



NOTICE OF EXECUTIVE SESSION

**MILLERSBURG CITY COUNCIL
Millersburg City Hall
4222 NE Old Salem Road
Tuesday, January 14, 2020
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 1/9/2020



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
January 14, 2020 @ 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 December 10, 2019 City Council Meeting Minutes
 - 2) Acceptance of Council Approval Report for City Bills
 - Action: _____
- F. GUEST PRESENTATIONS
 - 1) Linn County Sheriff's Office Report
 - 2) Albany Fire Department Report
- G. PUBLIC COMMENT
- H. COUNCIL MEMBER AND STAFF COMMENTS
- I. CITY MANAGER'S REPORT
 - 1) Project Updates
- J. CITY ATTORNEY'S REPORT
 - 1) Open Public Meetings & Records review
- K. UNFINISHED BUSINESS
- L. NEW BUSINESS
 - 1) Sewer Rate Increase
 - Action: _____
 - 2) Council Procedure Rules (Discussion)

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:

January 23, 2020 @ 6:00 p.m. – Planning Commission Meeting

January 28, 2020 @ 4:00 p.m. – City Council 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.



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December 10, 2019 City Council Meeting Minutes

Millersburg City Hall
 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, John Sullivan

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 – Lieutenant Michelle Duncan

C. PLEDGE OF ALLEGIANCE

D. SWEARING IN OF COUNCILOR

E. CHANGES AND ADDITIONS TO THE AGENDA

Mayor Lepin discussed revisions to order of items and clarified items on the agenda, including the process during public comment.

F. CONSENT AGENDA

- 1) Approval of November 12, 2019 City Council Meeting Minutes
- 2) Approval of November 21, 2019 Special 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 Scott McPhee.**

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Aye
Councilor Dave Harms:	Aye
Councilor Scott McPhee:	Aye
Councilor John Sullivan:	Aye

Motion PASSED: 5/0

G. GUEST PRESENTATIONS

- 1) Linn County Sheriff's Office Report
 Lieutenant Michelle Duncan reviewed November's LCSO report. She reminded residents to make sure their garage doors are closed and to lock vehicles and do not store valuables even in locked cars.
- 2) Recognition of Service – Ed Perlenfein

Mayor Lepin spoke about Mr. Perlenfein's service to the City over the past forty years. Current Planning Commissioner Steve Vogler made a brief comment. Mr. Perlenfein recognized the efforts of past contributors to the history and growth of the City.

H. PUBLIC HEARING

1) Sewer Rate Increase

Mayor Lepin went over the process for the public hearing then opened the public hearing at 6:51 p.m.

Mayor Lepin asked about conflict of interest among the Council. None noted. Mayor then recognized and asked that a letter received from Craig Ziegenhagel on December 9, 2019 be introduced into the record. Assistant City Manager/City Engineer Booth reviewed the staff report and provided a power point presentation on the history of sewer rate increases and how the City got to the point it is today with the need for an increase. After she did presentation, Mayor Lepin opened to public comment.

Doug Iverson, 2113 Summit Drive, went over the history of the past City increases and how they accumulated over the years noting that rates went up over 110% in just sewer alone. He spoke about the history of COLA increases. He mentioned putting in small amount of increases over the years in the new billing system so it doesn't fall through the cracks.

Jim Zolotoff, 2121 Millersburg Drive, asked about Millersburg Drive and who pays for the repairs to roads. He asked why the developers aren't paying for all of the repairs to the sewer systems with all of the new homes.

Kathy Strathern, 4322 NE Katelyn Way, asked about the future adjustment to the sewer usage based on winter water usage and how that will affect sewer rates. She also asked where wastewater went.

Mayor Lepin closed the public hearing at 7:18 p.m.

Assistant City Manager/City Engineer Booth responded to the questions and comments from residents, including how developers are charged. City Manager Kreitman discussed the use of general fund dollars. He said general funds have not been used to supplement the water and sewer accounts for quite some time, and Council has elected not to do that even if it is allowed by law, to ensure the City maintains a healthy general fund balance for situations that arise such as stormwater and TMDL requirements.

During the discussion among the Council, Mayor Lepin clarified this was a time for comment but not a decision-making time which would happen in January.

Councilor Cowan spoke about the history of the City water and sewer rates prior to the current arrangement with the City of Albany and the level of increases over that time. Councilor McPhee noted that, for some residents, first sewer rates would go up then they would go down once the restructure happens and clarified that there might be water rate increases that balance out the costs so there might not be a significant decrease in sewer rates for

some residents. He also noted, along with Mayor Lepin, that there are some regulatory costs coming to hit the City. Councilor Harms reminded everyone that the City is starting out behind given the increases that should have happened but did not in prior years.

City Manager Kreitman followed up by stating that the City has a fairly new system so some operations costs are less than Albany's as parts of their system is over 100 years old.

Mayor Lepin recessed meeting at 7:44 p.m.

Mayor Lepin recalled the meeting at 7:56 p.m.

I. PUBLIC COMMENT

None

J. COUNCIL MEMBER AND STAFF COMMENTS

1) Mayor – Manager's Compensation

Mayor Lepin discussed work accomplished as a result of City Manager Kreitman and Assistant City Manager/City Engineer Booth's leadership.

Action: **Motion to Increase Salaries by 5% of City Manager Kreitman and Assistant City Manager/City Engineer Booth with City Manager Kreitman effective January 1 and Assistant City Manager/City Engineer Booth effective February 1 made by Mayor Jim Lepin; seconded by Councilor Dave Harms**

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Aye
Councilor Dave Harms:	Aye
Councilor Scott McPhee:	Aye
Councilor John Sullivan:	Aye

Motion PASSED: 5/0

2) Mayor – Council Committee Assignments

Mayor Lepin explained the various committees Millersburg belongs to and the open positions. He asked new Councilor John Sullivan who agreed to fill the spots vacated by Councilor Miller. Councilor Harms said he'd be a Council liaison for the Millersburg Celebration.

3) Mayor – COG/CSC Merger

Mayor Lepin briefed the council on the Community Services Consortium and Council of Governments merger. Both organizations are losing their administrators and it was suggested they combine for more effective provision of services. No impact on Millersburg except the possibility that some residents will receive additional services.

K. CITY MANAGER'S REPORT

1) Project Updates

City Manager Kreitman and Assistant City Manager/City Engineer Booth went over the project updates staff report, discussing various projects, including a submission of ideas by a resident. Mayor Lepin said he likes the idea of Tree City and labeling trees but doesn't want to expend funds or see staff tackle it right

now—would like to see it turned into a volunteer activity. Rest of the Council agreed.

L. CITY ATTORNEY'S REPORT

None

M. UNFINISHED BUSINESS

None

N. NEW BUSINESS

1) Commission/Committee Appointments – Resolution 2019-21

Mayor Lepin introduced the material, asking for the Council to consider the two resumes received for the position. Mayor Lepin asked for staff to provide an orientation to Mr. Raum.

Action: **Motion to Approve Resolution with Addition of Mark**

Raum to Planning Commission made by Councilor Scott McPhee;

seconded by Councilor Dave Harms.

Resolution 2019-21

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye

Councilor Dave Harms: Aye

Councilor Scott McPhee: Aye

Councilor John Sullivan: Aye

Motion PASSED: 5/0

2) Stormwater Systems Development Charges Proposal – Galardi

Assistant City Manager/City Engineer Booth went over staff report.

Action: **Motion to Approve Stormwater Systems Development Charges Proposal**

by Galardi Consulting made by Councilor Scott McPhee; seconded by

Councilor John Sullivan.

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye

Councilor Dave Harms: Aye

Councilor Scott McPhee: Aye

Councilor John Sullivan: Aye

Motion PASSED: 5/0

3) Sale of City Property (moved to Agenda Item #1)

City Manager Kreitman went over staff report and presentation on property sale, including the granting of easements. City Manager Kreitman noted some issues with regard to encroachment from an adjacent business onto City property. There was discussion regarding the options for an adjustment that could address the encroaching property or require him to remove his material. There followed lengthy discussion regarding how to address the encroachment and how to ensure the sale goes through.

Action: **Motion to Authorize the City Manager to Sign Documents Transferring**

Easement to 4.55 Acres of Land and Authorize the Repayment of Funds to

Leasing Farmer for Loss of Income and Authorize Staff to Contact the Property

Owner to Address Encroachment made by Councilor Scott McPhee; seconded
by Councilor John Sullivan.

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

- 4) Surface Water Code – Ordinance 166
Assistant City Manager/City Engineer Booth went over staff report.
Action: **Motion to Adopt Ordinance Amending the Millersburg Municipal Code by Adopting Title 12, Surface Water Code Made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.** Ordinance 166

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

- 5) Engineering Standards – Resolution 2019-22
Assistant City Manager/City Engineer Booth went over staff report.
Action: **Motion to Approve Resolution Adopting Engineering Standards made by Councilor Dave Harms; seconded by Councilor Scott McPhee.** Resolution 2019-22

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

- 6) Linn County Sheriff's Office IGA
Mayor Lepin went over information on intergovernmental agreement..
Action: **Motion to Approve Intergovernmental Agreement with the Linn County Sheriff's Office and Authorize the City Manager to Sign made by Councilor Scott McPhee; seconded by Councilor John Sullivan.**

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

O. CLOSING PUBLIC COMMENT
None

P. CLOSING COUNCIL COMMENT

- 1) City Manager Kreitman asked the Council about closing the City Hall at noon on Christmas Eve to allow staff to enjoy the holiday with their families.
Action: **Motion to Authorize the Closing of City Hall at Noon on December 24, 2019 made by Councilor Dave Harms; seconded by Councilor Scott McPhee.**

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

Q. ADJOURNMENT

Meeting adjourned at 8:45 p.m.

Respectfully submitted:

Reviewed by:

Kimberly Wollenburg
City Recorder

Kevin Kreitman
City Manager

Upcoming Meetings & Events:

December 17, 2019 @ 6:00 p.m. – Planning Commission Meeting

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

City of Millersburg
Council Approval Report
(Council Approval Report)

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
539 Barrett Business Services Inc., 421 Water Avenue NE, Albany, OR, 97321		3132875	11/08/19	CONTRACTED SERVICES, Barrett Business Services week ending 11/3/19 - Astrid Hesberg	12/08/19	\$590.85	\$590.85	01-1332	CONTRACTED SERVIC	\$162,625.00	\$75,700.88
3133599	11/15/19	CONTRACTED SERVICES, Barrett Business Services week ending 11/15/19 - Astrid Hesberg	12/15/19	\$596.70	\$596.70	01-1332	CONTRACTED SERVIC	\$162,625.00	\$75,700.88		
3134655	11/22/19	CONTRACTED SERVICES, Barrett Business Services week ending 11/22/19 - Astrid Hesberg	12/22/19	\$356.85	\$356.85	01-1332	CONTRACTED SERVIC	\$162,625.00	\$75,700.88		
3134655	11/22/19	Barrett Business Services week ending 11/22/19 - Mark Yeager	12/22/19	\$390.00	\$390.00	03-1312	MUNICIPAL SEPARATE	\$40,000.00	\$32,471.00		
3134655	11/22/19	RATE AND SDC STUDY, Barrett Business Services week ending 11/22/19 - Jeni Richardson	12/22/19	\$243.75	\$243.75	04-1313	RATE AND SDC STUDY	\$0.00	(\$12,273.94)		
							\$2,178.15				
607 Business Connections, Inc., P.O. Box 566, Salem, OR, 97308-0566		072211212019	11/21/19	CITY HALL UTILITIES, Business Connections Inc through Nov 2019	12/10/19	\$42.95	\$42.95	01-1317	CITY HALL UTILITIES	\$32,200.00	\$24,511.43
							\$42.95				
839 Carol Farkas		11262019	12/05/19	LIBRARY SERVICES - Carol Farkas	12/05/19	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,560.00
							\$40.00				
50 City of Albany, PO Box 490, Albany, OR, 97321		933	11/13/19	City of Albany Call a Ride July-Sep	12/13/19	\$1,254.00	\$1,254.00	01-1324	CALL-A-RIDE	\$3,000.00	\$1,692.00
937	11/14/19	O&M SEWER PLANT, City of Albany Sewer Bill	12/14/19	\$38,997.74	\$38,997.74	04-1304	O&M SEWER PLANT	\$256,000.00	\$210,812.65		
937	11/14/19	O&M SEWER PLANT, City of Albany Sewer Bill - Industrial Pretreatment	12/14/19	\$8,089.10	\$8,089.10	04-1304	O&M SEWER PLANT	\$256,000.00	\$210,812.65		
937	11/14/19	O&M COLLECTION SYSTEM, City of Albany Sewer Bill - Collection Maintenance	12/14/19	\$8,317.22	\$8,317.22	04-1305	O&M COLLECTION SYS	\$198,000.00	\$192,301.00		
937	11/14/19	O&M COLLECTION SYSTEM, City of Albany Sewer Bill - facility maint	12/14/19	\$595.00	\$595.00	04-1305	O&M COLLECTION SYS	\$198,000.00	\$192,301.00		
934	11/13/19	ALBANY-MILLERSBURG WATER RECLAMATION FACILITY LEGA, City of Albany CH2M Hill Litigation	12/13/19	\$4,793.15	\$4,793.15	04-1315	ALBANY-MILLERSBURG	\$50,000.00	\$40,772.30		
937	11/14/19	WETLANDS/WASTEWATER TREATMENT PLANT CAPITAL PROJEC, City of Albany Sewer Bill	12/14/19	\$875.56	\$875.56	04-1409	WETLANDS/WASTEWA	\$60,000.00	\$46,725.84		
935	11/13/19	O&M TRANSMISSION LINES, City of Albany Water Distributions	12/13/19	\$30,859.92	\$30,859.92	05-1304	O&M TRANSMISSION LI	\$104,000.00	\$80,406.15		
935	11/13/19	O&M Water Treatment Plant, City of Albany Water Treatment	12/13/19	\$50,055.00	\$50,055.00	05-1305	O&M Water Treatment PI	\$350,000.00	\$298,468.80		
							\$143,836.69				
733	Cynthia Sue Burgey-Mason										

**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
		11242019	11/24/19	LIBRARY SERVICES - Cynthia Burgey-Mason	12/24/19	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,560.00
							\$40.00				
327	De Lage Landen Financial Services, Inc., PO Box 41602, Philadelphia, PA, 19101-1602										
		65840634	11/18/19	De Lage Landen Financial Services through Dec 2019	01/01/20	\$374.55	\$374.55	01-1332	CONTRACTED SERVIC	\$162,625.00	\$75,700.88
							\$374.55				
251	Dustin Patton										
		12012019	12/05/19	CITY HALL UTILITIES - Cell Phone Reimbursement - Dustin Patton	12/05/19	\$35.00	\$35.00	01-1317	CITY HALL UTILITIES	\$32,200.00	\$24,511.43
							\$35.00				
272	Earth20, PO Box 70, Culver, OR, 97734										
		304602	11/11/19	PARK SUPPLIES & MAINTENANCE, Earth20 through Nov 2019	12/11/19	\$28.29	\$28.29	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$38,820.89
							\$28.29				
16	Forrest Reid, PO Box 329, Tangent, OR, 97389										
		November2019	12/02/19	LEGAL SERVICES - Forrest Reid - November 2019	12/02/19	\$15,750.00	\$15,750.00	01-1339	LEGAL SERVICES	\$170,000.00	\$84,556.00
							\$15,750.00				
608	Garten Services, Inc., P.O. Box 13970, Salem, OR, 97309										
		P274198	10/31/19	POSTAGE AND SHIPPING - Garten mail service through Oct 2019	10/31/19	\$97.99	\$97.99	01-1327	POSTAGE AND SHIPPI	\$1,100.00	(\$1,312.87)
							\$97.99				
566	Jake Gabell										
		12012019	12/05/19	CITY HALL UTILITIES, Cell Phone Reimbursement - Jake Gabell	12/05/19	\$35.00	\$35.00	01-1317	CITY HALL UTILITIES	\$32,200.00	\$24,511.43
		12022019	12/05/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Jake Gabell	12/05/19	\$88.00	\$88.00	01-2301	PARKS & RECREATION	\$15,000.00	\$9,729.20
							\$123.00				
650	Katie Borninski										
		19048099	12/05/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Katie Borninski	12/05/19	\$64.00	\$64.00	01-2301	PARKS & RECREATION	\$15,000.00	\$9,729.20
							\$64.00				
20	Koontz, Perdue, Blasquez & Co., P.C., PO Box 605, Albany, OR, 97321										
		64562	11/20/19	CONTRACTED SERVICES, Koontz, Blasquez and Associates - Payroll services through Nov 2019	12/20/19	\$144.00	\$144.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$75,700.88
							\$144.00				
19	Linn County Planning and Building, PO Box 100, Albany, OR, 97321										

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
		Nov 2019	12/03/19	PMNT TO LINN CO BUILDING DEPT - Linn County Planning and Building - Nov 2019	12/03/19	\$11,141.42	\$11,141.42	01-5332	PMNT TO LINN CO BUIL	\$340,000.00	\$213,236.98
							\$11,141.42				
153	Linn County Surveyor, PO Box 100, Albany, OR, 97321										
12022019		12/02/19		MATERIALS & SUPPLIES, Linn County Surveyor - maps printed in Nov 2019	01/02/20	\$10.99	\$10.99	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$6,563.44
							\$10.99				
27	Metereaders, LLC., PO Box 1902, Lake Oswego, OR, 97035										
9069		12/02/19		O&M TRANSMISSION LINES - Metereaders LLC through Nov 2019	01/02/20	\$990.15	\$990.15	05-1304	O&M TRANSMISSION LI	\$104,000.00	\$80,406.15
							\$990.15				
23	Pacific Power, PO Box 26000, Portland, OR, 97256-0001										
12162019		11/26/19		UTILITIES - FIRE STATION, Pacific Power - Fire Dept through Nov 2019	12/16/19	\$418.88	\$418.88	01-4303	UTILITIES - FIRE STATI	\$7,000.00	\$4,925.61
6648287		11/26/19		STREET LIGHTING CAPITAL IMPROVEMENTS, Pacific Power - Waverly, Bain, and Amanda street light upgrades	12/26/19	\$6,509.00	\$6,509.00	02-1407	STREET LIGHTING CAP	\$15,000.00	\$15,000.00
							\$6,927.88				
6	Petro Card, PO Box 34243, Seattle, WA, 98124-1243										
C521404		11/30/19		PARK SUPPLIES & MAINTENANCE - Petro Card through Nov 2019	12/12/19	\$228.99	\$228.99	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$38,820.89
							\$228.99				
38	Robyn Vogler										
12022019		12/05/19		LIBRARY SERVICES- Robyn Vogler	12/05/19	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,560.00
							\$40.00				
328	Valley Merchant Police, Inc, PO Box 14, Albany, OR, 97321										
274101		12/03/19		PARK SUPPLIES & MAINTENANCE - Valley Merchant Police through Nov 2019	12/03/19	\$307.50	\$307.50	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$38,820.89
							\$307.50				
223	Wallace W. Lien, P.C., P.O. Box 5730, Salem, OR, 97304										
11252019		11/25/19		LEGAL SERVICES - Wallace W Lein - November 2019	12/25/19	\$3,070.00	\$3,070.00	01-1339	LEGAL SERVICES	\$170,000.00	\$84,556.00
							\$3,070.00				
652	Wheat LLC, 1141 Chemawa Rd N, Keizer, OR, 97321										
5634		11/01/19		Wheat LLC, Street Sweeping through Nov 2019	12/01/19	\$1,975.77	\$1,975.77	02-1319	STREET SWEEPING	\$25,000.00	\$16,080.23
							\$1,975.77				
786	Witherspoon Industries LLC, PO Box 1047, Lebanon, OR, 97355										

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
3429	09/26/19	MATERIALS & SUPPLIES, Cleaning Supplies - Witherspoon Industries through Sep 2019	10/23/19	\$196.82	\$196.82	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$6,563.44
3429	09/26/19	CONTRACTED SERVICES - Witherspoon Industries through Sep 2019	10/23/19	\$2,050.00	\$2,050.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$75,700.88
3546	11/30/19	CONTRACTED SERVICES, Witherspoon Industries through Nov 2019	12/30/19	\$600.00	\$600.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$75,700.88
					\$2,846.82				
Total Bills To Pay:					\$190,294.14				

**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		12814.1119	11/16/19	O&M COLLECTION SYSTEM, ADS - Amendment 12, July-Oct 2019	12/16/19	\$1,636.00	\$1,636.00	04-1305	O&M COLLECTION SYS	\$198,000.00	\$183,388.78
							\$1,636.00				
466 CH2MHill Engineers, Inc, PO Box 201869, Dallas, TX, 75320-1869		704841CH013	12/09/19	CONSULTANTS - ENGINEERING, CH2M Hill - Engineering through Oct 2019	01/09/20	\$1,132.78	\$1,132.78	01-1354	CONSULTANTS - ENGI	\$20,000.00	\$13,555.91
704841CH013	12/09/19	CONSULTANTS - ENGINEERING, CH2M Hill - Engineering through Oct 2019	01/09/20	\$31.10	\$31.10	01-1354	CONSULTANTS - ENGI	\$20,000.00	\$13,555.91		
704841CH013	12/09/19	20% CONSULTANTS ENGINEERING, CH2M Hill - Engineering through Oct 2019	01/09/20	\$2,643.66	\$2,643.66	02-1301	20% CONSULTANTS EN	\$20,000.00	(\$4,269.59)		
704841CH013	12/09/19	20% CONSULTANTS ENGINEERING, CH2M Hill - Engineering through Oct 2019	01/09/20	\$471.67	\$471.67	02-1301	20% CONSULTANTS EN	\$20,000.00	(\$4,269.59)		
704841CH013	12/09/19	20% CONSULTANTS ENGINEERING, CH2M Hill - Engineering through Oct 2019	01/09/20	\$1,181.87	\$1,181.87	02-1301	20% CONSULTANTS EN	\$20,000.00	(\$4,269.59)		
704841CH013	12/09/19	20% CONSULTANTS - ENGINEERING, CH2M Hill - Engineering through Oct 2019	01/09/20	\$173.60	\$173.60	04-1301	20% CONSULTANTS - E	\$20,000.00	\$16,969.18		
							\$5,634.68				
335 EC Electrical Construction Co, PO Box 35146, #43035, Seattle, WA, 98124-5146		187885	12/04/19	PARK SUPPLIES & MAINTENANCE, EC - light pole retrofit at tennis court	01/04/20	\$3,211.05	\$3,211.05	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$38,256.11
							\$3,211.05				
608 Garten Services, Inc., P.O. Box 13970, Salem, OR, 97309		P275583	11/30/19	POSTAGE AND SHIPPING, Garten - Postage through Nov 2019	12/30/19	\$212.74	\$212.74	01-1327	POSTAGE AND SHIPPI	\$1,100.00	(\$1,410.86)
							\$212.74				
425 Jim Lepin		12112019	12/11/19	MEETINGS & TRAINING, Expense Reimbursement - Jim Lepin Lunch Meeting	12/11/19	\$33.00	\$33.00	01-1335	MEETINGS & TRAINING	\$8,000.00	\$5,622.19
12112019	12/11/19	MILEAGE, Expense Reimbursement - Jim Lepin	12/11/19	\$43.50	\$43.50	01-1351	MILEAGE	\$1,600.00	\$1,346.54		
							\$76.50				
840 Kidder Mathews INC., 1201 Pacific Ave, Suite 1400, Tacoma, WA, 98402		381087	11/30/19	ECONOMIC DEVELOPMENT, Kidder Mathews - Greg Smith Economic Dev	12/30/19	\$3,200.00	\$3,200.00	01-1338	ECONOMIC DEVELOPM	\$30,000.00	\$17,500.00
							\$3,200.00				
841 Krystal Kingry		12102019	12/11/19	LIBRARY SERVICES - Krystal Kingry	12/11/19	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,440.00
							\$40.00				
842 PAC/WEST, 8600 SW St. Helens Drive, Wilisonville, OR, 97070											

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Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
		6022R	12/05/19	ECONOMIC DEVELOPMENT, PAC/WEST through Nov 2019	01/05/20	\$3,500.00	\$3,500.00	01-1338	ECONOMIC DEVELOPM	\$30,000.00	\$17,500.00
		\$3,500.00									
23	Pacific Power, PO Box 26000, Portland, OR, 97256-0001										
12172019	11/27/19	CITY HALL UTILITIES, Pacific Power through Nov 2019	12/17/19	\$1,056.36	\$1,056.36	01-1317	CITY HALL UTILITIES	\$32,200.00	\$24,398.48		
12172019	11/27/19	PARK SUPPLIES & MAINTENANCE, Pacific Power through Nov 2019	12/17/19	\$68.44	\$68.44	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$38,256.11		
12172019	11/27/19	STREET LIGHTS POWER, Pacific Power through Nov 2019	12/17/19	\$3,220.79	\$3,220.79	02-1323	STREET LIGHTS POWE	\$42,000.00	\$26,307.68		
12172019	11/27/19	SEWER MISCELLANEOUS EXPENSES AND LIFT STATION UTIL, Pacific Power through Nov 2019	12/17/19	\$1,105.92	\$1,105.92	04-1328	SEWER MISCELLANEO	\$10,000.00	\$3,461.33		
		\$5,451.51									
23	Pacific Power, PO Box 26000, Portland, OR, 97256-0001										
12232019	12/05/19	SEWER MISCELLANEOUS EXPENSES AND LIFT STATION UTIL, Pacific Power through Nov 2019	12/23/19	\$49.22	\$49.22	04-1328	SEWER MISCELLANEO	\$10,000.00	\$3,461.33		
		\$49.22									
664	US Bank Equipment Finance, P.O. Box 790448, St Louis, MO, 63179-0448										
401244181	11/30/19	CONTRACTED SERVICES, US Bank Equipment Finance - Printer Lease	12/26/19	\$37.80	\$37.80	01-1332	CONTRACTED SERVIC	\$162,625.00	\$70,987.93		
		\$37.80									
700	US Bank, P.O. Box 790428, St Louis, MO, 63179-0428										
11/20/2019	11/20/19	CITY HALL UTILITIES, US Bank Credit Card, Comcast telephone and internet	12/20/19	\$326.81	\$326.81	01-1317	CITY HALL UTILITIES	\$32,200.00	\$24,398.48		
11/20/2019	11/20/19	CITY HALL UTILITIES, Verizon, iPad data cost	12/20/19	\$40.01	\$40.01	01-1317	CITY HALL UTILITIES	\$32,200.00	\$24,398.48		
11/20/2019	11/20/19	MATERIALS & SUPPLIES, US Bank Credit Card, Staples office supplies	12/20/19	\$32.42	\$32.42	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$6,355.63		
11/20/2019	11/20/19	MATERIALS & SUPPLIES, US Bank Credit Card, Deposit slips	12/20/19	\$53.55	\$53.55	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$6,355.63		
11/20/2019	11/20/19	MATERIALS & SUPPLIES, US Bank Credit Card, Amazon office supplies	12/20/19	\$37.49	\$37.49	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$6,355.63		
11/20/2019	11/20/19	MATERIALS & SUPPLIES, US Bank Credit Card, Staples copy paper	12/20/19	\$138.30	\$138.30	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$6,355.63		
11/20/2019	11/20/19	MATERIALS & SUPPLIES, US Bank Credit Card, Staples office supplies	12/20/19	\$42.16	\$42.16	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$6,355.63		
11/20/2019	11/20/19	MATERIALS & SUPPLIES, US Bank Credit Card, Site 4 webhosting	12/20/19	\$15.95	\$15.95	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$6,355.63		
11/20/2019	11/20/19	MATERIALS & SUPPLIES, US Bank Credit Card, Staples office supplies	12/20/19	\$47.07	\$47.07	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$6,355.63		
11/20/2019	11/20/19	MATERIALS & SUPPLIES, US Bank Credit Card, Vistaprint holiday cards	12/20/19	\$102.08	\$102.08	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$6,355.63		

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Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
		746921693021004	12/11/19	MATERIALS & SUPPLIES, US Bank Credit Card, Costco CREDIT	12/11/19	(\$70.00)	(\$70.00)	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$6,355.63
		11/20/2019	11/20/19	MEETINGS & TRAINING, US Bank Credit Card, CECOP parking	12/20/19	\$10.00	\$10.00	01-1335	MEETINGS & TRAINING	\$8,000.00	\$5,622.19
		11/20/2019	11/20/19	MEETINGS & TRAINING, US Bank Credit Card, CECOP parking	12/20/19	\$10.00	\$10.00	01-1335	MEETINGS & TRAINING	\$8,000.00	\$5,622.19
		11/20/2019	11/20/19	DUES & SUBSCRIPTIONS, US Bank Credit Card, yearly ORCPP membership	12/20/19	\$900.00	\$900.00	01-1336	DUES & SUBSCRIPTIO	\$9,000.00	\$5,205.81
		11/20/2019	11/20/19	PARK SUPPLIES & MAINTENANCE, US Bank Credit Card, Home Depot park supplies	12/20/19	\$13.97	\$13.97	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$38,256.11
		11/20/2019	11/20/19	PARK SUPPLIES & MAINTENANCE, US Bank Credit Card, Home Depot park supplies	12/20/19	\$37.71	\$37.71	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$38,256.11
		11/20/2019	11/20/19	SEWER MISCELLANEOUS EXPENSES AND LIFT STATION UTIL, Century link	12/20/19	\$54.27	\$54.27	04-1328	SEWER MISCELLANEO	\$10,000.00	\$3,461.33
							\$1,791.79				
686	Wheat LLC, 1141 Chemawa Road, Keizer, OR, 97303										
5680		11/30/19	11/30/19	STREET SWEEPING, Wheat LLC, Street sweeping through Nov 2019	12/30/19	\$1,975.77	\$1,975.77	02-1319	STREET SWEEPING	\$25,000.00	\$14,104.46
							\$1,975.77				
							\$26,817.06				
				Total Bills To Pay:							

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Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
43	Aflac, 1932 Wynnton Road, Columbus, GA,	645865	12/11/19	Payroll Taxes Payable - Aflac through Dec 2019	01/01/20	\$49.08	\$49.08	01-9210	Payroll Taxes Payable	\$0.00	(\$12,120.51)
							\$49.08				
74	Albany-Millersburg Economic Development Corporatio, 435 W 1st. Ave, Albany, OR, 97321	Q3 FY19-20	12/19/19	AMEDC Q3 Payment, Jan-March 2020	12/19/19	\$7,500.00	\$7,500.00	01-1337	ALBANY-MILLERSBURG	\$30,000.00	\$15,000.00
							\$7,500.00				
539	Barrett Business Services Inc., 421 Water Avenue NE, Albany, OR, 97321	3135226	11/29/19	CONTRACTED SERVICES, Astrid Hesberg week ending 11/24/19	12/29/19	\$269.10	\$269.10	01-1332	CONTRACTED SERVIC	\$162,625.00	\$70,950.13
		3135905	12/06/19	CONTRACTED SERVICES, Astrid Hesberg week ending 12/1/19	01/06/20	\$356.85	\$356.85	01-1332	CONTRACTED SERVIC	\$162,625.00	\$70,950.13
		3135226	11/29/19	MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) SUPPOR, Mark Yeager week ending 11/24/19	12/29/19	\$260.00	\$260.00	03-1312	MUNICIPAL SEPARATE	\$40,000.00	\$32,081.00
		3135905	12/06/19	RATE AND SDC STUDY, Jennifer Richardson week ending 12/1/19	01/06/20	\$1,023.75	\$1,023.75	04-1313	RATE AND SDC STUDY	\$0.00	(\$12,517.69)
							\$1,909.70				
773	CH2MHILL OMI, Department 1267, Denver, CO, 80291-1267	351259-021	12/09/19	CH2M Hill - Lebanon out of Scope letter through Dec 2019	01/09/20	\$647.08	\$647.08	05-1307	OMI SERVICES FOR DI	\$10,000.00	\$7,411.68
							\$647.08				
514	Cintas, PO Box 631025, Cincinnati, OH, 45263-1025	5015615605	12/18/19	PARK SUPPLIES & MAINTENANCE, Cintas first aid through Dec 2019	01/18/20	\$28.22	\$28.22	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$34,924.94
							\$28.22				
728	Conservation Technix, Inc., PO Box 885, Orinda, CA, 94563	870	12/04/19	Conservation Technix - Park Master Plan through Nov 2019	01/04/20	\$1,183.24	\$1,183.24	01-2303	PARKS MASTER PLAN	\$25,000.00	\$1,792.24
							\$1,183.24				
729	Corry Bonham	12/17/2019	12/17/19	SEWER USER FEES, Corry Bonham - Utility Refund	12/17/19	\$114.44	\$114.44	04-1104	SEWER USER FEES	\$865,000.00	\$400,263.56
		12/17/2019	12/17/19	WATER USER FEES, Corry Bonham - Utility Refund	12/17/19	\$148.49	\$148.49	05-1106	WATER USER FEES	\$850,000.00	\$279,735.23
							\$262.93				
843	Dave's Welding, LLC, 180 Bentley Ct NE, Albany, OR, 97322	6	12/12/19	INSTALLATION OF TEMP FACILITIES, Dave's Welding - Handrail's	01/12/20	\$600.00	\$600.00	01-4304	INSTALLATION OF TEM	\$0.00	\$0.00
							\$600.00				
659	David Evans & Associates, Inc., Dept LA 24340, Pasadena, CA, 91185-4340										

City of Millersburg
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Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
836 LS Networks, 921 SW Washington ST Suite 370, Portland, OR, 97205-2824		INV42983	12/01/19	CITY HALL UTILITIES, LS Network - Dec Internet	12/31/19	\$328.25	\$328.25	01-1317	CITY HALL UTILITIES	\$32,200.00	\$22,975.30
							\$328.25				
585 MorganCPS Group, 1308 Marigold Street NE, Keizer, OR, 97303-3553		8772	12/12/19	MorganCPS - Planning through Nov 2019	01/12/20	\$4,240.00	\$4,240.00	01-1353	CONSULTANTS - PLAN	\$100,000.00	\$62,840.00
							\$4,240.00				
599 Pacific National Development, 3753 Commercial Street NE, P.O. Box 3550, Salem, OR, 97302		3693	12/18/19	STREET & ROAD REPAIR, Pacific National Development - Road work	12/18/19	\$11,842.68	\$11,842.68	02-1322	STREET & ROAD REPAI	\$164,000.00	\$156,500.00
							\$11,842.68				
617 Pacific Office Automation, 14747 NW Greenbriar Pkwy, Beaverton, OR, 97006		440112	11/30/19	Pacific Office Automation - printers through Nov 2019	12/30/19	\$312.18	\$312.18	01-1332	CONTRACTED SERVIC	\$162,625.00	\$70,950.13
							\$312.18				
15 Pitney Bowes Global Financial, PO Box 371887, Pittsburgh, PA, 15250-7887		3310173679	12/01/19	Pitney Bowes - mailer lease (last payment)	12/29/19	\$241.02	\$241.02	01-1332	CONTRACTED SERVIC	\$162,625.00	\$70,950.13
							\$241.02				
41 Providence Health Plan, PO Box 4167, Portland, OR, 97208-4167		12/10/19	12/10/19	MEDICAL INSURANCE, Providence Health Plan through Jan 2020	01/01/20	\$6,938.35	\$6,938.35	01-1211	MEDICAL INSURANCE	\$89,250.00	\$52,918.25
							\$6,938.35				
838 Shred-it, 28883 Network Place, Chicago, IL, 60673-1288		8128797541	12/15/19	CONTRACTED SERVICES, Shred-it through Nov 2019	01/15/20	\$45.20	\$45.20	01-1332	CONTRACTED SERVIC	\$162,625.00	\$70,950.13
							\$45.20				
615 Travis & Katie Younger		12/13/19	12/19/19	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM, Travis & Katie Younger	12/19/19	\$200.00	\$200.00	01-2301	PARKS & RECREATION	\$15,000.00	\$9,577.20
							\$200.00				
Total Bills To Pay:							\$47,642.48				



TO: Millersburg City Council
VIA: Kevin Kreitman, City Manager
FROM: City Staff
DATE: January 9, 2020 for Council Meeting January 14, 2020
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 next Parks Committee meeting is scheduled for January 22, 2020 to discuss the draft plan and provide comments.

City-Wide Vegetation Enforcement:

In November, letters were sent to many residents in the City addressing vegetation encroachment upon required clearances for City streets and sidewalks, as well as sight clearance for intersections and traffic control signs. The letters notified residents they had 60 days to make corrections before the City would take further steps to correct these issues. The letters also indicated that property owners could be charged for the cost of the work if the City had it done.

Based on observations throughout the City, and feedback from residents, it appears many property owners have taken steps to correct vegetation encroachment. Beginning in mid-January, staff will re-inspect the properties that received letters and follow up with individual residents where needed. The intent is to work with residents and property owners to address these issues on a case-by-case basis. However, if re-evaluation shows there is still a significant vegetation encroachment issue throughout the City, staff will consider engaging the services of a landscaping company to perform the necessary work. If there are cases where the work required is significant, charging the property owner for the work may be considered.

Stormwater Flyer:

In December, staff put together a stormwater flyer, which is available at City Hall. The information in the flyer has also been posted to the website. The purpose of the flyer is to educate our residents about how their actions impact both stormwater runoff volumes and quality in our community and simple things they can do to help keep it clean. The flyer is attached to this memo.

City Hall Parking Lot and Sidewalk Project:

One of the projects listed in the Capital Improvements Program for this year is to replace failed concrete in the City Hall parking lot, restripe parking stalls, and extend a sidewalk around the northeast end of the building. As staff began to develop this project, it became apparent that the ADA ramp at the front entrance needs to be brought up to current standards. In order to maximize efficiencies, reconstruction of the ramp is now being added to the scope of this project, as well as moving the mailbox and drop box to the south side of the parking lot to improve traffic flow. Reconstructing the ADA ramp to current standards will impact planters and current vegetation around the front entrance.

Woods Road Paving Project:

The City received a grant to pay for the repair and resurfacing of Woods Road, as well as some shoulder work. Design of the project is nearly complete, with an anticipated bid advertisement in early February and planned construction in the summer of 2020.

Fire Station RFQ:

The Request for Qualifications (RFQ) to procure architectural design services for the Millersburg Fire Station will be advertised on January 17, with proposals due on February 14. The complete RFQ may be viewed on the City's website beginning on January 17.

The proposals will be reviewed and ranked by an evaluation team in accordance with the criteria contained in the RFQ and up to three (3) consultants composed of the three top ranked proposals may be selected for interviews. Following interviews, one consultant will be selected to negotiate a contract. Fee information will not be considered during the selection process. The consultant will develop and present a detailed scope of work for the project, which will be reviewed and modified as necessary to meet the City of Millersburg's requirements and will serve as the basis for the negotiation of the fees for services.

Stormwater On-Call Services Agreement:

The City has entered into an on-call agreement for stormwater and sewer related services with Dick Welker Construction, Inc. The agreement will be utilized for work not included in our agreements with the City of Albany, including warranty TV inspection on new construction for sewer and stormwater, as well as minor repairs to our systems (manholes, catch basins, etc.), cleaning of the storm drain system, and stormwater emergency response.

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
1		Millersburg Tasks					
2							
3		Charter and Council	261 days	Thu 1/2/20	Thu 12/31/20		
4		Update of charter	261 days	Thu 1/2/20	Thu 12/31/20		Kevin,Forrest
5							
6		Ordinances and Code	390 days	Thu 1/2/20	Wed 6/30/21		
7		Update code/resolutions for current billing cycle	37 days	Mon 1/20/20	Tue 3/10/20		
8		Update streets and traffic section of code	47 days	Mon 2/10/20	Tue 4/14/20		Janelle
9		Update parks section of code	52 days	Mon 3/2/20	Tue 5/12/20		Janelle
10		Comprehensive Plan Update	390 days	Thu 1/2/20	Wed 6/30/21		Matt,John
11							
12		Policies, Procedures, and Standards	260 days	Thu 1/2/20	Wed 12/30/20		
13		Fleet policy and best practices for vehicles					Kevin,Janelle
14		Computer/electronics use policy					Kevin,Janelle
15		Equipment use policy					Kevin,Janelle
16		Billing policies					Kim
17							
18		Safety procedures and training	261 days	Thu 1/2/20	Thu 12/31/20		
19		Safety manual					Kevin,Janelle
20		Staff training plans	261 days	Thu 1/2/20	Thu 12/31/20		Kevin,Janelle
21		Ergo evaluations	261 days	Thu 1/2/20	Thu 12/31/20		Kevin,Janelle
22							
23		Budget		Tue 1/23/18			
24		2020-2021 Budget	112 days	Mon 1/27/20	Tue 6/30/20		Jake,Kevin,Janelle
25		Develop proposed budget	57 days	Mon 1/27/20	Tue 4/14/20		
26		Adopt budget	55 days	Wed 4/15/20	Tue 6/30/20		
27		CIP update	105 days	Wed 2/5/20	Tue 6/30/20		Janelle
28							
29		Equipment life/replacement costs tracking	260 days	Thu 1/2/20	Wed 12/30/20		
30		City Hall Equipment					
31		Parks/Maintenance Equipment					
32		Fire Station					
33							
34		City Hall work	260 days	Thu 1/2/20	Wed 12/30/20		
35		East Conference Room reorganization	325 days	Thu 1/2/20	Wed 3/31/21		Kevin,Kim
36		Upgrade phone system	22 days	Thu 1/2/20	Fri 1/31/20		Janelle,Kevin,Kim
37		Parking lot and sidewalk around north end of City Hall	129 days	Thu 1/2/20	Tue 6/30/20		Janelle
38							
39		Planning, Building, and Development	260 days	Thu 1/2/20	Wed 12/30/20		
40		Complete Land Use Development Code Revision	128 days	Thu 1/2/20	Tue 6/30/20		John Morgan
41		Consider UGB expansion	261 days	Thu 1/2/20	Thu 12/31/20		John,Kevin,Janelle
42		Buildable Lands Inventory	156 days	Mon 2/3/20	Mon 9/7/20		
43		Housing Needs Analysis	156 days	Mon 2/3/20	Mon 9/7/20		
44		Implementation of Caselle community development mod	126 days	Mon 6/8/20	Mon 11/30/20		Kevin,Janelle
45							
46		Economic Development	261 days	Thu 1/2/20	Thu 12/31/20		
47		Consider business license					Kevin
48		Consider fuel tax					Kevin
49		Consider transient room tax					Kevin
50		City property conceptual layout/Industrial Park	129 days	Thu 1/2/20	Tue 6/30/20		Kevin,Janelle
51		Design of utilities and access to city property west of tract	128 days	Mon 2/3/20	Wed 7/29/20		Janelle
52		Wetland delineation for city owned property	86 days	Mon 1/27/20	Mon 5/25/20		Janelle
53							
54		Fire Station	651 days	Thu 1/2/20	Thu 6/30/22		
55		Develop RFQ to select design firm	12 days	Thu 1/2/20	Fri 1/17/20		Kevin,Janelle
56		Select design firm and negotiate contract	63 days	Fri 1/17/20	Tue 4/14/20		Kevin,Janelle
57		Programming Phase	45 days	Mon 4/20/20	Fri 6/19/20		Kevin,Janelle
58		Schematic Design Phase	65 days	Mon 6/22/20	Fri 9/18/20		Kevin,Janelle

Project: Task List
Date: Thu 1/9/20

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	Predecessor	Resource Names
59		Design Development Phase	65 days	Mon 9/21/20	Fri 12/18/20		
60		Construction Documents Phase	65 days	Mon 12/21/20	Fri 3/19/21		
61							
62		Parks	261 days	Thu 1/2/20	Thu 12/31/20		
63		Parks Master Plan	325 days	Thu 1/2/20	Wed 3/31/21		Janelle
64		Remote control of irrigation system					
65							
66		Utilities	260 days	Thu 1/2/20	Wed 12/30/20		Kevin, Janelle, consultant
67		Implementation of new utility billing system	86 days	Thu 1/2/20	Thu 4/30/20		Kim
68		Rate analysis and update	238 days	Thu 1/2/20	Mon 11/30/20		Janelle
69		Water	107 days	Thu 1/2/20	Fri 5/29/20		
70		Sewer	107 days	Thu 1/2/20	Fri 5/29/20		
71		Stormwater	152 days	Fri 5/1/20	Mon 11/30/20		
72		SDC analysis and update	129 days	Thu 1/2/20	Tue 6/30/20		Janelle
73		Water	129 days	Thu 1/2/20	Tue 6/30/20		
74		Sewer	129 days	Thu 1/2/20	Tue 6/30/20		
75		Streets	129 days	Thu 1/2/20	Tue 6/30/20		
76		Stormwater	129 days	Thu 1/2/20	Tue 6/30/20		
77		Parks	105 days	Mon 4/6/20	Fri 8/28/20		
78							
79		Transportation/Streets	260 days	Thu 1/2/20	Wed 12/30/20		
80		Manhole Surface Repair	64 days	Thu 1/2/20	Tue 3/31/20		
81		Kathryn Lane Repair	261 days	Thu 1/2/20	Thu 12/31/20		
82		Woods Road Repair and Overlay	217 days	Thu 1/2/20	Fri 10/30/20		
83		Surface Treatment - Sweetwater and Morningstar Subdivisions	211 days	Fri 1/10/20	Fri 10/30/20		
84		Crack Sealing - SE Area	155 days	Mon 3/30/20	Fri 10/30/20		
85		Thermoplastic Stop Bars and Legends	129 days	Thu 1/2/20	Tue 6/30/20		
86		Beauty Strips Along Woods Road North	159 days	Mon 5/25/20	Thu 12/31/20		
87							
88		Stormwater	260 days	Thu 1/2/20	Wed 12/30/20		
89		Crooks Creek north trib project	395 days	Mon 4/27/20	Fri 10/29/21		
90		Have Millersburg storm drain facilities added to Albany GIS system	129 days	Thu 1/2/20	Tue 6/30/20		Janelle
91		Becker Ridge Detention Ponds Modifications	135 days	Mon 4/27/20	Fri 10/30/20		Janelle
92		Erosion Control Permit Program	64 days	Thu 1/2/20	Tue 3/31/20		Janelle
93		Develop inspection and maintenance program	129 days	Thu 1/2/20	Tue 6/30/20		Janelle
94							
95		Water	261 days	Thu 1/2/20	Thu 12/31/20		
96		Look into requirements for becoming a certified distribution system operator and performing DRC duties	131 days	Mon 3/2/20	Mon 8/31/20		Janelle
97		Water master plan - submit finance component	129 days	Thu 1/2/20	Tue 6/30/20		Janelle
98							
99		Sewer	261 days	Thu 1/2/20	Thu 12/31/20		
100		Manhole grouting	47 days	Mon 1/27/20	Tue 3/31/20		Janelle
101		Burkhart Lift Station pumps replacement	107 days	Mon 2/3/20	Tue 6/30/20		
102		Crooks Creek Lift Station evaluation	85 days	Thu 1/2/20	Wed 4/29/20		
103							
104		Miscellaneous	261 days	Thu 1/2/20	Thu 12/31/20		
105		New website	152 days	Thu 1/2/20	Fri 7/31/20		Kim
106		Post utility rate and SDC info to website once changes are adopted	155 days	Fri 5/29/20	Thu 12/31/20		Janelle, Kim
107		Change city name for addressing	129 days	Thu 1/2/20	Tue 6/30/20		Kevin
108							
109		HR	29 days	Thu 1/2/20	Tue 2/11/20		
110		Update employee manual	29 days	Thu 1/2/20	Tue 2/11/20		Kevin, Forrest

Project: Task List
Date: Thu 1/9/20

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

What is stormwater and how does it impact me?

Stormwater is generated from water that falls from the sky, including rain, hail, and snow.

In a natural, undeveloped landscape, most stormwater soaks into the ground to be stored or filtered before it reaches natural waterways. In a city, most stormwater falls onto impervious surfaces (surfaces that do not absorb water) such as roads, driveways, sidewalks, rooftops, or parking lots, and it is not soaked up by the ground. This water flows across these surfaces as runoff.

Most stormwater flows from private property to a stormwater inlet in the street where it enters a pipe and is carried to the nearest waterway. The network of stormwater pipes is completely separate from the sanitary sewer system. Unlike the sanitary sewer system, which conveys wastewater to a treatment facility, the stormwater system conveys *untreated* runoff directly to our waterways.

Stormwater Quality – Keep it Clean!

As runoff flows across the ground, it picks up pollutants that you can see (debris, dirt, and grease) and others that can't be seen (fertilizers and detergents). There is a lot you can do to help keep our waterways clean.

For example:

- Use a commercial car wash to minimize the amount of dirty, soapy water flowing into the stormwater system.
- Check your vehicles and equipment for leaks and spills.
- Clean up spilled fluids with an absorbent material and don't rinse the spills into a nearby storm drain.
- Recycle used oil and other fluids; do not dump these chemicals down the storm drain.
- Use pesticides and fertilizers sparingly.
- Sweep up yard debris instead of hosing down areas.
- Don't overwater your lawn.



Used with permission of City of Wilmington, NC Stormwater Services: Heal Our Waterways

Whatever you keep out of the storm drain, you keep out of our streams. More ideas can be found at https://www3.epa.gov/npdes/pubs/solution_to_pollution.pdf

Runoff Volume – Reducing Impacts on Yourself and Others

Stormwater runoff can cause problems for you or your neighbors if not appropriately handled. Altering drainage patterns or increasing the impervious surface area on your property can create stormwater problems, including localized flooding. Increased runoff can also cause erosion and sedimentation (when solids in water settle) by sweeping away and displacing soil. Reducing or minimizing the amount of paved area and increasing the amount of vegetated area in your yard can help increase infiltration and reduce runoff.



Regulatory Requirements

The Oregon Department of Environmental Quality (DEQ) recently issued a statewide general permit applicable to small communities that addresses pollution in stormwater and governs discharges of stormwater. Compliance is mandatory. However, before the permit went into effect, Millersburg and five other Oregon communities filed lawsuits against DEQ challenging the scope of the permit. The lawsuits are pending.

Public Meeting and Records Guidelines for Millersburg City Council

- The Mayor runs the meeting. The Mayor opens the meeting, receives the Motions, conducts the voting and announces the result of the vote, adjourns the meeting.
- **Oregon Public Meetings Law is a public attendance law, not a public participation law.** The individual Council determines the amount of public participation.
- A quorum of the entire Council must be present to conduct business (vote).

Review of Oregon open-meetings law.

- 1) Other than during a Council meeting, don't discuss Council business when a quorum or more of Council members are together.
- 2) Don't discuss Council business with other Council members via written communication (email, text, letter). If you discuss Council business with other Council members via written communication (email, text, letter), that written communication (email, text, letter) must be maintained and not destroyed for **five years**. Discussion via email, text, or letter, between or among Council members, may violate the Oregon open-meetings law.

Staff may send one-way communication simultaneously to all Council members, but Council members should not reply. This dissemination of information by staff is not considered a public meeting, but rather a dissemination of information from staff to Council members. This disseminated information from staff does not violate the Oregon open-meetings law, but nevertheless must be maintained by each Council member for **five years**.

Retention of correspondence and notes to comply with an Oregon Records request.

- 1) Any written communication (email, text, letter) that a Council member sends regarding Council matters must be retained by the sending **and** receiving Council member for **five years**.
- 2) Please retain all email, letters, and hand-written notes made for your own purposes (i.e. notes written on documents provided in the agenda packet or distributed during a public meeting) for **five years** from the date of authorship.
- 3) **Your notes are public records and must be provided when requested in a public records request.**

Please contact me if you have any questions.

Forrest Reid
Millersburg City Attorney
forrest@reidlawfirm.com
541.979.3838

Reviewed by: _____

Date: _____



TO: Millersburg City Council
VIA: Kevin Kreitman, City Manager
FROM: Janelle Booth, Assistant City Manager/City Engineer
DATE: January 9, 2020 for the January 14, 2020 City Council Meeting
SUBJECT: Sewer Rate Increase

Action Requested:

Council to consider adoption of a sewer rate increase of 7.5% to become effective February 1, 2020.

Discussion:

In 2014, the City of Millersburg recognized that revenue from sewer rates was falling behind annual operating costs due to the fact that no sewer rate increases had taken place since 2010. At that time, it was determined a 25% rate increase would be required to get the rates to where they needed to be to meet operating costs. In December of 2014, City Council adopted a rate increase of 10%, effective January 1, 2015 followed by another 10% rate increase January 1, 2016. The first rate increase was implemented, however the second was not.

In 2018, the City undertook a study of both water and sewer rates. The study is now nearing completion, and both rate structure changes and rate increases are being recommended for each utility. In order to insure utility revenues are sufficient to cover expenses over the next five to ten years, a 7.5% increase in sewer rates is recommended in early 2020.

In December, 2019 a public hearing was held to provide information and receive feedback on the proposed sewer rate increase. As was shared at the hearing, staff will provide additional information, including conducting public outreach meetings, this winter/spring as the plan is finalized and subsequent changes are proposed.

Budget Impact:

An increase in the sewer rate charges is necessary at this time to fund operational costs as well as upcoming required projects and offset the need for even larger increases in the future.

Recommendation:

Staff recommends Council adopt a sewer rate increase in the amount of 7.5% to become effective February 1, 2020.

Attachment(s):

- Resolution 2020-01

RESOLUTION NO. 2020-01

**A RESOLUTION OF THE CITY OF MILLERSBURG, OREGON, ADOPTING A
SEWER RATE INCREASE OF 7.5% EFFECTIVE FEBRUARY 1, 2020**

WHEREAS, the City of Millersburg owns and operates a wastewater utility; and,

WHEREAS, sewer user fees are collected to offset the operation and maintenance costs of the system, as well as provide a reserve for future capital projects; and,

WHEREAS, revenue from current sewer rates is not keeping up with annual operating costs;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILLERSBURG that a sewer rate increase of 7.5% is hereby adopted with the increased rates effective February 1, 2020.

Duly passed by the City Council this 14th day of January, 2020.

Jim Lepin, Mayor
City of Millersburg, Oregon

ATTEST:

Kimberly Wollenburg
City Recorder



TO: Millersburg City Council
FROM: Kevin Kreitman
DATE: January 9, 2020 for the January 14, 2020 City Council Meeting
SUBJECT: Council Rules of Procedure

Action Requested:

Council feedback on proposed update to the Council Rules of Procedure.

Discussion:

Attached are documents outlining proposed changes to the Council Rules of Procedure. Based on discussion at the November Council meeting regarding meeting notifications we have reviewed the current Council Rules of Procedure, and compared with the model rules of procedure provided by the League of Oregon Cities (LOC).

Utilizing the LOC model and review of the current Council Rules of Procedure we would like Council input on the proposed updates to the Council Rules of Procedure for consideration of adoption at the February Council meeting. As you will see in the notes on the draft Council Rules of Procedures we did discover some conflict with current ordinances and the City Charter. We will be proposing some ordinance changes to correct conflict with the City Charter also at the February Council meeting.

Budget Impact:

No impact.

Recommendation:

Information only - based on Council feedback and concurrence, finalize the proposed changes and place the updated Council Rules of Procedure for consideration of Council adoption on the February 11, 2020 City Council Meeting Agenda.

Attachment(s):

- Current Rules of Procedure
- Draft Rules of Procedure



Rules of Procedure for Council Meetings

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Introduction

The City Charter Section 13 - Council Meetings states “the city shall adopt rules for the governing of its members and proceedings with regard to how appointments are made, Section 23 - Mayor Duties, states, “The Mayor shall appoint the committees provided by the rules of the council.” Additionally this document addresses how Council members are to interact with City employees. Although the Charter directs the Council to create rules, the Charter doesn’t provide substance or guidance on how to do so. This document provides those rules of procedure, for items required by the City Charter, and for items which are not addressed by the Charter as the Council so desires.

Establishing rules of procedure for Council meetings has several benefits. First, it allows for meetings to be run in an efficient and consistent manner. Second, it allows for the Council and residents to debate matters of public concern in a courteous and respectful manner that lessens the likelihood of discontent and friction. Third, rules provide guidance to Council members on how they are to interact and engage with City employees and members of the public. Fourth, rules of procedure ensure continuity and stability during transition years when new members of the Council are elected to office.

Disclaimer

Although comprehensive, these procedures are not exhaustive; the Council has discretion in determining how to conduct their business, and they may change and/or modify these rules through ordinance modification at a later date to ensure the rules match the community’s culture, needs, and values.

CHAPTER 1 – General Governance

I. Rules of Procedure.

- A. Unless otherwise provided by charter, ordinance, or these rules, the procedure for Council meetings, and any subcommittee of a City Council, shall be guided by *Robert's Rules of Order, 11th Edition*.
- B. Members of the Council are encouraged to avoid invoking the finer points of parliamentary procedure found within *Robert's Rules of Order* when such points will obscure the issues before the council and confuse members of the public.
- C. Whenever these rules and *Robert's Rules of Order* conflict, these rules shall govern.

II. **Quorum.** A majority of the members of the council shall constitute a quorum for doing business (City Charter Section 15).

- A. The members of the Council are the City Councilors and Mayor. With the Council being five (5) members who appoint the Mayor from among their number, a quorum requires three members present.

- B. Council Vote Required.** The concurrence of the majority of the members of the Council shall be necessary to decide any question before the Council which requires Council approval (City Charter Section 16).

III. Presiding Officer.

- A. The Mayor shall preside over all meetings. The Mayor shall be 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 years, and the Mayor will serve for a two year period of time. (City Charter Section 10)
- B. The Mayor shall be the chairperson of the Council and preside over its deliberations. He/She shall have a vote on all questions before it. He/She may make motions. He/She 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. (City Charter Section 21).
- C. In the Mayor's absence the President of the Council shall preside over the meeting. A member of the Council shall be elected as president by a majority vote of the City Council at the first meeting in January following a general election of the City Council every two years, and shall serve for a two year period of time. In the Mayor's absence the

President shall preside, and will fulfill the functions of the office of mayor when the Mayor is unable to perform the same. (City Charter Section 17).

- D. If both the Mayor and the President of the Council are absent from the meeting, the following procedure shall be utilized to determine who is the presiding officer:
1. The City Recorder shall call the Council to order and call the roll of the members.
 2. Those members of Council present shall elect, by majority vote, a temporary presiding officer for the meeting.
 3. Should either the Mayor or the President of the Council arrive during the meeting, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.
 4. The presiding officer shall retain all rights and privileges of a member of Council when acting in this capacity.

IV. **Other Elected and Appointed Officers.**

- A. City Recorder. The City Recorder shall keep the official minutes of the Council.
- B. City Manager. The City Manager is required to attend all meetings of the Council and is permitted to participate in any discussion; however, the City Manager has no authority to cast a vote in any decision rendered by the Council.
- C. City Attorney. The City Attorney shall attend any meeting of the Council, and will, upon request, give an opinion, either written or oral, on legal questions. The City Attorney shall be the parliamentarian and shall advise the presiding officer on any questions of order.

V. **Agendas.** The City Manager shall prepare an agenda for every regular meeting, and, if requested by the presiding officer, for every special meeting.

- A. Agendas and informational material for meetings shall be distributed to the Council at least three (3) days preceding the meeting.
- B. No Council approval shall be required for an agenda of any meeting.
- C. The City Manager may place routine items and items referred by staff on

the agenda without Council approval or action.

- D. The City Manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance from the agenda at any time prior to the time the meeting is convened. The presiding officer shall announce such removal under announcements/proclamations.
- E. A member of the Council who wishes to have an item placed on the agenda shall advise the City Manager at least one week prior to the meeting.³

VI. Order of Business. The order of business for all regular meetings shall be as follows, however when it appears to be in the best interest of the public, the order of business may be changed for any single meeting by a majority vote:

1. Call to order.
2. Roll call.
3. Pledge of allegiance.
4. Changes and additions to the agenda.
5. Announcements/Proclamations.
6. Consent agenda.
7. Guest presentations, reports of boards, commissions, committees.
8. Public comment on items on the agenda (other than public hearings).
9. Public hearings.
10. Council member and staff comments.
11. City Manager report.
12. City Attorney report.
13. Items removed from the consent agenda.
14. Unfinished business.

³ As an alternative, the Council may wish to vote on whether a Councilor's item will be placed on the agenda for a decision or further action.

15. New business.
16. Public comment on items not on the agenda.
17. Closing Council comment.
18. Adjournment.

- A. Call to Order. The presiding chair shall call all meetings of the Council to order. The call to order shall note the date, time, and location of the meeting so that it may accurately be reflected in the minutes.
- B. Roll Call. The City Recorder shall conduct a roll call to determine which members of the Council are present and which are absent.
 1. The attendance shall be properly reflected in the minutes.
 2. If roll call determines that a quorum is not present, the meeting shall be adjourned.
- C. Announcements/Proclamations. Announcements are intended to be procedural in nature, such as an item being removed from the agenda. Proclamations are awards or recognition of individuals by the Council.
- D. Guest Presentations, Reports of Boards, Commissions, and Committees. When necessary, reports can be given to the Council by guests, boards, commissions, or committees.
 1. When appropriate, reports to the Council should include written materials which are provided to the Council at least three (3) days in advance of the meeting.
 2. Oral reports to the Council should generally not exceed 10 minutes in length.
 3. The Council may ask questions of the presenter upon conclusion of the report being given.
- E. Public Comment
 1. Two periods for public comment will be reserved for every regular meeting of the Council. Each period shall not exceed a maximum of 30 minutes, unless a majority of Councilors present vote to extend the time. Subject to the limitations contained in subsection H-5(e) of this section, the first period for public comment shall be limited to items placed on the agenda other than public hearings, and the second period of public comment shall be used to comment on any issue of

City business, other than agenda items. The presiding officer may, unless a member of Council objects, allow a person who desires to make comment on an item not on the agenda to speak during the first comment period.

2. Persons wishing to speak during public comment must sign the "speaker's roster" with the person's name and address and the topic upon which the person wishes to speak, not later than the call to order.
3. Members of the public may speak about any topic during the last period for public comment, except as provided in H-5(d) of this rule.
4. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
5. Speakers are limited to three (3) minutes. Generally, the speakers will be called upon in the order in which they have signed in on the speaker's roster. Speakers shall identify themselves by their names and by their place of residence. Speakers may state their city of residence. The presiding officer may allow additional persons to speak if they have not signed the speaker's roster and sufficient time is left in the 30-minute period.
6. Should there be more speakers than can be heard for three minutes each during either of the 30-minute periods provided for public comment, the presiding officer may sort the requests to speak in order to afford the greatest opportunity for each topic to be heard.
7. Councilors may, after obtaining the floor, ask questions of speakers during public comment. Councilors shall use restraint when exercising this option and shall attempt to limit questioning to no more than three (3) minutes. The presiding officer may intervene if a Councilor is violating the spirit of this guideline.
8. Speakers may play electronic audio or visual material during the time permitted for their comment. Speakers may utilize City-provided

audio or visual equipment located in the council chambers as a part of their comment, but must provide the materials in a readable format to City staff prior to the meeting so that it may be installed on the City's equipment to avoid a delay or disruption of the meeting.

F. Consent Agenda. In order to expedite the Council's business, the approval of minutes and other routine agenda items shall be placed on the consent agenda.

1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.
2. Any item on the consent agenda may be removed for separate consideration by any member of the Council.
3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the staff report, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member of Council must declare a conflict of interest.

G. Ordinances and Resolutions – See [Chapter 3](#)

H. Public Hearings Generally

1. A public hearing may be held on any matter upon majority vote of the Council. Public hearings may be held to consider legislative, quasi-judicial, or administrative matters.
2. Persons wishing to speak shall sign the “hearing roster” with the person’s name and address prior to the commencement of the public hearing at which the person wishes to speak.
3. The Mayor shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The presiding officer shall then declare the hearing open.
4. Each person shall, prior to giving testimony, give his or her name, and shall indicate whether they are a resident of the City. All remarks shall be addressed to the Council as a body and not to any member thereof.
5. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three minutes. Speakers at a hearing on a quasi-judicial matter, other than a quasi-

judicial land use matter, shall be subject to the following time limits:

- a. Staff presentation (15 minutes total).
 - b. Applicant or affected party (15 minutes). Quasi-judicial hearing only.
 - c. Appellant, if other than applicant (10 minutes). Quasi-judicial hearing only.
 - d. Other interested persons (3 minutes per person).
 - e. Questions of staff (No time limit).
 - f. Rebuttal by applicant or party. The scope of rebuttal is limited to matters which were introduced during the hearing (7 minutes total).
6. Councilors may, after recognition by the presiding officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed his or her testimony. Questions posed by Councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the Council when exercising this option. The presiding officer may intervene if a Councilor is violating the spirit of this guideline.
 7. Councilors may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by City Councilors should be to provide clarification or additional information on testimony provided.
 8. The presiding officer may exclude or limit cumulative, repetitious, or immaterial matter. The presiding officer may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The presiding officer, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the presiding officer shall announce any such restrictions prior to the commencement of the testimony. In the event of large numbers of interested persons appearing to testify, the presiding officer, to expedite the hearing, may in lieu of testimony call for those in favor of the pending proposal or those in opposition to rise and direct the City

Recorder to note the numbers in the minutes.

9. At the end of public testimony and questions of staff, the Council shall initiate deliberations by introducing a motion on the matter; continue the hearing; or keep the record open for additional written testimony. During deliberations, each member of the Council shall have the opportunity to comment on or discuss testimony given during the public hearing.
10. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, shall be submitted to the City Recorder at the time of the hearing. Communications concerning quasi-judicial matters received prior to the hearing are ex-parte contacts, and a Councilor receiving any such communication must disclose the fact that such a communication has been received and the content of the communication.
11. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for non-disclosure to the City Recorder pursuant to ORS 192.455(1).
 - I. Conduct of Hearings on Land Use Matters – See [Chapter 4](#)
 - J. Written Communications to Council.
 1. Unsolicited communications to the Mayor and/or Council concerning matters on the agenda shall be forwarded to the Council in the agenda packet but shall not be individually itemized on the agenda.

2. Unsolicited communications to the Mayor and/or Council concerning matters that are not on an agenda shall be forwarded to the Mayor and/or Council but shall not be included in the agenda packet.
3. The City Manager may, in his or her discretion, bring any matter raised by an unsolicited communication to the attention of the Council as an agenda item, provided that such communication is accompanied by a staff report setting forth the reason the matter should be considered by the Council, and making a recommendation for Council action.

DRAFT

CHAPTER 2 – Meeting Time, Location and Frequency

- I. **Regular meetings.** The Council shall meet every 2nd Tuesday of the month in the evening, with the exception of designated holidays and/or Council recesses.
 - A. Meetings shall begin at 6:30 p.m.
 - B. Meetings shall adjourn at 10:00p.m., allowing one-hour increment extensions upon a majority vote of the Council.

- II. **Special meetings.** Special meetings may be called by the Mayor, or at the request of three members of the Council, at a time and at a place designated. (Millersburg City Charter Section 14).
 - A. Notice of the special meeting shall be given to each member of the Council, the City Manager, and each local newspaper, and radio and television station which has on file a written request for notice of special meetings.
 - B. Notice of the special meeting shall be given to all members of the Council and the City manager via telephone and email.
 - C. Special meetings shall be noticed in accordance with Oregon's Public Meetings Law, and, at a minimum, shall be noticed in three public places in the City at least 24 hours prior to the meeting taking place.

- III. **Emergency meetings.** Emergency meetings may be called by the presiding officer, or by the request of three members of Council.
 - A. Notice of the emergency meeting shall be given to each member of the Council, the City Manager, and each local newspaper, and radio and television station which has on file a written request for notice of special meetings.
 - B. Notice of the emergency meeting shall be given to all members of Council and the City Manager via telephone and email.
 - C. Emergency meetings are those meetings called with less than 24 hours' notice and the Council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.

- IV. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.

- V. **Executive Sessions.** Executive sessions may be called by the presiding

officer, by the request of three (3) members of Council, by the City Manager or by the City Attorney.

- A. Only members of the Council, the City Manager, the City Attorney, and persons specifically invited by the City Manager or the Council shall be allowed to attend executive sessions.
 - B. Representatives of recognized news media⁴ may attend executive sessions, other than those sessions during which the Council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation.
- VI. Work Sessions.** Work sessions are permitted to present information to the Council so that the Council is prepared for regular or special meetings.
- A. All work sessions are subject to Oregon's Public Meetings Law and must be noticed accordingly.
 - B. Work sessions are intended to allow for preliminary discussions, and the Council is not permitted to take formal or final action on any matter at a work session.
 - C. Work sessions are to be scheduled by the City Manager.
 - D. The City Manager is to invite any relevant staff to work sessions so that the sessions are as productive as possible.
- VII. Holidays.** In the event a regular meeting falls on a holiday recognized by the City, the regular meeting for that week shall be rescheduled, unless the majority of Council determines there is not a need for rescheduling to address business.⁵
- VIII. Location.** Council meetings shall be held at City Hall.
- A. In the event City Hall is not available for a meeting, the Council shall meet at a venue open to the public which is located within the jurisdictional limits of the City.

⁴ State law requires governing bodies to allow representatives of recognized news media to attend executive sessions except for labor negotiations and litigation where the news media is a party to the litigation. State law does not define the term news media and a decision whether such an individual should be permitted to attend an executive session must be made on a case by case basis.

B. ⁵Ensure that any recess is in compliance with the City Charter. Section 13 of our Charter requires that the Council meet at least once each month at a time and place which the City Council designates. Training sessions may be held outside of the

City's jurisdictional limits, provided no deliberations toward a decision are made.

- C. Inter-jurisdictional meetings may be held outside of the City's jurisdictional limits but should be held as close as practical to the City, and such meetings shall be located within the jurisdictional boundaries of the other government entity.
 - D. No Council meeting shall be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income, or disability is practiced.
- IX. Notice.** The City Recorder shall provide notice of all meetings in accordance with Oregon's Public Meeting Law.
- X. Attendance.** Members of the Council shall advise the City Manager if they will be unable to attend any meetings. Under the Charter, a Council position becomes vacant if the member of Council is absent from the City for more than 30 days without Council permission or absent from all meetings of the Council within a 60-day period.
- XI. Section 18 Vacancies on the Council**

Should it occur that a Council member resign or otherwise become unable to perform his function as a councilor, then the Council by majority vote may appoint a new councilor to serve out the remainder of the term of his predecessor. The majority of the Council shall be the sole judge of when a councilor becomes unable to perform his duties as a councilor. Should it occur that a councilor be absent from three successive meetings without cause, then the Council may by a majority vote may declare a vacancy and appoint a replacement as above. The majority of the Council shall be the sole judge of whether or not the councilor who is absent is absent without just cause.

Notice of Vacancy: If a Council vacancy occurs, the Council shall follow the procedures outlined in the Millersburg City Charter. In order to fill the vacancy with the most qualified person available until an election is held, the Council shall post a notice of the vacancy, the procedure, and the deadline for applying for the position.

Application Procedure: An applicant shall complete and submit to the Council an application packet provided by the city for the vacancy.

Interview Process: All candidates who submit an application by the deadline will be interviewed by the Council during a regular or special Council meeting open to the public. The order of interview will be determined by drawing names; in order to make the interviews fair, applicants will be asked to remain outside council chambers while other applicants are being interviewed. Applicants will be allowed two (2) minutes to make an opening statement to Council. Applicants will be asked to answer questions submitted to them in advance of the interview process. The Council members will ask the same questions of each candidate. Each candidate will then be allowed two (2) minutes for closing comments. Since this is not a campaign, comments and responses about other applicants will not be allowed.

Selection of Council member or President of the Council: Nominations, voting and selection of a person to fill the vacancy shall be conducted during an open public meeting. If there are two or more candidates for a position, the Council shall select their choice by secret ballot and is tallied by the Chair and read out to the public. This process will continue until an individual is approved by a simple majority of the Council.

CHAPTER 3 – Ordinances and Resolutions

- I. **Ordinances.** All ordinances considered by and voted upon by the Council shall adhere to the rules outlined herein.
- A. **Numbering.** The City Recorder shall number all ordinances with a consecutive identification number in the order of their introduction. Each number shall be followed by the last two digits of the year in which the ordinance was introduced.
- B. Preparation and Introduction.
1. All ordinances shall, before presentation to the Council, have been approved by the City Attorney, or the City Attorney's designee.
 2. Ordinances shall be introduced by a member of the Council. Except that, upon the request of the Council, an ordinance may be introduced by the City Manager or the City Attorney, with a member of the Council moving further action on such ordinance upon completion of the introduction.
 3. No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed.
- C. Calendar of Ordinance.
1. An ordinance is introduced for consideration by the Council for presentation for reading. After introduction, the Council may direct that:
 - a. A public hearing on the ordinance be held;
 - b. Refer the ordinance to committee for review and recommendation;
 - c. Refer the ordinance to the City Manager for further revision;
 - d. Pass the ordinance; or
 - e. Reject the ordinance in whole or in part.

2. All proposed amendments to an ordinance shall be in writing, and may be made by interlineation upon the ordinance.
3. An affirmative vote of at least three (3) members of the Council shall be necessary to pass an ordinance.
4. Upon passage of an ordinance, the enrolled copy thereof, attested by the City Recorder, shall be submitted to the Mayor for signature of approval. (MMC 2.30.030 (1))
5. The Mayor shall have three (3) days in which to sign and approve an ordinance. Should the Mayor not sign and approve an ordinance, the same shall be effective without the Mayor's signature. ~~Should the Mayor veto the ordinance, the Council, may by two-thirds vote of all its members pass said ordinance over the veto of the Mayor without the Mayor's approval. (MMC2.30.030 (2))~~
6. All ordinances required for the peace, health, and safety of the City, and where an emergency is declared by the Council, shall become law at once upon passage by the Council and approval by the Mayor. (MCC 2.30.030 (3))

II. Resolutions. All resolutions considered by and voted upon by the Council shall adhere to the rules outlined herein.

- A. Numbering. The City Recorder shall number all resolutions with a consecutive identification number during each calendar year, in the order of their introduction. Each number shall be the year of the resolution followed by numerical number for the resolution that year (i.e. 2020-1).
- B. Preparation and Introduction.
 1. All resolutions shall, before presentation to the Council, have been approved by the City Attorney, or the City Attorney's designee.
 2. Resolutions shall be introduced by a member of the Council. Except that, upon the request of the Council, a resolution may be introduced by the City Manager or the City Attorney, with a member of the Council moving further action on such resolution upon completion of the introduction.
- C. Calendar of Resolution.
 1. A resolution is introduced for consideration by the Council for presentation for reading. After introduction, the Council may direct

that:

- a. A public hearing on the resolution be held;
 - b. Pass the resolution; or
 - c. Reject the resolution in whole or in part.
2. All resolutions when introduced for reading shall be identified by title and number on a calendar of first reading
 3. When the calendar of a resolution which is to be considered separately is placed before the Council for passage, the City Recorder shall call the roll and enter the ayes, nays and abstentions in the record.
 4. All proposed amendments to a resolution shall be in writing, and may be made by interlineation upon the resolution.
 5. An affirmative vote of a majority of the Council present shall be necessary to pass a resolution.

CHAPTER 4 – Land Use Hearings

I. General Conduct of Hearings.

- A. Any and all land use procedures shall comply with the City of Millersburg Land Use Development Code.

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B. **CHAPTER 5 – Motions, Debate, Public Comment and Voting**⁷

I. **Motions.** All motions shall be distinctly worded.

A. The following rules shall apply to motions:

1. If a motion does not receive a second, it dies.
2. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
3. Any motion shall be reduced to writing if requested by a member of the Council.
4. A motion to amend can be made to a motion that is on the floor and has been seconded.
5. No motion shall be received when a question is under debate except for the following:
 - a. To lay the matter on the table;
 - b. To call for the previous question;
 - c. To postpone;
 - d. To refer; or
 - e. To amend.
6. A motion may be withdrawn by the mover at any time without the consent of the Council.
7. Amendments are voted on first, then the main motion if voted on as amended.
8. A member of the Council may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
9. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
 - a. A call for the question fails without a majority vote.
 - b. Debate on the main subject resumes if the motion fails.
10. A motion that receives a tie vote fails.

⁷ Many councils adopt Robert's Rules of Order to govern motions and related matters. This model adopts Roberts Rules as a *guide* for procedural matters and sets out a simplified procedure for motions and voting. Under this model, where Robert's Rules conflict with the model rules, the model rules should prevail.

11. The presiding officer shall repeat the motion prior to a vote.

12. A motion to adjourn cannot be amended.

B. Motion to Reconsider. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.

1. No motion shall be made more than once.

2. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the Council.

II. Debate. The following rules shall govern the debate of any item being discussed by the Council:

A. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, at all times acting and speaking in a respectful manner.

B. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.

C. The member of the Council moving the adoption of any ordinance or resolution shall have the privilege of closing the debate.

III. Public Comment. The public shall be entitled to comment on all matters before the Council that require a vote.

A. Public comment shall occur after the matter up for vote has been presented by City staff and before the Council takes any formal action on the matter.

B. Each member of the public is entitled to comment on the matter before the Council for five minutes.

C. Public comment is a time for comment, it is not a time for debate, nor is it a time for members of the public to ask questions of and receive answers from the Council or City staff.

D. Each person desiring to give public comments shall provide the Council with his or her name and city of residence prior to giving comment. This information shall be used to insure the minutes of the meeting properly reflect those persons who provided public comment.

IV. Voting. The following rules shall apply to voting on matters before the Council, unless amended in the manner outlined in [Chapter 4](#) of these

Rules.⁸

- A. Reports. A majority of a quorum shall be required to approve or accept a report. However, no vote is required if the report is only for informational purposes.
- B. Consent Agenda. The unanimous vote of all members of the Council present is required to approve the matters on a consent agenda.
- C. Resolutions. A majority of the members of the Council shall be required to pass a resolution.
- D. An Ordinance Involving a Fee or Fine. An ordinance involving a fee or fine shall require a majority of the Council to pass.
- E. An Ordinance Not Involving a Fee. An ordinance which does not involve a fee or a fine shall require a majority of the members of the Council to pass.
- F. Emergency Ordinance. An emergency ordinance shall require the majority of the members of the Council.
- G. Budget. The budget shall require a majority of the members of the Council to pass.
- H. Franchise. A majority of the members of the Council shall be required to pass an ordinance granting a franchise.
- I. Suspension of Rules. A unanimous vote of all members of the Council present shall be required to suspend or rescind a rule contained in these rules of procedure, however, rules in this chapter which also appear in the City's Charter shall not be suspended or rescinded.
- J. All votes shall be recorded in the minutes.

⁸City charters sometimes contain voting requirements. Any voting requirement must comply with the city charter.



- K. Ties. Tie votes shall indicate a denial of the proposal. If the tie is a matter that has been appealed from a lower City body or commission, a tie shall render the lower body's decision approved.
- L. Effective date.
1. A resolution shall become effective upon adoption unless otherwise stated in the resolution.
 2. The following shall take effect immediately upon its passage:
 - a. Ordinances making appropriations and the annual tax levy;
 - b. Ordinances relative to local improvements and assessments; and
 - c. Emergency ordinances.
 3. All other ordinances shall take effect thirty (30) days after passage unless a later date is fixed on the ordinance, in which event it shall take effect at the later date.
 4. The filing of a referendum petition shall suspend the effective date of an ordinance.

CHAPTER 6 – Minutes

I. **Generally.**

- A. All minutes shall be in written form, with an electronic copy of the meeting maintained by the City Recorder in accordance with the appropriate record retention schedule.
- B. The minutes shall contain the following information:
 - 1. The date, time, and place of the meeting;
 - 2. The members present;
 - 3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
 - 4. The results of all votes and the vote of each member by name;
 - 5. The substance of any discussion on any matter; and
 - 6. A reference to any document discussed at the meeting

II. **Approval.** The Council shall approve all minutes of any meeting.

- A. All minutes shall be approved within ninety (90) days of the meeting having occurred.
- B. The draft minutes shall be submitted to the Council as part of the Council's packet prior to the meeting where they will be discussed.
- C. Any member of the Council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

III. **Recording of Meetings:** All Meetings of the City Council held in The City of Millersburg City Hall, except executive sessions, special meetings and those work sessions in which the public notice states that no action will be taken, shall be recorded by the City on an audio/visual recording device, unless otherwise authorized by law and a majority vote of the Council.

CHAPTER 7 – Appointments

- I. **Appointment of City Manager.** The Council hires the City Manager by a majority vote of the Council.
 - A. Reviews. The City Manager shall be subject to an annual review by the Council.
 - B. Removals. The City Manager may be removed by a majority vote of the Council.
 - C. Interference. If the Council appoints a municipal judge, the Council may meet with the judge, but in no instance shall the Council be permitted to interfere with the judge's exercise of judicial authority or discretion.
- II. **Hiring of city staff.**
 - A. The City Manager hires and removes all City staff.
- III. **Citizen Committees, Boards, and Commissions:** The Council may create Standing or Ad Hoc committees as well as boards and commissions to assist in the conduct of the operation of City government with such duties as the Council may specify not inconsistent with the City Charter and municipal code. Each committee will have a written purpose provided by the Council, an identified leader and other information as deemed necessary to help them be successful and focused. Whenever possible or deemed appropriate a Council member should participate on committees.
- IV. **Membership and Selection:** Membership and selection of members shall be as provided by the Mayor, subject to Council approval, if not specified otherwise in the City code. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the Mayor except as otherwise specified in the City code.
- V. **Removal of Members of Boards and Commissions:** The Council may remove any member of any board or commission which it has created by an affirmative vote of a simple majority of the Council.

CHAPTER 8 – Ethics, Decorum, Outside Statements

- I. Ethics.** All members of the Council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the Council shall refrain from:
 - A. Disclosing confidential information.
 - B. Taking action which benefits special interest groups or persons at the expense of the City as a whole.
 - C. Expressing an opinion contrary to the official position of the Council without so saying.
 - D. Conducting themselves in a manner so as to bring discredit upon the government of the City.
- II. Decorum.**
 - A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the Council.
 - B. Members of the Council shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.
 - C. Members of the City staff and all other persons attending meetings shall observe the Council's rules of proceedings and adhere to the same standards of decorum as members of Council.
- III. Statements to the Media and Other Organizations**
 - A. Representing City. If a member of the Council, to include the Mayor, appears as a representative of the City before another governmental agency, the media or an organization to give a statement on an issue, the member may only state the official position of the City, as approved by a majority of the Council.
 - B. Personal Opinions. If a member of the Council, to include the mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the City before giving their statement.

CHAPTER 9 – Interactions with Staff & City Attorney

- I. Staff.** All members of the Council shall respect the separation between the Council's role and the City's Manager's responsibility by:
- A. Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.
 - B. Refraining from actions that would undermine the authority of the City Manager or a department head.
 - C. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the City Manager.
 1. Questions from individual members of the Council requiring significant time or resources (two hours or more) shall normally require approval of the Council.
 2. Members of the Council shall normally share any information obtained from staff with the entire Council. This section is not intended to apply to questions by members of the Council acting in their individual capacities rather than as members of the Council, nor to questions regarding conflict of interest or similar issues particular to a member of the Council.
- II. City Attorney.** Council members may make requests to the City Attorney for advice no more than once a month, so long as the request does not require more than two hours of the attorney's time. A Councilor may make additional requests within a month or make a request that exceeds two hours with the concurrence of the majority of the Council.

CHAPTER 10 – Censure and Removal

- I. The Council may enforce these rules and ensure compliance with City ordinances, charter and state laws applicable to governing bodies. If a member of Council violates these rules, City ordinances, the City Charter or state laws applicable to governing bodies, the Council may take action to protect the integrity of the Council and discipline the member with a public reprimand or removal as provided for in the City Charter.
- II. The Council may investigate the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City Charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

CHAPTER 11 – Amendment and Repeal

- I. **Amendment.** These rules of procedure are subject to amendment by the Council in accordance with the rules noted herein.
 - A. Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed and open for comment by the public.
 - B. All amendments to these rules require a majority vote.
 - C. Amended rules shall not go into effect until the meeting after the rule was approved.
- II. **Repeal.** These rules of procedure are subject to repeal and replacement by the Council in accordance with the rules noted herein.
 - A. Any proposed repeal of these rules shall be accompanied by a proposed replacement.
 - B. Any proposed repeal and replacement of these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed and open for comment by the public.
 - C. Any repeal and replacement of these rules requires a majority vote.
 - D. Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved.