



NOTICE OF EXECUTIVE SESSION

**MILLERSBURG CITY COUNCIL
Millersburg City Hall
4222 NE Old Salem Road
Tuesday, September 10, 2019
5:00 P.M.**

An executive session of the Millersburg City Council will be held at the Millersburg City Hall, located at 4222 NE Old Salem Road, Albany, OR 97321, at the above noted time and date, for the purposes of an Executive Session, authorized and identified in the Oregon Revised Statute below:

ORS 192.660(2)(e): Conduct deliberations with persons designated by the governing body to negotiate real property transactions.

ORS 192.660(2)(h): Consultation with legal counsel regarding the legal rights and duties of a public body with regard to current litigation or litigation to be filed.

At the conclusion of the executive session, the City Council may enter into regular session for a decision.

Posted 9/6/2019



Rules of Conduct for Public Hearings

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

**CITY OF MILLERSBURG
CITY COUNCIL MEETING**

Millersburg City Hall
4222 NE Old Salem Road
Albany OR 97321
September 10, 2019 @ 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 August 13, 2019 City Council Meeting Minutes
 - 2) Acceptance of Council Approval Report for City Bills
 - Action: _____
- F. PRESENTATIONS
 - 1) Linn County Sheriff's Office Report
- G. PUBLIC COMMENT
- H. COUNCIL MEMBER AND STAFF COMMENTS
- I. CITY MANAGER'S REPORT
 - 1) Project Updates
- J. CITY ATTORNEY'S REPORT
- K. UNFINISHED BUSINESS
- L. NEW BUSINESS
 - 1) Adopting & Accepting Municipal Code of Ordinances – Ordinance 158
Action: _____
 - 2) Agreement to Furnish Services Amendment # 1 – Galardi Consulting, LLC
Action: _____
 - 3) Land Use Development Code Revision – Residential Driveway Standards – Ordinance 159
Action: _____

- 4) Amending Chapter 33 of the Municipal Code - Planning Commission – Ordinance 160
Action: _____
- 5) Abandoned Vehicles – Ordinance 161
Action: _____
- 6) Repealing Municipal Code 7.10.040 – Ordinance 162
Action: _____
- 7) Citizen Commissions/Committees Member & Staff Manual
Action: _____
- 8) Noise Permit

M. CLOSING PUBLIC COMMENT

N. CLOSING COUNCIL COMMENT

O. ADJOURNMENT

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

Upcoming Meetings & Events:

September 14, 2019 @ noon – 2nd Annual Millersburg Celebration – City Park
September 17, 2019 @ 6:00 p.m. – Planning Commission Work Session

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



August 13, 2019 City Council Minutes

4222 NE Old Salem Road

Albany, OR 97321

6:30 p.m.

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

B. ROLL CALL

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

Councilors Absent: None

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

Presenters: Linn County Sheriff's Office – Sergeant Greg Klein

C. PLEDGE OF ALLEGIANCE

D. CHANGES AND ADDITIONS TO THE AGENDA

None

E. CONSENT AGENDA

- 1) Approval of July 1, 2019 City Council Land Use Appeal Hearing Minutes
- 2) Approval of July 9, 2019 City Council Meeting Minutes
- 3) **Acceptance** of Council Approval Report for City Bills

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

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye

Councilor Dave Harms: Aye

Councilor Scott McPhee: Aye

Councilor Don Miller: Aye

Motion PASSED: 5/0

F. PRESENTATIONS

- 1) Monthly Report from the Linn County Sheriff's Office (LCSO)
Sergeant Greg Klein, Linn County Sheriff's Office, discussed July's report.

G. PUBLIC COMMENT

None

H. COUNCIL MEMBER AND STAFF COMMENTS

- 1) The Linn Economic Development Group now has an open spot for Millersburg.
Action: **Motion to Appoint City Manager Kevin Kreitman to the Linn Economic Development Group made by Councilor Cowan; seconded by Councilor Harms.**

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye

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

Motion PASSED: 5/0

I. CITY MANAGER'S REPORT

1) Project Updates

Assistant City Manager/City Engineer Booth provided an overview of City projects.

Adjourned regular meeting to executive session at 7:00 p.m.

J. CITY ATTORNEY'S REPORT

1) Declaring Necessity for Acquisition of Land for Use as a Public Park – Resolution 2019-18

City Attorney Reid gave a report regarding the status of the Land Use Board of Appeals appeal and went over the eminent domain process. Mayor Lepin opened the meeting for public comment.

- a. Rita de Groen, 2659 NE Sonora Drive, asked about condemnation and what that means. City Attorney Reid provided the explanation.
- b. Robin Wilson-Whitney, 2580 NE Tuscan Lane, thanked the Council.
- c. Nathan Van Nicholson, 6347 NE Sedona Road, asked about flooding and lighting. Assistant City Manager/City Engineer Booth said the need would depend on the type of proposed park.
- d. Norma Newman, 700 NE Fir Street, asked if the City would give the same amount of money to the owner as if the park went in. Mayor Lepin said the amount would be negotiated.

Action: **Motion to Adopt Resolution 2018-18 Declaring the Necessity for Acquisition of Land for Use as a Public Park made by Councilor**

Miller; seconded by Councilor Harms.

Resolution 2018-18

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

Motion PASSED: 5/0

K. UNFINISHED BUSINESS

None

L. NEW BUSINESS

1) Amending Municipal Code to Add Sewer System and the Storm Water System
City Manager Kreitman went over staff report.

Action: **Motion to Adopt Ordinance Amending the Millersburg Municipal Code Section 15.10.080 by Adding the Sewer System and the Storm Water System made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

Ordinance 154

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

Councilor Scott McPhee: Aye
Councilor Don Miller: Aye

Motion PASSED: 5/0

- 2) Donations and Sponsorships Guidance Document
Councilor Scott McPhee went over the proposed guidance document and background.

Action: **Motion to Approve Guidance Document, with Revisions, made by Councilor Scott McPhee; seconded by Councilor Dave Harms.**

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

Motion PASSED: 5/0

- 3) Enacting Measure 22-132 Amending the City Charter to Require Voter Approval Prior to City Borrowing

City Manager Kreitman went over the staff report.

Action: **Motion to Adopt Ordinance Enacting Measure 22-132 Amending the City Charter to Require Voter Approval Prior City Borrowing made by Councilor Scott Cowan; seconded by Councilor Dave Harms.** Ordinance 155

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

Motion PASSED: 5/0

- 4) Amending Municipal Code – Replacing Chapter 51 with Chapter 10.10
Assistant City Manager/City Engineer Booth went over staff report.

Action: **Motion to Adopt Ordinance Amending the Municipal Code by Repealing Chapter 51, Sanitary Sewer Hook-On System, and Adopting Chapter 10.10, Wastewater Collection and Treatment System – Regulations – Fees made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.** Ordinance 156

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

Motion PASSED: 5/0

- 5) Revising Connection Charges (Ordinance 151)
City Manager Kreitman went over the staff report.

Action: **Motion to Adopt Ordinance Revising Connection Charges made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.** Ordinance 157

Mayor Jim Lepin: Aye

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

Motion PASSED: 5/0

M. CLOSING PUBLIC COMMENT

- 1) Doreen Akers, 2785 NE Sonora Drive, asked about property near her. She was encouraged to submit her concerns with specific information to the City.
- 2) Rita de Groen, 2659 NE Sonora Drive, noted that the stop sign at Sedona and Sonora sits back from the intersection and is covered with vines/hops.
- 3) Robin Wilson-Whitney, 2580 NE Tuscan Lane, asked about the right-of-way clean-up of weeds. Assistant City Manager/City Engineer Booth addressed her concerns.

N. CLOSING COUNCIL & STAFF COMMENT

- 1) City Manager Kreitman updated the Council on the plaque for the former mayor.
- 2) Robin Wilson-Whitney, 2580 NE Tuscan Lane, asked if the City will continue to keep the two park staff now that there is a service handling the City Hall. Assistant City Manager/City Engineer addressed her concerns.
- 3) Mayor Lepin thanked Councilor Scott McPhee for his work on the donation and sponsorship guidance document.

O. ADJOURNMENT

Meeting adjourned at 8:_____ p.m.

Respectfully submitted:

Reviewed by:

Kimberly Wollenburg
City Recorder

Kevin Kreitman
City Manager

Upcoming Meetings & Events:

August 27, 2019 @ 4 pm – City Council Work Session (tentative)

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
25 ADS. LLC, PO Box 74008582, Chicago, IL, 60674-8582		12814.0719	07/20/19	O&M COLLECTION SYSTEM - ADS through June 2019	08/20/19	\$5,699.00	\$5,699.00	04-1305	O&M COLLECTION SYS	\$198,000.00	\$198,000.00
							\$5,699.00				
43 Aflac, 1932 Wynnton Road, Columbus, GA,		08122019	08/12/19	Payroll Taxes Payable - AFLAC	09/01/19	\$49.08	\$49.08	01-9210	Payroll Taxes Payable	\$0.00	(\$13,318.07)
							\$49.08				
539 Barrett Business Services Inc., 421 Water Avenue NE, Albany, OR, 97321		3123297	08/09/19	CONTRACTED SERVICES - Astrid Hesberg	08/09/19	\$666.90	\$666.90	01-1332	CONTRACTED SERVIC	\$162,625.00	\$113,850.14
		3124006	08/16/19	CONTRACTED SERVICES - Astrid Hesberg	08/16/19	\$491.40	\$491.40	01-1332	CONTRACTED SERVIC	\$162,625.00	\$113,850.14
		3123297	08/09/19	PARK SUPPLIES & MAINTENANCE - Nicholas Bohanan	08/09/19	\$44.36	\$44.36	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3123297	08/09/19	PARK SUPPLIES & MAINTENANCE - Nicholas Bohanan	08/09/19	\$676.00	\$676.00	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3123831	08/16/19	PARK SUPPLIES & MAINTENANCE - Nicholas Bohanan	09/16/19	\$650.65	\$650.65	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3124108	08/19/19	PARK SUPPLIES & MAINTENANCE - Amanda Johnston	08/19/19	\$93.60	\$93.60	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3124110	08/19/19	PARK SUPPLIES & MAINTENANCE - Amanda Johnston	08/19/19	\$93.60	\$93.60	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3124111	08/19/19	PARK SUPPLIES & MAINTENANCE - Amanda Johnston	08/19/19	\$46.80	\$46.80	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3124112	08/19/19	PARK SUPPLIES & MAINTENANCE - Amanda Johnston	08/19/19	\$93.60	\$93.60	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3124113	08/19/19	PARK SUPPLIES & MAINTENANCE - Amanda Johnston	08/19/19	\$140.40	\$140.40	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3124114	08/19/19	PARK SUPPLIES & MAINTENANCE - Amanda Johnston	08/19/19	\$93.60	\$93.60	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3124115	08/19/19	PARK SUPPLIES & MAINTENANCE - Amanda Johnston	08/19/19	\$93.60	\$93.60	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3124116	08/19/19	PARK SUPPLIES & MAINTENANCE - Amanda Johnston	08/19/19	\$93.60	\$93.60	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3124117	08/19/19	PARK SUPPLIES & MAINTENANCE - Amandsa Johnston	08/19/19	\$93.60	\$93.60	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3124118	08/19/19	PARK SUPPLIES & MAINTENANCE - Amanda Johnston	08/19/19	\$93.60	\$93.60	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3126109	08/19/19	PARK SUPPLIES & MAINTENANCE - Amanda Johnston	08/19/19	\$46.80	\$46.80	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		3123831	08/16/19	MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) SUPPOR - Mark Yeager	09/16/19	\$260.00	\$260.00	03-1312	MUNICIPAL SEPARATE	\$40,000.00	\$37,920.00
		3122696	08/06/19	RATE AND SDC STUDY - Jeni Richardson	08/06/19	\$390.00	\$390.00	04-1313	RATE AND SDC STUDY	\$0.00	(\$560.61)
		3123831	08/16/19	RATE AND SDC STUDY - Jeni Richardson	09/16/19	\$1,779.38	\$1,779.38	04-1313	RATE AND SDC STUDY	\$0.00	(\$560.61)
							\$5,941.49				
442	Brad Hulburt										

**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
		08162019	08/16/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Brad Hulburt	08/16/19	\$48.00	\$48.00	01-2301	PARKS & RECREATION	\$15,000.00	\$13,235.20
		\$48.00									
506	Brittany Graves										
		08122019	08/12/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Brittany Graves	08/12/19	\$168.00	\$168.00	01-2301	PARKS & RECREATION	\$15,000.00	\$13,235.20
		\$168.00									
773	CH2MHILL OMI, Department 1267, Denver, CO,										
		351259-014	08/07/19	CH2M Hill OMI - Out of Scope Letter Amendment 2 Sep 2019	08/07/19	\$647.08	\$647.08	05-1307	OMI SERVICES FOR DI	\$10,000.00	\$9,352.92
		\$647.08									
728	Conservation Technix, Inc., PO Box 885, Orinda, CA, 94563										
		831	08/01/19	Conservation Technix - Park Master Plan through July 2019	09/01/19	\$5,519.14	\$5,519.14	01-2303	PARKS MASTER PLAN	\$25,000.00	\$17,365.00
		\$5,519.14									
602	Danielle Apken										
		08092019	08/09/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM	08/09/19	\$84.00	\$84.00	01-2301	PARKS & RECREATION	\$15,000.00	\$13,235.20
		\$84.00									
272	Earth2O, PO Box 70, Culver, OR, 97734										
		683731	08/16/19	MATERIALS & SUPPLIES - Earth2O City Hall Water	08/16/19	\$21.49	\$21.49	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,984.81
		\$21.49									
660	Element Graphics, 250 NW Tyler Avenue, Corvallis, OR, 97330										
		8628	08/15/19	MATERIALS & SUPPLIES - Element Graphics	08/15/19	\$14.00	\$14.00	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,984.81
		8628	08/15/19	PRINTING & ADVERTISING - Element Graphics "Mission/Vision/Values" banner	08/15/19	\$815.00	\$815.00	01-1355	PRINTING & ADVERTISI	\$5,000.00	\$5,000.00
		8628	08/15/19	PARK SUPPLIES & MAINTENANCE - Element Graphics Logo decals for city truck	08/15/19	\$340.00	\$340.00	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
		\$1,169.00									
749	Galardi Consulting, LLC, 7327 SW Barnes Rd #224, Portland, OR, 97225										
		M-3	08/07/19	RATE AND SDC STUDY - Galardi Consulting	08/07/19	\$3,507.70	\$3,507.70	04-1313	RATE AND SDC STUDY	\$0.00	(\$560.61)
		M-3	08/07/19	RATE AND SDC STUDY - Galardi Consulting	08/07/19	\$3,507.70	\$3,507.70	05-1313	RATE AND SDC STUDY	\$0.00	(\$560.64)
		\$7,015.40									
608	Garten Services, Inc., P.O. Box 13970, Salem, OR, 97309										
		M63713A	06/28/19	CONTRACTED SERVICES - Garten through June 2019	07/28/19	\$664.92	\$664.92	01-1332	CONTRACTED SERVIC	\$162,625.00	\$113,850.14
		\$664.92									

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
789	Go Creative LLC, 263 29th Ave SW, Albany, OR, 97322								
3970	07/31/19	Go Creative - Mom Magazine add, Millersburg Celebration	08/30/19	\$500.00	\$500.00	01-1326	MILLERSBURG CELEBR	\$36,500.00	\$35,995.63
					\$500.00				
569	Janelle Booth								
09012019	08/01/19	CITY HALL UTILITIES - Cell Phone Reimbursement (July - Sep) - Janelle Booth	08/01/19	\$105.00	\$105.00	01-1317	CITY HALL UTILITIES	\$32,200.00	\$30,455.67
					\$105.00				
504	Julie Prince								
08192019	08/20/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Julie Prince	08/20/19	\$62.00	\$62.00	01-2301	PARKS & RECREATION	\$15,000.00	\$13,235.20
					\$62.00				
561	Kimberly Wollenburg								
09012019	08/01/19	CITY HALL UTILITIES - Cell Phone Reimbursement - Kimberly Wollenburg	08/01/19	\$105.00	\$105.00	01-1317	CITY HALL UTILITIES	\$32,200.00	\$30,455.67
					\$105.00				
19	Linn County Planning and Building, PO Box 100, Albany, OR, 97321								
08052019	08/05/19	PMNT TO LINN CO BUILDING DEPT - through July 2019	08/05/19	\$14,298.56	\$14,298.56	01-5332	PMNT TO LINN CO BUIL	\$340,000.00	\$315,074.94
					\$14,298.56				
689	Michael Ann McIverny								
08152019	08/20/19	Millersburg Celebration - Cowbell promo items	08/20/19	\$213.31	\$213.31	01-1115	Millersburg Celebration	\$24,500.00	\$18,248.00
					\$213.31				
241	Misty Nelson								
07312019	08/20/19	LIBRARY SERVICES - Misty Nelson	08/20/19	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$2,400.00
					\$40.00				
585	MorganCPS Group, 1308 Marigold Street NE, Keizer, OR, 97303-3553								
8735	08/09/19	CONSULTANTS - PLANNING - MorganCPS Group through July 2019	09/09/19	\$8,340.00	\$8,340.00	01-1353	CONSULTANTS - PLAN	\$100,000.00	\$92,080.00
					\$8,340.00				
23	Pacific Power, PO Box 26000, Portland, OR, 97256-0001								
08052019	08/05/19	CITY HALL UTILITIES - Pacific Power through July 2019	08/21/19	\$594.20	\$594.20	01-1317	CITY HALL UTILITIES	\$32,200.00	\$30,455.67
08052019	08/05/19	PARK SUPPLIES & MAINTENANCE - Pacific Power through July 2019	08/21/19	\$77.12	\$77.12	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08
08052019	08/05/19	STREET LIGHTS POWER - Pacific Power through July 2019	08/21/19	\$3,121.29	\$3,121.29	02-1323	STREET LIGHTS POWE	\$42,000.00	\$38,875.46
08052019	08/05/19	SEWER MISCELLANEOUS EXPENSES AND LIFT STATION UTIL - Pacific Power through July 2019	08/21/19	\$779.53	\$779.53	04-1328	SEWER MISCELLANEO	\$10,000.00	\$8,584.96

City of Millersburg
Council Approval Report
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InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance	
08092019	08/09/19	SEWER MISCELLANEOUS EXPENSES AND LIFT STATION UTIL - Pacific Power through July 2019	08/27/19	\$36.01	\$36.01	04-1328	SEWER MISCELLANEO	\$10,000.00	\$8,584.96	
					\$4,608.15					
6	Petro Card, PO Box 34243, Seattle, WA, 98124-1243									
C475589	07/31/19	PARK SUPPLIES & MAINTENANCE - Petro Card Through July 2019	08/30/19	\$226.27	\$226.27	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08	
					\$226.27					
15	Pitney Bowes Global Financial, PO Box 371887, Pittsburgh, PA, 15250-7887									
09012019	08/04/19	POSTAGE AND SHIPPING - Pitney Bowes through July 2019	09/01/19	\$1,008.50	\$1,008.50	01-1327	POSTAGE AND SHIPPI	\$1,100.00	\$65.93	
					\$1,008.50					
41	Providence Health Plan, PO Box 4167, Portland, OR, 97208-4167									
08122019	08/12/19	MEDICAL INSURANCE - Providence through August 2019	09/01/19	\$6,938.35	\$6,938.35	01-1211	MEDICAL INSURANCE	\$89,250.00	\$82,311.65	
					\$6,938.35					
287	Sarah Rae									
08162019	08/16/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Sarah Rae	08/16/19	\$84.00	\$84.00	01-2301	PARKS & RECREATION	\$15,000.00	\$13,235.20	
					\$84.00					
13	Sean Shearer									
09012019	09/01/19	CITY HALL UTILITIES - Cell Phone Reimbursment - Sean Shearer	09/01/19	\$105.00	\$105.00	01-1317	CITY HALL UTILITIES	\$32,200.00	\$30,455.67	
					\$105.00					
151	Security Alarm Corp., 2443 Brighton Way, Albany, OR, 97322									
628014	07/29/19	CONTRACTED SERVICES - Security Alarm Corp.	08/30/19	\$659.45	\$659.45	01-1332	CONTRACTED SERVIC	\$162,625.00	\$113,850.14	
					\$659.45					
72	Wilbur-Ellis Company, PO Box 675023, Dallas, TX, 75267-5023									
10832686	07/31/19	PARK SUPPLIES & MAINTENANCE - Wilbur Ellis	08/30/19	\$382.90	\$382.90	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$59,293.08	
					\$382.90					
790	William Morris Endeavor Entertainment, LLC, 1201 Demonbreun Street, 15th Floor, Nashville, TN, 37203									
DEPOSIT	08/20/19	MC Entertainement - Rush Davenport	08/20/19	\$2,500.00	\$2,500.00	01-1326	MILLERSBURG CELEBR	\$36,500.00	\$35,995.63	
					\$2,500.00					

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
781	Adamosky Technical Solutions Corporation, 15511 NE 23rd St, Vancouver, WA, 98684	08007-19	08/26/19	CITY HALL IMPROVEMENTS, Adamosky Technical Solutions - Smartboard	09/26/19	\$4,973.15	\$4,973.15	01-1401	CITY HALL IMPROVEM	\$130,000.00	\$101,767.35
							\$4,973.15				
791	Amy Curtis	08232019	08/23/19	LIBRARY SERVICES - Amy Curtis	08/23/19	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$2,360.00
							\$40.00				
632	Amy Maynard	08022019	08/23/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Amy Maynard	08/23/19	\$72.00	\$72.00	01-2301	PARKS & RECREATION	\$15,000.00	\$12,789.20
							\$72.00				
654	Ashley Howe	08262019	08/26/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Ashlie Howe	08/26/19	\$168.00	\$168.00	01-2301	PARKS & RECREATION	\$15,000.00	\$12,789.20
							\$168.00				
607	Business Connections, Inc., P.O. Box 566, Salem, OR, 97308-0566	0722	08/21/19	CITY HALL UTILITIES - Business Connections, Inc. through Aug 2019	09/10/19	\$42.95	\$42.95	01-1317	CITY HALL UTILITIES	\$32,200.00	\$29,546.47
							\$42.95				
794	Capital Valuation Group, Ltd, PO Box 2108, Salem, OR, 97308	932766	08/23/19	CONTRACTED SERVICES Appraisal of 10S-3W-17DD 600	08/26/19	\$2,250.00	\$2,250.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$111,367.47
							\$2,250.00				
130	Carlye Schrader	08202019	08/20/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Carlye Schrader	08/20/19	\$84.00	\$84.00	01-2301	PARKS & RECREATION	\$15,000.00	\$12,789.20
							\$84.00				
378	Christy Pecyna	249452	08/22/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Christy Pecyna	08/22/19	\$28.00	\$28.00	01-2301	PARKS & RECREATION	\$15,000.00	\$12,789.20
							\$28.00				
795	Complete Plumbing Systems, Inc., PO Box 187, Albany, OR, 97321	7204	08/22/19	Maintenance and Supplies, Complete Plumbing Systems, Fire Station water heater replacement	08/22/19	\$709.10	\$709.10	01-4306	Maintenance and Supplie	\$2,000.00	\$2,000.00
							\$709.10				
659	David Evans & Associates, Inc., Dept LA 24340, Pasadena, CA, 91185-4340										

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Vendor									
InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
449736	08/21/19	PCPI EXPENSE - David Evans & Associates, 6/30/19 through 8/3/19	09/30/19	\$2,767.65	\$2,767.65	02-1303	PCPI EXPENSE	\$30,000.00	\$27,072.40
449736	08/21/19	PCPI EXPENSE - David Evans & Associates, 6/30/19 through 8/3/19	09/30/19	\$2,306.37	\$2,306.37	03-1303	PCPI	\$25,000.00	\$22,560.31
449736	08/21/19	PCPI EXPENSE - David Evans & Associates, 6/30/19 through 8/3/19	09/30/19	\$1,845.10	\$1,845.10	04-1303	SEWER PCPI	\$20,000.00	\$18,048.25
449736	08/21/19	PCPI EXPENSE - David Evans & Associates, 6/30/19 through 8/3/19	09/30/19	\$1,383.82	\$1,383.82	05-1303	PCPI EXPENSE	\$15,000.00	\$13,536.15
					\$8,302.94				
703	Eileen Schneider								
08222019	08/22/19	LIBRARY SERVICES - Eileen Schneider	08/22/19	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$2,360.00
					\$40.00				
660	Element Graphics, 250 NW Tyler Avenue, Corvallis, OR, 97330								
8643	08/22/19	PRINTING & ADVERTISING, Element Graphics - Tablecloth	09/22/19	\$125.00	\$125.00	01-1355	PRINTING & ADVERTISI	\$5,000.00	\$4,185.00
8642	08/22/19	PARK SUPPLIES & MAINTENANCE - Element Graphics park uniforms	09/22/19	\$372.00	\$372.00	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$55,912.98
					\$497.00				
106	Ella Liles								
08232019	08/23/19	LIBRARY SERVICES - Ella Liles	08/23/19	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$2,360.00
					\$40.00				
696	EZ-Access, 700 Milwaukie Avenue N, Algonia, WA, 98001-7408								
IN627523	08/19/19	EQUIPMENT/FURNISHINGS FOR NEW STATION - Handrails for Fire Station	09/19/19	\$270.28	\$270.28	01-4305	EQUIPMENT/FURNISHI	\$3,000.00	\$2,968.03
					\$270.28				
765	Handy Hands Landscape C&M LLC, 31410 HWY 34, Tangent, OR, 97389								
JUL 1, 2019	08/26/19	CONTRACTED SERVICES - Handy Hands, Regular Landscape Mainenance, Bid 6	08/26/19	\$240.00	\$240.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$111,367.47
JUL 2019	08/26/19	CONTRACTED SERVICES - Handy Hands, regular landscape maintenance Bid 4-A	08/26/19	\$640.00	\$640.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$111,367.47
JUL 31 - AUG 12	08/26/19	CONTRACTED SERVICES - Handy Hands Irrigation, boulders, and planting	08/26/19	\$10,895.00	\$10,895.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$111,367.47
AUG 14-19	08/26/19	PARK SUPPLIES & MAINTENANCE - Handy Hands, water leak repairs of main irrigation line	08/26/19	\$5,361.00	\$5,361.00	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$55,912.98
					\$17,136.00				
566	Jake Gabell								
08272019	08/27/19	MILEAGE - Jake Gabell, 7/24/19 - 8/27/19	08/27/19	\$38.28	\$38.28	01-1351	MILEAGE	\$1,600.00	\$1,539.68
					\$38.28				
10	John Deere Financial, PO Box 4450, Carol Stream, IL, 60197-4450								
5120321	08/16/19	PARK SUPPLIES & MAINTENANCE - John Deere Finanical, Pape work orders	09/05/19	\$951.61	\$951.61	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$55,912.98

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Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance	
							\$951.61					
39	LifeMap Billing, PO Box 6840, Portland, OR, 97228-6840	INV0483913	08/17/19	DISABILITY INSURANCE - Lifemap through August 2019	09/06/19	\$156.54	\$156.54	01-1212	DISABILITY INSURANC	\$3,424.00	\$3,267.46	
							\$156.54					
204	Linn County Road Department, 3010 Ferry Street SW, Albany, OR, 97322	2019 Deposit	08/27/19	MILLERSBURG CELEBRATION - Linn County Road Department, Road Closure Deposit	08/27/19	\$100.00	\$100.00	01-1326	MILLERSBURG CELEBR	\$36,500.00	\$32,995.63	
		Closure Fee 2019	08/27/19	MILLERSBURG CELEBRATION - Linn County Road Department, Road Closure Fee	08/27/19	\$50.00	\$50.00	01-1326	MILLERSBURG CELEBR	\$36,500.00	\$32,995.63	
							\$150.00					
483	MetLife - Group Benefits, PO Box 804466, Kansas City, MO, 64180-4466	08132019	08/13/19	DENTAL & VISION INSURANCE - Metlife through Aug 2019	09/01/19	\$801.05	\$801.05	01-1214	DENTAL & VISION INSU	\$10,272.00	\$9,470.95	
							\$801.05					
747	Nathanael Shinn	08222019	08/22/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Nathanael Shinn	08/22/19	\$88.00	\$88.00	01-2301	PARKS & RECREATION	\$15,000.00	\$12,789.20	
							\$88.00					
793	Professional Security Alarm, 1981 Fescue St SE, Albany, OR, 97322	95115	08/21/19	CONTRACTED SERVICES, Professional Security Alarm - Fire Alarm Test / Monitoring	08/31/19	\$24.00	\$24.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$111,367.47	
		95115	08/21/19	CITY HALL IMPROVEMENTS, Professional Security Alarm - Reprogramming Fire/Burg Panel	08/31/19	\$95.00	\$95.00	01-1401	CITY HALL IMPROVEM	\$130,000.00	\$101,767.35	
		95116	08/21/19	CITY HALL IMPROVEMENTS - Camera install	08/31/19	\$1,661.00	\$1,661.00	01-1401	CITY HALL IMPROVEM	\$130,000.00	\$101,767.35	
							\$1,780.00					
681	Xtreme GrafX, LLC, 505 Main SE, Albany, OR, 97321	20811	08/19/19	MILLERSBURG CELEBRATION - Xtreme GrafX T-Shirts	08/19/19	\$367.50	\$367.50	01-1326	MILLERSBURG CELEBR	\$36,500.00	\$32,995.63	
							\$367.50					
Total Bills To Pay:							\$38,986.40					

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Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
		091320109	09/13/19	CITY HALL UTILITIES Pacific Power through Aug 2019	09/13/19	\$599.64	\$599.64	01-1317	CITY HALL UTILITIES	\$32,200.00	\$29,503.52
		091320109	09/13/19	PARK SUPPLIES & MAINTENANCE Pacific Power through Aug 2019	09/13/19	\$75.12	\$75.12	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37
		08272019	08/27/19	UTILITIES - FIRE STATION - Power through Aug 2019	08/27/19	\$291.10	\$291.10	01-4303	UTILITIES - FIRE STATI	\$7,000.00	\$6,033.17
		091320109	09/13/19	STREET LIGHTS POWER Pacific Power through Aug 2019	09/13/19	\$3,114.85	\$3,114.85	02-1323	STREET LIGHTS POWE	\$42,000.00	\$35,754.17
		091320109	09/13/19	SEWER MISCELLANEOUS EXPENSES AND LIFT STATION UTIL Pacific Power through Aug 2019	09/13/19	\$1,397.19	\$1,397.19	04-1328	SEWER MISCELLANEO	\$10,000.00	\$7,769.42
							\$5,477.90				
515	Pollard Water, PO Box 417592, Boston, MA, 02241-7592										
		0147676	09/04/19	MISCELLANEOUS - Hard hats	09/04/19	\$30.50	\$30.50	02-1311	MISCELLANEOUS	\$2,000.00	\$1,500.00
		0147676	09/04/19	STREET SWEEPING - Temp street sings	09/04/19	\$1,016.69	\$1,016.69	02-1319	STREET SWEEPING	\$25,000.00	\$21,048.46
							\$1,047.19				
664	US Bank Equipment Finance, P.O. Box 790448, St Louis, MO, 63179-0448										
		09222019	09/04/19	CONTRACTED SERVICES - US Bank Equipment Finance - Printers	09/22/19	\$127.20	\$127.20	01-1332	CONTRACTED SERVIC	\$162,625.00	\$97,318.47
							\$127.20				
700	US Bank, P.O. Box 790428, St Louis, MO, 63179-0428										
		08202019	09/04/19	CITY HALL UTILITIES - Verizon iPad Data Cost	09/20/19	\$40.01	\$40.01	01-1317	CITY HALL UTILITIES	\$32,200.00	\$29,503.52
		08202019	09/04/19	CITY HALL UTILITIES - Comcast Telephone and Internet	09/20/19	\$326.74	\$326.74	01-1317	CITY HALL UTILITIES	\$32,200.00	\$29,503.52
		08202019	09/04/19	MILLERSBURG CELEBRATION - Run Bags for MC	09/20/19	\$515.76	\$515.76	01-1326	MILLERSBURG CELEBR	\$36,500.00	\$32,438.13
		08202019	09/04/19	MILLERSBURG CELEBRATION - Radio Add	09/20/19	\$960.00	\$960.00	01-1326	MILLERSBURG CELEBR	\$36,500.00	\$32,438.13
		08202019	09/04/19	MILLERSBURG CELEBRATION - Radio Advertising	09/20/19	\$740.00	\$740.00	01-1326	MILLERSBURG CELEBR	\$36,500.00	\$32,438.13
		08202019	09/04/19	MILLERSBURG CELEBRATION - Run Bags for MC	09/20/19	\$234.03	\$234.03	01-1326	MILLERSBURG CELEBR	\$36,500.00	\$32,438.13
		08202019	09/04/19	MILLERSBURG CELEBRATION - Supplies	09/20/19	\$197.06	\$197.06	01-1326	MILLERSBURG CELEBR	\$36,500.00	\$32,438.13
		08202019	09/04/19	POSTAGE AND SHIPPING - Shipping Costs	09/20/19	\$18.30	\$18.30	01-1327	POSTAGE AND SHIPPI	\$1,100.00	(\$942.57)
		08202019	09/04/19	MATERIALS & SUPPLIES - Review software for City website	09/20/19	\$28.00	\$28.00	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,949.32
		08202019	09/04/19	MATERIALS & SUPPLIES - Coffee for Chamber Greeters	09/20/19	\$16.72	\$16.72	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,949.32
		08202019	09/04/19	MATERIALS & SUPPLIES - Office Candy	09/20/19	\$29.38	\$29.38	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,949.32
		08202019	09/04/19	MATERIALS & SUPPLIES - File room supplies	09/20/19	\$26.59	\$26.59	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,949.32
		08202019	09/04/19	MATERIALS & SUPPLIES - State & Local Government Procurement Guide	09/20/19	\$65.00	\$65.00	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,949.32
		08202019	09/04/19	MATERIALS & SUPPLIES - Site5 monthly website hosting cost	09/20/19	\$15.95	\$15.95	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,949.32

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Vendor										
InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance	
08202019	09/04/19	MATERIALS & SUPPLIES - Replacement Ergo Mouse	09/20/19	\$33.99	\$33.99	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,949.32	
08202019	09/04/19	MATERIALS & SUPPLIES - Kitchen / Meeting Supplies	09/20/19	\$50.43	\$50.43	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,949.32	
08202019	09/04/19	MATERIALS & SUPPLIES - Cleaning Supplies	09/20/19	\$30.02	\$30.02	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,949.32	
08202019	09/04/19	MATERIALS & SUPPLIES - Copies fo governing documents	09/20/19	\$103.79	\$103.79	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,949.32	
08202019	09/04/19	MATERIALS & SUPPLIES - External DVD	09/20/19	\$19.99	\$19.99	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,949.32	
08202019 Credit	09/04/19	MATERIALS & SUPPLIES - Amazon DVD return	09/20/19	(\$21.99)	(\$21.99)	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$12,949.32	
08202019	09/04/19	CONTRACTED SERVICES - Scans for full size City Hall drawings	09/20/19	\$138.00	\$138.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$97,318.47	
08202019	09/04/19	MEETINGS & TRAINING - Food for Chamber Greeters	09/20/19	\$57.39	\$57.39	01-1335	MEETINGS & TRAINING	\$8,000.00	\$6,350.13	
08202019	09/04/19	MEETINGS & TRAINING - Food for meeting, Code Open House & Chamber Greeters	09/20/19	\$89.60	\$89.60	01-1335	MEETINGS & TRAINING	\$8,000.00	\$6,350.13	
08202019	09/04/19	MEETINGS & TRAINING - Chamber Greeters Food	09/20/19	\$36.98	\$36.98	01-1335	MEETINGS & TRAINING	\$8,000.00	\$6,350.13	
08202019	09/04/19	LGIP FUND FEES - Late Payment Fee on US Bank CC	09/20/19	\$36.90	\$36.90	01-1350	LGIP FUND FEES	\$400.00	\$388.45	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Pitcher Base	09/20/19	\$21.99	\$21.99	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Park Supplies	09/20/19	\$29.88	\$29.88	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Plywood	09/20/19	\$47.27	\$47.27	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Truck parts	09/20/19	\$1.75	\$1.75	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Starter for old truck	09/20/19	\$201.19	\$201.19	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Toilet Paper	09/20/19	\$116.78	\$116.78	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Can Liners	09/20/19	\$247.53	\$247.53	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Clearner	09/20/19	\$13.99	\$13.99	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Tennis Net	09/20/19	\$189.98	\$189.98	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Pesticide Sign	09/20/19	\$23.98	\$23.98	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Bluetooth Speaker for truck	09/20/19	\$21.49	\$21.49	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Park Supplies	09/20/19	\$8.24	\$8.24	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019	09/04/19	PARK SUPPLIES & MAINTENANCE - Park irrigation work	09/20/19	\$450.00	\$450.00	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	
08202019 Credit	09/04/19	PARK SUPPLIES & MAINTENANCE - NAPA parts returned	09/20/19	(\$28.29)	(\$28.29)	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37	

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		08202019	09/04/19	Maintenance and Supplies - Temp fire station flag pole	09/20/19	\$1,334.00	\$1,334.00	01-4306	Maintenance and Supplie	\$2,000.00	\$1,290.90
							\$6,468.42				
328	Valley Merchant Police, Inc, PO Box 14, Albany, OR, 97321										
273916		08/31/19		PARK SUPPLIES & MAINTENANCE - Valley Merchant Police through Aug 2019	09/30/19	\$300.00	\$300.00	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$49,228.37
							\$300.00				
786	Witherspoon Industries LLC, PO Box 1047, Lebanon, OR, 97355										
3378		08/31/19		CONTRACTED SERVICES - Witherspoon Industries, Aug 2019 Custodial	09/30/19	\$600.00	\$600.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$97,318.47
							\$600.00				
							\$31,186.59				
				Total Bills To Pay:			\$31,186.59				



TO: Millersburg City Council
VIA: Kevin Kreitman, City Manager
FROM: City Staff
DATE: September 9, 2019 for Council Meeting September 10, 2019
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 continues to work on these tasks, the Gantt chart will be periodically updated and provided for Council and public information. The most recent version of the Gantt chart is attached to this memo. Tasks in blue are complete, tasks in yellow are in progress, and tasks that are not colored have not been started.

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

Parks Master Plan:

The second Parks Master Plan open house is scheduled for September 25 at 6:00 PM. A stakeholder meeting for neighbors of the park will be held at 4:00 PM that day. Information on the Parks Master Plan will be made available at the Millersburg Celebration as an additional public outreach opportunity.

Water and Sewer Rate Study:

At the Council Work Session on July 30, three options were presented for the water rates, along with the financial plan for sewer. Council indicated Option 3 was the preferred option for water rates. Additional data from past sewer billing and accounts is being analyzed to help finalize the proposed sewer rates. Once this is complete, the next step will be to schedule either another Council work session or an open house/public outreach event.

City Hall Projects:

There are several projects currently underway at City Hall.

- **AV upgrades and council chamber dais** – the installation is scheduled for the first week/weekend of October and anticipated to be completed by October 8, 2019.
- **Fiber** – the contract with LS Networks to provide fiber to City Hall has been signed and they are scheduling the install. We do not have a date at this time. This will require changing some IT equipment and cable routing, which will be completed under the overall budget for this item.
- **Phones** – we have received quotes for a new phone system at City Hall from LS Networks and Jive. Both offer VoIP phones and software with all the features and capability needed.

- **Utility billing and general ledger software** – Staff is now working with the Caselle implementation team. Training on the new system should be sometime early next year.

City Codes:

- **Municipal Code Update** – this is proposed for final approval at the September council meeting. The code can be printed and posted online after the most recent approved Ordinances are added.
- **Land Use Development Code Update** – the next Planning Commission workshop is scheduled for September 17 at 6:00 PM. The Planning Commission will be reviewing Articles 2 and 3.

Streets:

- The work for crack sealing in Morningstar Estates and the Terri Lane area has been contracted with TopLoc Asphalt Repair. The schedule will be posted to the City website as soon as it becomes available.
- Quotes were solicited for pavement repair around manhole lids in the Sweetwater neighborhood. Due to timing and contractor schedules, we received no responses from contractors who were able to perform this work within the initial timeframe required. The RFQ will be re-sent out with a revised schedule and the slurry sealing project will be deferred until spring.
- Linn County will be striping arterials and collectors within Millersburg this fall. City streets to be striped include Conser Road, Alexander Lane, Millersburg Drive, Woods Road, and 54th Avenue. The County will also stripe Old Salem Road at this time. As soon as the schedule is available, it will be posted to the City website.
- The West Valley Estates project continues work on utilities in Millersburg Drive. Due to multiple conflicts with the existing water line and other utilities, the work has taken longer than initially anticipated. However, work is still on track for Millersburg Drive to be restored prior to inclement weather this fall.

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
1		Millersburg Tasks					
2							
3		Charter and Council	260 days	Wed 1/2/19	Tue 12/31/19		Kevin,Forrest
4		Update of charter					
5		Consider election of mayor					
6		Update Strategic Plan	54 days	Mon 1/21/19	Thu 4/4/19		
7							
8		Ordinances and Code	260 days	Wed 1/2/19	Tue 12/31/19		Forrest,Kim,Kevin
9		Update Code of Ordinances - change to Municipal Code	180 days	Wed 1/2/19	Tue 9/10/19		
10		Resolutions - need to update water resolution with new billing cycle CO 50.05	173 days	Wed 1/2/19	Fri 8/30/19		
11		Update ordinances to include water and storm utility systems	1 day	Tue 8/13/19	Tue 8/13/19		
12		Comprehensive Plan Update	260 days	Wed 1/2/19	Tue 12/31/19		
13							
14		Policies, Procedures, and Standards	260 days	Wed 1/2/19	Tue 12/31/19		
15		Ethics Policy	50 days	Wed 1/2/19	Tue 3/12/19		Kevin,Janelle
16		Fleet policy and best practices for vehicles					Kevin,Janelle
17		Computer/electronics use policy					Kevin,Janelle
18		Equipment use policy					Kevin,Janelle
19		Billing policies					Kim
20		Safety procedures and training	260 days	Wed 1/2/19	Tue 12/31/19		Kevin,Janelle
21		Safety manual					
22		Staff training plans					
23		Ergo evaluations					
24		PPE					
25							
26		Budget	120 days	Mon 1/14/19	Fri 6/28/19		
27		2019-2020 Budget	75 days	Mon 3/18/19	Fri 6/28/19		Jake,Kevin,Janelle
28		Revise budget layout	51 days	Mon 1/14/19	Mon 3/25/19		Jake
29		Develop proposed budget	60 days	Mon 1/28/19	Fri 4/19/19		
30		Adopt budget	55 days	Mon 4/15/19	Fri 6/28/19		
31		CIP update	105 days	Mon 2/4/19	Fri 6/28/19		Janelle
32							
33		Equipment life/replacement costs tracking	260 days	Wed 1/2/19	Tue 12/31/19		
34		City Hall Equipment					
35		Parks/Maintenance Equipment					
36		Fire Station					
37							
38		City Hall work	260 days	Wed 1/2/19	Tue 12/31/19		
39		Council Chambers		Wed 1/2/19			
40		Upgrade audio and video system	217 days	Wed 1/2/19	Thu 10/31/19		
41		Council dias	217 days	Wed 1/2/19	Thu 10/31/19		
42		Consider new audience chairs?					
43		Records Room reorganization - rolling files	158 days	Wed 1/2/19	Fri 8/9/19		Kim,Kevin
44		Office space modifications	217 days	Wed 1/2/19	Thu 10/31/19		Kevin,Kim
45		Upgrade phone system					Jake
46		Broadband					Kevin
47		Sidewalk around north end of City Hall					Janelle
48		Security cameras on City Hall exterior	1 day	Wed 1/2/19	Wed 1/2/19		Jake
49							
50		Planning, Building, and Development	260 days	Wed 1/2/19	Tue 12/31/19		
51		Complete Land Use Development Code Revision	216.25 day	Wed 1/2/19	Thu 10/31/19		John Morgan
52		Consider UGB expansion	260 days	Wed 1/2/19	Tue 12/31/19		John,Kevin,Janelle
53		Buildable Lands Inventory and Housing Needs Analysis					
54		Update planning fees	136 days	Tue 1/1/19	Tue 7/9/19		John,Matt
55		Ability to get on County online system for building permit	84 days	Tue 7/2/19	Fri 10/25/19		Kevin,Janelle
56		Engineering standards	194 days	Mon 2/4/19	Thu 10/31/19		Janelle

Project: Task List
Date: Fri 9/6/19

Task	Summary	Inactive Milestone	Duration-only
Split	Project Summary	Inactive Summary	Manual Summary Rollup
Milestone	Inactive Task	Manual Task	Manual Summary

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
57	✓	Connection Fees/Reimbursement Agreement	115 days	Wed 1/2/19	Tue 6/11/19		Janelle,Jeff
58	?						
59	?	Economic Development	260 days	Wed 1/2/19	Tue 12/31/19		
60	?	Consider business license					
61	?	Access to City property west of tracks					
62	?	Consider fuel tax					
63	?	Consider transient room tax					
64	?	Wetland delineation for city owned property	207 days	Mon 3/18/19	Tue 12/31/19		
65	?						
66	?	Fire Station Permanent	247 days	Mon 1/21/19	Tue 12/31/19		
67	✓	Select Site	115 days	Mon 1/21/19	Fri 6/28/19		Kevin,Janelle
68	?	RFQ to Select Designer	97 days	Mon 6/3/19	Tue 10/15/19		Kevin,Janelle
69	?	Select Design Firm	80 days	Mon 7/29/19	Fri 11/15/19		Kevin,Janelle
70	?	Preliminary Design	90 days	Thu 1/2/20	Wed 5/6/20		Kevin,Janelle
71	?						
72	?	Parks	260 days	Wed 1/2/19	Tue 12/31/19		
73	✓	Review reservation fees	128 days	Wed 1/2/19	Fri 6/28/19		Jake
74	✓	Park safety inspection checklist	63 days	Wed 1/2/19	Fri 3/29/19		Janelle,Sean
75	?	Parks Master Plan	217 days	Wed 1/2/19	Thu 10/31/19		Janelle
76	✓	Parks Maintenance Plan	63 days	Wed 1/2/19	Fri 3/29/19		Janelle
77	?	Remote control of irrigation system					
78	?						
79	?	Utilities	260 days	Wed 1/2/19	Tue 12/31/19		Kevin,Janelle,consultant
80	✓	New utility billing and GL system selection	1 day	Fri 6/28/19	Fri 6/28/19		Kim
81	?	Rates	217 days	Wed 1/2/19	Thu 10/31/19		
82	?	Water	194 days	Wed 1/2/19	Mon 9/30/19		
83	?	Sewer	194 days	Wed 1/2/19	Mon 9/30/19		
84	?	Stormwater	174 days	Mon 3/4/19	Thu 10/31/19		
85	?	SDCs	217 days	Wed 1/2/19	Thu 10/31/19		
86	?	Water	217 days	Wed 1/2/19	Thu 10/31/19		
87	?	Sewer	217 days	Wed 1/2/19	Thu 10/31/19		
88	?	Streets	195 days	Fri 2/1/19	Thu 10/31/19		
89	?	Stormwater	196 days	Fri 2/1/19	Fri 11/1/19		
90	?	Parks	82 days	Mon 9/9/19	Tue 12/31/19		
91	?						
92	?	Stormwater	260 days	Wed 1/2/19	Tue 12/31/19		
93	✓	Complete Stormwater Master Plan	15 days	Wed 1/2/19	Tue 1/22/19		
94	✓	TMDL matrix revision	51 days	Mon 1/21/19	Mon 4/1/19		
95	?	Stormwater/drainage flyer	194 days	Mon 2/4/19	Thu 10/31/19		
96	?	Crooks Creek north trib project	433 days	Mon 2/4/19	Wed 9/30/20		
97	?	Stormfilter cartridges at Crooks Creek on Millersburg drive - regular checking/cleaning/replacement plan	217 days	Wed 1/2/19	Thu 10/31/19		Janelle
98	?	Have Millersburg storm drain facilities added to Albany GIS system	217 days	Wed 1/2/19	Thu 10/31/19		Janelle
99	?	Erosion Control Permit Program	194 days	Mon 2/4/19	Thu 10/31/19		Janelle
100	?	Develop inspection and maintenance program	194 days	Mon 2/4/19	Thu 10/31/19		Janelle
101	?						
102	?	Water	260 days	Wed 1/2/19	Tue 12/31/19		
103	?	Evaluate DRC contract	154 days	Mon 4/1/19	Thu 10/31/19		Janelle
104	?	Water master plan - submit finance component	217 days	Wed 1/2/19	Thu 10/31/19		Janelle
105	?	Annual water audit	191 days	Mon 1/7/19	Mon 9/30/19		Janelle,Kim
106	?	OHA requirements tracking	260 days	Wed 1/2/19	Tue 12/31/19		Janelle
107	?						
108	?	Sewer	260 days	Wed 1/2/19	Tue 12/31/19		
109	✓	Manhole grouting	18 days	Wed 1/2/19	Fri 1/25/19		Janelle
110	✓	Finish lift station project	128 days	Wed 1/2/19	Fri 6/28/19		Janelle
111	?	Evaluate flow monitoring contract	154 days	Mon 4/1/19	Thu 10/31/19		Janelle
112	?	Reuse water study	260 days	Wed 1/2/19	Tue 12/31/19		Janelle,Kevin

Project: Task List
Date: Fri 9/6/19

Task		Summary		Inactive Milestone		Duration-only	
Split		Project Summary		Inactive Summary		Manual Summary Rollup	
Milestone		Inactive Task		Manual Task		Manual Summary	

ID	Task Mode	Task Name	Duration	Start	Finish	Prede	Resource Names
113							
114		Tranportation/Streets	260 days	Wed 1/2/19	Tue 12/31/19		
115		Bridge and pavement reporting to ODOT	23 days	Wed 1/2/19	Fri 2/1/19		Janelle
116		Street striping program	109 days	Wed 1/2/19	Mon 6/3/19		Janelle
117		Crack seal/slurry seal program	109 days	Wed 1/2/19	Mon 6/3/19		Janelle
118		OSR/I-5 guardrail evaluation	1 day	Fri 8/30/19	Fri 8/30/19		Janelle
119							
120		Miscellaneous	260 days	Wed 1/2/19	Tue 12/31/19		
121		Newsletter	260 days	Wed 1/2/19	Tue 12/31/19		Kim
122		Post utility rate and SDC info to website once changes are adopted	175 days	Mon 4/1/19	Fri 11/29/19		Janelle, Kim
123		Change city name for addressing			Tue 6/30/20		Kevin
124		Complaint form	1 day	Wed 1/2/19	Wed 1/2/19		
125							
126		HR	85 days	Wed 1/2/19	Tue 4/30/19		
127		Annual evaluation form	22 days	Wed 1/2/19	Thu 1/31/19		Kevin, Janelle
128		Update employee manual	200 days	Wed 1/2/19	Tue 10/8/19		Kevin, Forrest
129		Update maintenance job descriptions	151 days	Wed 1/2/19	Wed 7/31/19		Janelle

Project: Task List
Date: Fri 9/6/19

Task		Summary		Inactive Milestone		Duration-only		Manual Summary Rollup
Split		Project Summary		Inactive Summary		Manual Summary Rollup		Manual Summary
Milestone		Inactive Task		Manual Task		Manual Summary		Manual Summary



LINN COUNTY SHERIFF'S OFFICE

Jim Yon, Sheriff

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

2019

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

FOR THE MONTH OF: August

TRAFFIC CITATIONS: _____	10
TRAFFIC WARNINGS: _____	18
TRAFFIC CRASHES: _____	2
ADULTS CITED/VIOLATIONS: _____	0
ADULTS ARRESTED : _____	5
JUVENILES CITED/VIOLATIONS: _____	0
JUVENILES ARRESTED: _____	0
COMPLAINTS/INCIDENTS INVESTIGATED: _____	153
TRAFFIC HOURS: _____	27.5
ADMINISTRATION HOURS: _____	2

TOTAL HOURS SPENT: MILLERSBURG 160

CONTRACT HOURS= 153 HOURS

**Jim Yon,
Sheriff, Linn County**

By: Sergeant Greg Klein



TO: Millersburg City Council
FROM: Kevin Kreitman, City Manager
DATE: September 3, 2019 for the September 10, 2019 City Council Meeting
SUBJECT: Ordinance Updating and Adopting a New Millersburg Municipal Code Layout

Action Requested: Adoption of the attached Ordinance adopting and accepting the City of Millersburg Municipal Code of Ordinances prepared by Code Publishing Company.

Discussion: The City previously contracted with Code Publishing Company to update our municipal code to correct errors and omissions and to provide an update of Ordinances. The City previously updated the code in 2014. That code published by American Legal Publishing was in a paper only format.

The new code includes a reformatted layout and will provide for an expandable numbering system and online access. This function will promote public access, search functions, and increased efficiency and ability to expand as new ordinances of the City are adopted to respond to City growth and change of policies and applicable laws.

We have also contracted with Code Publishing Company to provide ongoing updates to the online version of the code to ensure updated content is readily available to staff and our citizens.

Budget Impact:
Previously budgeted.

Recommendation:
Staff recommends Council adoption of the attached Ordinance updating the Millersburg Municipal Code.

Attachment(s):

- Ordinance 158 – Adopting and Accepting the City of Millersburg Municipal Code of Ordinances

ORDINANCE NO. 158

AN ORDINANCE ADOPTING AND ACCEPTING THE CITY OF MILLERSBURG, OREGON, MUNICIPAL CODE OF ORDINANCES PREPARED BY CODE PUBLISHING COMPANY

WHEREAS, the compilation, format, and numbering of the existing City of Millersburg Code of Ordinances reformatted and compiled in 2014 is incomplete and difficult to search and has numerous Ordinances that have been adopted since the City of Millersburg was incorporated; and,

WHEREAS, the City desires to have the City of Millersburg Ordinances in an organized fashion and volume; and,

WHEREAS, the City engaged Code Publishing Company, Seattle, Washington, to compile edit, and publish a reformatted layout of the City Code of Ordinances and provide an expandable numbering system and online access which will promote public access, search functions, and increased efficiency and ability to expand as new ordinances of the City are adopted to respond to City growth and change policies and applicable laws;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS: the recodified City of Millersburg Municipal Code of Ordinances as reformatted, indexed, edited, and republished by Code Publishing Company, Seattle, Washington is hereby adopted and accepted as the Millersburg Municipal Code.

SECTION 1. Adoption. There is adopted the recodified **Millersburg Municipal Code** as compiled, edited, and published by Code Publishing Company (CPC), Seattle, Washington (“the Code”), to replace, in its entirety, the Millersburg Code of Ordinances in effect on the date this Ordinance is adopted (the “Prior MCO”).

SECTION 2. Title—Citation—Reference. This Code shall be known as the “Millersburg Municipal Code” and it shall be sufficient to refer to said Code as the “Millersburg Municipal Code,” or “the MMC” in any prosecution for the violation of any provision of the Code or in any proceeding at law or equity. It is sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion of the Code as an addition to, amendment to, correction of, or repeal of the Code. References may be made to the titles, chapters, sections, and subsections of the Code and such references shall apply to those titles, chapters, sections, or subsections as they appear in the Code.

SECTION 3. Reference Applies to All Amendments. Whenever a reference is made to the Code as the Millersburg Municipal Code, the Code, the MMC, or to any portion thereof, or to any ordinance of the City of Millersburg codified in the Code, the reference shall apply to all amendments, corrections, and additions heretofore, now, or hereafter made.

SECTION 4. Title, Chapter and Section Headings. Title, chapter, and section headings contained in the Code shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any title, chapter, or section in the Code.

SECTION 5. Reference to Specific Ordinances. The provisions of the Code shall not in any manner affect matters of record which refer to, or are otherwise connected with, ordinances which are therein specifically designated by number or otherwise and which are included within the Code, but such reference shall be construed to apply to the corresponding provisions contained within the Code.

SECTION 6. Ordinances Passed Prior to Adoption of the Code. The last ordinance included in the Code was Ordinance 153, adopted on June 11, 2019.

SECTION 7. Effect of Code on Past Actions and Obligations. The adoption of the Code does not affect prosecutions for Ordinance violations committed prior to the effective date of the Code, does not waive any fee or penalty due and unpaid on the effective date of the Code, and does not affect the validity of any bond or cash deposit posted, filed, or deposited pursuant to the requirements of any Ordinance.

SECTION 8. Constitutionality. If any section, subsection, sentence, clause, or phrase of the Code is for any reason held to be invalid or unconstitutional, then such decision shall not affect the validity of the remaining portions of the Code.

SECTION 9. References to Prior MMC. Unless otherwise expressly stated or the context requires, references in City forms, documents, and regulations to the chapters, sections, and provisions of the Prior MMC shall be construed to apply to the corresponding chapters, sections, and provisions contained within the Code.

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

PASSED by the Council and approved by the Mayor this 10th day of September 2019.

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: September 5, 2019 for the September 10, 2019 City Council Meeting
SUBJECT: Galardi Consulting, LLC Agreement Amendment

Action Requested: Approval of proposed Amendment #1 to Galardi Consulting, LLC Agreement to Furnish Services.

Discussion:

In May of 2018, the City of Millersburg entered into an agreement with Galardi Consulting, LLC for a rate and SDC study. The Agreement had a not-to-exceed amount of \$43,700. Due to increased costs associated with difficulty retrieving data for review from our current utility billing software and evaluating multiple rate scenarios, the work to date has exceeded the level of effort in the authorized scope and budget.

Data manipulation

The original scope of work assumed the utility consumption and billing information would be provided as a single Excel spreadsheet. Because of challenges with the current utility billing system, as well as complications from changes to account numbers and change in billing cycles (monthly or quarterly to bi-monthly), a significantly higher amount of time has been spent to work with the available data. The increased cost associated with this task is up to \$6,000.

Rate Structures

The original scope assumed multiple rate structure options for sewer only, and these options were limited to consumption-based rate scenarios. To provide the information requested by staff and Council, multiple water rate structure options were developed. In addition, it has been determined that the sewer rates need to include strength-based rates for commercial customers. The increased cost associated with these additional rate structure options is approximately \$4,000.

Budget Impact:

Approval of the attached Agreement Amendment authorizes up to an additional \$10,000 for FY 2019-20. There is sufficient funding in the water and sewer funds to cover this cost and will allow completion of the SDC fee updates.

Recommendation:

It is recommended that Council approve Amendment #1 to Galardi Consulting, LLC Agreement to Furnish Services.

Attachment(s):

- Proposed Agreement Amendment #1
- Agreement to Furnish Services with Galardi Consulting, LLC

CONTRACT AMENDMENT

This Amendment is made to the Personal Services Contract dated May 25, 2018 between the City of Millersburg (City), and Galardi Consulting LLC. (Contractor).

City and Contractor mutually agree to amend the contract referenced above as follows:

- 1. **Exhibit A – Scope of Services.** Exhibit A of the original document shall now include the additional tasks identified below.
- 2. **Article 5.1 Method of Payment for Services and Expenses.** Article 5.1.1 shall be amended to include an additional \$10,000 for the tasks identified below. The total compensation for services shall now not exceed \$53,700.

Additional Tasks

1. **Data analysis** –Analyze multiple billing data reports provided by the City, and compile consumption and customer information into a single spreadsheet to support the rate analysis. Review commercial account data to verify accounts (necessitated by a change to account numbers during the historical period); make modifications to usage history to account for changes to billing cycles (monthly to bi-monthly), and change in classification of some customers (from commercial to industrial).

2. **Rate structure scenarios** - Develop water rate structure options (customer class differences and different options of fixed/volume, and a 2-year rate transition option), and strength-based rates for commercial and industrial sewer customers.

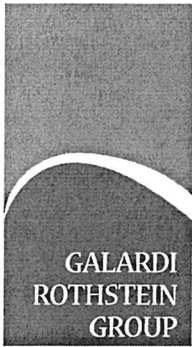
All other terms and conditions of this contract remain in full force and effect.

Galardi Consulting, L.L.C.

City of Millersburg

By: _____
Deborah Galardi
Member

By: _____
Name: _____
Title: _____



AGREEMENT TO FURNISH SERVICES

THIS AGREEMENT is effective this 25 day of May, by and between the City of Millersburg, hereinafter referred to as "Client" and Galardi Consulting, L.L.C., hereinafter referred to as "Consultant."

WITNESSETH: That whereas the Client intends to engage the Consultant to perform professional services for the project described on Exhibit A, attached hereto and incorporated by reference ("Project").

NOW, THEREFORE, the Client and Consultant, for the consideration hereinafter set forth, agree as follows:

ARTICLE 1. CONSULTANT'S RESPONSIBILITIES

1.1 Consultant agrees to perform as an independent contractor, in accordance with professional care and standards of other individuals or entities performing similar professional services and all applicable federal, state, and local laws, statutes, ordinances, rules, and regulations of any kind whatsoever, the services in connection with the Project as more fully defined on Exhibit "A", attached hereto and incorporated by reference.

ARTICLE 2. SPECIAL SERVICES OF CONSULTANT

2.1 If authorized in writing by the Client, Consultant shall furnish additional professional services as specified in writing, and which shall be paid for by the Client as provided in Article 5 herein.

ARTICLE 3. CLIENT'S RESPONSIBILITIES

The Client will:

3.1 Assist the Consultant by placing at its disposal all reasonably available information and technical data pertinent to the Project including previous reports and any other relevant data and promptly respond to questions and issues as they arise. Where reasonably possible, the Client will assist the Consultant in obtaining information from third parties.

ARTICLE 4. AUTHORIZATION, SCHEDULES, AND COMPLETION

4.1 Specific authorization to proceed with the services described in Article 1 shall be granted in writing by the Client within a reasonable time after the effective date of this Agreement. The Consultant shall not proceed with the work without such authorization. The Client's Project Manager, as defined in paragraph 7.1 of Article 7, shall have authority to give such authorizations.

4.2 The Consultant agrees to complete the Services enumerated in Article 1, within nine

(9) months following the authorization to proceed. If the Client has requested significant modifications or changes in the scope of the Project, the time of performance of the Consultant's services shall be adjusted accordingly.

4.3 For Special Services, as enumerated in Article 2, the Client's authorization shall be in writing and shall include the definition of the work to be done, the schedule for commencing and completing the work, and the basis of compensation for the work.

4.4 Time is of the essence of this Agreement.

ARTICLE 5. PAYMENTS TO CONSULTANT

In accordance with the terms and conditions of this Agreement, the Client shall compensate the Consultant as follows:

5.1 Method of Payment for Services and Expenses.

5.1.1 The Client agrees to pay the Consultant monthly for labor and expenses associated with performing the Services, as enumerated in Article 1. Labor will be paid according to actual hours worked. Expenses will be paid at cost, and may include the costs of transportation, subcontracts and outside services, supplies, photocopying, and telecommunications. The compensation for services shall not exceed \$43,700 as outlined in Exhibit "A" (attached hereto and incorporated by reference), without approval by the Client.

5.1.2 For other Special Services, as enumerated in Article 2, the Client shall pay the Consultant monthly according to terms then to be negotiated, or by the invoice cost of services and expenses charged to the Consultant by outside consultants, professional, or technical firms engaged in connection with the project. The total fee for these other Special Services shall not exceed the amount specified in the Client's written authorization to proceed with the Special Service.

5.1.3 The Consultant is entitled to no compensation for the correction or revision of any errors or deficiencies.

5.1.4 In the event of any legal or other controversy requiring the services of the Consultant in providing expert testimony in connection with the Project, except actions brought by either party against the other, and except suits or claims by third parties against the Client arising out of error or omissions of the Consultant, the Client shall pay the Consultant for services rendered in regard to such legal or other controversy, including costs of preparation for the controversy on the basis of charges for Special Services, as prescribed in Article 2, in addition to other sums of money payable under this Agreement.

5.2 Times of Payment.

5.2.1 The Consultant will provide an itemized statement on or before the 15th of each month to the Client for work performed during the preceding period. The Client shall pay monthly payments to the Consultant within forty five (45) days of the Client's receipt of the Consultant's monthly statement. Interest on unpaid payments due shall accrue at the rate of one percent (1%) per month beginning the forty fifth (45th) day after the Client's receipt of the Consultant's statement.

ARTICLE 6. GENERAL CONDITIONS

6.1 Termination.

6.1.1 Termination for Convenience. Either party may terminate this Agreement upon seven (7) days written notice to the other in the event of substantial failure by a party to perform in accordance with the terms hereof.

6.1.2 Termination by Either Party. Either party may terminate this Agreement for convenience upon 30 days' written notice to the other.

6.1.3 Payment and Winding Up. If any portion of the Project covered by this Agreement shall be suspended, abated, abandoned, or terminated, the Client shall pay the Consultant for the services rendered for suspended, abated, abandoned, or terminated work, the payment to be based insofar as possible on the amounts established in this Agreement, or, where the Agreement cannot be applied, the payment shall be based on a reasonable estimate as mutually agreed of the percentage of the work completed; but in no case will anticipated profit be allowed on services or other work not performed. If the Project is suspended, abated, abandoned, or terminated, the Consultant, when requested by the Client, shall furnish a copy of all notes, reports, or other tangible records compiled. The parties shall cooperate to wind up the Project.

6.2 Indemnification and Insurance.

6.2.1 Each party agrees to indemnify, save and hold harmless, and defend the other, its officers, commissioners, and employees from and against all claims and actions, and all expenses incidental to the investigation and defense thereof, arising out of or based upon damages or injuries to persons or property caused solely by the acts, errors, or omissions of a party, its subcontractors, or anyone over which it has a right to control.

6.2.2 Independent of 6.2.1 above, the Consultant agrees to furnish the Client evidence of comprehensive general and automobile liability insurance in the amount of not less than Five Hundred Thousand Dollars (\$500,000) combined single limit for personal injury and property damage for the protection of the Client, its officers, commissioners, and employees against liability for damages, because of personal injury, bodily liability for damages, because of personal injury, bodily injury, death or damage to property, including loss of use thereof, in any way related to the Consultant's, or any of its subcontractors', performance of this Agreement.

6.2.3 Professional Liability. Consultant will provide proof of professional liability insurance for error and omissions in the amount of Two Million Dollars (\$2,000,000).

6.3 Workers' Compensation Coverage Requirements.

The Consultant, its subcontractors, and all employees working under this Agreement are subject employers under the Oregon Workers' compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers. The Consultant shall provide proof of coverage at the time of the execution of this Agreement and continuing proof of coverage during the period of this Agreement.

6.4 Other Taxes and Charges.

The Consultant will be solely responsible for payment of any federal or state taxes required as a result of this Agreement. This Contract is not intended to entitle the Consultant to any benefits generally granted to owners and employees. Without limitation, but by way of illustration, the benefits not intended to be extended by this Contract to the Consultant are vacation, holiday and sick leave, other leaves with pay, tenure, medical and dental coverage, life and disability insurance, overtime pay, Social Security, workers' compensation, unemployment compensation, or retirement benefits (except so far as benefits are required by law if the Consultant is presently a member of the Public Employees Retirement System).

6.5 Subcontracts.

Any subcontractors and outside associates, or consultants, required by the Consultant in connection with the services covered by this Agreement will be limited to such individuals, or firms, as were specifically approved by the Client in writing during performance of the Agreement. Any substitution in such subcontractors, associates, or consultants will be subject to the prior written approval of the Client.

6.6 Estimates of Cost.

The estimates of cost for the Project provided for herein are to be prepared by the Consultant through exercise of its experience and judgment in applying currently available cost data. However, the Consultant will keep the Client apprised of changes throughout the Project that significantly impact the estimated costs.

6.7 Reuse of Documents.

The documents produced hereunder shall be the property of the Client. All documents furnished by the Consultant pursuant to this Agreement are instruments of its in respect to the Project. They are not intended or represented to be suitable for reuse by the Client or others or on any other Project. No reuse without specific written verification or adaptation by the Consultant will be allowed. The Client shall indemnify and hold harmless the Consultant from all claims,

damages, losses, and expenses including attorneys' fees arising out of or resulting from any reuse of the reports generated hereunder.

6.8 Books and Records.

The Consultant shall maintain books and accounts of payroll costs, travel, subsistence, field, contracted services of others and reimbursable expenses pertaining to the Project in accordance with generally accepted professional practice, and appropriate accounting procedures. Said books and accounts shall be available to the Client, or its authorized representative, at all reasonable times for inspection, audit, or copying at the office of the Consultant. The signing of this Agreement shall constitute agreement that they will comply with the access records section of any federal law, if applicable. Records shall be maintained and available until three (3) years after the date of final Project billing or until three (3) years after the date of resolution of any litigation or claim.

6.9 Successors and Assigns.

The Client and Consultant each binds itself and its partners, successors, executors, administrators, and assigns to the other party of this Agreement and to the partners, successors, executors, administrators, and assigns of such other party, in respect to all covenants of this Agreement; except as above, neither the Client nor Consultant shall assign, sublet, or transfer its interest in this Agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body, which may be a party thereto, nor shall it be construed as giving any rights or benefits hereunder to anyone other than the Client and Consultant.

6.10 Public Contracting Law.

The following terms and conditions are made a part of this Agreement:

6.10.1 The Consultant agrees that it shall:

6.10.1.1 Make payments promptly, as due, to all persons supplying Consultant labor or materials for the work performed for in this Agreement.

6.10.1.2 Pay all contributions or amounts due the Industrial Accident Fund incurred in the performance of this Agreement.

6.10.1.3 Not permit any lien or claim to be filed or prosecuted against the Client on account of services performed for Consultant.

6.10.1.4 Pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.

6.10.2 If the Consultant fails, neglects, or refused to make prompt payment of any claim for labor or service furnished to the Consultant by any person in connection with this

Agreement, as such claim becomes due, project manager representing the Client may pay such claim to the person furnishing the labor or services and charge the amount of the payment against funds due or to become due the Consultant by reason of this Agreement.

6.10.3 The Consultant shall promptly, as due, make payment to any person, co-partnership, association, or corporation, furnishing medical, surgical, and hospital care, or other needed care and attention, incident to sickness or injury, to the employees of the Consultant, or all sums which the Consultant agrees to pay for such services and all moneys and sums which the Consultant collected or deducted from the wages of employees pursuant to any law, contract, or agreement for the purpose of providing or paying for such services.

6.11 Equal Employment Opportunity.

6.11.1 The Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, marital status, age, mental or physical handicap, or national origin.

6.11.2 The Consultant will, in all solicitations or advertisements for employees placed by or on behalf of the Consultant state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, marital status, age, physical or mental handicap, or national origin.

6.11.3 In the event of the Consultant's noncompliance with the nondiscrimination clauses of this Agreement or with any of applicable rules, regulations, or orders of governmental agencies having jurisdiction, this Agreement may be cancelled, terminated, or suspended in whole or in part.

ARTICLE 7. GENERAL CONDITIONS

The Client and Consultant agree that this Agreement is subject to the following General Conditions which together with the provisions hereof and the appendices hereto represent the entire Agreement between the Client and Consultant; and they may only be altered, amended, or repealed by a duly executed written instrument.

7.1 Client's Project Manager.

_____ shall be the Client's Project Manager and be empowered to act for the Client in accordance with the provisions of this Agreement, where such acts are not contrary to laws or ordinances.

7.2 Consultant's Project Manager.

The Consultant's Project Manager for this Project shall be Deborah Galardi, who shall be empowered to act for the Consultant in accordance with this Agreement in all matters relating to the

technical administration of services to be provided. The Consultant shall secure the Client's written approval prior to making any change in such assignment. The Client reserves the right, for cause, to acquire replacement of any Project personnel furnished by the Consultant.

7.3 Assignment.

This Agreement is binding on the heirs, successors, and assigns of the parties hereto. This Agreement may not be assigned by the Client or Consultant without prior written consent of the other.

7.4 Entire Agreement.

This Agreement represents the entire understanding of the Client and Consultant as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. This Agreement may not be modified or altered except in writing signed by both parties.

7.5 Jurisdiction and Disputes.

If a dispute arises between the parties regarding breach of this Agreement or interpretation of any term of this Agreement, the parties shall first attempt to resolve the dispute by negotiation, followed by mediation, if negotiation fails to resolve the dispute. Jurisdiction for any and all mediation and arbitration shall be Linn County, OR. Jurisdiction for any and all court proceedings shall be Linn County Circuit Court, Albany, OR.

Step One:

The Project Managers will negotiate on behalf of the entities they represent. The parties shall meet and attempt to resolve the issue. If the dispute is resolved at this step, there shall be a written determination of such resolution, signed by each party, which shall be binding upon the parties.

Step Two:

If the dispute cannot be resolved within ten (10) days at Step One, the parties shall submit the matter to non-binding mediation. The parties shall attempt to agree on a mediator. If they cannot agree, the parties shall request a list of five (5) mediators from an entity or firm providing mediation services. The parties will attempt to mutually agree on a mediator from the list provided, but if they cannot agree, each party shall select one (1) name and the selected mediators shall select a third name. The dispute shall be heard by a panel of three (3) mediators and any common costs of mediation shall be borne equally by the parties who shall each bear their own costs and fees therefor. If the issue is resolved at this step, a written determination of such resolution shall be signed by each party.

Step Three:

Disputes that are not resolved after exhausting Steps One and Two above shall be submitted to binding arbitration under the rules of the American Arbitration Association. If arbitration is commenced, the prevailing party shall be entitled to its reasonable attorney fees as may be awarded by the arbitrator.

7.6 Notice.

Notices shall be given by first class mail, postage prepaid to the following addresses:

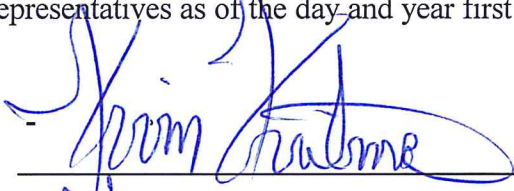
Galardi Consulting, LLC
Deborah Galardi
7327 SW Barnes Rd. #224
Portland, OR 97225

City of Millersburg
4222 Old Salem Rd.
Albany, OR 97321


IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in duplicate by their respective authorized officers or representatives as of the day and year first above written.

**Galardi Consulting, L.L.C., an Oregon
Limited Liability Company**

By: 
Deborah Galardi
Member

- 
- City Manager

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM.

Legal Counsel



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 policies 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 (3) 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.

5.2 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 <i>Budget Estimate</i>					
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>	<i>\$170</i>	<i>\$140</i>	<i>\$200</i>		



TO: Millersburg City Council
VIA: Kevin Kreitman, City Manager
FROM: Janelle Booth, Assistant City Manager/City Engineer
DATE: September 5, for the September 10, 2019 City Council Meeting
SUBJECT: Land Use Development Code Amendment

Action Requested: Staff requests Council review a proposed amendment to the Land Use Development Code modifying the residential driveway standards.

Discussion:

At the August 20, 2019 Planning Commission meeting, the Commission voted to amend the current residential driveway standards to provide more flexibility for placement and width of residential driveways. The purpose of adopting this change now is to address ongoing issues with driveways being installed out of compliance with the current standards.

To provide flexibility that is not possible with a fixed maximum driveway width, the attached amendment to the Land Use Development Code allows for varying driveway widths based on the property frontage length and the requirement to maintain a minimum of 40 feet (two parking spaces) for on street parking per property. Five foot setbacks from property lines are also included to prevent continuous driveways from one property to the next and allow space for weep holes in curbs.

Budget Impact:

None.

Recommendation:

If Council desires to amend residential driveway standards as described, Staff recommends adoption of Ordinance 159.

Attachment(s):

- Ordinance 159, Residential Driveway Standards
- Exhibit A, Driveway Illustrations

ORDINANCE NO. 159

AN ORDINANCE REVISING RESIDENTIAL DRIVEWAY STANDARDS

WHEREAS, the City of Millersburg is revising the Land Use Development Code; and,

WHEREAS, the Planning Commission of the City of Millersburg has voted to revise residential driveway standards; and,

WHEREAS, it will be several months before the Land Use Development Code is ready for adoption; and,

WHEREAS, the City of Millersburg desires to immediately adopt revised residential driveway standards;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS:

The City of Millersburg adopts the following revisions to the Land Use Development Code for residential driveway standards:

DELETE

“5.122(5)(j) Residential Driveways shall have a minimum width of 10 feet and a maximum width of 24 feet unless approved by the City Manager.”

And REPLACE with the following:

“5.122(5)(J) Single Family Residence and Duplex

- (i) For the frontage of a lot of at least 10,000 square feet and abutting a residential street: Two 20’ parking spaces must be available on the street frontage. Driveways must be set back at least 5’ from the side property line. Driveways must be set back 20’ from the tangent of the property lines as they intersect adjacent to a corner lot. Driveways shall be at least 10’ in width. All other frontage may be used for driveways.
- (ii) For the frontage of a lot less than 10,000 square feet or abutting a collector or arterial street: One 26’ driveway or a circular driveway with the lane 12-15 feet wide.
- (iii) Driveways shall be limited to off-street parking and the parking and storage of recreational vehicles.
- (iv) The driveway grade shall not exceed 15%.
- (v) Circular driveways are allowed for residential properties fronting arterials and collectors, provided there are no more than 2 driveways and the width of each driveway does not exceed 15’.”

FURTHERMORE, the Council declares an emergency for the health, safety, and welfare of its citizens and thus declares this Ordinance immediately effective upon its passage and signing.

PASSED by the Council and approved by the Mayor this 10th day of September, 2019.

Jim Lepin, Mayor
City of Millersburg, Oregon

ATTEST:

Kimberly Wollenburg
City Recorder



DRIVEWAY CONFIGURATION EXAMPLES ON LOT W/ 80' FRONTAGE (MIN ALLOWED PER CODE)



DRIVEWAY CONFIGURATION EXAMPLES ON LOT W/ 100' FRONTAGE
 AND CORNER LOT



TO: Millersburg City Council
FROM: Kevin Kreitman, City Manager
DATE: September 3, 2019 for the September 10, 2019 City Council Meeting
SUBJECT: Amending Millersburg Municipal Code

Action Requested: Adoption of the attached Ordinance Amending Municipal Code Chapter 33 – Planning Commission.

Discussion: During review of the City Municipal Code and with the pending update of our Land Use Development Code, we have become aware of areas within Chapter 33.01 – 33.17 of the Municipal Code - Planning Commission, which are out dated, no longer applicable, or are more appropriately addressed by referencing State law. Staff is recommending the adoption of the attached ordinance updating the Municipal Code section for the Planning Commission.

In addition, our Planning staff has requested Council consider lowering the number of members on the Planning Commission from the current nine (9) members to seven (7) or five (5). They have shared that is highly unusually to have nine members on a Planning Commission.

The proposed change still provides for nine members. Should Council wish to consider lowering the number of member's, staff would recommend modifying the language to state seven (7) to nine (9) members. The intent would be for Council to continue considering the re-appointment of current members until a member resigns or is otherwise not re-appointed. New appointments to the Planning Commission would not occur until membership reaches seven members. Once that occurs, the section on membership would be updated to reflect seven (7) members.

Budget Impact:
None.

Recommendation:
Staff recommends Council adoption of the attached Ordinance updating the Planning Commission.

Attachment(s):

- Ordinance 160 – Adopting Revised Planning Commission Code

ORDINANCE NO. 160

**AN ORDINANCE REPEALING MILLERSBURG MUNICIPAL CODE 2.50.010-2.50.170
PERTAINING TO THE PLANNING COMMISSION AND ADOPTING
REVISED MILLERSBURG MUNICIPAL CODE 2.50.010-2.50.110 PERTAINING TO THE
PLANNING COMMISSION**

WHEREAS, the City of Millersburg previously adopted Millersburg Municipal Code 2.50.010-2.50.170; and,

WHEREAS, the City wishes to repeal Millersburg Municipal Code 2.50.010-2.50.170; and,

WHEREAS, the City of Millersburg wants to revise Millersburg Municipal Code 2.50.010-2.50.170;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS: Millersburg Municipal Code 2.50.010-2.50.170 is repealed and the following sections pertaining to the Millersburg Planning Commission are hereby adopted.

PLANNING COMMISSION

§ 2.50.010 CREATION OF PLANNING COMMISSION.

There is hereby created a Planning Commission for the City which shall act as the planning and land use advisory body to the City Council and shall have such other powers and authority as described in this chapter and state law. (Ord. 18, passed 5-10-1976)

§ 2.50.020 MEMBERSHIP AND EXPENSES.

(A) There shall be nine (9) members of the Planning Commission appointed by the City Council. The Mayor and the City Attorney shall serve as ex officio non-voting members.

(B) Commission members shall receive no compensation but shall be reimbursed for duly authorized expenses.

(C) Persons appointed to membership on the Planning Commission shall serve at the pleasure of the Council and may be removed therefrom for cause by vote of the Council.

(D) Any vacancy shall be filled by the City Council for the unexpired term of the predecessor in the office.

(E) No more than two (2) voting members shall be engaged principally in the buying, selling, or developing of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation, that is engaged principally in the buying, selling, or developing of real estate for profit. No more than two (2) voting members shall be engaged in the same kind of business, trade, or profession. (Ord. 18, passed 5-10-1976)

(F) All members of the Planning Commission shall be residents of the City.

(G) In the event that any member of the Planning Commission changes residence after appointment so that s/he no longer resides within the City, his/her membership on the Commission shall immediately terminate.

§ 2.50.030 CONFLICT OF INTEREST ACTIVITY.

All members of the Planning Commission shall comply with all State of Oregon Ethics and Open Meeting laws in their actions, decisions, and behavior.

§ 2.50.040 ELECTION OF CHAIR AND VICE-CHAIR; TERMS OF OFFICE.

(A) The Commission shall, at its first meeting in January, elect one of its members to serve as chairperson and another to serve as vice-chairperson. The City Recorder or appointee of the City, shall serve as secretary to the Planning Commission and shall keep accurate, permanent, and complete records of all proceedings held before the Planning Commission. The Chairperson or the presiding officer of the Planning Commission shall be entitled to vote on all questions that are before the Commission. The Planning Commission may adopt rules governing the transaction of business which are consistent with the provisions of this chapter.

(B) At the first meeting of the Planning Commission, the nine (9) appointed members shall choose their terms of office by lot as follows: three (3) for one (1) year, three (3) for two years, and three (3) for three (3) years, and shall immediately thereafter notify the Mayor and the City Council in writing of such allotment. Their successors shall hold office for three (3) years.
(Ord. 18, passed 5-10-1976)

§ 2.50.050 MEETING, RULES, OFFICE OF PLANNING COMMISSION.

A majority of the members of the Commission constitute a quorum. The Commission may make and alter rules and regulations for its government and procedure consistent with laws of this state and with the City Charter and ordinances. It shall meet at least once a month, unless the City Planner and Chair decide there is no business required of the Commission to act upon. The City Council shall assign to the Commission an office or headquarters in which to hold its meetings, transact its business, and keep its records. (Ord. 18, passed 5-10-1976)

§ 2.50.060 RECOMMENDATIONS TO CITY COUNCIL.

All recommendations made to the Council by the Planning Commission shall be in writing. (Ord. 18, passed 5-10-1976)

§ 2.50.070 STATE LAWS.

The Planning Commission shall have, in addition to the powers granted hereby, the powers which are now, or may hereinafter be given to it under the general laws of the state. (Ord. 18, passed 5-10-1976)

§ 2.50.080 POWERS AND DUTIES OF PLANNING COMMISSION.

Except as otherwise provided by law, the Planning Commission may:

(A) Recommend and make suggestions to the City Council and to all other public authorities concerning laying out, widening, extending, parking, and locating of streets, sidewalks, and boulevards, relief of traffic congestion, betterment of housing and sanitation conditions, and establishment of zones of districts limiting the use, height, area, and bulk of buildings and structures;

(B) Recommend to the City Council, and all other public authorities, plans for regulation of the future growth development and beautification of the municipality in respect to its public and private buildings and works streets, parks, grounds and vacant lots, and plans consistent with future growth and development of the City in order to secure to the City and its inhabitants sanitation, proper service of all public utilities, shipping, and transportation facilities;

(C) Recommend to the City Council and all other public authorities plans for promotion, development, and regulation of industrial and economic needs of the community as requested by the City Council;

(D) Study needs of existing local industries with a view to strengthening and developing local industries and stabilizing employment conditions;

(E) Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience, and welfare of the City; and

(F) Do and perform all other acts and things necessary or proper to carry out the provisions of this subchapter. (Ord. 18, passed 5-10-1976)

§ 2.50.090 CITY COUNCIL DECISION.

The Planning Commission shall be the final decision-making body on some applications as outlined in the Land Use Development Code, and there shall be an appeal to the City Council from said decision as provided in the Land Use Development Code.

§ 2.50.100 RENAMING OF STREETS.

The Planning Commission shall make a recommendation to the City Council regarding street or streets to be renamed or renumbered. Upon receiving such recommendation, the City Council shall afford persons particularly interested, and the general public, an opportunity to be heard at a time and place to be specified in a notice of hearing published in the newspaper of general circulation. After hearing, the

Council shall have the authority by ordinance to rename a street or highway.

§ 2.50.110 COMPREHENSIVE PLAN, LAND USE DEVELOPMENT CODE, AND PUBLIC INFRASTRUCTURE PLANS DEVELOPMENT AND USE.

(A) The Planning Commission shall develop a Comprehensive Plan in accordance with applicable State law for adoption by the City Council.

(B) Following the adoption of said Comprehensive Plan by the City Council, the Planning Commission shall work to achieve the goals, policies, and objectives set forth in said Plan.

(C) The Planning Commission shall recommend a Land Use Development Code to the Council for adoption and subsequent updates. The standards and decision-criteria in the Land Use Development Code will be consistent with implementing the goals, policies, and objectives of the Comprehensive Plan. The Planning Commission shall use the Land Use Development Code standards and criteria to review applications; compliance with the Land Use Development Code is prima facie evidence of compliance with the Comprehensive Plan.

(D) The Planning Commission shall recommend to the Council, for adoption and subsequent updates, plans for public facilities in accordance with applicable state and federal requirements.

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

PASSED by the Council and approved by the Mayor this 10th day of September 2019.

Jim Lepin
Mayor

ATTEST:

Kimberly Wollenburg
City Recorder



TO: Millersburg City Council

FROM: Kevin Kreitman, City Manager

Forrest Reid, City Attorney

DATE: September 26, 2019 for the September 10, 2019 City Council Meeting

SUBJECT: Ordinance adopting ORS 819.100-819.280 pertaining to abandoned vehicles within Millersburg and repealing Ordinance No. 104

Action Requested: Discuss and adopt attached Ordinance or suggest changes

Discussion: Recently, at staff level, changes were discussed for Ordinance No. 104 regarding abandoned vehicles. After discussion with the Linn County Sheriff's Office (LCSO), it was determined that ORS 819.100-819.280 encompassed all procedures and enforcement necessary to provide an adequate, appropriate, and uniform response to abandoned vehicles located within Millersburg.

Secondly, the LCSO supports adoption of this Ordinance. All of the LCSO abandoned vehicle forms refer to ORS 819.100-819.280 which will make it easier and more efficient for the LCSO deputies to apply statutes and procedures they are familiar with.

Budget Impact:

None.

Recommendation:

Staff recommends Council adoption of the attached Ordinance pertaining to handling of abandoned vehicles within the City.

Attachment(s):

- Ordinance 161 – Adopting ORS 819.100-819.280 Pertaining to Abandoned Vehicles with the City of Millersburg and Repealing Ordinance No. 104

ORDINANCE NO. 161

**A ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF MILLERSBURG ADOPTING ORS 819.100-819.280
PERTAINING TO ABANDONED VEHICLES WITHIN THE CITY OF
MILLERSBURG AND REPEALING ORDINANCE NO. 104**

WHEREAS: abandoned vehicles are occasionally located within the City of Millersburg; and,

WHEREAS: the City of Millersburg needs a process for vehicles abandoned within the City of Millersburg; and,

WHEREAS: the Linn County Sheriff's Office follows the process for abandoned vehicles specified in ORS 819.100-819.280; and,

WHEREAS: the Linn County Sheriff Office's provides law enforcement coverage to the City of Millersburg; and,

WHEREAS: Ordinance No. 104 is not needed if the City adopts ORS 819.100-819.280 as the process for vehicles abandoned within the City of Millersburg;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MILLERSBURG: The City of Millersburg adopts ORS 819.100-819.280 in providing the process and procedures for abandoned vehicles within the City of Millersburg; and,

FURTHERMORE, Ordinance No. 104 is hereby repealed.

FURTHERMORE, the Council declares an emergency for the health, safety, and welfare of its citizens and thus declares this Ordinance immediately effective upon its passage and signing.

PASSED by the Council and approved by the Mayor this 10th day of September, 2019.

Jim Lepin, Mayor
City of Millersburg, Oregon

ATTEST:

Kimberly Wollenburg
City Recorder



TO: Millersburg City Council

FROM: Kevin Kreitman, City Manager
Forrest Reid, City Attorney

DATE: September 5, 2019 for the September 10, 2019 City Council Meeting

SUBJECT: Repealing Duplicative Millersburg Municipal Code Language Pertaining to Excessive Noise Violations Occurring within the City of Millersburg

Action Requested: Deliberate on the proposed Ordinance and pass, reject, or suggest changes.

Discussion: MMC 9.20 provides guidance regarding the volume and types of sounds allowed within the City of Millersburg, repercussions of exceeding those limits, and certain exemptions to these limits.

MMC 7.10.040 also provides similar, but not as extensive, policy and procedures regarding excessive sounds as does MMC 9.20.

Repealing MMC 7.10.040 eliminates unneeded and duplicative Millersburg Municipal Code provisions which are more thoroughly covered under MMC 9.20 Noise Control.

Budget Impact:
None.

Recommendation:
Staff recommends Council repeal MMC 7.10.040.

Attachment(s):

- Ordinance 162 – Repealing Millersburg Municipal Code 7.10.040

ORDINANCE NO. 162

**AN ORDINANCE REPEALING MILLERSBURG
MUNICIPAL CODE 7.10.040**

WHEREAS, Millersburg Municipal Code 9.20 extensively describes policies and procedures pertaining to noise control within the City of Millersburg; and,

WHEREAS, Millersburg Municipal Code 7.10.040 also provides similar, but not as comprehensive, policy and procedures for noise control as does Millersburg Municipal Code 9.20 within the City of Millersburg; and,

WHEREAS, the Millersburg City Council desires to have a concise and non-duplicative Millersburg Municipal Code; and,

WHEREAS, Millersburg Municipal Code 7.10.040 is not needed;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS: Millersburg Municipal Code 7.10.040 is repealed.

FURTHERMORE, the Council declares an emergency for the health, safety, and welfare of its citizens and thus declares this Ordinance immediately effective upon its passage and signing.

PASSED by the Council and approved by the Mayor this 10th day of September 2019.

Jim Lepin
Mayor

ATTEST:

Kimberly Wollenburg
City Recorder



TO: Millersburg City Council
FROM: Kevin Kreitman, City Manager
DATE: September 3, 2019 for the September 10, 2019 City Council Meeting
SUBJECT: Adoption of a City of Millersburg Citizen Commissions/Committees Member & Staff Manual

Action Requested: Adoption of the attached Citizen Commissions/Committees Member & Staff Manual.

Discussion: The City currently does not have written information regarding City Commissions and Committees, or their functions and responsibilities. The proposed Manual would provide citizens and staff information and guidelines regarding Millersburg's standing and ad hoc commissions and committees. The Manual is intended to function as both a guideline and a governing framework for the City's standing and ad hoc commissions and committees.

If adopted, the Manual will be provided to current members of our commissions and committees along with giving to new members when appointed. The Manual would serve as a resource to those who may have interest in participating on a City commission or committee in the future.

Budget Impact:
None.

Recommendation:
Staff recommends Council adoption of the attached Manual establishing information, guidelines, and governing framework for City commissions and committees.

Attachment(s):

- City of Millersburg Citizen Commissions/Committees Member & Staff Manual



Citizen Commissions / Committees Member & Staff Manual

Effective October, 2019

This manual provides information and guidelines in the following areas:

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INTRODUCTION TO MILLERSBURG'S STANDING AND AD HOC ADVISORY GROUPS

Millersburg community members may choose to participate in city government through serving on one of our standing or ad hoc advisory groups. State law requires that the City maintain certain advisory groups (standing), such as our Planning Commission and Budget Committee. The City Council may also appoint additional standing groups as desired to meet continuing needs of the community. Additionally, special (ad hoc) advisory committees may be created by the Council or the Mayor for a particular purpose to study a certain area of interest or concern.

These advisory groups provide guidance and expertise on important policy issues that affect the City government and the community as a whole. Advisory group members provide an invaluable service to our community by interacting with people of all ages, interests, and backgrounds and providing elected officials and City staff greater understanding of community concerns, values, and perspectives.

This manual is intended to function as both a guideline and a governing framework for the City's standing and ad hoc advisory committees.

To serve, committee members must be residents of the City of Millersburg unless otherwise specified for a given committee.

MILLERSBURG'S FORM OF GOVERNMENT

Council/Manager System: By Charter, the City of Millersburg moved from a council-mayor form of government and adopted a council-manager form of government on October 11, 2016. The Charter provides that the City Manager is the administrative head of the City, and s/he serves at the pleasure of the Council, charged with administering the policies as established by the Council.

Mayor: The Mayor is a member of the Council and is elected by a majority vote of the City Council at the first meeting in January following a general election of the City Council every two (2) years and serves as Mayor for a two (2) year period. The Mayor is the chair of the Council and presides over its deliberations. S/he has a vote on all questions before the Council. S/he may make motions. S/he shall have the authority to preserve order, enforce the rules of the Council, and determine the order of business under the rules of the Council. The Mayor is also the ceremonial head of the City; s/he is frequently asked to preside at ceremonies and events.

City Council: The City Council, Millersburg's legislative body, is composed of five (5) councilors elected at large from the City (including the mayor position). Councilors are elected on a nonpartisan ballot for four year terms, with two (2) members of the five - person Council elected on alternating general elections (every two (2) years) for four year terms (two (2) members on a four-year term, with the remaining three (3) members being voted on for a new four-year term at the next general election). The Council sets City goals, enacts legislation, adopts a budget, develops policy, and

determines the services the City provides.

City Manager: The Council appoints a City Manager who manages the City's staff and departments. The City Manager is responsible for the day-to-day operations of the City and hires staff to assist in providing City services and enforcing City Council policies (Resolutions and Ordinances).

STANDING COMMISSIONS AND COMMITTEES

Budget Committee: Five (5) committee members, each serving a three-year term of office. The City Council serves on the Budget Committee, along with a counterpart member appointed by Council and the Mayor.

This Committee is an advisory group created by Oregon law to take public comment and testimony on the proposed budget and to recommend approval of any changes of the proposed budget to the City Council.

The Committee is normally active in April and May of each year and reviews the proposed budget and citywide budget policies.

Parks Commission: This Commission consists of five (5) members, each serving an offset rotating three-year term, and provides advice to the City Council about major programs, activities, and policies related to parks and recreational activities in the community. In addition, this Commission oversees the implementation of the Parks Master Plan and recommends development of facilities in the City's parks system to the City Council. The Mayor makes recommendations to the Council for confirmation of appointments. (This Commission will be appointed by Council at the conclusion of the Parks Master Plan)

Events (Millersburg Celebration) Planning Committee (Resolution 2019-5): The Committee is established by the Council. Due to the long-range planning nature of this Committee, they are not subject to term limits. However, members of the Committee serve at the pleasure of the Council, and as such may have their appointment ended at any time. The Committee consists of a minimum of eight (8) and a maximum of fourteen (14) members, made up of primarily Millersburg citizens. Business and non-profit owners/representatives who operate within the City of Millersburg may also be considered for appointment to the Events Planning Committee.

Planning Commission: Nine (9) commissioners, each serving a three-year term (with three (3) member rotations). This Commission oversees implementation of the City's Land Use Development Code and the Comprehensive Plan. The Commission reviews and approves or denies applications for various types of land use. In addition, the Commission oversees updates to the City's Comprehensive Plan as part of the State-mandated periodic review process. There are limits on the number of Commissioners engaged in the same form of employment. The Mayor makes recommendations to the Council for confirmation of appointments.

AD HOC COMMITTEES

As authorized by the City Council or Mayor, defined term ad hoc committees may be formed for a particular purpose and/or to study a certain area of interest or concern. The duration of the committee and scope of work may be limited to a specific assignment. Generally, committees with an assigned task or scope, will be disbanded at completion. This manual serves as a functioning guideline for ad hoc committees, but it is not always applicable to them.

Standing and ad hoc committees are not legislative bodies and cannot establish policies or enact law; they serve to make recommendations to the City Council.

The Council can accept, reject, or modify any recommendations of the committee. The Council relies on various committees to increase the variety of viewpoints on City issues. By concentrating on specific areas, ad hoc committee members can expand the level of expertise in which to address an issue and can conduct detailed analyses that the Council itself may not have the time to pursue or wishes to obtain further public input.

Parks Committee: This is an ad hoc advisory committee of five (5) to twelve (12) members, representing four (4) quadrants of the City, providing input on the development of the Parks Master Plan. This Committee will sunset at the completion of Parks Master Plan.

COMMITTEE MEMBERSHIP

It is the policy and intent of the City Council that for every committee position, every applicant will be considered on an equal basis without regard to race, ethnicity, color, national origin, religion, gender, age, marital or veteran status, sexual orientation, disability, or other protected status or activity in accordance with state and federal laws.

Recruitment and Appointment: Recruitment for most commissions/committees occur at the end of each calendar year, with new appointments made by the Council in December, for appointments to begin at the commission's/committee's first meeting in the new calendar year. Public notice of all current or anticipated vacancies will be posted by November 1st on the City's website. Applicants may submit an application at any time during the calendar year, but the completed application must be submitted electronically or by hard copy to the City by the posted deadline identified in the November posting, or by special notice provided by the City for new commissions/committees or the filling of a vacancy. The Mayor and Councilors select and make nominations for ratification by the City Council at the December Council meeting and subsequent regular Council meetings, if needed.

Membership Rosters: The City Recorder shall maintain a membership roster for each committee. Rosters shall include all relevant contact information for each member and

staff liaison(s), as well as term of office information for each committee position. A public version of the roster, with redacted private contact information, shall be available upon request. **Members are responsible for notifying the City Manager's office and their staff liaison(s) as soon as possible should any of their contact information change.**

Terms: Term lengths vary depending on each committee; term expirations are staggered to assure adequate membership at any given time.

Number of Meetings: Most committees will meet once per month, with the exception of ad hoc committees which may meet on an as needed basis. Committees may meet more frequently, as needed to conduct their business, but shall comply with Oregon Public Meetings Law notice requirements.

Reappointment: Members on standing committees may be reappointed unless there is a term limit restriction, but incumbents shall submit application materials in the same manner as any new applicant. The City Manager's office notifies members whose terms are expiring in order to provide them an opportunity to apply for reappointment.

Member Eligibility Requirements: It is typically required that committee members reside within the Millersburg city limits. Specific exceptions to the residency requirement or additional specifications may be designated by council policy or state law.

Eligibility of City Employees for Appointment: Current City of Millersburg employees may not serve on City committees. Employees are welcomed and encouraged to attend meetings, observe, and become involved when appropriate as a member of the community.

Serving on Multiple Committees: The same member may not serve simultaneously on the Budget Committee, Parks Committee, or Planning Commission. Applicants should evaluate carefully whether they can meet the availability requirements and workload of the committee being considered before applying to committees.

Staff Support for a Committee

When assigned to support a committee, City staff will perform administrative and housekeeping functions as necessary to ensure efficiency and effectiveness of the committee in accomplishing City goals.

If staff regularly attends meetings or otherwise supports a standing or ad hoc committee, they remain under the direction of the City Manager, not the committee or committee chair.

Staff's primary responsibilities are to assist the committee in its functions and to represent the City of Millersburg. Other responsibilities **may** include some or all of the following:

- Provide professional assistance and technical advice.
- Provide administrative assistance for the preparation, duplication, and

distribution of committee letters, minutes, and reports.

- Assist in the preparation, publication, and distribution of the committee agenda in consultation with the chair.
- Notify committee members and the City Manager's office of upcoming meetings or to place meeting information on the City's website.
- Maintain a current copy of the Commissions / Committees Manual and bring it to the committee meetings.
- Secure meeting rooms for committee meetings.
- Take minutes.

Requests for City staff support to perform specific work, projects, or reports need to be approved by the City Manager or Assistant City Manager to ensure that the resource allocation is in accordance with overall priorities and does not impose an undue hardship on the City's financial resources.

Members' Roles, Relationships, and Communication with Elected Officials

Committees provide communication to the City Council and Mayor through status reports or other materials included in the committee's agenda packets, committee meeting minutes, written findings, or recommendations submitted to Council and occasional presentations at City Council meetings.

Committee Reports and Presentations at Council Meetings: Should a committee wish to submit a report to Council, a memo outlining the status report, findings, or recommendation, along with any supporting documents, needs to be provided to the City Manager's office in advance of the meeting so that it can be included in the meeting agenda packet. The committee chair, or other committee person as approved by the committee, may choose to give a presentation at the meeting, in which case a copy of the presentation should also be provided in advance with supporting materials. The committee needs to contact the City Manager's office at least two (2) weeks in advance of the meeting to inquire about availability and deadlines for submitting materials.

Committee Work Plans: Any standing committee may choose to develop a scheduled work plan outlining specific goals, functions, or projects they aim to accomplish within a specified time period. Committees may submit their work plans to Council to serve as a briefing of the committee's desired direction. Council may receive this information and provide feedback, but it is not a requirement of Council to do so.

Joint Meetings: On rare occasions, it may be appropriate to consider a joint meeting between a committee and the City Council. Requests for joint meetings shall be submitted to the City Manager's office stating the reasons for and anticipated outcomes of such a meeting.

It is expected that committees will provide advice related to their specific spheres of interest. However, the Council's role is to take into consideration the many varied and sometimes conflicting public needs and render its judgment as to what will best serve the public. The Council must weigh the effect of any given recommendation, not only

on the particular area of interest, but on all other City goals, programs, and finances.

COMMITTEE MEMBER RESPONSIBILITIES

Committee Chair: A chair is elected by the committee at the first committee meeting of the calendar year that follows Council approval to fill the majority of vacancies, or at the first meeting of a newly established ad hoc committee (organizational meeting).

The chair performs the following duties:

- Presides at all meetings of the committee.
- Approves the agenda prior to distribution.
- Signs correspondence on behalf of the committee.
- Represents the committee before the City Council with the approval of the committee.
- Performs other duties necessary or customary to the office.

The most important duty of the chair presiding over a meeting is to ensure that the work of the committee is accomplished. To this end, the chair must exert sufficient control to minimize irrelevant, repetitious, or otherwise unproductive discussion. At the same time, the chair must ensure that all viewpoints are heard and are considered in a fair and impartial manner.

Vice Chair: This position is also chosen by the committee at the organizational meeting. The vice chair performs all the functions of the chair in his/her absence.

Temporary Chair: In the event that the chair and vice chair are both absent; the remaining members shall elect one of the present members to act as temporary chair.

Individual Committee Members: Unless authorized by the committee, an individual committee member may not represent the committee before any other committee, outside agency, the media, the general public, or City Council. When an individual committee member is appearing in a private capacity before other committees, outside agencies, the general public, or the City Council, the committee member must clearly indicate that s/he is speaking as a private individual, not as an official representative.

Members are responsible for notifying the City Manager's office and their staff liaison(s) immediately should they no longer meet applicable residency or other membership requirements or if any of their contact information changes.

Each committee member also has the obligation to work cooperatively with other committee members. Committee members should exercise self-discipline and strive always to be objective, fair, and courteous with each other as well as with staff and the public. Respect for the time of other committee members, staff, and the public is of critical importance.

Use of the City logo or City stationery: A committee or committee member shall only

use the City logo or City stationery with direct and prior consent of the City Council or as approved by the City Manager or designee.

ETHICS AND ACCOUNTABILITY

Committee members are expected to read and study agenda packet materials prior to each meeting in order to be prepared for discussion.

State law defines a code of ethics, including conflicts of interest, and establishes reporting procedures for statements of economic interest (ORS 244).

Conflict of Interest: Committee members need to provide objective advice to the City Council. All members of committees should be aware of the need to avoid any instance or appearance of conflict of interest. Conflict of interest standards are generally applicable to all committees. In general, committee members should not vote whenever they have any kind of direct or indirect financial benefit in the action or recommendation proposed. State law requires that public officials may not use their position for financial gain. If there exists a concern regarding an actual or potential conflict of interest, please immediately contact the City Manager.

Respectful Environment: Members of all City committees are representatives of the City and are expected to adhere to City policies related to Ethics (HR-100.3 Ethics Policy) and Workplace Respect and Code of Conduct (HR-100.4).

Political Campaigning: Oregon law governing political campaigning by "public employees" includes all public officials who are not elected, whether paid or unpaid, including board, committee, and commission members.

ORS 260.432, Restrictions on Political Campaigning for Public Employees, prohibits public employees from being involved in promoting or opposing any political committee or initiative, referendum or recall petition, measure, or candidate while on the job during working hours. Appointed committee members are acting in official capacity when they are at a meeting of the committee, working on a duty assigned by the committee, working on official publications or written materials of the committee, or when appearing at an event in an official capacity. For more information, see the *Additional Resources* section of this manual.

Absenteeism: It is the City's expectation that all members take an active role in their committees, including regular attendance at meetings. It is a committee member's responsibility to notify the City if they will be absent. This includes notice to the staff liaison, administrative personnel, and the committee chair. Absences will be recorded in minutes as either excused (notified prior to the meeting of one's absence and the reason) or unexcused. **Excessive absences (three (3) or more in a year) may be cause for a member's removal from the commission, or committee, and/or consideration by Council for non-reappointment.**

Resignation Procedure for Committee Members: A committee member wishing to resign, or who no longer meets the residency or other requirements to serve, shall submit a letter of resignation (email notification is satisfactory) to the City Manager's office and their staff liaison(s); verbal notifications are not sufficient.

COMMITTEE MEETING REQUIREMENTS

Open Meetings: Meetings of standing and ad hoc committees of the governing body are open to the public in the State of Oregon. ORS 192.620 establishes Oregon's policy of open decision-making by governing bodies. In addition to the basic requirement that meetings be open to the public, meetings may not be held at a place where discrimination on the basis of race, ethnicity, color, national origin, gender, age, marital or veteran's status, sexual orientation, religion, or disability is practiced. All meeting places must be handicapped accessible. In general, meetings may not be held outside the city limits without the City Attorney's approval.

Quorum: A quorum is established when more than half of the members of a committee are present, without regard to vacancies or absences. A quorum of members must be present to proceed with a meeting. If a quorum is not obtained within fifteen minutes of the scheduled start time, the meeting cannot take place, and the meeting room needs to be vacated. No minutes are to be taken, but it needs to be documented by the minute taker that the scheduled meeting did not take place for lack of a quorum.

General Public: The purpose of committee meetings is to permit open discussion on specific topics in a setting that is more informal than a Council meeting, to hear public expression on issues, and to inform the public of what the committee is doing. Committee members have an obligation to consider the welfare of the entire city; to be fair, objective, courteous, and to afford due process to all.

NOTICE OF MEETINGS, AGENDAS, AND PUBLIC RECORDS

Notice of Meetings: State law requires that the City provide public notice of all meetings. The City Manager's office and/or designated City staff person shall be responsible for providing notice of the meeting and the agenda. City policy and public meetings law requires that committees provide at least 24-hour notice to the news media and interested persons before conducting a meeting. If 24-hour notice cannot be provided, the meeting needs to be rescheduled.

In rare circumstances, committees may hold an emergency meeting without providing 24-hour notice. This may only be done in a genuine emergency and with the knowledge and concurrence of the City Manager. Typically, committee business would not be urgent enough to justify an emergency meeting.

Agendas: Whenever possible, agendas will be made available three (3) days in advance of the meeting and must include, at a minimum:

- The committee name;
- Date, time, and location of the meeting;
- The principle purpose of the meeting; and
- Any items that will be discussed.

Additionally, it is best practice to include supporting documents such as memos, staff reports, or presentations as part of the agenda packet.

Minutes/Public Records: Written minutes of all committee meetings are required by State law, and meetings may be recorded as well. All minutes and audio recordings are considered a public record and must be archived, retained, and lawfully destroyed in accordance with City policy and Oregon State law. Minutes are taken by an assigned City staff person.

While written minutes need not be a verbatim transcript, the record of a meeting, whether preserved in written minutes or audio, video, or digital recording, must provide a “true reflection” of the meeting and must, at a minimum, contain the following information:

- Members present;
- All motions, proposals, orders, and measures proposed and their disposition;
- Results of all votes by name of each member;
- The substance of any discussion on any matter; and
- Any reference (or mention) to any document discussed at the meeting. The committee shall determine whether documents not presented, but on which decisions or recommendations are based, should be attached to the minutes. It is prudent to include such documents in the agenda packet for transparency and to ensure that all members of the committee and the public receive the information.

Discussion and materials distributed during public meetings are public record. **Any materials distributed at a meeting that are not included in the agenda packet must be provided to the minute taker to be preserved for the public record.** For additional, detailed information, please see the Attorney General’s Public Records and Meetings Manual found online at <http://www.doj.state.or.us>.

Minutes must be made available to the public within a “reasonable time” after each meeting. Prior to public posting, minutes should be reviewed and approved by motion by the committee at a regularly scheduled meeting and included in the agenda for reference. Committees may, by motion, make correction(s) to the proposed minutes in order to conform to fact. It shall be noted that “the minutes were approved as amended” and those changes shall be outlined in the minutes of the meeting at which the correction was proposed.

INADVERTENT PUBLIC MEETINGS

Inadvertent Public Meetings: Inadvertent public meetings must be avoided. If committee members willfully violate public meetings law, they can be held personally liable for attorney fees. Inadvertent public meetings may occur when a quorum of the committee meets outside of a public meeting (i.e., for a body of seven, one, two, or three can gather, but four cannot).

Attending meetings of other public bodies: If a quorum of a committee were to attend the meeting of another public body (e.g., another City of Millersburg committee, another city council, or a county governing body), it could give the appearance that the committee is having a public meeting. Therefore, if a quorum of a committee plans to attend the meeting of another governing body, their attendance should be formally noticed.

Social gatherings: A quorum of a committee may participate in social gatherings. However, even when meeting socially, no official business can be discussed lest the social gathering turn into or give the appearance of a public meeting. (*Resolution 2018-19*)

Training sessions and field trips: No deliberation can take place. There is a difference between information gathering and deliberating. For example, a firefighter points out to four committee members that there is mold in the fire station they are visiting. If the committee members just listen, it is information gathering; but if they discuss how to get the mold fixed, it has crossed the line to deliberating.

The Attorney General's (AG) *Guide to Bodies Subject to Public Meetings Law* flowchart (see Appendix A) has more information about training sessions and field trips. However, even though following the AG flowchart may indicate that a training session or field trip would not be a public meeting, the City Attorney may advise that the City provide public notice anyway, because the AG Manual also states: *"Even if a meeting is for the sole purpose of gathering information...an informed public must be aware not only of the decision of government, but also of the information upon which such decisions were made."*

No staff would need to attend nor any minutes be taken at training sessions or field trips. The body must not deliberate in any manner. Therefore, since it could be difficult to verify that there was no discussion taking place, regardless of whether staff attends, **staff needs to consult with the City Manager and City Attorney if a committee wants to have a field trip or training session.**

Email, texting, or IMs: Committee members and staff must take care not to participate in non-contemporaneous communications that could turn into a serial communication. When committee members **"Reply All"** to emails [*responding to all recipients of the original email at once*], the risk exists that the email chain could turn into a serial communication. Staff should be cautious of being an intermediary in a serial communication that taken as a whole turns into deliberation, and thus, a public

meeting.

PARLIAMENTARY PROCEDURES

Call to Order: The committee chair calls the meeting to order. The chair or the minute taker will do roll call and record the names of the members present in the minutes.

Recognition: Committee members will address the chair and await recognition to speak. No persons other than the chair and the person having the floor shall enter into any discussion without the permission of the chair.

Motions: Committee members must clearly and concisely state a motion if it is not reflected in the agenda item language as read by the chair. Motions will die if they do not receive a second. Types of motions include:

- Main motions—Their purpose is to introduce items to the committee for their consideration.
- Subsidiary motions—Their purpose is to change or affect how a main motion is handled and is voted on before a main motion (e.g., to postpone to a certain time or indefinitely or to amend a motion).
- Miscellaneous motions—Their purpose is to bring up items that are urgent about special or important matters unrelated to pending business (e.g., to take a recess, to adjourn) or a means of questioning procedure concerning another motion and must be considered before the other motion (e.g., point of order, suspension of the rules).

Withdrawal of Motions: Any committee member may withdraw his or her motion prior to a second. Once a motion is seconded, the motion may not be withdrawn without consent of the committee member seconding it.

Vote: The chair may ask for a voice vote or a roll call vote for all final decisions. All committee members are expected to vote on each motion unless disqualified for a specific reason. Any committee member may request a roll call vote on any motion or request a vote be changed if the request is made prior to consideration of the next order of business. Any committee member who wants to explain the reasons for his or her vote may do so before or after the vote. The minute taker will record the vote and any abstentions in the minutes.

Proxy Votes: Voting By proxy **is not allowed** for any City of Millersburg boards, commissions, or committees.

Adjournment: The Chair will adjourn the meeting once all business has been considered or postponed.

HOW TO CONDUCT A SUCCESSFUL MEETING

The chairperson reviews the following steps with the membership on an annual basis after new appointments are confirmed (usually February).

Five Steps to a Better Meeting:

1) Plan

- Set the agenda in advance and state the purpose of the meeting.
- The agenda must include the date, time, subject, and estimated length of the meeting.
- List the participants.
- State the goal for each agenda item: Information, Discussion, or Direction.
- Distribute background material in advance.

2) Inform

- Send out the agenda with enough lead time to prepare members for the discussion.
- Make sure the message of each agenda item is clear and concise.

3) Prepare

- Structure the agenda so that the most important issues are covered first and there is adequate time for full discussion.
- Check the agenda at the start of the meeting for additions or deletions and to assure a quorum is met.

4) Structure and Control

- Define the issues and stay focused on them.
- Avoid "spinning your wheels."
- Keep the meeting within reasonable time parameters.

5) Summarize and Record

- Assign follow-through: Who does what and by when.
- Commitments should be stated and recorded in minutes.

Tips for Chairing a Meeting:

- 1) Use *Robert's Rules of Order* as a guide for the conduct of your meetings.
- 2) Follow the agenda and state clearly which item is being considered.
- 3) State the purpose of each agenda item and the time allotted to it.
- 4) Recognize persons to speak in the order in which they have sought recognition.
- 5) Keep participation balanced—discourage domination by one or two committee members.
- 6) Keep participation respectful, stop abusive, belittling, or overly negative communications.
- 7) Solicit input from those who have not spoken on an issue.
- 8) Halt side discussions among one or two members while another person has the floor.
- 9) Summarize, at the conclusion, of each agenda item: What was agreed upon and who shall do what by what date. This is for the benefit of both the membership, to affirm their understanding, and the minute taker.
- 10) Clearly restate what is being voted upon.

- 11) **Outside of the meeting**, confront cases of persistent late arrival, early departure, or absenteeism.

For additional tips on running successful meetings, visit www.robertsrules.com.

MISCELLANEOUS

Training and Travel: Except in the most unusual of circumstances, the City does not provide paid training or cover travel expenses for committee members. Committee members are encouraged to expand their knowledge base and expertise by attending various community events and public meetings and by engaging with City staff, members of other committees, and the general public.

ADDITIONAL RESOURCES

- Please consult the *Guide for Public Officials* and the *Guide for Public Officials 2015 Supplement* posted on the state of Oregon's website at:
https://www.oregon.gov/OGEC/Pages/forms_publications.aspx
- ORS 192 – Records; Public Reports and Meetings:
https://www.oregonlegislature.gov/bills_laws/ors/ors192.html
- ORS 244 – Government Ethics:
https://www.oregonlegislature.gov/bills_laws/ors/ors244.html
- ORS 260.432 – Restrictions on Political Campaigning for Public Employees:
http://sos.oregon.gov/elections/Documents/260.432_quickref.pdf
- ORS 192.650 – Required Elements of Minutes:
<http://www.oregonlaws.org/ors/192.650>
- Roberts Rules of Order: www.robertsrules.com
- Boards, Committees, & Commissions Q & A on Public Meetings (Appendix A).
- City policies related to Ethics (HR-100.3) and Workplace Respect and Code of Conduct (HR-100.3) are available at City Hall.

APPENDIX A

Q & A - Public Meetings, Commissions, & Committees

Overview and ORSs

Oregon's open government laws promote democracy by ensuring that all state, regional, and local governments conduct their business with **transparency**. Oregon citizens have a right to know how their government is spending their tax dollars and exercising the powers granted by the people.

A **Commission** is usually designated by ordinance or state law and governed by specific requirements. A **Committee** is short-term or longer, set up for a specific purpose, and less formal than a commission or board and is usually designated by resolution. The City Attorney has determined that most of the City of Millersburg's boards, commissions, and committees (BCCs) are subject to public meetings laws.

ORS 174.109 "Public body" defined. Subject to ORS 174.108, as used in the statutes of this state "public body" means state government bodies, local government bodies, and special government bodies.

ORS 244.020 Definitions (15) **"Public official"** means...any person who...is serving the State of Oregon or any of its political subdivisions or any other public body as defined in ORS 174.109 as an elected official, appointed official, employee, or agent, irrespective of whether the person is compensated for the services.

ORS 192.610 (5) "Meeting" means a contemporaneous (simultaneous) gathering. **"Quorum,"** unless the quorum is defined by the body, is a majority. A **"decision"** is any topic that could come before the Council for a vote is a decision.

ORS 192.630 (1-2) requires all meetings to be open to the **public** and that a quorum cannot meet in private for the purpose of deciding or deliberating.

Public Meetings

Question: What constitutes a "public meeting"?

Answer: A public meeting is the convening of any governing body for which a quorum (majority) is required in order to make a decision or to deliberate toward a decision on *any matter* (ORS 192.630). Meetings cannot take place in such a way that the public cannot take part, such as by email or social media. An executive session is the exception; for more information, contact the City Recorder or the City Manager's office.

Question: Are commissions and committees (CCs) considered "governing bodies"?

Answer: CCs are under the authority of the City Council. CCs almost always serve in an advisory capacity, whereby they make recommendations to the Council and the Council decides if or how to proceed with the recommendations. Our City Attorney has determined that most of the City of Millersburg's boards, commissions, and committees (BCCs) are subject to public meetings laws.

Question: What is an “inadvertent” public meeting?

Answer: Inadvertent public meetings may occur when a quorum of the governing body meets outside of a public meeting (i.e., for a body of seven, one, two, or three can gather, but four cannot gather). This is an evolving area of the law based on recent court rulings surrounding “inadvertent public meetings” and the interpretations of the ORS regarding the terms “convening,” “quorum,” and “decision.” In a recent case, the judge decided that the serial communications (separate communications, no quorum, in person, and via emails) constituted a “meeting.” While they didn’t violate the letter of the law, they violated the spirit of the law. This case has an impact on several areas in local government. Be sure to follow the City of Millersburg’s protocols to avoid inadvertent public meetings.

Question: What if it is not a “governing body”? Do the public meetings laws still apply?

Answer: If the body is appointed by the City Manager or Assistant City Manager and reports only to the City Manager or Assistant City Manager and if it is so informal that no quorum requirement exists, it is probably not subject to public meeting or records requirements. On the other hand, if it makes a recommendation that is reported back to the Council, it will be deemed a public body subject to these requirements.

Question: Do we have to allow the public to speak since it is a public meeting?

Answer: There is no requirement that the public be allowed to speak, only that they be allowed to attend. However, if you do allow the public to speak, it is advised, although not required, to get each person’s name and address for the minutes; if it is a land-use issue where future notifications may be required, you should get their name and address.

Noticing Meeting

Question: How much notice is required and how is it provided?

Answer: The law says “reasonably calculated” must be provided to inform the public and all interested parties about the time, place, and agenda of public meetings. Generally, reasonable notice is considered 24 hours minimum. As soon as you know there will be a CC meeting, contact the City Manager’s office to have it added to the City’s public meetings calendar, which is posted on the website and emailed to the media. Keep in mind that in Millersburg, the City Attorney has directed staff to err on the side of caution and notify if the notification requirement is questionable.

Question: What is the difference between a public meeting and public hearing? Which governing bodies do public hearings apply to? How is a public hearing noticed?

Answer: A public hearing is a type of public meeting. A public hearing is a scenario where the ORS requires that the public be allowed to speak when there are certain items being considered by the governing body. For example, it applies to the City Council and Planning Commission when they are discussing specific items (i.e., certain land use decisions, budget, local improvement, fee increases, and franchise fees). Contact the City Attorney or the City Recorder if you have questions whether a public hearing is required and how to provide notice.

Question: Do I have to hold the meeting in the city limits?

Answer: Yes. ORS 192.630(4) says that meetings of governing bodies must be held in the local jurisdiction unless it is solely for training.

Question: Does the building have to be ADA compliant?

Answer: Yes. City Hall is ADA compliant. Other requirements for the space include no smoking and that it be at a nondiscriminatory site. A good-faith effort has to be made to provide an interpreter if requested. Your agenda should have information at the bottom about how to contact the City for an interpreter.

Question: Does the meeting have to be in a public building?

Answer: It should be. For example, a joint meeting in a public space such as the Boys & Girls Club is acceptable, whereas a private home, office, or business, even if it is ADA compliant, is not advised. Even if the City owns the building but a private party rents the space, it is not advised.

Question: Is there a statutory requirement to create agendas?

Answer: Robert's Rules say there should be an agenda for every type of meeting.

Quorums for Meetings and Voting

Question: How do I know the quorum requirements for meetings and voting and any other rules that apply?

Answer: Identify voting requirements for your committee in this order:

1. Does the Millersburg Municipal Code specifically address it?
2. Is there a resolution or ordinance that applies? (Refer to the member roster produced by the City Manager's office.)
3. If not, Robert's Rules is the default.

Question: If the meeting is about to begin, but there is less than a quorum, are they allowed to continue with the meeting?

Answer: If there isn't a quorum, the best course is to simply reschedule and adjourn. The only action the body can lawfully take is to reschedule the meeting, adjourn, recess, or find a quorum

Question: If less than a quorum decide to stay and have discussion anyway (but not deliberate), then does staff need to produce formal minutes or take notes?

Answer: The best course of action is to adjourn, and the senior staff facilitating the meeting should encourage adjournment.

If the body continues talking, it is the same as if a group of members (less than a quorum) met at a coffee shop and decided to talk. It is not a meeting of the body, and staff does not need to take minutes. If members of the body allow input from anyone not a member of the body and it is regarding a land use matter, they are having an ex-parte communication, which needs to be noted at future meetings. Note that because such a gathering creates the appearance of impropriety and runs contrary to the policy of the Public Meetings Law, which supports keeping the public informed of the deliberations of governing bodies, it is not advised that the body stays; the meeting should be adjourned. If the senior staff person agrees that City staff should stay to take notes, the document they are creating is not "minutes." The notes they create can either be saved by staff; or if the expectation is that they will need to be easily located at a

later date, they can be attached to an agenda with “no quorum” in the watermark and archived in the place of minutes. No deliberation can take place.

Question: If there was a quorum in order to start the meeting but people have to leave before the meeting is over, which would leave less than a quorum remaining, do they have to stop the meeting?

Answer: They should stop the meeting because without a quorum no business can be transacted. Any business done after that point would be null and void. It is best practice to immediately adjourn the meeting. Make sure your minutes note what time members left.

Question: Do vacancies or absences change the number of a quorum?

Answer: No; a quorum is based on a majority of the whole board, without regard to vacancies or absences. For example, a 9-member body would always need 5 to convene the meeting, and 5 in agreement to take any action, even if there were vacant positions on the board.

Question: If the body is voting on the approval of minutes, do members who did not attend the meeting still vote for the approval of the minutes?

Answer: Yes; a member's absence from the meeting for which minutes are being approved does not prevent the member from participating in their (correction or) approval.

Minutes

Question: What do my minutes have to include?

Answer: Per ORS 192.650, minutes must include at least:

1. All members of the governing body present;
2. All motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition
3. The results of votes;
4. The substance of discussion on any matter; and
5. A reference to any document discussed at the meeting.*

*Items introduced at the meeting that were not part of the original agenda should be referenced in your minutes as “see meeting file” or “see archived file”. Attach those items to the back of the agenda that you send to the City Recorder to be archived.

Question: The body has dissolved; how do I get the minutes approved if they are no longer meeting?

Answer: Contact the City Recorder for instructions.

Archiving

Minutes and Agendas: Send the City Recorder the full agenda, plus any items introduced at the meeting attached, as well as signed, approved minutes. The items can come separately or at the same time. If there was no meeting for lack of a quorum, send an agenda with “No Quorum” in the watermark to the City Recorder so the City can archive it in the place of the minutes.

Conclusion

Briefly, your public meetings include the following elements:

1. Proper notification by posting agendas.
 - a. When you notify the City Manager's office of your meeting, they will include it on the Events Calendar, which is posted in order to meet the public noticing requirement of public meetings laws.

2. Proper meetings that follow the Charter, Municipal Code, and Robert's Rules (in that order); and Oregon public records laws.
 - a. A quorum is required to conduct business.
 - b. The meeting must be held in a public place.
 - c. Public attendance is allowed.

3. Proper archiving for the record.
 - a. Agenda with any "see meeting items" attached, retained permanently by the City Recorder.
 - b. Approved minutes with any "see meeting items" clearly referenced therein, retained permanently by the City Recorder.
 - c. If an audio was taken, retained for one (1) year after minutes are approved by the City.

Appendix B Public Meetings Checklist

The Public Meetings Law applies to all meetings of a quorum of a governing body of a public body for which a quorum is required to make a decision or to deliberate toward a decision on any matter. This checklist is intended to assist governing bodies in complying with the provisions of this law; however, you should consult the appropriate section(s) of this manual for a complete description of the law's requirements.

OPEN TO THE PUBLIC. Unless an executive session is authorized by statute, the meeting must be open to the public.

NOTICE. The governing body must notify the public of the time and place of the meeting, as well as the principal subject to be discussed. Notice should be sent to:

- News media;
- Reader board;
- Notice board at City Hall; and
- Other interested persons who signed up for notices.

The notice for a regular meeting must be reasonably calculated to give "actual" notice of the meeting's time and place. Special meetings require at least 24-hours' notice. Emergency meetings may be called on less than 24-hours' notice, but the minutes must describe the emergency justifying less than 24- hours' notice.

SPACE AND LOCATION

Space. The governing body should consider the probable public attendance and should meet where there is sufficient room for that expected attendance.

Geographic location. Meetings must be held within the geographic boundaries over which the public body has jurisdiction, at its administrative headquarters or at "the other nearest practical location."

Nondiscriminatory site. The governing body may not meet at a place where discrimination on the basis of race, color, creed, sex, sexual orientation, national origin, age or disability is practiced.

Smoking is prohibited.

ACCESSIBILITY TO PERSONS WITH DISABILITIES

Accessibility. Meetings must be held in places accessible to individuals with mobility and other impairments.

Interpreters. The governing body must make a good faith effort to provide an interpreter for hearing-impaired persons.

Americans with Disabilities Act (ADA). The governing body should familiarize itself with

the ADA, which may impose requirements beyond state law.

VOTING. All official actions by governing bodies must be taken by public vote. **Secret ballots are prohibited.**

MINUTES and RECORDKEEPING. Written minutes or a sound, video, or digital recording must be taken at all meetings, including executive sessions. Minutes or another recording must include at least the following:

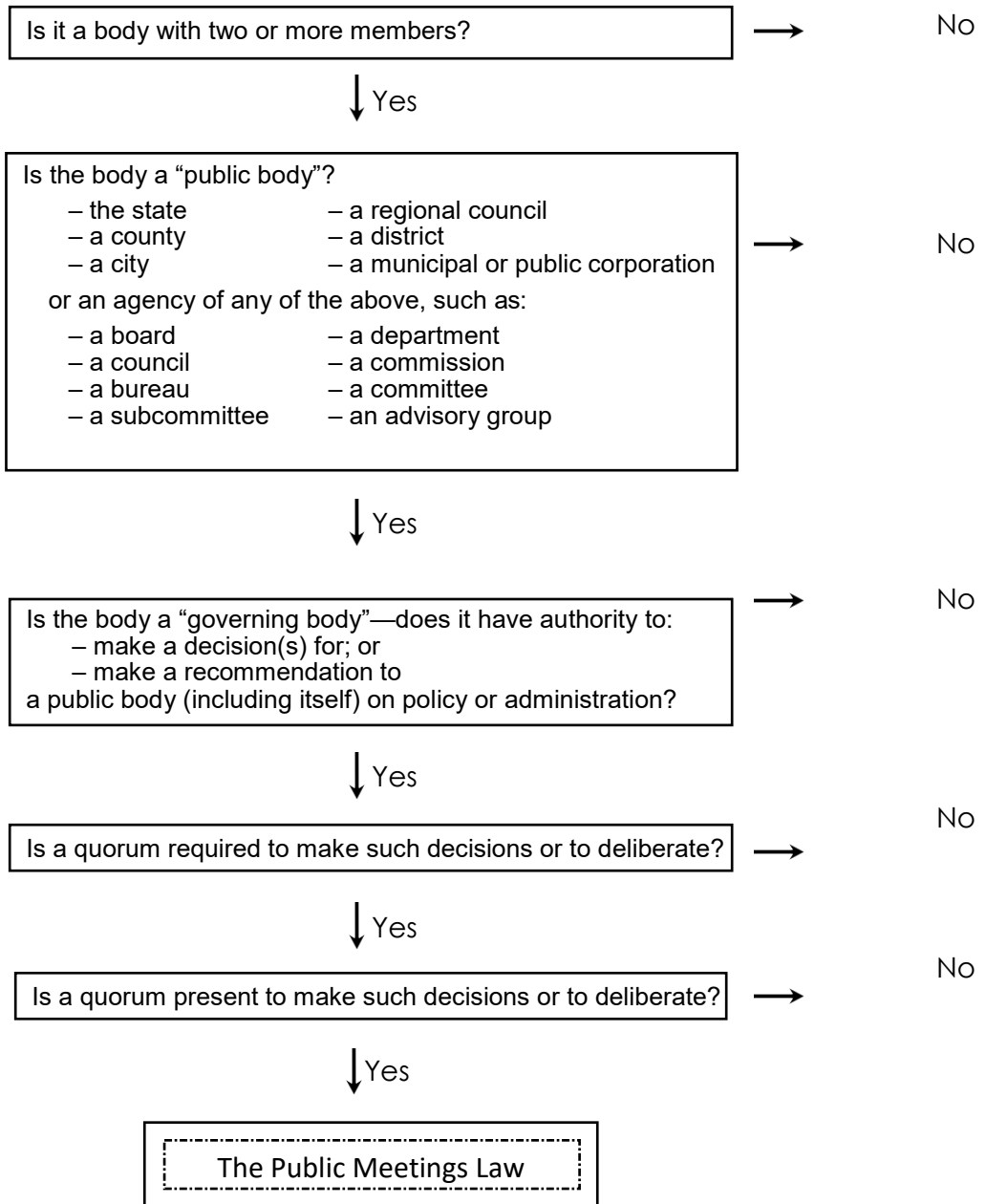
- Members present;
- Motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
- Results of all votes and, except for bodies with more than 25 members unless requested by a member, the vote of each member by name;
- The substance of any discussion on any matter; and
- A reference to any document discussed at the meeting. (Reference to a document exempt from disclosure under the Public Records Law does not affect its exempt status.)

The minutes or alternative recording must be available to the public within a “reasonable time after the meeting.”

For executive sessions, contact the City Attorney for determination. Also see: https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/ii-public-meetings/#_Toc11743475

Appendix C Guide to Bodies Subject to Public Meetings Law

This is a simplified guide to understanding when the meetings of a particular body are subject to the Public Meetings Law. For a discussion of the various elements, refer to the text of this manual.





TO: Millersburg City Council
FROM: Kevin Kreitman, City Manager
Forrest Reid, City Attorney

DATE: September 4, 2019 for the September 10, 2019 City Council Meeting

SUBJECT: Permit to Allow for an Exemption as Identified in Millersburg Municipal Code on Noise Control.

Action Requested: None. For information only.

Discussion: In review of the Millersburg Municipal Code (MMC) we became aware that MMC 9.20 (Noise Control) provides guidance regarding the volume and types of sounds allowed within the City of Millersburg, repercussions of exceeding those limits, and certain exemptions to these limits.

Additionally, MMC 9.20.040 prohibits noise disturbances from "Sound Producing, Amplifying, or Reproducing Equipment" unless a permit is granted by the City under exemptions identified in MMC 9.20.050. Section 9.20.050(7) addresses permits: "Sounds produced pursuant to and in conformance of any valid permit from the City, County or State."

The City has not previously had a noise permit to address this exemption. The attached permit form will address this oversight and will be utilized for those instances in which a permit is requested. The scope (time, duration, location) and review of the permit will be administered by the City Manager or Assistant City Manager if the City Manager is not available.

Any police officer or the City Manager or the Assistant City Manager shall have authority to modify this permit and require that the sound source be adjusted or immediately discontinued.

Budget Impact:
None.

Recommendation:
None.

Attachment(s):

- Noise Permit



Noise Permit

* Not valid as an alcohol permit*

Applicant/Organization Name:	
Address:	
Contact Name:	Contact Phone:
Contact Email:	
Contact: Day of Event:	Contact Cell: Day of Event:
Name of Event:	Event Location:
Event Date(s):	
Start Date:	End Date:
Start Time:	End Time:
Event Info:	
# of Participants:	Will there be a band? Yes No
What type of noise will be generated: Music Speeches Other:	Will there be a DJ or speaker with mic? Yes No
If music, what type will be played? Classical Country Rock Other:	Are you hiring an audio professional? Yes No Company Name: _____
How many sound speakers will be used?	How big are the speakers?

Event Layout: To assist us in understanding processing your request, please attach or draw in the provided space below a diagram of the general location, showing surrounding streets, note location of any road closures, the location of any sound equipment, and where your audience will be situation.

Permit Conditions:

- 1) Emergency vehicle access must be maintained at all times.
- 2) Any temporary directional pavement markings needed shall be made with temporary tape and not paint.
- 3) **In the sole judgment of any police officer, City Manager, or Assistant City Manager, exercised in good faith, that the sound level becomes excessive, said police officer or City Manager or Assistant City Manager shall have authority to modify this permit and require that the sound source be adjusted. This adjustment may include, but is not limited to, its immediate cessation, re-directing speaker placement, limiting volume output, or any other similar requirement.**

Other Permit Conditions:

The City of Millersburg has the right to revoke this permit at any time.

I attest that I will abide by all City, County, State, and Federal applicable ordinances, statutes, and regulations. **I further agree and accept that any police officer or the City Manager or Assistant City Manager may require immediate sound adjustments or cessation if they determine, in their sole judgment, that the sound level is excessive.**

Signature: _____

Date: _____



August 13, 2019 City Council Minutes

4222 NE Old Salem Road

Albany, OR 97321

6:30 p.m.

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

B. ROLL CALL

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

Councilors Absent: None

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

Presenters: Linn County Sheriff's Office – Sergeant Greg Klein

C. PLEDGE OF ALLEGIANCE

D. CHANGES AND ADDITIONS TO THE AGENDA

None

E. CONSENT AGENDA

- 1) Approval of July 1, 2019 City Council Land Use Appeal Hearing Minutes
- 2) Approval of July 9, 2019 City Council Meeting Minutes
- 3) **Acceptance** of Council Approval Report for City Bills

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

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye

Councilor Dave Harms: Aye

Councilor Scott McPhee: Aye

Councilor Don Miller: Aye

Motion PASSED: 5/0

F. PRESENTATIONS

- 1) Monthly Report from the Linn County Sheriff's Office (LCSO)
Sergeant Greg Klein, Linn County Sheriff's Office, discussed July's report.

G. PUBLIC COMMENT

None

H. COUNCIL MEMBER AND STAFF COMMENTS

- 1) The Linn Economic Development Group now has an open spot for Millersburg.
Action: **Motion to Appoint City Manager Kevin Kreitman to the Linn Economic Development Group made by Councilor Cowan; seconded by Councilor Harms.**

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye

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

Motion PASSED: 5/0

I. CITY MANAGER'S REPORT

1) Project Updates

Assistant City Manager/City Engineer Booth provided an overview of City projects.

Adjourned regular meeting to executive session at 7:00 p.m.

J. CITY ATTORNEY'S REPORT

1) Declaring Necessity for Acquisition of Land for Use as a Public Park – Resolution 2019-18

City Attorney Reid gave a report regarding the status of the Land Use Board of Appeals appeal and went over the eminent domain process. Mayor Lepin opened the meeting for public comment.

- a. Rita de Groen, 2659 NE Sonora Drive, asked about condemnation and what that means. City Attorney Reid provided the explanation.
- b. Robin Wilson-Whitney, 2580 NE Tuscan Lane, thanked the Council.
- c. Nathan Van Nicholson, 6347 NE Sedona Road, asked about flooding and lighting. Assistant City Manager/City Engineer Booth said the need would depend on the type of proposed park.
- d. Norma Newman, 700 NE Fir Street, asked if the City would give the same amount of money to the owner as if the park went in. Mayor Lepin said the amount would be negotiated.

Action: **Motion to Adopt Resolution 2018-18 Declaring the Necessity for Acquisition of Land for Use as a Public Park made by Councilor**

Miller; seconded by Councilor Harms.

Resolution 2018-18

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

Motion PASSED: 5/0

K. UNFINISHED BUSINESS

None

L. NEW BUSINESS

1) Amending Municipal Code to Add Sewer System and the Storm Water System
City Manager Kreitman went over staff report.

Action: **Motion to Adopt Ordinance Amending the Millersburg Municipal Code Section 15.10.080 by Adding the Sewer System and the Storm Water System made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

Ordinance 154

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

Councilor Scott McPhee: Aye
Councilor Don Miller: Aye

Motion PASSED: 5/0

- 2) Donations and Sponsorships Guidance Document
Councilor Scott McPhee went over the proposed guidance document and background.

Action: **Motion to Approve Guidance Document, with Revisions, made by Councilor Scott McPhee; seconded by Councilor Dave Harms.**

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

Motion PASSED: 5/0

- 3) Enacting Measure 22-132 Amending the City Charter to Require Voter Approval Prior to City Borrowing

City Manager Kreitman went over the staff report.

Action: **Motion to Adopt Ordinance Enacting Measure 22-132 Amending the City Charter to Require Voter Approval Prior City Borrowing made by Councilor Scott Cowan; seconded by Councilor Dave Harms.** Ordinance 155

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

Motion PASSED: 5/0

- 4) Amending Municipal Code – Replacing Chapter 51 with Chapter 10.10
Assistant City Manager/City Engineer Booth went over staff report.

Action: **Motion to Adopt Ordinance Amending the Municipal Code by Repealing Chapter 51, Sanitary Sewer Hook-On System, and Adopting Chapter 10.10, Wastewater Collection and Treatment System – Regulations – Fees made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.** Ordinance 156

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

Motion PASSED: 5/0

- 5) Revising Connection Charges (Ordinance 151)
City Manager Kreitman went over the staff report.

Action: **Motion to Adopt Ordinance Revising Connection Charges made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.** Ordinance 157

Mayor Jim Lepin: Aye

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

Motion PASSED: 5/0

M. CLOSING PUBLIC COMMENT

- 1) Doreen Akers, 2785 NE Sonora Drive, asked about property near her. She was encouraged to submit her concerns with specific information to the City.
- 2) Rita de Groen, 2659 NE Sonora Drive, noted that the stop sign at Sedona and Sonora sits back from the intersection and is covered with vines/hops.
- 3) Robin Wilson-Whitney, 2580 NE Tuscan Lane, asked about the right-of-way clean-up of weeds. Assistant City Manager/City Engineer Booth addressed her concerns.

N. CLOSING COUNCIL & STAFF COMMENT

- 1) City Manager Kreitman updated the Council on the plaque for the former mayor.
- 2) Robin Wilson-Whitney, 2580 NE Tuscan Lane, asked if the City will continue to keep the two park staff now that there is a service handling the City Hall. Assistant City Manager/City Engineer addressed her concerns.
- 3) Mayor Lepin thanked Councilor Scott McPhee for his work on the donation and sponsorship guidance document.

O. ADJOURNMENT

Meeting adjourned at 8:_____ p.m.

Respectfully submitted:

Reviewed by:

Kimberly Wollenburg
City Recorder

Kevin Kreitman
City Manager

Upcoming Meetings & Events:

August 27, 2019 @ 4 pm – City Council Work Session (tentative)



TO: Millersburg City Council
VIA: Kevin Kreitman, City Manager
FROM: City Staff
DATE: September 9, 2019 for Council Meeting September 10, 2019
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 continues to work on these tasks, the Gantt chart will be periodically updated and provided for Council and public information. The most recent version of the Gantt chart is attached to this memo. Tasks in blue are complete, tasks in yellow are in progress, and tasks that are not colored have not been started.

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

Parks Master Plan:

The second Parks Master Plan open house is scheduled for September 25 at 6:00 PM. A stakeholder meeting for neighbors of the park will be held at 4:00 PM that day. Information on the Parks Master Plan will be made available at the Millersburg Celebration as an additional public outreach opportunity.

Water and Sewer Rate Study:

At the Council Work Session on July 30, three options were presented for the water rates, along with the financial plan for sewer. Council indicated Option 3 was the preferred option for water rates. Additional data from past sewer billing and accounts is being analyzed to help finalize the proposed sewer rates. Once this is complete, the next step will be to schedule either another Council work session or an open house/public outreach event.

City Hall Projects:

There are several projects currently underway at City Hall.

- **AV upgrades and council chamber dais** – the installation is scheduled for the first week/weekend of October and anticipated to be completed by October 8, 2019.
- **Fiber** – the contract with LS Networks to provide fiber to City Hall has been signed and they are scheduling the install. We do not have a date at this time. This will require changing some IT equipment and cable routing, which will be completed under the overall budget for this item.
- **Phones** – we have received quotes for a new phone system at City Hall from LS Networks and Jive. Both offer VoIP phones and software with all the features and capability needed.

- **Utility billing and general ledger software** – Staff is now working with the Caselle implementation team. Training on the new system should be sometime early next year.

City Codes:

- **Municipal Code Update** – this is proposed for final approval at the September council meeting. The code can be printed and posted online after the most recent approved Ordinances are added.
- **Land Use Development Code Update** – the next Planning Commission workshop is scheduled for September 17 at 6:00 PM. The Planning Commission will be reviewing Articles 2 and 3.

Streets:

- The work for crack sealing in Morningstar Estates and the Terri Lane area has been contracted with TopLoc Asphalt Repair. The schedule will be posted to the City website as soon as it becomes available.
- Quotes were solicited for pavement repair around manhole lids in the Sweetwater neighborhood. Due to timing and contractor schedules, we received no responses from contractors who were able to perform this work within the initial timeframe required. The RFQ will be re-sent out with a revised schedule and the slurry sealing project will be deferred until spring.
- Linn County will be striping arterials and collectors within Millersburg this fall. City streets to be striped include Conser Road, Alexander Lane, Millersburg Drive, Woods Road, and 54th Avenue. The County will also stripe Old Salem Road at this time. As soon as the schedule is available, it will be posted to the City website.
- The West Valley Estates project continues work on utilities in Millersburg Drive. Due to multiple conflicts with the existing water line and other utilities, the work has taken longer than initially anticipated. However, work is still on track for Millersburg Drive to be restored prior to inclement weather this fall.

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
1		Millersburg Tasks					
2							
3		Charter and Council	260 days	Wed 1/2/19	Tue 12/31/19		Kevin,Forrest
4		Update of charter					
5		Consider election of mayor					
6		Update Strategic Plan	54 days	Mon 1/21/19	Thu 4/4/19		
7							
8		Ordinances and Code	260 days	Wed 1/2/19	Tue 12/31/19		Forrest,Kim,Kevin
9		Update Code of Ordinances - change to Municipal Code	180 days	Wed 1/2/19	Tue 9/10/19		
10		Resolutions - need to update water resolution with new billing cycle CO 50.05	173 days	Wed 1/2/19	Fri 8/30/19		
11		Update ordinances to include water and storm utility systems	1 day	Tue 8/13/19	Tue 8/13/19		
12		Comprehensive Plan Update	260 days	Wed 1/2/19	Tue 12/31/19		
13							
14		Policies, Procedures, and Standards	260 days	Wed 1/2/19	Tue 12/31/19		
15		Ethics Policy	50 days	Wed 1/2/19	Tue 3/12/19		Kevin,Janelle
16		Fleet policy and best practices for vehicles					Kevin,Janelle
17		Computer/electronics use policy					Kevin,Janelle
18		Equipment use policy					Kevin,Janelle
19		Billing policies					Kim
20		Safety procedures and training	260 days	Wed 1/2/19	Tue 12/31/19		Kevin,Janelle
21		Safety manual					
22		Staff training plans					
23		Ergo evaluations					
24		PPE					
25							
26		Budget	120 days	Mon 1/14/19	Fri 6/28/19		
27		2019-2020 Budget	75 days	Mon 3/18/19	Fri 6/28/19		Jake,Kevin,Janelle
28		Revise budget layout	51 days	Mon 1/14/19	Mon 3/25/19		Jake
29		Develop proposed budget	60 days	Mon 1/28/19	Fri 4/19/19		
30		Adopt budget	55 days	Mon 4/15/19	Fri 6/28/19		
31		CIP update	105 days	Mon 2/4/19	Fri 6/28/19		Janelle
32							
33		Equipment life/replacement costs tracking	260 days	Wed 1/2/19	Tue 12/31/19		
34		City Hall Equipment					
35		Parks/Maintenance Equipment					
36		Fire Station					
37							
38		City Hall work	260 days	Wed 1/2/19	Tue 12/31/19		
39		Council Chambers		Wed 1/2/19			
40		Upgrade audio and video system	217 days	Wed 1/2/19	Thu 10/31/19		
41		Council dias	217 days	Wed 1/2/19	Thu 10/31/19		
42		Consider new audience chairs?					
43		Records Room reorganization - rolling files	158 days	Wed 1/2/19	Fri 8/9/19		Kim,Kevin
44		Office space modifications	217 days	Wed 1/2/19	Thu 10/31/19		Kevin,Kim
45		Upgrade phone system					Jake
46		Broadband					Kevin
47		Sidewalk around north end of City Hall					Janelle
48		Security cameras on City Hall exterior	1 day	Wed 1/2/19	Wed 1/2/19		Jake
49							
50		Planning, Building, and Development	260 days	Wed 1/2/19	Tue 12/31/19		
51		Complete Land Use Development Code Revision	216.25 day	Wed 1/2/19	Thu 10/31/19		John Morgan
52		Consider UGB expansion	260 days	Wed 1/2/19	Tue 12/31/19		John,Kevin,Janelle
53		Buildable Lands Inventory and Housing Needs Analysis					
54		Update planning fees	136 days	Tue 1/1/19	Tue 7/9/19		John,Matt
55		Ability to get on County online system for building permit	84 days	Tue 7/2/19	Fri 10/25/19		Kevin,Janelle
56		Engineering standards	194 days	Mon 2/4/19	Thu 10/31/19		Janelle

Project: Task List
Date: Fri 9/6/19

Task	Summary	Inactive Milestone	Duration-only
Split	Project Summary	Inactive Summary	Manual Summary Rollup
Milestone	Inactive Task	Manual Task	Manual Summary

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
57	✓	Connection Fees/Reimbursement Agreement	115 days	Wed 1/2/19	Tue 6/11/19		Janelle,Jeff
58	?						
59	?	Economic Development	260 days	Wed 1/2/19	Tue 12/31/19		
60	?	Consider business license					
61	?	Access to City property west of tracks					
62	?	Consider fuel tax					
63	?	Consider transient room tax					
64	?	Wetland delineation for city owned property	207 days	Mon 3/18/19	Tue 12/31/19		
65	?						
66	?	Fire Station Permanent	247 days	Mon 1/21/19	Tue 12/31/19		
67	✓	Select Site	115 days	Mon 1/21/19	Fri 6/28/19		Kevin,Janelle
68	?	RFQ to Select Designer	97 days	Mon 6/3/19	Tue 10/15/19		Kevin,Janelle
69	?	Select Design Firm	80 days	Mon 7/29/19	Fri 11/15/19		Kevin,Janelle
70	?	Preliminary Design	90 days	Thu 1/2/20	Wed 5/6/20		Kevin,Janelle
71	?						
72	?	Parks	260 days	Wed 1/2/19	Tue 12/31/19		
73	✓	Review reservation fees	128 days	Wed 1/2/19	Fri 6/28/19		Jake
74	✓	Park safety inspection checklist	63 days	Wed 1/2/19	Fri 3/29/19		Janelle,Sean
75	?	Parks Master Plan	217 days	Wed 1/2/19	Thu 10/31/19		Janelle
76	✓	Parks Maintenance Plan	63 days	Wed 1/2/19	Fri 3/29/19		Janelle
77	?	Remote control of irrigation system					
78	?						
79	?	Utilities	260 days	Wed 1/2/19	Tue 12/31/19		Kevin,Janelle,consultant
80	✓	New utility billing and GL system selection	1 day	Fri 6/28/19	Fri 6/28/19		Kim
81	?	Rates	217 days	Wed 1/2/19	Thu 10/31/19		
82	?	Water	194 days	Wed 1/2/19	Mon 9/30/19		
83	?	Sewer	194 days	Wed 1/2/19	Mon 9/30/19		
84	?	Stormwater	174 days	Mon 3/4/19	Thu 10/31/19		
85	?	SDCs	217 days	Wed 1/2/19	Thu 10/31/19		
86	?	Water	217 days	Wed 1/2/19	Thu 10/31/19		
87	?	Sewer	217 days	Wed 1/2/19	Thu 10/31/19		
88	?	Streets	195 days	Fri 2/1/19	Thu 10/31/19		
89	?	Stormwater	196 days	Fri 2/1/19	Fri 11/1/19		
90	?	Parks	82 days	Mon 9/9/19	Tue 12/31/19		
91	?						
92	?	Stormwater	260 days	Wed 1/2/19	Tue 12/31/19		
93	✓	Complete Stormwater Master Plan	15 days	Wed 1/2/19	Tue 1/22/19		
94	✓	TMDL matrix revision	51 days	Mon 1/21/19	Mon 4/1/19		
95	?	Stormwater/drainage flyer	194 days	Mon 2/4/19	Thu 10/31/19		
96	?	Crooks Creek north trib project	433 days	Mon 2/4/19	Wed 9/30/20		
97	?	Stormfilter cartridges at Crooks Creek on Millersburg drive - regular checking/cleaning/replacement plan	217 days	Wed 1/2/19	Thu 10/31/19		Janelle
98	?	Have Millersburg storm drain facilities added to Albany GIS system	217 days	Wed 1/2/19	Thu 10/31/19		Janelle
99	?	Erosion Control Permit Program	194 days	Mon 2/4/19	Thu 10/31/19		Janelle
100	?	Develop inspection and maintenance program	194 days	Mon 2/4/19	Thu 10/31/19		Janelle
101	?						
102	?	Water	260 days	Wed 1/2/19	Tue 12/31/19		
103	?	Evaluate DRC contract	154 days	Mon 4/1/19	Thu 10/31/19		Janelle
104	?	Water master plan - submit finance component	217 days	Wed 1/2/19	Thu 10/31/19		Janelle
105	?	Annual water audit	191 days	Mon 1/7/19	Mon 9/30/19		Janelle,Kim
106	?	OHA requirements tracking	260 days	Wed 1/2/19	Tue 12/31/19		Janelle
107	?						
108	?	Sewer	260 days	Wed 1/2/19	Tue 12/31/19		
109	✓	Manhole grouting	18 days	Wed 1/2/19	Fri 1/25/19		Janelle
110	✓	Finish lift station project	128 days	Wed 1/2/19	Fri 6/28/19		Janelle
111	?	Evaluate flow monitoring contract	154 days	Mon 4/1/19	Thu 10/31/19		Janelle
112	?	Reuse water study	260 days	Wed 1/2/19	Tue 12/31/19		Janelle,Kevin

Project: Task List
Date: Fri 9/6/19

Task		Summary		Inactive Milestone		Duration-only	
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Milestone		Inactive Task		Manual Task		Manual Summary	

ID	Task Mode	Task Name	Duration	Start	Finish	Prede	Resource Names
113							
114		Transportation/Streets	260 days	Wed 1/2/19	Tue 12/31/19		
115		Bridge and pavement reporting to ODOT	23 days	Wed 1/2/19	Fri 2/1/19		Janelle
116		Street striping program	109 days	Wed 1/2/19	Mon 6/3/19		Janelle
117		Crack seal/slurry seal program	109 days	Wed 1/2/19	Mon 6/3/19		Janelle
118		OSR/I-5 guardrail evaluation	1 day	Fri 8/30/19	Fri 8/30/19		Janelle
119							
120		Miscellaneous	260 days	Wed 1/2/19	Tue 12/31/19		
121		Newsletter	260 days	Wed 1/2/19	Tue 12/31/19		Kim
122		Post utility rate and SDC info to website once changes are adopted	175 days	Mon 4/1/19	Fri 11/29/19		Janelle, Kim
123		Change city name for addressing			Tue 6/30/20		Kevin
124		Complaint form	1 day	Wed 1/2/19	Wed 1/2/19		
125							
126		HR	85 days	Wed 1/2/19	Tue 4/30/19		
127		Annual evaluation form	22 days	Wed 1/2/19	Thu 1/31/19		Kevin, Janelle
128		Update employee manual	200 days	Wed 1/2/19	Tue 10/8/19		Kevin, Forrest
129		Update maintenance job descriptions	151 days	Wed 1/2/19	Wed 7/31/19		Janelle

Project: Task List
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Task		Summary		Inactive Milestone		Duration-only	
Split		Project Summary		Inactive Summary		Manual Summary Rollup	
Milestone		Inactive Task		Manual Task		Manual Summary	



Noise Permit

* Not valid as an alcohol permit*

Applicant/Organization Name:	
Address:	
Contact Name:	Contact Phone:
Contact Email:	
Contact: Day of Event:	Contact Cell: Day of Event:
Name of Event:	Event Location:
Event Date(s):	
Start Date:	End Date:
Start Time:	End Time:
Event Info:	
# of Participants:	Will there be a band? Yes No
What type of noise will be generated: Music Speeches Other:	Will there be a DJ or speaker with mic? Yes No
If music, what type will be played? Classical Country Rock Other:	Are you hiring an audio professional? Yes No Company Name: _____
How many sound speakers will be used?	How big are the speakers?

Event Layout: To assist us in understanding processing your request, please attach or draw in the provided space below a diagram of the general location, showing surrounding streets, note location of any road closures, the location of any sound equipment, and where your audience will be situation.

Permit Conditions:

- 1) Emergency vehicle access must be maintained at all times.
- 2) Any temporary directional pavement markings needed shall be made with temporary tape and not paint.
- 3) **In the sole judgment of any police officer, City Manager, or Assistant City Manager, exercised in good faith, that the sound level becomes excessive, said police officer or City Manager or Assistant City Manager shall have authority to modify this permit and require that the sound source be adjusted. This adjustment may include, but is not limited to, its immediate cessation, re-directing speaker placement, limiting volume output, or any other similar requirement.**

Other Permit Conditions:

The City of Millersburg has the right to revoke this permit at any time.

I attest that I will abide by all City, County, State, and Federal applicable ordinances, statutes, and regulations. **I further agree and accept that any police officer or the City Manager or Assistant City Manager may require immediate sound adjustments or cessation if they determine, in their sole judgment, that the sound level is excessive.**

Signature: _____

Date: _____