 NESTUCCA AVE NE	SI-17-03	Sweetwater Estates Additions Phase 2	09/01/2017	1/9/2018	No
1032120540	5615 NESTUCCA AVE NE	SI-17-03	Sweetwater Estates Additions Phase 2	09/01/2017	1/9/2018	No
1032120550	5585 NESTUCCA AVE NE	SI-17-03	Sweetwater Estates Additions Phase 2	09/01/2017	1/9/2018	No
1032120560	5465 NESTUCCA AVE NE	SI-17-03	Sweetwater Estates Additions Phase 2	09/01/2017	1/9/2018	No
1032120570	5425 NESTUCCA AVE NE	SI-17-03	Sweetwater Estates Additions Phase 2	09/01/2017	1/9/2018	No
1032120580	5425 NESTUCCA AVE NE	SI-17-03	Sweetwater Estates Additions Phase 2	09/01/2017	1/9/2018	No
1032130010	3030 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/10/2018	No

Millersburg Manhole Inspection Report
 March 2018

ID	Address	As-Builts	Project Name	Date Installed	Date Inspected	Issues?
1032130020	3030 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/10/2018	No
1032130030	3030 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/10/2018	No
1032130040	2910 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/11/2018	No
1032130050	2888 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/11/2018	No
1032130060	2820 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/11/2018	No
1032130240	2997 ZUHLKE LN NE	SI-07-03	West Park	05/23/2007	1/11/2018	No
1032130250	3014 ZUHLKE LN NE	SI-07-01	Parker Ridge Subdivision	04/30/2007	1/11/2018	No
1032130450	4764 OBSIDIAN AVE NE	SI-07-03	West Park	05/23/2007	1/11/2018	No
1032130460	4878 OBSIDIAN AVE NE	SI-07-03	West Park	05/23/2007	1/11/2018	No
1032130470	2892 KINDSEY LN NE	SI-07-03	West Park	05/23/2007	1/11/2018	No
1032130480	2934 KINDSEY LN NE	SI-07-03	West Park	05/23/2007	1/11/2018	No
1032130490	4947 GRANITE AVE NE	SI-07-03	West Park	05/23/2007	1/11/2018	No
1032130500	4913 GRANITE AVE NE	SI-07-03	West Park	05/23/2007	1/11/2018	No
1032130510	2932 LEVI LN NE	SI-07-03	West Park	05/23/2007	1/11/2018	No
1032130520	4735 GRANITE AVE NE	SI-07-03	West Park	05/23/2007	1/11/2018	No
1032130530	2930 ANTHONY LN NE	SI-07-03	West Park	05/23/2007	1/11/2018	No
1032130540	4621 GRANITE AVE NE	SI-07-03	West Park	05/23/2007	1/11/2018	No
1032130550	4674 OBSIDIAN AVE NE	SI-12-16	West Park Phase 2	10/15/2013	1/11/2018	No

Millersburg Manhole Inspection Report
March 2018

ID	Address	As-Builts	Project Name	Date Installed	Date Inspected	Issues?
1032130570	2914 LEVI LN NE	SI-12-16	West Park Phase 2	10/15/2013	1/11/2018	No
1032130580	2912 ANTHONY LN NE	SI-12-16	West Park Phase 2	10/15/2013	1/11/2018	No

Manholes with Observed Issues

ID	Address	As-Builts	Project Name	Date Installed	Date Inspected	Observations	Depth	Circumferential Location At/From	Location To
1031640040	38747 MORNINGSTAR RD NE	Contract #9	Millersburg Sanitary Sewage Collection System Contract #9	03/04/1993	1/5/2018	Fracture Longitudinal Infiltration Gusher Infiltration Gusher	0.0 ft 0.0 ft 0.0 ft	10 o'clock 7 o'clock 2 o'clock	6 o'clock
1031640070	6404 OLD SALEM RD NE	Contract #10	Millersburg Sanitary Sewage Collection System Contract #10	02/08/1994	1/8/2018	Infiltration Gusher	0.0 ft	9 o'clock	3 o'clock
1031640120	6415 MEGAN ST NE	Contract #5	Millersburg Sanitary Sewage Collection System Contract #5	11/15/1985	1/8/2018	Crack Multiple	0.0 ft	12 o'clock	12 o'clock
1031640180	6195 ROSEMARIE ST NE	SI-05-14	Morning Star Subdivision Phase 2 & 3	04/06/2006	1/3/2018	Infiltration Runner Infiltration Gusher	3.0 ft 4.0 ft	11 o'clock 4 o'clock	
1032120080	3007 ALEXANDER LN NE	Contract #7	Millersburg Sanitary Sewage Collection System Contract #7	11/01/1988	1/4/2018	Infiltration Runner Infiltration Runner	9.9 ft 12.9 ft	3 o'clock 3 o'clock	



P.O Box 7840
Salem, OR 97303
Phone: (503) 689-1330
Fax: (503) 689-1440
www.capitolasset.net

March 27, 2018

Attn: Janelle Booth
City Engineer
City of Millersburg

Subject: City of Millersburg Price Quote - Pavement Management Implementation

Capitol Asset & Pavement Services Inc. is pleased to submit our price quote for providing the City of Millersburg with a complete pavement management system update. We are excited for this opportunity to provide you with exceptional pavement management inspection and analysis services.

By submitting this price quote, Capitol Asset & Pavement Services Inc. agrees to be bound by statements and representations made in this quote and to any financial agreement resulting from any of our future contract negotiations.

We look forward to working with you and providing a superior level of service. Please feel free to contact me at (503) 884-6663 (cell) (office), (503) 689-1330 (cell), or jconder@capitolasset.net (email) if you have any questions regarding our proposal.

Respectfully,

Joel M Conder
Senior Project Manager
Capitol Asset & Pavement Services Inc.
PO Box 7840
Salem, Oregon 97303

Services, Timeframes, and Cost

Service & Timeframes	Description	Cost
Kickoff Meeting & Data Gathering	Upon entering into a contract with Capitol Asset & Pavement Services Inc. Our Senior Project Manager shall meet with city staff to discuss project timelines and notice to proceed. Other agenda items shall include, but are not limited to: contact information of city staff, local rules & regulations, press releases (if needed), obtaining any historical street information to included in new database; As-builds, and recent maintenance & rehabilitation activity.	Included
Segmentation of City Street Network – Populating the New Database	Capitol Asset & Pavement Services Inc. shall physically measure all city-maintained paved streets with an electronic distance measuring instrument in order to get accurate segment lengths. Each segment shall be measured for width using an engineering wheel. Pavement type, functional class, # of lanes, begin & end location, curb height & curb condition are some of the data elements that will be recorded during this process. All field data will be recorded electronically using a laptop computer. This includes the task of moving all the Millersburg streets that are currently in the Linn Co Streetsaver database, into the new Millersburg Streetsaver database.	Included Updating of newly constructed streets that are not in the Linn Co database currently
Data Migration and Linking of GIS Segments	CAPS will pull all city streets from the current Linn County database and migrate over to the new city Streetsaver database. CAPS, shall also set up the GIS section link within the StreetSaver® Online program. Using the GIS Toolbox Section Link feature, CAPS, Inc will link each database section to the street centerline file provided by the City. Database section beginning and ending location descriptors will be matched to corresponding beginning and ending points in the street centerline file. Once complete, this will allow the creation of various maps using the StreetSaver® GIS reporting feature (Street PCI condition, Segments needing rehabilitation, maintenance history, etc).	\$2,000 fee
Distress Rating of all Paved Streets to be Included in The new City of Millersburg Pavement Management Database	A 2-person crew, led by our Senior Project Manager, will inspect all streets that are to be included in the study as approximately 14-15 centerline miles maintained by City. This is done by windshield drive-by, and then turning around and walking the most representative area of the segment. Total area inspected can be from 10% to 100% It is completely the city’s choice on area to be inspected. It does not affect the price. This inspection process is all gathered electronically with our own data collection software program that has built-in error protection to help assure accurate data collection.	\$2,500
Further Populating of Database - Uploading of Distress Data – Calculations	Capitol Asset & Pavement Services Inc. shall take all collected field data and import into new pavement management database. All pertinent street data collected from the city shall also be input into database. A pavement condition index (PCI) shall be calculated based upon the distress rating data.	Included
Software Training for City Staff (if requested)	Upon successful completion and delivery of the “final” Budget Options Report, Capitol Asset & Pavement Services Inc. shall train staff in proper use of the pavement management system, if so requested.	Included

Future Software Support & Training On-going	Capitol Asset & Pavement Services Inc. puts on an annual refresher course. This class is an all-day, hands-on computer training/refresher class that is free of charge to all Capitol Asset & Pavement Services Inc. clients, and is always held in the spring. This class is usually conducted near the Portland or Bend area. City staff shall also receive up to 40 hours per year of online or telephone technical support at no charge.	Included
Software Cost	The city of Millersburg shall receive an online subscription for the Streetsaver software along with unlimited technical support for an annual cost of....	\$750
Deliverables	Capitol Asset & Pavement Services Inc. will deliver all the above-mentioned services for one (1) lump sum price of...	\$5,250

FEE SCHEDULE

HOURLY BILLABLE RATES STRUCTURE

JANUARY 1, 2108 THRU DECEMBER 31, 2018

(For services requested beyond deliverables within the aforementioned lump sum)

Position Description	<u>Hourly Rate</u>
President	\$135.00/hr
Vice-President	\$120.00/hr
Senior Project Manager	\$120.00/hr
Senior Programmer	\$115.00/hr
Management Analyst	\$95.00/hr
Engineering Tech.	\$75.00/hr
Data Collection Coordinator	\$70.00/hr
Accounts Payable Clerk	\$55.00/hr
Travel Charge per mile	\$ 0.55/mile

The total price of this quote **(\$5,250)** is based entirely on an estimate and may not be exceeded without the written authorization of the City of Millersburg representative, by change order to this purchase order. CAPS Inc. will be obligated only to a total price based on actual quantity accepted and charged at the fixed prices **(\$5,250)** for PMP services as set forth above or to be agreed upon. The final total to be paid may be less than estimated, in which event the City of Millersburg's obligation will be payment of the lesser amount.



CITY OF MILLERSBURG

4222 Old Salem Road
Albany Oregon, 97321
(541) 928-4523
www.cityofmillersburg.org

2018-2019 BUDGET CALENDAR

- | | |
|----------------|---|
| March 13, 2018 | Appoint Budget Officer for 2018-2019 |
| April 15, 2018 | Publish Notice of Budget meeting on website and newspaper |
| April 25, 2018 | Budget packets delivered to Budget Committee Members |
| May 1, 2018 | First Budget Committee meeting
Elect Chair
Deliver budget message |
| May 2, 2018 | Publish Notice of Second Budget meeting on website and newspaper (if needed) |
| May 17, 2018 | Second Budget Committee Meeting (if needed) |
| May 22, 2018 | Publish notice of budget hearing and financial summary on website and newspaper |
| June 12, 2018 | City Council - Hold budget hearing |
| June 12, 2018 | Council - Adopt budget |
| June 29, 2018 | Submit Appropriation Resolution |

Utility Change Form

Service Address

Rent or Own

Forwarding/Mailing Address

Account Number

Name

ID Type and Number

Home Phone

Email Address

Newsletter Yes No

Work Phone

Move **IN** date

Move **OUT** date

Online Payment Option

Billing Cycle

Library Reimbursement

Rec Program Reimbursement

Millersburg Celebration

Meter Reading w/Date

70

Utility Change Form

Service Address

Rent or Own

Forwarding/Mailing Address

Account Number

Name

ID Type and Number

Home Phone

Email Address

Newsletter Yes No

Work Phone

Move **IN** date

Move **OUT** date

Online Payment Option

Billing Cycle

Library Reimbursement

Rec Program Reimbursement

Millersburg Celebration

Meter Reading w/Date

Utility Change Form

Service Address

Rent or Own

Forwarding/Mailing Address

Account Number

Name

ID Type and Number

Home Phone

Email Address

Newsletter Yes No

Work Phone

Move **IN** date

Move **OUT** date

Online Payment Option

Billing Cycle

Library Reimbursement

Rec Program Reimbursement

Millersburg Celebration

Meter Reading w/Date





TO: Millersburg City Council
FROM: Kevin Kreitman, City Manager
DATE: April 2, 2018 for the April 10, 2018 City Council Meeting
SUBJECT: Participation in the Oregon Savings Growth Plan

Action Requested: Consideration of participation in the Oregon Savings Growth Plan (OSGP), a 457(b) deferred compensation plan.

Discussion: The Oregon Savings Growth Plan (OSGP) is a 457(b) deferred compensation plan that provides public employees with a convenient way to save for retirement. It allows employees of an OSGP-participating employer to contribute a portion of their salary on a pre-tax basis. Contributions and earnings continue to grow, tax-deferred, until distribution. OSGP also provides a Roth 457(b) for employees of participating employers that allows a portion of their salary to be contributed on an after-tax basis. Eligible distributions and earnings are then distributed tax-free from the Roth 457(b) option.

The plan is a sub-component of the Oregon Public Employees Retirement System (PERS), with oversight by PERS and the Oregon State Treasury, and managed by ING Institutional Plan Services LLC as the Third Party Administrator (TPA). The program was brought to the City's attention by an employee who previously participated in the program when employed by the State.

Additionally, other employees have expressed a desire to participate in such a program. Participation in the plan is solely the responsibility of the employee. The City is proposing to have PERS take responsibility for those TPA assignments in which the City may assign responsibilities to PERS.

There are no costs to the City associated with this plan. In addition, the fee for investment services employees would pay is much lower than comparable plans administered by the private sector.

Budget Impact:

No cost to the City with regards to plan participation; some minor reporting would be required on the City's part.

Recommendation

Adoption of the attached resolution and authorize the Mayor and City Manager to sign the attached Oregon Growth Savings Plan, Plan Trust – Declaration.

Attachment(s):

Resolution 2018-9

Oregon Growth Savings Plan Trust - Declaration

RESOLUTION NO. 2018-9

A RESOLUTION APPROVING MILLERSBURG TO BE INCLUDED IN THE STATE OF OREGON DEFERRED COMPENSATION INVESTMENT PROGRAM AND DESIGNATING AN AGENT AND AN ALTERNATE AGENT AND ACCOMPANYING AUTHORITY

WHEREAS, Oregon Revised Statute 243.474 provides in part that “A local government that establishes a deferred compensation plan may invest all or part of the plan’s assets through the deferred compensation investment program established by the Oregon Investment Council (OIC) under ORS 243.421”; and,

WHEREAS, the Council believes it is the best interest of its employees to be included in the State of Oregon Deferred Compensation Investment Program, also known as the Oregon Savings Growth Plan, established by the OIC under ORS 243.421 and administered by the Public Employees Retirement Board according to ORS 243.435 for its eligible personnel; and,

WHEREAS, it is appropriate to designate an agent and an alternate agent to work on behalf of the City of Millersburg in matters pertaining to the State of Oregon Deferred Compensation Investment Program,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILLERSBURG that City of Millersburg employees are to be included in the State of Oregon Deferred Compensation Investment Program, also known as the Oregon Savings Growth Plan, established by the OIC under ORS 243.421 and administered by the Public Employees Retirement Board according to ORS 243.435 for its eligible personnel;

BE IT FURTHER RESOLVED that the proper officers are herewith authorized and directed to take all actions and make such reductions and submit such deferrals as are required by the Public Employees Retirement Board of the State of Oregon pursuant to ORS 243.478(1); and

BE IT FURTHER RESOLVED that the City of Millersburg agrees to be bound by the terms and conditions of the contracts between the State of Oregon, its investment providers and record-keeping company, and the Plan Document as identified in ORS 243.401 to 243.507 and Third-Party Administrator (TPA) services as amended from time to time. Specifically, without limitation, the City of Millersburg agrees to appoint its governing body, the City Council, as Trustee of its Plan, as required by Section 457(g) of the Internal Revenue Code (IRC), 26 USC 457(g)(2). The City of Millersburg certifies it is an “eligible employer” under IRC Section 457(e)(1) and has received a copy of the Plan Document and TPA Services; and

BE IT FURTHER RESOLVED that the City of Millersburg shall submit a certified copy of this resolution and a notification memo to the State of Oregon, Public Employees Retirement System (PERS) as the Plan Administrator; and

BE IT FURTHER RESOLVED that the City Council and City of Millersburg, recognize the PERS Board's responsibility for maintaining the integrity of the Plan and hereby agree to cooperate fully with the Plan Administrator in accordance with procedures established by PERS, including without limitation in processing requests for withdrawal in case of an unforeseeable emergency as defined in IRC Sec. 457(b)(5) and Treasury Regulation 1.457-2(h)(4) and (5).

BE IT FURTHER RESOLVED that the City Manager shall be designated as the agent, and the Assistant City Manager shall be designated as the alternate agent.

DATED THIS _____ DAY OF _____, 2018.

Jim Lepin
Mayor

ATTEST:

Kimberly Wollenburg
City Recorder

PLAN TRUST – DECLARATION

Local Government Entity

ARTICLE I - PURPOSE

Employer, which is a local government entity in Oregon and an “eligible employer” under Section 457(e)(1) of the Internal Revenue Code (IRC), 26 USC 457(e)(1), desires to establish an “eligible deferred compensation plan” (“the Plan”), as defined in Section 457(b) of the Internal Revenue Code, for employees performing services for Employer (“Employer” or “Plan Sponsor”). Employer is the Plan Administrator, and its governing body is the Plan Trustee. The Plan is a “local government deferred compensation plan” as defined in ORS 243.401(9) that is administered by the Public Employees Retirement System. A Third Party Administrator (TPA) may be contracted to offer administrative services.

ARTICLE II - ACCOUNTS HELD IN TRUST

All amounts of compensation deferred under the Plan, all property and rights purchased with such amounts and all income attributable to such amounts, property, or rights shall be held in trust for the exclusive benefit of Participants and their beneficiaries.

ARTICLE III - INVESTMENT

Employer shall offer a diversified investment program(s) for employees participating (“Participants”) in the Plan. All or any portion of each Participant’s Account may be, but shall not be required to be, invested by Employer in the options designated by Participant. Employer shall have absolute and uncontrolled discretion with respect to the option or options, in which the Account as defined in Article IV, shall be invested.

ARTICLE IV - DEFERRAL

The compensation that Participant would otherwise receive for the pay period shall be reduced by the amount specified by the Participant in the Plan and Agreement, or through instructions communicated via the PERS/OSGP Website, telephone, or other approved method(s) prescribed by the Deferred Compensation Office. The amount of the reduction shall be contributed to Participant’s Deferred Compensation Account (the “Account”).

ARTICLE V - CHANGE IN AMOUNT OF DEFERRAL

The amount of compensation to be deferred under the Plan may be increased or decreased at any time in accordance with Plan procedures. Any such revision shall be effective for any calendar month by salary reduction only if an agreement providing for the deferral has been entered into before the first day of the month in which the compensation is paid or made available.

ARTICLE VI - MAXIMUM DEFERRAL

Except as provided in Article XIV, the following limitations shall apply: In no event shall the amount deferred for any Participant’s taxable year exceed the lesser of (i) the certain amount specified by the Internal Revenue Service (\$16,500 in 2011, and as may be adjusted by the Internal Revenue Service from time to time), or (ii) 100 percent of Participant’s includible compensation for the taxable year for services performed for Employer.

ARTICLE VII - TIMING OF DEFERRAL

Compensation may be deferred for any calendar month by salary reduction only if an agreement providing for the deferral has been entered into before the first day of the month in which the compensation is paid or made available.

ARTICLE VIII - EMPLOYER'S OBLIGATION; FEES AND CHARGES

Employer's sole obligation to the Participant at any time shall be equal to the value of the Account at such time. The Participant's Account shall be reduced by any charges or fees incurred in liquidating any investment in which the Account is invested, including any interest penalty for early withdrawal of amounts deposited in any financial institution. In addition, the Plan may charge each Participant an annual administrative fee of up to two (2) percent of the Account.

Loan: If employer chooses to participate in the Plan's loan program, participants may be eligible to borrow funds from their OSGP account.

ARTICLE IX - NON-ASSIGNMENT

Except as required by the terms of a domestic relations order as defined in IRS Private Letter Ruling 9145010, July 31, 1991, the Internal Revenue Code, as may be amended, and Plan provisions, Participant may not assign, anticipate, alienate, sell, transfer, pledge, or in any way encumber any of the rights Participant may have in the Employer's 457 Plan, as may be amended. Employer shall reject and refuse to honor any such purported action with respect to such rights. The interest of Participant or any beneficiary designated by Participant in Participant's Account or in any obligation established by this Plan-Trust Declaration shall not be subject to the claims of Participant's creditors or to legal process on behalf of Participant's creditors or be liable for the debts of any beneficiary.

ARTICLE X - AVAILABILITY OF DEFERRED FUNDS

In no event will any amount payable under this Plan be paid or made available to Participant before the Participant incurs a Severance from Employment or is approved for an Unforeseeable Emergency or De Minimis distribution which are defined below. In no event may a Participant's Beneficiary or alternate payee under a QDRO receive a De Minimis distribution or a distribution for an Unforeseeable Emergency.

Severance from Employment shall be determined in the manner prescribed by the Internal Revenue Service. For purposes of this Plan, Participant will have a Severance from Employment on ceasing to render services for the Plan Sponsor, including services as a temporary employee. If a Participant returns to work with the Plan Sponsor, the Participant is no longer eligible for distributions except as otherwise expressly allowed under the Plan and the Internal Revenue Code. "Unforeseeable Emergency shall mean severe financial hardship to Participant resulting from a sudden and unexpected illness or accident of Participant or of Participant's dependent (as defined in Section 152(a) of the Internal Revenue Code), loss of Participant's property due to casualty, or other similar extraordinary and unforeseeable circumstances arising as a result of events beyond Participant's control. The circumstances that will constitute an Unforeseeable Emergency will depend upon the facts of each case, but in any case, payment may not be made to the extent that such hardship is or may be relieved: (i) through reimbursement of compensation by insurance or otherwise, (ii) by liquidation of Participant's assets, to the extent the liquidation would not itself cause severe financial hardship, or (iii) by cessation of deferrals under the Plan."

De Minimis Distribution. If a Participant's account has less than \$5,000 and the Participant has not contributed to the Plan for a minimum of two years, the Participant may request that the account balance be distributed to the Participant. A Participant may elect this option only once.

Unforeseeable Emergency. Upon the occurrence of an Unforeseeable Emergency, as defined above, Participant may submit an Unforeseeable Emergency Withdrawal Request on a form supplied by the Deferred Compensation Office. If the Deferred Compensation manager, or the manager's designee, approves the request, a distribution will be made in an amount consistent with the terms of this Plan and Agreement and reasonably needed to satisfy the emergency need.

Loan. If employer chooses to participate in the Loan Program, participants may be eligible to borrow funds from their OSGP account.

Distribution After Severance from Employment. Upon Participant's Severance from Employment, as defined above, Employer shall direct the record keeper to pay Participant the value of Participant's Account in the manner specified in Article XII.

ARTICLE XI - PAYMENT UNDER THE PLAN

- (a) Upon Participant's Severance from Employment, as defined in Article X, Employer shall authorize payment to the Participant in accordance with Plan procedures; or
- (b) Upon the occurrence of an Unforeseeable Emergency, as defined in Article X. Participant may submit an Unforeseen Emergency Withdrawal Request on a form supplied by the Employer or TPA. The request, if approved, will be for only the amount of payment as is consistent with the terms of this Plan document and reasonably needed to satisfy the emergency need.

ARTICLE XII - DISTRIBUTIONS

The Settlement Agreement, which must be completed by a Participant upon severance of employment when the Participant requests a distribution from the Plan, provides for the time and manner in which the value of the Participant's Account is to be paid following Severance from Employment. The Participant may make or change an election regarding the manner in which payments are to be made by completing and executing the "Manner of Payment" portion of the Settlement Agreement and delivering it to the Deferred Compensation Office at least 30 days before the payment commencement date. The "Payment Commencement Date" portion and the "Manner of Payment" portion of the Settlement Agreement shall become effective when executed by both Participant and Employer. The payment commencement date must be at least 30 days after the termination date. Notwithstanding the foregoing, however, the payment commencement date can be no later than April 1 following the calendar year in which Participant reaches age 70½ or incurs a Severance from Employment, whichever is later. The manner of payment selected must satisfy the requirements of Section 401(a)(9) of the Internal Revenue Code. If a Participant fails to elect a payment commencement date by the required beginning date as defined in OAR 459-050-0080, payments shall be made in accordance with IRC 401(a)(9). Account balances of less than \$1,000 shall be distributed as a lump sum within one year after the termination date.

ARTICLE XIII - DISTRIBUTION TO BENEFICIARIES

If the Participant dies after having begun to receive distributions, the distribution of benefits must continue to the designated beneficiary at least as rapidly as under the schedule of payments elected by Participant. If Participant dies before having begun to receive distributions, Participant's entire Account must be distributed by December 31 of the calendar year that contains the fifth anniversary of Participant's death, unless the designated beneficiary elects within 60 days after the date the Deferred Compensation Office is notified of the Participant's death to have one of the following special rules apply:

- (a) **IF THE BENEFICIARY IS PARTICIPANT'S SURVIVING SPOUSE:** Distribution commencement date is no later than December 31 of the year in which the Participant would have reached age 70½ or the year that contains the first anniversary of Participant's death, whichever is later. Payments must be made over the spouse's life or a period no longer than the spouse's life expectancy.
- (b) **IF THE BENEFICIARY IS A PERSON OTHER THAN THE SURVIVING SPOUSE:** If the beneficiary was designated by the Participant, distributions must begin no later than December 31 of the year that contains the first anniversary of Participant's death. The entire Account must be paid over a period which does not exceed the beneficiary's life expectancy.
- (c) **IF THE BENEFICIARY WAS NOT DESIGNATED BY THE PARTICIPANT:** As defined in section 401(a)(9) of the Internal Revenue Code, the Participant's entire interest must be distributed to the Estate.

Distributions to the beneficiary may not commence until at least 30 days after the Employer or TPA receives notification of Participant's death.

ARTICLE XIV - CATCH-UP ELECTION

Participants nearing normal retirement age may make up some or all of any deferrals they did not make during previous years of eligibility. For purposes of this Article, "normal retirement age" shall have the meaning given to that term under the retirement system of the plan sponsor. A Participant may elect to make additional catch-up contributions using either of the options listed below. These options may not be exercised simultaneously.

- (a) The earliest a Participant may exercise this catch-up option is three years before the Participant reaches normal retirement age. Within one to three years prior to the Participant's normal retirement, the Participant may make additional contributions, such that the sum of normal contributions and catch-up contributions does not exceed the lesser of:
 - (i) twice the dollar amount in effect under Internal Revenue Code section 457(b)(2)(A) (\$16,500 in 2011 and as may be adjusted from time to time), or
 - (ii) the sum of the maximum contribution level available to the employee (the lesser of 100% of eligible income or the applicable dollar amount which is \$16,500 in 2011) plus so much of the maximum contribution level as was not previously used.

- (b) A Participant who has attained age fifty (50) before the close of the pay year may defer an amount in addition to the maximum contribution level, not to exceed the lesser of:
 - (i) the dollar amount stated by the Internal Revenue Service (\$5,500 in 2011 and as may be adjusted from time to time); or
 - (ii) compensation as defined in IRC 415(c) less any other elective deferrals for the year.

ARTICLE XV - PLAN-TO-PLAN TRANSFERS OUT OF THE PLAN

If Participant has a Severance from Employment under this Plan, and becomes employed by another Employer that sponsors a plan that accepts eligible rollover distributions under the Internal Revenue Code, including but not limited to an "eligible deferred compensation plan" under Section 457, Participant may request a transfer of his or her Account to the new Employer's plan. Such a transfer is subject to the terms and conditions of the plan receiving the funds.

ARTICLE XVI - ACCEPTANCE OF DEFERRALS FROM ANOTHER PLAN

Compensation deferred by a Participant pursuant to another eligible plan, including but not limited to plans established under sections 401(k) and 403(b) of the Internal Revenue Code, IRAs, and a governmental employer's "eligible deferred compensation plan" within the meaning of Section 457 of the Internal Revenue Code, may be accepted by this Plan. Such amounts shall be credited to the Participant's Account established pursuant to this Plan-Trust Declaration and shall be subject to all the terms and provisions of the Plan, Oregon Revised Statutes, and the Oregon Administrative Rules, as they may be amended from time to time.

ARTICLE XVII - REVOCATION

Participant may revoke participation in the Plan by providing telephonic instructions, by issuing instructions via the PERS/OSGP Internet site, or any other method that is in accordance with Plan procedures. Any revocation shall be effective only for compensation earned after the last day of the calendar month in which the revocation is submitted. Revocation of participation in the Plan will not accelerate payment of amounts deferred. Payment will occur only upon the occurrence of one of the specific events detailed in this Plan document.

ARTICLE XVIII - DOMESTIC RELATIONS ORDER

The Plan will comply with domestic relation orders as defined in IRS Private Letter Ruling 9145010, July 31, 1991, and as required under Plan provisions, Oregon law, the Internal Revenue Code, rules and regulations, as they may be amended from time to time.

ARTICLE XIX - COMPLIANCE WITH INTERNAL REVENUE CODE SECTION 457

This Plan document is intended to comply with and to be administered in a manner consistent with Section 457 of the Internal Revenue Code. The provisions of this Plan documents shall be interpreted in accordance with this intent. If requested by the Employer, the Participant agrees to cooperate in correcting any inconsistency in the administration of the Plan and Agreement under Section 457 of the Internal Revenue Code. The Plan shall be administered in accordance with Oregon law, the Internal Revenue Code, and applicable rules and regulations, as they may be amended from time to time.

ARTICLE XX - AMENDMENT OF PLAN-TRUST DECLARATION

Subject to the requirements of ORS 243.474 through 243.478, the Employer may amend this Plan-Trust Declaration at any time and without the consent of any other person. Any amendment must be in writing, and may be required if necessary to maintain compliance with Oregon law, the Internal Revenue Code, rules and regulations, as they may be amended from time to time. However, any amendment that would diminish the protection of Article II, "Account Held in Trust" is absolutely void.

NOW THEREFORE, in recognition of the premises recited above, and in consideration of the provisions stated by this Plan-Trust Declaration, and intending to be legally bound by this written Plan-Trust Declaration, the Employer as the Plan Administrator and the Plan-Trustee signed below.

Employer's Signature (Do not print)

Plan Trustee's Signature (Do not print)

Printed Name

Printed Name

Title

Title

Date

Date



TO: Millersburg City Council
FROM: Kevin Kreitman, City Manager
DATE: April 5, 2018, for the April 10, 2018 Council Meeting
SUBJECT: Ordinance Regarding the Update of Charter Section 22 and Associated Resolution

Action Requested: Adoption of the attached Ordinance to implement the proposed change to the Millersburg City Charter Section 22 and consideration of the attached Resolution for identifying authorized signers.

Discussion:

The Council has proposed a change to the Millersburg City Charter Section 22 and has held two public hearings regarding the proposed change in language. Attached is the proposed Ordinance which would codify the change to Section 22 of the Millersburg City Charter. Upon adoption by the City Council, Ordinance No. 2018-136 would go into effect after an additional 30-day waiting period, on May 10, 2018.

Also attached is the proposed Resolution 2018-10 to accompany the Charter language change. If Council is in agreement with the proposed Resolution, Staff would ask that Council also approve the Resolution with an effective date of May 10, 2018. If Council would like modification of the Resolution, Staff could make proposed changes and resubmit the Resolution at the May 8, 2018 City Council Meeting.

Recommendation:

Council adoption of Ordinance 2018-136 and associated Resolution 2018-10.

Attachment(s):

Proposed Ordinance 2018-136
Proposed Resolution 2018-10

ORDINANCE NO. 2018-136

**AN ORDINANCE REPEALING AND REPLACING SECTION 22 OF THE
MILLERSBURG CITY CHARTER**

WHEREAS, the entirety of existing Section 22 of the Millersburg City Charter reads: “*All drafts and warrants upon the funds of the city shall be signed by the mayor and the president of the council, and in the absence of either one of these persons, by a council member designated by the mayor or president of the council, whichever one is present.*”; and,

WHEREAS, occasionally both the mayor and the president of the council have been unavailable to sign drafts and warrants upon the funds of the City of Millersburg (City); and,

WHEREAS, the City intends to assure timely and appropriate payment of City financial obligations when signing drafts and warrants upon the funds of the City; and,

WHEREAS, the City Council must appoint specific City staff, and/or City officers, and/or City agents in order to assure timely and appropriate payment of City financial obligations when signing drafts and warrants upon the funds of the City; and,

WHEREAS, the entirety of existing Section 22 of the Millersburg City Charter must be repealed in its entirety and replaced in order to accomplish and assure timely and appropriate payment of City financial obligations when signing drafts and warrants upon the funds of the City;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS: The City of Millersburg repeals the entirety of existing Section 22 of the Millersburg City Charter and replaces Section 22 with the following language: “*All drafts and warrants upon the funds of the City shall be signed by City staff, and/or City officers, and/or City agents, as designated by Council Resolution.*”

This Ordinance becomes effective thirty days from date of passage.

PASSED by the Council and approved by the Mayor this _____ day of April, 2018.

Jim Lepin, Mayor
City of Millersburg, Oregon

ATTEST:

Kimberly Wollenburg
City Recorder

RESOLUTION NO. 2018-10

A RESOLUTION AUTHORIZING CERTAIN CITY STAFF AND CITY OFFICERS TO SIGN ALL DRAFTS AND WARRANTS UPON THE FUNDS OF THE CITY

WHEREAS, Section 22 of the Millersburg City Charter states: “*All drafts and warrants upon the funds of the city shall be signed by city staff, and/or city officers, and/or city agents, as designated by Council Resolution.*”; and,

WHEREAS, the City Council must designate which city staff, and/or city officers, and/or city agents, are authorized to sign all drafts and warrants upon the funds of the city;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILLERSBURG that the Mayor, Council President, City Manager, Assistant City Manager, and City Recorder are authorized to sign all drafts and warrants upon the funds of the City.

BE IT FURTHER RESOLVED that this Resolution shall become effective May 10, 2018.

DATED THIS _____ **DAY OF** _____, 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: April 2, 2018 for the April 10, 2018 City Council Meeting
SUBJECT: Pavement Patching Standards and Fees

Action Requested:

Revise pavement patching fees by adopting new Resolution 2018-11, which repeals Resolution 2017-20.

Discussion:

The City previously adopted pavement patching standards based on the age and functional classification of roadways. The fees established in Resolution 2017-20 included a "non-impact" fee for projects that do not involve cutting of roadway surfaces. There were additional fees for projects involving pavement trenching and patching work. These fees were intended to cover situations where the City of Millersburg performs, or contracts to perform, trenching and patching work on behalf of an applicant (a typical example is water service installations).

After the resolution was adopted in September 2017, the standards and fees established in Resolution 2017-20 were incorporated into the City's Right-of-Way permit. Since that time, 11 right-of-way permits have been issued. Through the process of issuing these permits, staff have found that the fee structure is confusing and the provisions for City-performed work are unnecessary because the City is now charging applicants for the actual cost of work when required (per previously adopted fees).

Staff recommends changing the \$50 non-impact fee to a \$100 permit review fee, to better cover the costs of the actual permit review time and deletion of the additional fees for City-performed work. If Council approves this change, staff will revise the right-of-way permit to reflect this change and perform additional revisions to the permit form to make it easier to fill out and process.

Budget Impact:

Changing the \$50 non-impact fee to a \$100 permit review fee will better cover the costs of the actual permit review time.

Recommendation:

Adoption of Resolution 2018-11.

Attachment(s):

Resolution 2017-20
Resolution 2018-11

RESOLUTION #2017-20

A RESOLUTION ESTABLISHING TRENCH BACKFILL AND PAVEMENT PATCHING STANDARDS AND FEES ASSOCIATED HEREIN

WHEREAS, the City of Millersburg has adopted the City of Albany Standard Construction Specifications; and

WHEREAS, the City of Albany Standard Construction Specifications establish minimum trench backfill and pavement patching requirements per Details No. 204, 205, 206A, and 206B; and

WHEREAS, the City of Millersburg has adopted a Right-of-Way permit to control activities within public rights-of-way; and

WHEREAS, the City of Millersburg desires to further protect the integrity of its streets by adopting additional trenching and patching standards;

NOW, THEREFORE, the City Council of the City of Millersburg resolves to adopt pavement patching standards and fees as follows:

Section 1: Trench Backfill Requirements

Trench backfill shall be per Standard Details No. 204 and 205, except use of Controlled Density Fill (CDF) may be required for pipe zone or trench backfill material at the direction of the City Engineer.

Section 2: Patching Requirements

Pavement patching requirements will vary based on the age and functional classification of the roadway.

In addition to Standard Detail 206A, a grind and inlay of the 2" top lift wearing course on each side of the trench will be required per the dimensions in Table 2.1 and 2.2 below. The work shall be conducted in accordance with the requirements of Standard Detail 206B.

Table 2.1 Transverse

Age of Roadway	Functional Classification		
	Arterial	Collector	Residential/ Local
Less than 5 years	120"	120"	120"
Between 5 and 10 years	120"	72"	36"
Between 10 and 15 years	60"	60"	24"
Over 15 years	60"	48"	0"

In addition, for arterials and collectors, if a trench extends more than 4 feet into a traffic lane, the patch shall extend across entire traffic lane.

Table 2.2 Longitudinal

Age of Roadway	Functional Classification		
	Arterial	Collector	Residential/ Local
Less than 5 years	Full lane	Full lane	Full lane
Between 5 and 10 years	Full lane	Full lane	36"
Between 10 and 15 years	Full lane	Full lane	24"
Over 15 years	Full lane	Full lane	0"

Section 3: Fees Established

There shall be ~~\$100 permit review fee. 50 non-impact permit fee for access or encroachment upon the City's right of ways. When the City of Millersburg performs, or contracts to perform, trenching and patching work in a roadway on behalf of an applicant, a fee will be charged. Fees are based on the age and functional classification of the roadway and charged on a linear footage of trench basis:~~

Age of Roadway	Excavation and Patching Fee					
	Arterial		Collector		Residential/ Local	
	Longitudinal	Transverse	Longitudinal	Transverse	Longitudinal	Transverse
Less than 5 years	\$600	\$1000	\$600	\$1000	\$600	\$1000
Between 5 and 10 years	\$600	\$1000	\$600	\$900	\$400	\$400
Between 10 and 15 years	\$600	\$600	\$600	\$600	\$300	\$300
Over 15 years	\$600	\$600	\$600	\$500	\$200	\$200

*All fees are per linear foot of trench in pavement.

Section 4: Amendment

Resolution 2017-11 is hereby amended to include the fees established herein.

Section 5: Severability

If any portion (section, subsection, paragraph, sentence, phrase or clause) of this resolution is found to be invalid by a court of competent jurisdiction, the remaining portions of this resolution shall remain in full force and effect.

ADOPTED and EFFECTIVE this 12th day of September, in the year two thousand and seventeen.

Jim Lepin, Mayor

ATTEST:

Sarah Cook, City Recorder

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RESOLUTION NO. 2018-11

A RESOLUTION ESTABLISHING TRENCH BACKFILL AND PAVEMENT PATCHING STANDARDS AND FEES ASSOCIATED HEREIN

WHEREAS, the City of Millersburg has adopted the City of Albany Standard Construction Specifications; and

WHEREAS, the City of Albany Standard Construction Specifications establish minimum trench backfill and pavement patching requirements per Details No. 204, 205, 206A, and 206B; and

WHEREAS, the City of Millersburg has adopted a Right-of-Way permit to control activities within public rights-of-way; and

WHEREAS, the City of Millersburg desires to further protect the integrity of its streets by adopting additional trenching and patching standards;

NOW, THEREFORE, the City Council of the City of Millersburg resolves to adopt pavement patching standards and fees as follows:

Section 1: Trench Backfill Requirements

Trench backfill shall be per Standard Details No. 204 and 205, except use of Controlled Density Fill (CDF) may be required for pipe zone or trench backfill material at the direction of the City Engineer.

Section 2: Patching Requirements

Pavement patching requirements will vary based on the age and functional classification of the roadway.

In addition to Standard Detail 206A, a grind and inlay of the 2” top lift wearing course on each side of the trench will be required per the dimensions in Table 2.1 and 2.2 below. The work shall be conducted in accordance with the requirements of Standard Detail 206B.

Table 2.1 Transverse

Age of Roadway	Functional Classification		
	Arterial	Collector	Residential/ Local
Less than 5 years	120”	120”	120”
Between 5 and 10 years	120”	72”	36”
Between 10 and 15 years	60”	60”	24”
Over 15 years	60”	48”	0”

In addition, for arterials and collectors, if a trench extends more than 4 feet into a traffic lane, the patch shall extend across entire traffic lane.

Table 2.2 Longitudinal

Age of Roadway	Functional Classification		
	Arterial	Collector	Residential/ Local
Less than 5 years	Full lane	Full lane	Full lane
Between 5 and 10 years	Full lane	Full lane	36"
Between 10 and 15 years	Full lane	Full lane	24"
Over 15 years	Full lane	Full lane	0"

Section 3: Fees Established

There shall be \$100 permit review fee.

Section 4: Amendment

Resolution 2017-20 is hereby repealed and replaced by Resolution 2018-__.

Section 5: Severability

If any portion (section, subsection, paragraph, sentence, phrase or clause) of this resolution is found to be invalid by a court of competent jurisdiction, the remaining portions of this resolution shall remain in full force and effect.

ADOPTED and EFFECTIVE this 10th day of April, in the year two thousand and eighteen.

 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: April 3, 2018 for the April 10, 2018 City Council Meeting
SUBJECT: South Ball Field Improvements

Action Requested:

Direction on whether to move forward with work on the Millersburg Park south ball field.

Discussion:

Council has previously directed staff to move forward with work to improve the south ball field at the Millersburg Park. In March, sod was scraped from the surface of the field in preparation for placement of topsoil and infield material. The sod removal work (Task 1) was performed by Poe's Excavation at a cost of \$2,000.

The next steps are to install topsoil (sandy loam) and infield mix (Beaver Mix) per the recommendations of Bruce Edwards of Albany Parks and Recreation. Previously, the thought was that City staff could order the needed materials, have them delivered, spread, and compact them. As the scope of work was developed with Bruce's input, and material costs were evaluated, it became evident that the majority of the costs are in the materials themselves, and that City staff do not have the equipment necessary to spread and compact the soils as recommended.

Therefore, staff requested a quote from Poe's Excavation to perform the remainder of the work (see attached). The costs of Tasks 2 and 3 are:

- Task 2: Topsoil: \$12,443 (\$8,813 for materials and delivery)
- Task 3: Beaver Mix: \$18,685 (\$13,640 for materials and delivery)

The total proposed cost for the remainder of the work is \$31,128. A previous quote from R.L. Reimers for Tasks 1 and 2 was \$18,599. Because the cost of the work is more than originally envisioned, staff is bringing this back to the Council for approval to authorize work on Tasks 2 and 3.

If Council decides to not move forward with Tasks 2 and 3, some material will still be needed to replace the material removed by scraping off the sod. The cost of that work is estimated to be close to the cost of Task 2.

Schedule:

The original intent was to have the field work complete by mid-April so teams could begin to use it for practices. Due to weather and soil conditions, this schedule is not feasible. If Council decides to move forward, the work will be scheduled as soon as possible, based on the contractor's availability.

Budget Impact:

The total proposed cost for the remainder of the work is \$31,128. This work could likely be partially funded out of parks SDCs. The remainder of the funding would come from the Parks Fund and General Fund.

Requested Action:

Direction on whether to move forward with Tasks 2 and 3 to complete the ball field work as originally intended. Or direction on restoration of field if Tasks 2 and 3 are not to be completed as originally scoped.

Attachment(s):

Poe's Excavation Scope of Work/Quote

Poe's Excavation
Scope of Work/Quote

Millersburg Park - Baseball Infield Scope of Work

The purpose of this work is to prepare the south baseball field of the Millersburg City Park for use. Work shall not be conducted when the surface is too wet to work without causing damage to the infield or when the ground is too soft to support equipment weight. Contractor shall be responsible for repairing any damage to grass, pavement surfaces, or any other areas caused by equipment accessing the site.

Task 1: Subgrade Preparation

Remove sod from infield (approximately 13,000 sf) by scraping. Do not remove more underlying material than necessary.

Grade "hardpan" of infield to drain to north corner. Slope shall be approximately 1% to 1/2%. Grade control shall be performed using laser leveling equipment.

Dispose of sod and any excess materials offsite.

Provide the following costs:

Total for Task 1: \$2,000.00

Task 2: Topsoil (Sandy Loam)

Place approximately 240 cy (loose) of sandy loam topsoil material on infield. Topsoil shall be spread evenly across the field to an average compacted depth of 4" and shall be sloped approximately 1% to 1/2% to drain to the north corner of the infield. Field shall be watered as needed for compaction and topsoil shall be compacted by rolling with a large sheepsfoot roller. Grade control shall be performed using laser leveling equipment.

Sandy loam shall be as provided by Knife River or equal.

Work shall include purchasing and transporting sandy loam material, installation, and site cleanup.

Provide the following costs:

Sandy loam material: \$ 6,263.40

Hauling to site: \$ 2,550.00

Remainder of work (installation and site cleanup): \$ 3,630.00

Total for Task 2: \$ 12,443.40

Task 3: Infield Mix (Beaver Mix)

Place approximately 160 cy (loose) Lucky Beaver Professional Infield Mix material on infield. Mix shall be spread evenly across the field to an average uncompacted depth of 4". Field shall be watered with approximately 1/2" of water and rolled using a large sheepsfoot roller followed by a tandem minimum 6,000 lb. smooth roller. The surface shall be sloped approximately 1% to 1/2% to drain to the north corner of the infield. Grade control shall be performed using laser leveling equipment.

Infield Mix shall be Lucky Beaver Professional Infield Mix as supplied by Valley Athletics.

Work shall include purchasing and transporting Infield Mix material, installation, and site cleanup.

Provide the following costs:

Lucky Beaver Professional Infield Mix material: \$ 13,640

Hauling to site: included in price of mix

Remainder of work (installation and site cleanup): \$ 5,045.00

Total for Task 3: \$ 18,685.00



TO: Millersburg City Council
VIA: Kevin Kreitman, City Manager
FROM: Janelle Booth, Assistant City Manager/City Engineer
DATE: April 2, 2018 for the April 10, 2018 City Council Meeting
SUBJECT: Rate and SDC Study

Action Requested:

Approval of scope of work and proposed budget for Rate and SDC Study.

Discussion:

The City has identified a goal to review its current water and sewer rates and system development charges (SDCs) in light of industry standard practices, recent master planning work, and system operating needs. The City would also like to update the current transportation SDC based on the recently adopted Transportation System Plan. The general approach to updating SDCs follows the same basic steps for each system. The proposed scope and budget for the water and sewer rates and multisystem SDC analysis is attached.

This proposal from the Galardi Rothstein Group is the first phase of this work. Following the completion of a Parks Plan and the Stormwater Master Plan, park SDCs will be evaluated and stormwater SDCs and rates will be considered under a separate scope of work.

Because this work is specialized, and few local consultants provide this service, only one proposal was solicited. The Galardi Rothstein Group has performed rate and SDC studies for many other municipalities and agencies, including a recent study for the City of Albany. Because Millersburg's rates and SDCs will include costs for operations and projects at both the AM-WTP and AM-WRF, the Galardi Rothstein Group is uniquely suited to provide this service for Millersburg.

It should be noted that the outcome of this study will recommend new, possibly increased, rates, including a new structure for sewer rates. At completion of the study, the new rates and SDC charges will be presented to the Council for consideration and adoption.

Schedule:

Beginning in April, the consultant will collect water and sewer financial plan/rate data and start building an analysis. Work on the study will begin later in May and the study will be complete in the fall of 2018.

Budget Impact:

This work will be performed on a time and materials basis, with an anticipated budget of \$43,700. This cost will be split between the water, sewer, and transportation funds. The portion of the cost which will be due in FY 2017-2018 will

be paid from current resources within the utility funds. The portion of cost which will be due in FY 2018-2019 is being included in the budget for each of the utility funds.

Requested Action:

Approval of attached scope and budget and authorization for the City Manager to enter into an agreement with the Galardi Rothstein Group for the Rate and SDC Study.

Attachment(s):

Galardi Rothstein Group – Scope of Work & Proposal



City of Millersburg Rate & SDC Study

Project Understanding

The City of Millersburg (the City) would like to review its current water and sewer rates and system development charges (SDCs) in light of industry standard practices, recent master planning work (e.g. 2017 Sanitary Sewer Master Plan), and system operating needs. The City would also like to update the current transportation SDC based on the recently adopted Transportation System Plan. The general approach to updating SDCs follows the same basic steps for each system. The proposed scope and budget for the water and sewer rates, and multisystem SDC analysis is presented below.

Proposed Scope of Services

The overall goal of the study is to establish a near and longer term funding plan that ensures adequate revenue to address capital and operation and maintenance (O&M) needs of the systems. In addition, the SDC methodology and update process must be developed consistent with Oregon SDC law, and provide equitable cost recovery from new development.

The proposed scope of work for the study includes the following tasks:

Task 1 – Project Initiation and Management

Task 2—Financial Plan Development

Task 3—Consumption-Based Sewer Rates

Task 4 -- SDC Methodology Review and Update

Task 5 – Presentations and Reports

Each task is described in more detail below.

Task 1— Project Initiation and Management

We will conduct a meeting with City staff to discuss rate and financial polices and issues to be addressed in the study. We will prepare a data request list. The requested data will include operational, financial, and customer information for each system. We will review operating and capital budgets, and billing system data, as well as information from existing master plans.

Task 2—Financial Plan Development

We will analyze historical financial information, as well as recommendations from the master plans in order to project revenue requirements for each system for a 5-10 year planning period. Total revenue requirements will include current revenue funded capital projects, debt service (existing and any projected new), O&M costs (including indirect and direct administrative costs) and policy-related requirements (e.g., funding of reserves). Miscellaneous revenues, including revenue from SDCs, interest income, etc, will be projected and deducted from total requirements to determine the amount of annual revenue required from user rates. Revenue under existing rates will be projected, and we will work with the City to develop a rate increase strategy to meet the projected requirements.

A computerized financial planning model will be developed so that alternative financing scenarios, and policy and forecast assumptions will be evaluated against rate increases, and other financial indicators to develop a plan that meets the City's risk management and other objectives.

Task 3— Consumption-Based Sewer Rates

The City's current sewer rates are based on a fixed charge per unit. We will review monthly customer water use records for 1-2 years provided by the city to determine potential billable water volumes under a consumption-based sewer rate. We assume that the water use records will be provided in excel format. We will work with City staff to identify and evaluate various rate structure issues, including the portion of revenue to be recovered through fixed charges vs. volume charges, and bases for establishing billable volumes.

Rates will be calculated for each component and customer class (if appropriate), and we will prepare sample monthly bills to illustrate the impacts of the revised rate structure.

Task 4— SDC Methodology Review and Update

Within the framework of Oregon law, local governments have latitude in selecting specific methodological approaches related to the calculation and assessment of SDCs. The first set of options relates to the overall structure of the SDC – whether the fees are based on existing facility costs (reimbursement fee), future planned improvements (improvement fee), or a combination. Once a determination has been made as to the fee structure, the methodology may be further refined based on a number of additional considerations, including the following:

- Existing system valuation approach (e.g., book value, original cost, and replacement cost)
- Factors related to the time value of money (e.g. interest and inflation).
- Fee assessment units (e.g., equivalent dwelling units and meter size).

We will work with the City to evaluate alternative approaches and develop a methodology and fees consistent with the existing system available capacity costs, and future capital improvement needs. The cost basis for the improvements will be based on the improvements listed in the master plans, and we will develop defensible bases for allocating existing and future improvement costs between current and new system users. The reimbursement and improvement costs attributable to growth will be divided by the total projected growth units for each system to determine system-wide unit costs of capacity. Alternative measures of system capacity are available for each infrastructure system. For example, water and wastewater system capacity may be measured in terms of average

or peak volumes. Similarly, transportation system capacity may be defined by average or peak trips that may be accommodated by the system.

Once the unit costs of capacity have been calculated, the fees for different types and sizes of development can be determined based on projected claims on system capacity. In the development of the fee schedule, we will work with the City to evaluate alternative scaling measures (e.g. meter size and plumbing fixtures for water and wastewater), and discuss land use factors (for example, pass-by trip factors for nonresidential development for transportation). Finally, we will also estimate Oregon SDC statute compliance costs, which are also recoverable through the SDCs.

Task 5— Presentations and Documentation

5.1 Presentations. We will participate in up to three (4) formal presentations of the study findings and recommendations, to the City Council and public. We will also have conference calls with City staff throughout the course of the project to discuss data, alternative approaches, and results.

4.2 Documentation. We will prepare draft and final rate and SDC study reports. The documentation will outline the data analyzed, methods used, and findings and recommendations.

Proposed Budget

A proposed budget is provided below, based on our current understanding of the project. It is assumed that work will be billed on a time and materials basis.

City of Millersburg Water & Sewer Rate and Multisystem SDC Study Budget Estimate					
Task	Hours			Labor Costs	
	Galardi	Natanson	DKS	(Rounded)	Expenses
Project Initiation and Management	20	0		\$3,400	\$0
Financial Plan Development	34	26		\$9,400	\$0
Rate Structure Design	20	14		\$5,400	\$0
Water & Sewer SDC Update	24	18		\$6,600	\$0
Presentations & Documentation	38	16		\$8,700	\$200
Transportation SDCs	34	18	8	\$9,900	\$100
Total	170	92	8	\$43,400	\$300
<i>Billing Rates</i>	\$170	\$140	\$200		



TO: Millersburg City Council
FROM: Kevin Kreitman, City Manager
DATE: April 3, 2018, 2018 for the April 10, 2018 City Council Meeting
SUBJECT: Intergovernmental Agreement with City of Albany for Fire Services

Action Requested:

Approval to enter into the attached Intergovernmental Agreement (IGA) with the City of Albany for Fire Protection and Life Safety Services to the City of Millersburg.

Discussion:

Based on Council action to withdraw from Albany Rural Fire Protection District and Jefferson Rural Fire District effective July 1, 2018, and to contract directly with the City of Albany through an IGA for fire protection and life safety services, I, Councilor Cowan, and the City Attorney, have worked with Albany staff on the drafting of the attached IGA.

The attached IGA is scheduled to be reviewed by the City of Albany at their April 23, 2018, work session and be presented at their April 25, 2018, City Council Meeting for approval.

The City of Albany and the City of Millersburg came to an initial agreement on an IGA and planned on presenting to our representative Councils for approval at our March meetings.

As was discussed in the town hall meetings and during the public hearing on September 12, 2017, staffing in the IGA was based on the proposed staffing initially of a two-person brush engine/rescue unit until the City of Millersburg can confirm annual revenues received would support the ongoing cost for staffing of a three-person engine company.

The City of Albany subsequently received a demand to bargain the impact of the IGA by the Albany Firefighters Association. The Albany Firefighters Association has informed the City of Albany that the Association will not staff a brush engine/rescue unit with less than three firefighters.

This unexpected development prompted withdrawal of the previous IGA set to be approved last month by the representative Cities.

The City of Albany will be meeting with the Firefighters Association on the demand to bargain. Based on this unexpected development, the City of Albany and Millersburg have modified the original IGA to address the potential outcomes that could occur as a result of the demand to bargain. The attached revised IGA includes a provision for a back-up plan in which just a two-person

rescue unit would be staffed initially, depending upon the outcome of bargaining between the City of Albany and the Firefighters Association.

Budget Impact:

Costs associated with ongoing funding as identified in the IGA are based on the assessed value of the City, divided by \$1,000 and multiplied by \$2. The City of Millersburg will pay all costs associated with the temporary or permanent fire station property acquisition, construction, startup costs for outfitting and equipping the fire station, and associated ongoing property insurance and utility expenses; and an annual contribution of \$35,000 toward equipment replacement is anticipated. In the event that a rescue unit only is staffed out of the Millersburg Fire Station, the parties agree that the contribution of \$35,000 will be suspended until a minimum of a brush engine/rescue unit is staffed out of the Millersburg station.

Recommendation

Council approval for the City Manager to enter into the attached IGA with the City of Albany for Fire Protection and Life Safety Services, upon approval by Albany's City Council.

Attachment(s):

Intergovernmental Agreement for Fire Protection and Life Safety Services

INTERGOVERNMENTAL AGREEMENT
Between
The City of Albany and The City of Millersburg
For
Fire Protection and Life Safety Services

This agreement is entered into by and between the City of Albany (“Albany”), and the City of Millersburg (“Millersburg”) collectively referred to as "Cities."

WHEREAS, ORS 190.003 et.seq. provides for intergovernmental cooperation in the interest of furthering economy and efficiency of local units of government; and

WHEREAS, ORS 190.003 for purposes of such intergovernmental cooperation defines a unit of local government as including a county, city, district, or other public corporation, commission, authority, or entity organized and existing under statute or county or city charter; and

WHEREAS, ORS 190.010 provides that a unit of local government may enter into a written agreement with any other unit or units of local government for the performance of any or all functions and activities that are party to the Agreement, its officers or agencies have authority to perform; and

WHEREAS, the Cities have a history of cooperatively working together for mutual benefit; and

WHEREAS, the Cities wish to build upon that cooperative history and enhance the fire protection services to both Cities; and

WHEREAS, the Cities have determined that it is in the best interests of each organization and mutually beneficial to establish a joint agreement for Millersburg to contract with Albany for fire protection and life safety services; and

WHEREAS, the Cities wish to establish this collaborative agreement to ensure continued consideration of opportunities for cooperation which may arise; and

WHEREAS, Albany is a regularly incorporated city within the State of Oregon and maintains firefighting and emergency medical equipment, and a force to staff the same; and

WHEREAS Millersburg is a regularly incorporated city within the State of Oregon without firefighting and emergency medical equipment and staff; and

WHEREAS, negotiations have been entered into between the Cities for the purpose of providing for the furnishing of all fire suppression and prevention services and emergency medical services (herein called “EMS”) first response, and such additional emergency services Albany provides at the time to their citizens through Albany to Millersburg; and

WHEREAS, the negotiations concerning the adoption of a fair and equitable charge to be paid and the terms of coverage should be reduced to writing.

NOW, THEREFORE, under the contractual authority of ORS 190, it is agreed between the Cities as follows:

Article 1. Scope of Services:

Fire Protection and Life Safety Services

Albany agrees to provide the following services to Millersburg:

- 1) To direct and provide fire protection and life safety services within Millersburg in a manner consistent with this Agreement. Under this condition, the territory within Millersburg shall be served as an integrated territory within Albany, not as an independent, autonomous, or segregated territory. Accordingly, if temporary demands for services exceed Albany's capacity, Albany may use its mutual aid agreements as necessary to supplement Albany's personnel, apparatus, and equipment.
- 2) To provide fire protection and life safety services to Millersburg beginning July 1, 2018. Staffing at Millersburg's fire station shall begin July 1, 2018, or at such time as a fire station becomes available in Millersburg, and Albany has hired, trained, and promoted new personnel to staff this station. The station will be staffed with a two-person crew twenty-four [24] hours per day, seven days per week.
- 3) Under no circumstances is Albany liable to Millersburg for an interruption or failure of service due to acts of God, unavoidable accident, or other circumstances beyond the control of Albany.
- 4) To maintain mutual aid agreements and automatic aid agreements as may be appropriate for the effective provision of fire protection and life safety services.
- 5) To provide fire and life safety plan review to Linn County for Millersburg for new development and construction consistent with applicable codes and/or ordinances mutually agreed to by the Cities.
- 6) To investigate fires.
- 7) To review and propose fire codes and ordinances for adoption.
- 8) To perform fire inspections.
- 9) To enforce applicable codes, ordinances, regulations, and statutes.
- 10) To conduct public education programs.
- 11) To maintain accurate records.

12) To participate in mutual aid agreements with all fire protection providers in Linn and Benton Counties with Albany pursuant to the County-Wide Mutual Aid Agreement and establish and maintain automatic aid agreements in areas in which service might be improved by such agreements.

13) To coordinate activities with other City departments. Such activities shall include, but not be limited to emergency management consulting, fire and life safety plan review, water supply and hydrant maintenance, etc.

14) To participate in traditional community events and new events as appropriate.

15) To ensure compliance with all applicable state and federal mandates.

Article 2. Staffing and Apparatus at Millersburg Fire Station:

Albany will open the fire station in Millersburg with two personnel per 24-hour shift, staffing either a brush engine/rescue or a rescue. This compliment of equipment and staffing shall remain until such time as additional personnel and apparatus are added to the station.

Article 3. Opening the Millersburg Fire Station:

1. All costs associated with acquiring property, design, and construction of a temporary or permanent fire station in Millersburg shall be paid by Millersburg.
2. Millersburg shall also be responsible for all startup costs for outfitting and equipping a new fire station. These costs may include, but are not limited to purchasing:
 - a. additional apparatus, if necessary for this station;
 - b. equipment for apparatus, such as extrication tools, Advance Life Support; medical/airway kits, heart monitor/defibrillator, etc.;
 - c. PPE/Turnouts to outfit new firefighters;
 - d. uniforms;
 - e. communications equipment such as radios, computers, etc;
 - f. fitness equipment;
 - g. kitchen supplies;
 - h. copier; and
 - i. and other assorted items.

Article 4. Ongoing Station Expenses:

Once the Millersburg fire station is operational, Millersburg will be responsible for providing property insurance and major repairs to the facility. Millersburg will provide water, sewer, and garbage service to the station. Albany will be responsible routine station maintenance, communications utilities and equipment needed for connectivity with Albany's network and IT system, and modifications and upgrades agreed to by both parties. Albany will also be responsible for day-to-day cleaning.

Article 5. Term/Time of Performance:

Upon ratification of the Cities, the terms of this agreement shall become effective July 1, 2018 and shall remain in effect until June 30, 2028. Either City may request termination of this agreement for any reason with 365 days written notice to the other City.

Article 6. Compensation:

Millersburg agrees to compensate Albany \$2.00 per \$1,000 of total Assessed Valuation of property in Millersburg, as determined by the Linn County Assessor's Office, Summary of Assessment and Tax Roll, column "Taxable Value."

Millersburg's rate shall be established by the November reporting by the County's assessed value divided by 1000 times 2.00 (assessed value ÷ \$1,000 x \$2.00) for the budget year in which service is provided. The assessed values shall be those established by the County Assessor for the tax year beginning July 1 of the fiscal year. The rate shall be payable to Albany in three payments.

Millersburg shall make payments to Albany based on the amount due, on the following schedule: one-half (1/2) of the amount due on December 15, one-quarter (1/4) of the amount due March 15, and one-quarter (1/4) of the amount due on June 15. Amounts not paid within fifteen (15) days of the due date shall bear interest equal to the State of Oregon Local Government Investment Pool (LGIP) for the month in which the payment was due.

Article 7. Increase/Decrease Station Staffing Based on Compensation:

Millersburg's 2018-19 assessed taxable value, divided by \$1,000, times \$2.00, shall be used as a baseline for determining when personnel will be added or subtracted to the Millersburg fire station. Each additional \$450,000 of compensation paid by Millersburg to Albany for fire protection above this baseline in a given year shall result in three additional suppression personnel added to the Millersburg station staffing (one per shift). This \$450,000 amount shall be adjusted annually based on the National CPI-W.

In addition to providing more suppression personnel, an increase of compensation from Millersburg due to growth will result in an increased workload to the Albany Life Safety Division. This additional compensation will help staff additional personnel, as needed, to conduct fire and life safety plan review, business inspections, and public interaction necessary to deal with growth in Millersburg.

If Millersburg's compensation decreases by a \$450,000 increment (adjusted annually based on the National CPI-W) above or below the baseline, three suppression personnel shall be removed from the Millersburg fire station.

At no time will station staffing be allowed to be less than two per shift. If funding does not support this minimum, the Millersburg station will not be staffed.

Article 8. Contributions Toward Apparatus and Equipment Replacement:

Millersburg will contribute \$35,000 per year toward equipment replacement purchases for the Albany Fire Department. These funds will be used to purchase and replace fire department apparatus and equipment for the general benefit of the entire Department response district.

If Millersburg experiences greater than a 10 percent annual increase in assessed value after the second year, they may request to reopen this article only and renegotiate the terms of Article 8.

In the event that a rescue only is staffed out of the Millersburg fire station, the parties agree that this article will be suspended until a minimum of a brush engine/rescue is staffed out of this station.

Article 9. Changes:

This agreement contains the entire agreement between the Cities hereto and supersedes any and all prior express and/or implied statements, negotiations and/or agreements between the Cities, either oral or written. Any party to this agreement may from time to time request changes in the scope of the agreement as set forth herein. No changes shall be valid unless in writing and signed by all parties to this agreement.

Article 10. Negotiations:

In the event that union negotiations cause a material change that make the terms of this Agreement financially impractical to either City, the Cities agree to re-negotiate, in good faith, terms that equitably adjust the financial and other applicable terms of this Agreement in a manner reasonably acceptable to the Cities to reflect this material change in circumstances. In the event that the parties, after good faith negotiations, are unable to reach a mutual agreement as to terms, either party may terminate this agreement upon written notice to the other party.

Article 11. Transfer of Interest:

No party to this agreement shall assign or transfer any interest in or duty under this agreement without the written consent of the other parties, and no assignment shall be of any force or effect whatsoever unless and until the other parties shall have so consented in writing.

Article 12. Indemnity:

Each aforementioned City agrees to defend, hold harmless, and indemnify the other City, their officers, employees, board members, and agents from any and all liability, damages, costs, expenses, and attorney fees arising out of the Cities' negligence while engaged in the activities arising out of this agreement. Each City agrees that on formal request of the other it will participate in the defense of any claim or action brought against the other party when a question of fact exists as to whether an employee of the party not named caused or contributed to the damage complained of.

Article 13. Governing Law:

This Agreement and its construction shall be governed by and construed in accordance with the laws of the State of Oregon without regard to principles of conflicts of law. Any claim, action, suit, or proceeding, including discovery proceedings, (collectively, "Claim") between the Parties that arises from or relates to this Agreement shall be brought and conducted solely and exclusively within the State of Oregon Circuit Court and venue shall lie in Linn County, Oregon.

Article 14. Severability:

If any provisions of this Agreement or the application thereof to any persons or circumstances shall, to any extent, be invalid or unenforceable, then the remainder of this Agreement or the application of such provision, or portion thereof, and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

Article 15. Entire Agreement:

This Agreement and the exhibits attached hereto sets forth the entire understanding among the Parties with respect to the subject matter referenced herein, there being no terms, conditions, warranties or representations with respect to its subject matter other than as contained herein.

Article 16. Notices and Demands:

Any notice, demand, or other communication under this Agreement shall be sufficiently given if sent by (i) registered or certified mail return receipt requested, postage prepaid, (ii) nationally recognized overnight courier service or (iii) facsimile transmission, when it is sent by overnight or two-day delivery by nationally recognized courier service within two (2) days of the facsimile transmission:

In the case of City of Millersburg:

City of Millersburg
ATTN: Kevin Kreitman, City Manager
4222 Old Salem Road NE
Albany, OR 97321

With a copy to:

Forrest Reid, Esq.
ATTN: Forrest Reid
135 5th Avenue SW
Albany, Oregon 97322
Phone: 541-926-3823
Facsimile: 541-926-0833

In the case of the City of Albany:

City of Albany
ATTN: Peter Troedsson, City Manager
333 Broadalbin SW
P.O. Box 490
Albany, OR 97321-0144
Phone: 541-917-7505
Facsimile: 541-917-7511

With a copy to:

Delapoer Kidd, P.C.
ATTN: M Sean Kidd, Albany City Attorney
201 First Avenue W. Suite B
Albany, OR 97321
Phone: 541-926-5505

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Article 17. Binding Effect:

This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective legal representatives, successors, and assigns.

Article 18. Modifications:

This Agreement cannot be changed orally, and no agreement shall be effective to waive, change, modify, or discharge it in whole or in part unless such agreement is in writing and is signed by the Parties against whom enforcement of any waiver, change, modification, or discharge is sought.

Article 19. Further Assurances:

Each Party agrees that it will, without further consideration, execute and deliver such other documents and take such other action as may be reasonably requested by another Party to more effectively consummate or achieve the purposes or subject matter of this Agreement.

Article 20. Attorneys' Fees:

In the event of any controversy, claim, or dispute between the Parties affecting or relating to the subject matter or performance of this Agreement, each prevailing Party shall, to the extent prohibited by applicable law, be entitled to recover from each non-prevailing Party all of its reasonable expenses, including reasonable attorneys, experts and accountants fees and expenses of litigation, whether incurred at trial or on appeal and including any incurred in or in connection with any bankruptcy proceeding.

Article 21. Counterparts:

The Agreement may be executed in several counterparts, either by manual, facsimile, or email signatures and all such executed counterparts shall constitute one and the same agreement.

Article 22. Headings:

The article headings set forth in this Agreement are for convenience and reference only and in no way define or limit the scope or content of this Agreement or in any way affect its provisions.

Article 23. Construction:

The Parties acknowledge that the parties and their counsel have reviewed this Agreement and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting Party shall not be employed in the interpretation of this Agreement or any exhibits or amendments hereto.

Article 24. Time of the Essence:

Time is of the essence of each and every term, covenant, and condition set forth in this Agreement.

Signatures

City of Albany

City of Millersburg

By: _____ By: _____

Date: _____ Date: _____

By: _____ By: _____

Date: _____ Date: _____

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