



**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  
February 11, 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 January 14, 2020 City Council Meeting Minutes
  - 2) Approval of January 28, 2020 City Council Work Session Minutes
  - 3) Acceptance of Council Approval Report for City Bills
  - Action: \_\_\_\_\_
- F. GUEST PRESENTATIONS
  - 1) Linn County Sheriff's Office Report
- G. PUBLIC COMMENT
- H. COUNCIL MEMBER AND STAFF COMMENTS
- I. CITY MANAGER'S REPORT
  - 1) Project Updates
  - 2) FY 19-20 Financial Report
  - 3) Fuel Tax Discussion Report – for Mayor's Discussion
- J. CITY ATTORNEY'S REPORT
- K. UNFINISHED BUSINESS
- L. NEW BUSINESS
  - 1) Amending Municipal Code – Ordinance 2020-01  
Action: \_\_\_\_\_
  - 2) Council Rules of Procedure – Resolution 2020-02  
Action: \_\_\_\_\_

3) Connection Charges Revision – Ordinance 2020-02

Action: \_\_\_\_\_

4) City Website

Action: \_\_\_\_\_

5) Parks and Open Space – Ordinance 2020-03

Action: \_\_\_\_\_

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:

February 17, 2020 – City Hall Closed – Presidents' Day

February 25, 2020 – City Council Work Session

March 3, 2020 – Planning Commission Meeting

March 10, 2020 – City Council Meeting

March 12, 2020 – Events Planning Committee 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.*



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## January 14, 2020 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 6:36 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 – Patrol Sergeant Brandon Fountain  
Albany Fire Chief – Shane Wooten

C. PLEDGE OF ALLEGIANCE

D. CHANGES AND ADDITIONS TO THE AGENDA

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

E. 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

F. GUEST PRESENTATIONS

- 1) Linn County Sheriff's Office Report  
Patrol Sergeant Brandon Fountain, LCSO, reviewed December's LCSO report. Mayor Lepin spoke about a conversation he had with Lieutenant Michelle Duncan regarding fireworks. He noted that she confirmed that if a resident is willing to sign a citation and note he/she would go to court if needed, LCSO can address fireworks complaints. Otherwise, LCSO has to catch someone

violating which is often the case. At the end, there followed some discussion regarding the number and situation around lift assists.

- 2) Albany Fire Department Quarterly Report  
Shane Wooten, Albany Fire Department Chief, provided the quarterly report for October-December 2019. The report provided by Chief Wooten is attached to these minutes.

#### G. PUBLIC COMMENT

- 1) Don Miller, Millersburg Drive, thanked the staff and Council for bringing the City into the new century with advancements in technology and other improvements in City Hall. He also thanked Councilor John Sullivan for his company's street sweeping around the City.

#### H. COUNCIL MEMBER AND STAFF COMMENTS

- 1) Mayor – Funding Economic Development

Mayor Lepin went over the results of a meeting with Albany and AMEDEC and a discussion around sunsetting AMEDEC. He spoke about another group that will develop a new economic development organization with the intermodal project being the nucleus. He is asking Council to continue to support AMEDEC as long as it's going in a direction the Council can support.

After the motion, there was some discussion regarding the time frame set to have things done by June 2020. Council asked staff to note the timeline. The Mayor agreed to keep the Council updated on progress.

Action: **Motion of Millersburg's City Council to Support AMEDEC Assuming AMEDEC Continues to go into a Millersburg City Council Agreeable Direction made by Councilor Dave Harms; seconded by Councilor John Sullivan.**

<b>Mayor Jim Lepin:</b>	<b>Aye</b>
<b>Councilor Scott Cowan:</b>	<b>Aye</b>
<b>Councilor Dave Harms:</b>	<b>Aye</b>
<b>Councilor Scott McPhee:</b>	<b>Aye</b>
<b>Councilor John Sullivan:</b>	<b>Aye</b>

Motion PASSED: 5/0

#### I. 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. City Manager Kreitman specifically noted staff was getting ready to go out for a request for qualifications on the Millersburg Fire Station. There followed discussion regarding the proposed site.

Mayor Lepin asked about an emergency response plan for the City. City Manager Kreitman noted that the City was somewhat unique in that emergency responses are covered by Linn County and Albany Fire and the utilities by the City of Albany. He noted discussions he had, and would continue to have, with the various agencies.

Councilor McPhee would like to see the plan for Zuhlke Lane added to the list and have discussions with staff and residents in that area.

City Manager Kreitman spoke about the City's rental house and discussions regarding its future, including allowing AFD to use for a training burn. However, he noted there are two trees that could be damaged from the heat of the fire and that the trees may not recover. He asked what the Council would like to see happen, and if they were still interested in allowing the rental house as a training burn. There was some lengthy discussion regarding options.

Action: **Motion for the City Manager and City Attorney to Prepare a Request for Quotes for the Sale or Auction of the City's Rental House 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

J. CITY ATTORNEY'S REPORT

1) Open Public Meetings & Records Review

City Attorney Reid reviewed the Open Public Meetings and Record document and charged City Recorder Wollenburg to gather signed documents from each Council member.

K. UNFINISHED BUSINESS

None

L. NEW BUSINESS

1) Sewer Rate Increase

Assistant City Manager/City Engineer Booth went over the staff report and gave a brief presentation on the history of sewer rate increases.

Action: **Motion to Approve Resolution 2020-01 made by Councilor**

**Dave Harms; seconded by Councilor Scott Cowan.**

**Resolution 2020-01**

**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) Council Procedure Rules (Discussion)

Due to weather concerns, the Council decided to postpone the discussion on the proposed rules, and will discuss them at the January worksession.

M. CLOSING PUBLIC COMMENT

None

N. CLOSING COUNCIL COMMENT

- 1) Councilor McPhee asked about the ambulance service area. City Manager Kreitman said he asked Chief Wooten (AFD) to bring in some data. However, City Manager Kreitman said they have to essentially start the process again.

O. ADJOURNMENT

Meeting adjourned at 8:05 p.m.

Respectfully submitted:

Reviewed by:

Kimberly Wollenburg  
City Recorder

Kevin Kreitman  
City Manager

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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## CITY OF MILLERSBURG CITY COUNCIL WORK SESSION

Millersburg City Hall  
4222 NE Old Salem Road  
Albany OR 97321  
January 28, 2020 @ 4:00 p.m.

### Agenda

- A. CALL TO ORDER Mayor Lepin called meeting to order at 4:00 p.m.
- B. ROLL CALL
- C. WORK SESSION ITEMS
  - 1) **New City Website (Municode Demonstration)** \*Note this portion will convene in the conference room – Information Only  
Municode provided an overview presentation on their website suite of products for consideration of a revised and updated City website then responded to questions from the Council. The Council then discussed costs and the benefits of an upgrade, in addition to the timing.
  - 2) **Volunteer Recognition** – (Mayor) Information and Discussion  
Mayor Lepin is looking for input and advice from the Council regarding volunteer recognition. He noted how much he values volunteers and how the number of volunteers has increased. He asked the Council about holding an annual recognition of volunteers to thank them. Councilor Cowan said he appreciates the recognition the City has done recently and would like to see more so is in favor of an annual event. Overall, the Council offered support for the suggestion of an annual recognition of volunteers. Mayor Lepin and City staff will work out the details.
  - 3) **Activities on City-owned Open Space** – Information and Discussion  
Assistant City Manager/City Engineer Booth reviewed the staff report. There followed discussion regarding the specific recommendations in the report and ideas on how to notify residents. There was also some clarifying discussion regarding detention ponds and access. It was agreed that staff would bring a proposed ordinance to Council at a future Council meeting.
  - 4) **Utility Account Collections and Write-offs** – Information and Discussion  
City Manager Kreitman provided an overview of the proposed policy to address recommendations from our auditors. There followed discussion regarding assurance that the City staff exhausts all avenues for collection of outstanding balances before utilizing the write-off process. Based on Council concurrence and input we will share the draft document with our auditors for final consideration prior to adoption and implementation.

**5) Fire Station Project – Information and Discussion**

Assistant City Manager/City Engineer Booth gave a brief report on current status of the Request for Qualifications then provided an overview about the need for concurrence/direction from the Council regarding site location. The Council had a lengthy discussion on the pros and cons of the two sites under consideration. After the discussion, the Council provided consensus on moving forward with design on site two.

Assistant City Manager/City Engineer Booth spoke about LEED (Leadership in Energy and Environmental Design) certification. The Council concurred that considering energy savings options was important but they are not interested in pursuing the certification process due to increased time and cost associated with the certification itself.

**6) Draft Council Rules and Procedures – Information and Discussion**

Conducted a review of the draft Council Rules and Procedures. The Council provided their comment and feedback on items not previously included in the current Council Rules and Procedures. A final draft, showing those areas council wished to modify will be provided at the next council meeting for adoption.

**D. CLOSING PUBLIC COMMENT**

None

**E. CLOSING COUNCIL COMMENT**

None

**F. ADJOURNMENT** Mayor Lepin adjourned the City Council meeting at 7:31 p.m.

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

Upcoming Meetings & Events:

February 6, 2020 @ 6:00 p.m. – Events Planning Committee Meeting

February 11, 2020 @ 6:30 p.m. – City Council Meeting

February 18, 2020 @ 6:00 p.m. – Planning Commission Meeting

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**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
<b>539</b>	<b>Barrett Business Services Inc., 421 Water Avenue NE, Albany, OR, 97321</b>										
3136643		12/13/19	Barrett Business Services week ending 12/08/19 - Astrid Hesberg	01/13/20	\$368.55	\$368.55	01-1332	CONTRACTED SERVIC	\$162,625.00	\$69,181.73	
3137298		12/20/19	Barrett Business Services week ending 12/25/19 - Astrid Hesberg	01/20/20	\$625.95	\$625.95	01-1332	CONTRACTED SERVIC	\$162,625.00	\$69,181.73	
3138060		12/27/19	Barrett Business Services week ending 12/22/19 - Astrid Hesberg	02/27/19	\$620.10	\$620.10	01-1332	CONTRACTED SERVIC	\$162,625.00	\$69,181.73	
3136643		12/13/19	Barrett Business Services week ending 12/08/19 - Mark Yeager	01/13/20	\$260.00	\$260.00	03-1312	MUNICIPAL SEPARATE	\$40,000.00	\$31,821.00	
3137298		12/20/19	Barrett Business Services week ending 12/25/19 - Mark Yeager	01/20/20	\$390.00	\$390.00	03-1312	MUNICIPAL SEPARATE	\$40,000.00	\$31,821.00	
3138060		12/27/19	Barrett Business Services week ending 12/22/19 - Mark Yeager	02/27/19	\$390.00	\$390.00	03-1312	MUNICIPAL SEPARATE	\$40,000.00	\$31,821.00	
3137352		12/20/19	Barrett Business Services week ending 12/25/19 - Jennifer Richardson	01/20/20	\$146.25	\$146.25	04-1313	RATE AND SDC STUDY	\$0.00	(\$13,541.44)	
						<b>\$2,800.85</b>					
<b>607</b>	<b>Business Connections, Inc., P.O. Box 566, Salem, OR, 97308-0566</b>										
072212212019		12/21/19	CITY HALL UTILITIES, Business Connections through Dec 2019	01/15/20	\$42.95	\$42.95	01-1317	CITY HALL UTILITIES	\$32,200.00	\$22,647.05	
						<b>\$42.95</b>					
<b>714</b>	<b>Cable Huston LLP, 1455 SW Broadway, Suite 1500, Portland, OR, 97201</b>										
93495		12/23/19	Cable Huston MS4 Permit through Dec 2019	01/23/20	\$877.50	\$877.50	03-1312	MUNICIPAL SEPARATE	\$40,000.00	\$31,821.00	
						<b>\$877.50</b>					
<b>327</b>	<b>De Lage Landen Financial Services, Inc., PO Box 41602, Philadelphia, PA, 19101-1602</b>										
66217175		01/02/20	De Lage Landen Financial - Copier lease through Jan 2020	02/01/20	\$374.55	\$374.55	01-1332	CONTRACTED SERVIC	\$162,625.00	\$69,181.73	
						<b>\$374.55</b>					
<b>242</b>	<b>Dick Welker Construction Inc., PO Box 1032, Albany, OR, 97321</b>										
3352		12/27/19	Dick Welker Const - Install Storm Water Filters	01/27/20	\$3,652.00	\$3,652.00	03-1331	STORM DRAINS & DITC	\$122,000.00	\$108,980.00	
						<b>\$3,652.00</b>					
<b>251</b>	<b>Dustin Patton</b>										
01012020		01/03/20	CITY HALL UTILITIES, Cell Phone Reimbursement - Dustin Patton	01/03/20	\$35.00	\$35.00	01-1317	CITY HALL UTILITIES	\$32,200.00	\$22,647.05	
						<b>\$35.00</b>					
<b>16</b>	<b>Forrest Reid, PO Box 329, Tangent, OR, 97389</b>										
December 2019		01/01/20	LEGAL SERVICES, Forrest Reid through Dec 2019	01/01/20	\$15,525.00	\$15,525.00	01-1339	LEGAL SERVICES	\$170,000.00	\$65,736.00	
						<b>\$15,525.00</b>					
<b>1</b>	<b>Greater Albany Public School District 8J, 718 Seventh Avenue SW, Albany, OR,</b>										
01/02/2020		01/03/20	GAPS Construction Excise Tax	01/03/20	\$77,372.96	\$77,372.96	01-5331	PMNT TO GAPS	\$297,000.00	\$161,110.62	

**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	
							<b>\$77,372.96</b>					
<b>566</b>	<b>Jake Gabell</b>	01012020	01/03/20	CITY HALL UTILITIES - Cell Phone Reimbursement - Jake Gabell	01/03/20	\$35.00	\$35.00	01-1317	CITY HALL UTILITIES	\$32,200.00	\$22,647.05	
		12312019	01/03/20	Mileage Reimbursement - Jake Gabell	01/03/20	\$37.12	\$37.12	01-1351	MILEAGE	\$1,600.00	\$1,303.04	
							<b>\$72.12</b>					
<b>569</b>	<b>Janelle Booth</b>	01012020	01/02/20	CITY HALL UTILITIES - Janelle Booth Cell Phone Reimbursement	01/02/20	\$105.00	\$105.00	01-1317	CITY HALL UTILITIES	\$32,200.00	\$22,647.05	
							<b>\$105.00</b>					
<b>561</b>	<b>Kimberly Wollenburg</b>	01012020	01/03/20	CITY HALL UTILITIES, Cell Phone Reimbursement - Kimberly Wollenburg	01/03/20	\$105.00	\$105.00	01-1317	CITY HALL UTILITIES	\$32,200.00	\$22,647.05	
							<b>\$105.00</b>					
<b>20</b>	<b>Koontz, Perdue, Blasquez &amp; Co., P.C., PO Box 605, Albany, OR, 97321</b>	64758	12/20/19	Koontz, Blasquex and Associates, Payroll services through Dec 2019	01/20/20	\$96.00	\$96.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$69,181.73	
							<b>\$96.00</b>					
<b>845</b>	<b>Lanny Engom</b>	12272019	01/03/20	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Lanny Engom	01/03/20	\$180.00	\$180.00	01-2301	PARKS & RECREATION	\$15,000.00	\$9,108.40	
							<b>\$180.00</b>					
<b>39</b>	<b>LifeMap Billing, PO Box 6840, Portland, OR, 97228-6840</b>	IN0519782	12/14/19	Lifemap through Jan 2020	01/02/20	\$156.54	\$156.54	01-1212	DISABILITY INSURANC	\$3,424.00	\$2,641.30	
							<b>\$156.54</b>					
<b>204</b>	<b>Linn County Road Department, 3010 Ferry Street SW, Albany, OR, 97322</b>	176-20	12/17/19	STREET & ROAD REPAIR, Linn County Road Dept, pavement markings	01/17/20	\$5,067.73	\$5,067.73	02-1322	STREET & ROAD REPAI	\$164,000.00	\$144,657.32	
							<b>\$5,067.73</b>					
<b>835</b>	<b>Matt Straite Photography, 8495 SW Dakota Dr, Tualatin, OR, 97062</b>	106	01/03/20	Matt Straite Photography, council pictures	01/03/20	\$150.00	\$150.00	01-1333	CITY COUNCIL	\$2,500.00	\$2,380.00	
							<b>\$150.00</b>					
<b>483</b>	<b>MetLife - Group Benefits, PO Box 804466, Kansas City, MO, 64180-4466</b>	01012020	12/13/19	DENTAL & VISION INSURANCE, Metlife - Dental through Dec 2019	01/01/20	\$801.05	\$801.05	01-1214	DENTAL & VISION INSU	\$10,272.00	\$6,266.75	
							<b>\$801.05</b>					
<b>234</b>	<b>OCCMA, 1201 Court St. NE #200, Salem, OR, 97301</b>											

**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
		01012020	01/03/20	DUES & SUBSCRIPTIONS, OCCMA Membership - Kevin and Janelle	01/03/20	\$456.46	\$456.46	01-1336	DUES & SUBSCRIPTIO	\$9,000.00	\$4,305.81
		<b>\$456.46</b>									
<b>252</b>	<b>Oregon Mayors Association, 1201 Court St NE Ste 200, Salem, OR, 97301</b>										
		01/24/2020	01/03/20	DUES & SUBSCRIPTIONS, Oregon Mayor's Association - 2020 dues	01/03/20	\$106.00	\$106.00	01-1336	DUES & SUBSCRIPTIO	\$9,000.00	\$4,305.81
		<b>\$106.00</b>									
<b>23</b>	<b>Pacific Power, PO Box 26000, Portland, OR, 97256-0001</b>										
		01162020	12/30/19	Pacific Power through Dec 2019	01/16/20	\$1,390.44	\$1,390.44	01-1317	CITY HALL UTILITIES	\$32,200.00	\$22,647.05
		01162020	12/30/19	Pacific Power through Dec 2019	01/16/20	\$75.94	\$75.94	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$34,896.72
		01/15/2020	01/02/20	Pacific Power fire station through Dec 2019	01/15/20	\$551.49	\$551.49	01-4303	UTILITIES - FIRE STATI	\$7,000.00	\$4,506.73
		01162020	12/30/19	Pacific Power through Dec 2019	01/16/20	\$3,259.64	\$3,259.64	02-1323	STREET LIGHTS POWE	\$42,000.00	\$23,086.89
		01162020	12/30/19	Pacific Power through Dec 2019	01/16/20	\$1,247.08	\$1,247.08	04-1328	SEWER MISCELLANEO	\$10,000.00	\$2,251.92
		<b>\$6,524.59</b>									
<b>6</b>	<b>Petro Card, PO Box 34243, Seattle, WA, 98124-1243</b>										
		C532729	12/31/19	Petro Card - fuel through Dec 2019	01/12/20	\$223.72	\$223.72	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$34,896.72
		<b>\$223.72</b>									
<b>793</b>	<b>Professional Security Alarm, 1981 Fescue St SE, Suite A, Attn: Accounts Receivable, Albany, OR, 97322</b>										
		98253	12/16/19	Professional Security Alarm, monitoring through March 2020	01/01/20	\$72.00	\$72.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$69,181.73
		<b>\$72.00</b>									
<b>13</b>	<b>Sean Shearer</b>										
		01012020	01/03/20	CITY HALL UTILITIES, Cell Phone Reimbursement - Sean Shearer	01/03/20	\$105.00	\$105.00	01-1317	CITY HALL UTILITIES	\$32,200.00	\$22,647.05
		<b>\$105.00</b>									
<b>517</b>	<b>Travis &amp; Jessica Johnson</b>										
		12262019	01/03/20	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Travis Johnson	01/03/20	\$102.00	\$102.00	01-2301	PARKS & RECREATION	\$15,000.00	\$9,108.40
		<b>\$102.00</b>									
<b>700</b>	<b>US Bank, P.O. Box 790428, St Louis, MO, 63179-0428</b>										
		12/20/2019	12/20/19	OR Sec of State - Audit File Fee	01/20/20	\$300.00	\$300.00	01-1302	ACCOUNTING & AUDIT	\$20,000.00	\$12,500.00
		12/20/2019	12/20/19	Comcast - Monthly phone and internet	01/20/20	\$326.81	\$326.81	01-1317	CITY HALL UTILITIES	\$32,200.00	\$22,647.05
		12/20/2019	12/20/19	Verizon Wireless - parks iPad data	01/20/20	\$40.01	\$40.01	01-1317	CITY HALL UTILITIES	\$32,200.00	\$22,647.05
		12/20/2019	12/20/19	Republic Services - Trash Pickup	01/20/20	\$39.54	\$39.54	01-1317	CITY HALL UTILITIES	\$32,200.00	\$22,647.05
		12/20/2019	12/20/19	Eclectic Edge - Run Registration	01/20/20	\$895.00	\$895.00	01-1326	MILLERSBURG CELEBR	\$36,500.00	(\$5,424.72)
		12/20/2019	12/20/19	Amazon - Trash grabbers	01/20/20	\$112.14	\$112.14	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$5,228.23
		12/20/2019	12/20/19	American Legion - New flags	01/20/20	\$117.00	\$117.00	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$5,228.23
		12/20/2019	12/20/19	Signs.com - council chambers signs	01/20/20	\$76.43	\$76.43	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$5,228.23

**City of Millersburg**  
**Council Approval Report**  
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Vendor									
InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
12/20/2019	12/20/19	Staples - Office supplies	01/20/20	\$35.41	\$35.41	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$5,228.23
12/20/2019	12/20/19	Keurig - office supplies	01/20/20	\$145.98	\$145.98	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$5,228.23
12/20/2019	12/20/19	Site5 website hosting	01/20/20	\$15.95	\$15.95	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$5,228.23
12/20/2019	12/20/19	Jano's Trophies - award and recognition of service	01/20/20	\$120.00	\$120.00	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$5,228.23
12/20/2019	12/20/19	Staples - office supplies	01/20/20	\$74.26	\$74.26	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$5,228.23
12/20/2019	12/20/19	Costco - Annual membership cost	01/20/20	\$60.00	\$60.00	01-1333	CITY COUNCIL	\$2,500.00	\$2,380.00
12/20/2019	12/20/19	Food for City Council Exec session	01/20/20	\$96.60	\$96.60	01-1335	MEETINGS & TRAINING	\$8,000.00	\$5,569.19
12/20/2019	12/20/19	MECOP Dues - MECOP/CECOP program participation	01/20/20	\$3,000.00	\$3,000.00	01-1336	DUES & SUBSCRIPTIO	\$9,000.00	\$4,305.81
12/20/2019	12/20/19	OAMR - annual membership for Jake Gabell	01/20/20	\$60.00	\$60.00	01-1336	DUES & SUBSCRIPTIO	\$9,000.00	\$4,305.81
12/20/2019	12/20/19	OR Dept of Ag licence renewal	01/20/20	\$57.50	\$57.50	01-1336	DUES & SUBSCRIPTIO	\$9,000.00	\$4,305.81
12/20/2019	12/20/19	Amazon - truck first aid kits	01/20/20	\$82.02	\$82.02	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$34,896.72
12/20/2019	12/20/19	Republic Services - Trash Pickup	01/20/20	\$317.99	\$317.99	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$34,896.72
12/20/2019	12/20/19	Sportsmans Warehouse - life vests	01/20/20	\$35.98	\$35.98	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$34,896.72
12/20/2019	12/20/19	Home Depot - Park Supplies	01/20/20	\$10.40	\$10.40	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$34,896.72
12/20/2019	12/20/19	Home Depot - Park Supplies	01/20/20	\$27.85	\$27.85	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$34,896.72
12/20/2019	12/20/19	Home Depot - Park Supplies	01/20/20	\$17.44	\$17.44	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$34,896.72
12/20/2019	12/20/19	Home Depot - Park Supplies	01/20/20	\$25.33	\$25.33	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$34,896.72
12/20/2019	12/20/19	Republic Services - Trash Pickup	01/20/20	\$165.26	\$165.26	01-4303	UTILITIES - FIRE STATI	\$7,000.00	\$4,506.73
12/20/2019	12/20/19	Plywood lumber for ramp	01/20/20	\$132.58	\$132.58	01-4305	EQUIPMENT/FURNISHI	\$3,000.00	\$1,573.16
12/20/2019	12/20/19	Century Link - monthly cost	01/20/20	\$54.27	\$54.27	04-1328	SEWER MISCELLANEO	\$10,000.00	\$2,251.92
12/20/2019	12/20/19	OR Health Authority - Annual Cross Connections cost	01/20/20	\$187.50	\$187.50	05-1305	O&M Water Treatment PI	\$350,000.00	\$248,413.80
					<b>\$6,629.25</b>				
<b>230</b>	<b>Valley Fire Control, 217 Main SE, Albany, OR, 97321-3023</b>								
86891	12/31/19	Valley Fire Control yearly inspections	01/30/20	\$210.75	\$210.75	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$5,228.23
					<b>\$210.75</b>				
<b>686</b>	<b>Wheat LLC, 1141 Chemawa Road, Keizer, OR, 97303</b>								
5715	12/31/19	Wheat LLC, street sweeping through Dec 2019	01/30/20	\$1,975.77	\$1,975.77	02-1319	STREET SWEEPING	\$25,000.00	\$13,145.38
					<b>\$1,975.77</b>				
<b>786</b>	<b>Witherspoon Industries LLC, PO Box 1047, Lebanon, OR, 97355</b>								
3606	12/31/19	Witherspoon Industries LLC - Jantorial and City Hall Carpet Cleaning	01/30/20	\$1,200.00	\$1,200.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$69,181.73
					<b>\$1,200.00</b>				
<b>85</b>	<b>Xterma Pest Control, Inc., P.O. Box 321, Sweet Home, OR, 97386</b>								
COM1219 50	12/24/19	Xterma Pest Control quarterly service	01/24/20	\$50.00	\$50.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$69,181.73
					<b>\$50.00</b>				

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<b>7</b>	<b>4S Sign, LLC, 30255 HWY 34, Albany, OR, 97321</b>										
47063		01/06/20	4S Signs - V posts	01/06/20	\$131.90	\$131.90	02-1329	SIGNS	\$5,000.00	\$1,766.56	
						<b>\$131.90</b>					
<b>43</b>	<b>Aflac, 1932 Wynnton Road, Columbus, GA,</b>										
101101		01/12/20	AFLAC through Jan 2020	02/01/20	\$49.08	\$49.08	01-9210	Payroll Taxes Payable	\$0.00	(\$12,583.35)	
						<b>\$49.08</b>					
<b>847</b>	<b>Carle Wright</b>										
01132020		01/13/20	LIBRARY SERVICES - Carle Wright	01/13/20	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,200.00	
						<b>\$40.00</b>					
<b>76</b>	<b>Coleen Haxby</b>										
01032020		01/03/20	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Coleen Haxby	01/03/20	\$71.20	\$71.20	01-2301	PARKS & RECREATION	\$15,000.00	\$8,556.00	
						<b>\$71.20</b>					
<b>335</b>	<b>EC Electrical Construction Co, PO Box 35146, #43035, Seattle, WA, 98124-5146</b>										
189314		01/06/20	CITY HALL MAINTENANCE & SUPPLIES - EC City Hall lights and sockets	02/06/20	\$609.00	\$609.00	01-1309	CITY HALL MAINTENAN	\$22,000.00	\$19,231.15	
						<b>\$609.00</b>					
<b>584</b>	<b>First American Title Company of Oregon, P.O. Box 31001-2266, Pasadena, CA, 91110-2266</b>										
5167-709910544		09/06/19	First American Title Company - Litigation guarantee	01/15/20	\$1,350.00	\$1,350.00	01-1339	LEGAL SERVICES	\$170,000.00	\$48,511.00	
						<b>\$1,350.00</b>					
<b>173</b>	<b>Jano's Trophies, 1129 SE Santiam Rd., Albany, OR, 97321</b>										
27513		01/15/20	Jano's Trophies - name plate	01/15/20	\$10.00	\$10.00	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$4,179.85	
						<b>\$10.00</b>					
<b>47</b>	<b>Karen Juhnke</b>										
11012019		01/15/20	LIBRARY SERVICES - Karen Juhnke	01/15/20	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,200.00	
						<b>\$40.00</b>					
<b>743</b>	<b>Kenneth May</b>										
01102020		01/10/20	Kenneth May - Library Reimbursement	01/10/20	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,200.00	
						<b>\$40.00</b>					
<b>439</b>	<b>Kristen Champion</b>										
01072020		01/15/20	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Kristen Champion	01/15/20	\$56.00	\$56.00	01-2301	PARKS & RECREATION	\$15,000.00	\$8,556.00	
01072020		01/15/20	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Kristen Champion	01/15/20	\$56.00	\$56.00	01-2301	PARKS & RECREATION	\$15,000.00	\$8,556.00	

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							<b>\$112.00</b>					
<b>19</b>	<b>Linn County Planning and Building, PO Box 100, Albany, OR, 97321</b>											
Dec 2019	01/05/20	Linn County Planning and Building - Dec 2019	02/08/20	\$25,441.88	\$25,441.88	01-5332	PMNT TO LINN CO BUIL	\$340,000.00	\$176,653.68			
							<b>\$25,441.88</b>					
<b>54</b>	<b>Linn-Benton Utilities, PO Box 1722, Albany, OR, 97321-0489</b>											
01/2020	01/15/20	Linn-Benton Utilities - Annual Membership Dues	01/15/20	\$175.00	\$175.00	01-1336	DUES & SUBSCRIPTIO	\$9,000.00	\$230.85			
							<b>\$175.00</b>					
<b>449</b>	<b>Mary Messersmith</b>											
01082020	01/15/20	PARKS & RECREATION - CITIZEN REIMBURSEMENT PROGRAM - Mary Messersmith	01/15/20	\$87.20	\$87.20	01-2301	PARKS & RECREATION	\$15,000.00	\$8,556.00			
							<b>\$87.20</b>					
<b>598</b>	<b>Oregon Association of Clean Water Agencies, 240 Country Club Road, Suite A, Eugene, OR, 97401</b>											
8172	01/09/20	Oregon Association of Clean Water - Annual membership	02/08/20	\$220.00	\$220.00	01-1336	DUES & SUBSCRIPTIO	\$9,000.00	\$230.85			
							<b>\$220.00</b>					
<b>23</b>	<b>Pacific Power, PO Box 26000, Portland, OR, 97256-0001</b>											
01062020	01/06/20	Pacific Power - Lift Station Utilities	01/22/20	\$48.31	\$48.31	04-1328	SEWER MISCELLANEO	\$10,000.00	\$902.26			
							<b>\$48.31</b>					
<b>846</b>	<b>Tara Phillips</b>											
12142019	01/15/20	LIBRARY SERVICES - Tara Phillips	01/15/20	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,200.00			
							<b>\$40.00</b>					
<b>574</b>	<b>Timothy Moore</b>											
12112019	01/15/20	LIBRARY SERVICES - Timothy Moore	01/15/20	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,200.00			
							<b>\$40.00</b>					
<b>84</b>	<b>Ultrex, 110 SW 9th Avenue, Albany, OR, 97321</b>											
INV79904	01/07/20	Ultrex - copier meter charge for 9/27/19 - 12/26/19	01/22/20	\$130.46	\$130.46	01-1330	MATERIALS & SUPPLIE	\$15,000.00	\$4,179.85			
							<b>\$130.46</b>					
<b>328</b>	<b>Valley Merchant Police, Inc, PO Box 14, Albany, OR, 97321</b>											
274114	12/31/19	Valley Merchant Police through Dec 2019	01/30/20	\$307.50	\$307.50	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$33,772.55			
							<b>\$307.50</b>					
<b>223</b>	<b>Wallace W. Lien, P.C., P.O. Box 5730, Salem, OR, 97304</b>											
12/12/2019	12/31/19	Wallace Lien through 12/12/19	01/30/20	\$350.00	\$350.00	01-1339	LEGAL SERVICES	\$170,000.00	\$48,511.00			
							<b>\$350.00</b>					

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<b>48 Cintas Corporation-172, PO Box 650838, Dallas, TX, 75265-0838</b>		4040533171	01/21/20	Cintas - City Hall through Jan 2020	02/21/20	\$93.27	\$93.27	01-1309	CITY HALL MAINTENAN	\$22,000.00	\$19,231.15
							<b>\$93.27</b>				
<b>659 David Evans &amp; Associates, Inc., Dept LA 24340, Pasadena, CA, 91185-4340</b>		459184	01/20/20	David Evans & Associates PCPI expense through Dec 2020	02/20/20	\$2,202.50	\$2,202.50	02-1303	PCPI EXPENSE	\$30,000.00	\$12,094.02
459184	01/20/20	David Evans & Associates PCPI expense through Dec 2020	02/20/20	\$1,835.41	\$1,835.41	03-1303	PCPI	\$25,000.00	\$10,078.33		
459184	01/20/20	David Evans & Associates PCPI expense through Dec 2020	02/20/20	\$1,468.33	\$1,468.33	04-1303	SEWER PCPI	\$20,000.00	\$8,062.66		
459184	01/20/20	David Evans & Associates PCPI expense through Dec 2020	02/20/20	\$1,101.25	\$1,101.25	05-1303	PCPI EXPENSE	\$15,000.00	\$6,046.96		
							<b>\$6,607.49</b>				
<b>335 EC Electrical Construction Co, PO Box 35146, #43035, Seattle, WA, 98124-5146</b>		189946	01/20/20	EC Electric - Park electrical work	02/20/20	\$994.79	\$994.79	01-2302	PARK SUPPLIES & MAI	\$70,000.00	\$33,772.55
							<b>\$994.79</b>				
<b>765 Handy Hands Landscape C&amp;M LLC, 31410 HWY 34, Tangent, OR, 97389</b>		Dec 2019 2	01/23/20	Handy Hands City Hall landscape through Dec 2019	02/23/20	\$1,280.00	\$1,280.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$66,015.60
Dec 2019	01/23/20	Handy Hands rental property landscape through Dec 2019	02/23/20	\$480.00	\$480.00	01-1357	RENTAL PROPERTY	\$5,000.00	\$1,781.98		
							<b>\$1,760.00</b>				
<b>566 Jake Gabell</b>		1/25/20	01/27/20	Mileage Reimbursement - Jake Gabell	01/27/20	\$39.44	\$39.44	01-1351	MILEAGE	\$1,600.00	\$1,265.92
							<b>\$39.44</b>				
<b>343 Jason Katzenstein</b>		01-16-2020	01/16/20	Library Reimbursement - Jason and Amanda Katzenstein	01/16/20	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,200.00
							<b>\$40.00</b>				
<b>20 Koontz, Blasquez &amp; Co., P.C., PO Box 605, Albany, OR, 97321</b>		64954	01/20/20	Koontz, Blasquez & Co., P.C. - Payroll Services	01/20/20	\$192.00	\$192.00	01-1332	CONTRACTED SERVIC	\$162,625.00	\$66,015.60
							<b>\$192.00</b>				
<b>836 LS Networks, 921 SW Washington ST Suite 370, Portland, OR, 97205-2824</b>		INV43934	01/01/20	LS Netwroks - internet through Jan 2020	01/31/20	\$331.50	\$331.50	01-1317	CITY HALL UTILITIES	\$32,200.00	\$20,422.30
							<b>\$331.50</b>				
<b>483 MetLife - Group Benefits, PO Box 804466, Kansas City, MO, 64180-4466</b>		Jan 2020	01/13/20	Metlife through Jan 2020	02/01/20	\$1,425.09	\$1,425.09	01-1214	DENTAL & VISION INSU	\$10,272.00	\$5,465.70
							<b>\$1,425.09</b>				

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<b>53 Oregon Cascades West COG, 1400 Queen Ave. SE Suite 201, Albany, OR, 97322</b>		FY 19-20	01/27/20	Oregon Cascade West COG - Annual Membership FY 19-20	01/27/20	\$2,322.20	\$2,322.20	01-1336	DUES & SUBSCRIPTIO	\$9,000.00	\$230.85
							<b>\$2,322.20</b>				
<b>848 Oregon Festivals &amp; Events Association, PO Box 2248, Lebanon, OR, 97355</b>		2036	01/02/20	MILLERSBURG CELEBRATION - Oregon Festivals & Events Association	02/02/20	\$125.00	\$125.00	01-1326	MILLERSBURG CELEBR	\$36,500.00	(\$6,319.72)
							<b>\$125.00</b>				
<b>842 PAC/WEST, 8600 SW St. Helens Drive, Wilisonville, OR, 97070</b>		6080	01/03/20	ECONOMIC DEVELOPMENT - Pac/West through Dec 2019	02/03/20	\$3,500.00	\$3,500.00	01-1338	ECONOMIC DEVELOPM	\$30,000.00	\$10,800.00
							<b>\$3,500.00</b>				
<b>41 Providence Health Plan, PO Box 4167, Portland, OR, 97208-4167</b>		1/10/2020	01/10/20	Providence Health Plan - through January 2020	02/01/20	\$6,938.35	\$6,938.35	01-1211	MEDICAL INSURANCE	\$89,250.00	\$45,774.90
							<b>\$6,938.35</b>				
<b>430 Royal Harger</b>		01-24-2020	01/24/20	Library Reimbursement - Royal Harger	01/24/20	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,200.00
							<b>\$40.00</b>				
<b>529 Terri Christenson</b>		01222020	01/27/20	Library Reimbursement - Terri Christenson	01/27/20	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$1,200.00
							<b>\$40.00</b>				
<b>Total Bills To Pay:</b>							<b>\$24,449.13</b>				





TO: Millersburg City Council  
VIA: Kevin Kreitman, City Manager  
FROM: City Staff  
DATE: February 6, 2020 for Council Meeting February 11, 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 Parks Committee completed their final review of the draft Parks Master Plan and approved recommending the draft plan, with final comments from the January 22 meeting incorporated, to the City Council for approval. The draft plan will be presented at the Council Work Session scheduled for February 25, 2020.

**Manhole Repair and Slurry Seal Projects:**

The project to repair surfacing around several manholes in the Morningstar and Sweetwater subdivisions is mostly complete. This work was necessary to correct some issues prior to slurry sealing the streets in these neighborhoods. The slurry seal project has been awarded to Pave Northwest, and the work is anticipated to take place in early summer 2020.

**Fire Station RFQ:**

The Request for Qualifications (RFQ) to procure architectural design services for the Millersburg Fire Station responses are due on February 14. There are currently eight architectural firms on the interested proposers list.

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.

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names
1		<b>Millersburg Tasks</b>					
2							
3		<b>Charter and Council</b>	<b>261 days</b>	<b>Thu 1/2/20</b>	<b>Thu 12/31/20</b>		
4		Update of charter	261 days	Thu 1/2/20	Thu 12/31/20		Kevin,Forrest
5							
6		<b>Ordinances and Code</b>	<b>390 days</b>	<b>Thu 1/2/20</b>	<b>Wed 6/30/21</b>		
7		Update code/resolutions for current billing cycle	74 days	Mon 1/20/20	Thu 4/30/20		
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	0 days	Tue 2/11/20	Tue 2/11/20		Janelle
10		Comprehensive Plan Update	390 days	Thu 1/2/20	Wed 6/30/21		Matt,John
11							
12		<b>Policies, Procedures, and Standards</b>	<b>260 days</b>	<b>Thu 1/2/20</b>	<b>Wed 12/30/20</b>		
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		<b>Safety procedures and training</b>	<b>261 days</b>	<b>Thu 1/2/20</b>	<b>Thu 12/31/20</b>		
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		<b>Budget</b>		<b>Tue 1/23/18</b>			
24		<b>2020-2021 Budget</b>	<b>112 days</b>	<b>Mon 1/27/20</b>	<b>Tue 6/30/20</b>		<b>Jake,Kevin,Janelle</b>
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		<b>Equipment life/replacement costs tracking</b>	<b>260 days</b>	<b>Thu 1/2/20</b>	<b>Wed 12/30/20</b>		
30		City Hall Equipment					
31		Parks/Maintenance Equipment					
32		Fire Station					
33							
34		<b>City Hall work</b>	<b>260 days</b>	<b>Thu 1/2/20</b>	<b>Wed 12/30/20</b>		
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		<b>Planning, Building, and Development</b>	<b>260 days</b>	<b>Thu 1/2/20</b>	<b>Wed 12/30/20</b>		
40		Complete Land Use Development Code Revision	128 days	Thu 1/2/20	Tue 6/30/20		John Morgan
41		<b>Consider UGB expansion</b>	<b>261 days</b>	<b>Thu 1/2/20</b>	<b>Thu 12/31/20</b>		<b>John,Kevin,Janelle</b>
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		<b>Economic Development</b>	<b>261 days</b>	<b>Thu 1/2/20</b>	<b>Thu 12/31/20</b>		
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 track	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		<b>Fire Station</b>	<b>651 days</b>	<b>Thu 1/2/20</b>	<b>Thu 6/30/22</b>		
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 2/6/20

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	Resource Names
59		Design Development Phase	65 days	Mon 9/21/20	Fri 12/18/20	
60		Construction Documents Phase	65 days	Mon 12/21/2	Fri 3/19/21	
61						
62		<b>Parks</b>	<b>261 days</b>	<b>Thu 1/2/20</b>	<b>Thu 12/31/20</b>	
63		Parks Master Plan	325 days	Thu 1/2/20	Wed 3/31/21	Janelle
64		Consider coating of walls and floors in restrooms			Fri 7/31/20	
65						
66		<b>Utilities</b>	<b>260 days</b>	<b>Thu 1/2/20</b>	<b>Wed 12/30/20</b>	<b>Kevin,Janelle,consultant</b>
67		Implementation of new utility billing system	86 days	Thu 1/2/20	Thu 4/30/20	Kim
68		<b>Rate analysis and update</b>	<b>238 days</b>	<b>Thu 1/2/20</b>	<b>Mon 11/30/20</b>	<b>Janelle</b>
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		<b>SDC analysis and update</b>	<b>129 days</b>	<b>Thu 1/2/20</b>	<b>Tue 6/30/20</b>	<b>Janelle</b>
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		<b>Transportation/Streets</b>	<b>260 days</b>	<b>Thu 1/2/20</b>	<b>Wed 12/30/20</b>	
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		<b>Stormwater</b>	<b>260 days</b>	<b>Thu 1/2/20</b>	<b>Wed 12/30/20</b>	
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		<b>Water</b>	<b>261 days</b>	<b>Thu 1/2/20</b>	<b>Thu 12/31/20</b>	
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		<b>Sewer</b>	<b>261 days</b>	<b>Thu 1/2/20</b>	<b>Thu 12/31/20</b>	
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		<b>Miscellaneous</b>	<b>261 days</b>	<b>Thu 1/2/20</b>	<b>Thu 12/31/20</b>	
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		<b>HR</b>	<b>29 days</b>	<b>Thu 1/2/20</b>	<b>Tue 2/11/20</b>	
110		Update employee manual	29 days	Thu 1/2/20	Tue 2/11/20	Kevin, Forrest

Project: Task List  
Date: Thu 2/6/20

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



TO: Millersburg City Council  
FROM: Kevin Kreitman, City Manager  
DATE: February 4, 2020 for the February 11, 2020 City Council Meeting  
SUBJECT: Fuel Tax Consideration

Action Requested: Council direction.

Discussion: Council has previous expressed a desire to evaluate the possible consideration of a fuel tax. Based on information from the State of Oregon for Millersburg for 2019, it is estimated that a 3 cent/gallon fuel tax would generate approximately \$410,000.00 annually. This amount is based upon the latest information from ODOT which indicated that such a tax for 2019 pumped fuel in Millersburg would have generated \$94,957 from pumped gasoline and \$315,270 from pumped diesel.

Oregon law limits how these funds can be utilized and states they shall be used exclusively for the construction, reconstruction, improvement, repair, maintenance, operation, and use of public roads and streets in the City of Millersburg.

These funds in combination with the approximately \$200,000.00 the City receives annually in highway use funds would greatly enhance the City's ability to maintain, improve, and expand our street system.

If Council should desire further consideration, staff would like input on how the Council would like to proceed. Any consideration for the adoption of a local fuel tax would require referral for a vote of Millersburg residents. If Council wished to consider a fuel tax this year, the Council would need to adopt a Resolution for a referral and file with our City Recorder no later than August 15<sup>th</sup>, for inclusion on the November 3, 2020 ballot.

Recommendation:  
Request for Input

Attachments(s):  
None



TO: Millersburg City Council  
FROM: Kevin Kreitman, City Manager  
DATE: February 4, 2020 for the February 11, 2020 City Council Meeting  
SUBJECT: Amending Millersburg Municipal Code

Action Requested: Adoption of the attached Ordinance, updating the Millersburg Municipal Code.

Discussion: During review of the Rules of Procedure for Council Meetings we become aware that our Municipal Code Section 2.30.030 (1), (2) and (3), promulgated by Ordinance No. 2, Section 3, contained language in direct conflict with the City Charter.

The City Charter in Section 23, Mayor Duties, "states the Mayor has no veto powers and shall sign all ordinances passed by the council within three days after their passage." The current language in the Municipal Code incorrectly references approval and veto powers of the Mayor with regard to the passage of Ordinances.

The proposed Ordinance would amend and correct this conflict between with City Charter and Millersburg Municipal Code Section 2.30.030 (1), (2) and (3).

Budget Impact:  
None.

Recommendation:  
Staff recommends Council adoption of the attached Ordinance amending the Millersburg Municipal Code Section 2.30.030 (1), (2) and (3), correcting the conflict between with City Charter and Municipal Code, and declaring an emergency.

Attachment(s):

- Ordinance 2020-01 – Amending Municipal Code Section 2.30.030 (1), (2) and (3), to delete provisions in conflict with the City Charter and declaring an emergency, *with track changes*
- Ordinance 2020-01 – Amending Municipal Code 2.30.030 (1), (2) and (3), to delete provisions in conflict with the City Charter of and declaring an emergency, *final draft*

ORDINANCE NO. XXX

AN ORDINANCE AMENDING MILLERSBURG MUNICIPAL CODE SECTION 2.30.030 BY DELETING PROVISIONS IN CONFLICT WITH THE CITY CHARTER, ADDING NEW LANGUAGE, AND DECLARING AN EMERGENCY

WHEREAS, the City of Millersburg previously adopted Ordinance No. 2 which established the method of doing business by the City of Millersburg by Ordinance, Resolution, and Agreement, and Declaring an Emergency; and,

WHEREAS, Ordinance 2 section 3 are codified in Millersburg Municipal Code Section 2.30.030 and in direct conflict with the City Charter;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS: Millersburg Municipal Code Sections 2.30.030 (1), (2), and (3) are hereby deleted, and the following language is inserted as follows:

(1) Upon passage of an ordinance, the enrolled copy thereof, attested by the Recorder, shall be submitted to the Mayor for signature ~~of approval.~~

(2) The Mayor shall have three days in which to sign ~~and approve an ordinance or veto the same.~~ Should the Mayor not sign ~~and approve an ordinance,~~ the same shall become 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.~~

(3) If no vote be taken on said ordinance by the Council, or if a two-thirds vote of the Council is not received in favor of the ordinance, the ordinance shall be deemed to have failed to become law. Otherwise, ~~upon the Mayor approving the ordinance,~~ it shall become law after 30 days from its passage and approval and be in full force and effect, unless otherwise provided; provided, that 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.~~

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FURTHERMORE, the Millersburg City Council finds that an emergency exists for the peace, health, and safety of the citizens of Millersburg; therefore, this Ordinance becomes effective upon its passage.

~~APPROVED~~**PASSED** by the Council ~~and approved by the Mayor~~ this 11th day of February 2020.

\_\_\_\_\_  
Jim Lepin  
Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Wollenburg  
City Recorder

**ORDINANCE NO. 2020-01**

**AN ORDINANCE AMENDING MILLERSBURG MUNICIPAL CODE SECTION 2.30.030 BY DELETING PROVISIONS IN CONFLICT WITH THE CITY CHARTER, ADDING NEW LANGUAGE, AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Millersburg previously adopted Ordinance No. 2 which established the method of doing business by the City of Millersburg by Ordinance, Resolution, and Agreement, and Declaring an Emergency; and,

**WHEREAS**, Ordinance 2 Section 3 is codified in Millersburg Municipal Code Section 2.30.030 and is in direct conflict with the City Charter;

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS:** Millersburg Municipal Code Sections 2.30.030 (1), (2), and (3) are hereby deleted, and the following language is inserted as follows:

- (1) Upon approval by Council of an ordinance, the enrolled copy thereof, attested by the City Recorder, shall be submitted to the Mayor for signature.*
- (2) The Mayor shall have three days in which to sign an ordinance. Should the Mayor not sign an ordinance, the same shall become effective without the Mayor's signature.*
- (3) If no vote be taken on said ordinance by the Council, or if a majority of the Council is not received in favor of the ordinance, the ordinance shall be deemed to have failed to become law. Otherwise, it shall become law after 30 days from its passage and be in full force and effect, unless otherwise provided; provided that 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.*

**FURTHERMORE**, the Millersburg City Council finds that an emergency exists for the peace, health, and safety of the citizens of Millersburg; therefore, this Ordinance becomes effective upon its passage.

**APPROVED by the Council this 11th day of February 2020.**

---

Jim Lepin  
Mayor

ATTEST:

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Kimberly Wollenburg, City Recorder



TO: Millersburg City Council  
FROM: Kevin Kreitman  
DATE: February 4, 2020 for the February 11, 2020 City Council Meeting  
SUBJECT: Council Rules of Procedure

Action Requested:

Council adoption of proposed update to the Council Rules of Procedure.

Discussion:

Attached is the proposed final draft to the Council Rules of Procedure. Based on discussion at the January 28<sup>th</sup> Council Work the changes requested by Council have been incorporated.

Additionally, during a final review incorporating the Council's requested changes, a few minor edits were noted and are shown on the tracked changes version.

Budget Impact:

No impact.

Recommendation:

Adoption of the final draft of the Council Rules of Procedure.

Attachment(s):

- Draft Council Rules of Procedure *with tracked changes*
- Resolution 2020-02 City Council Rules of Procedure



# Rules of Procedure for Council Meetings

## Table of Contents

Introduction..... 3

Disclaimer ..... 3

CHAPTER 1 – General Governance ..... 4

CHAPTER 2 – Meeting Time, Location and Frequency ..... 12

CHAPTER 3 – Ordinances and Resolutions ..... 15

CHAPTER 4 – Land Use Hearings..... 19

CHAPTER 5 – Motions, Debate, Public Comment and Voting ..... 23

CHAPTER 6 – Minutes ..... 27

CHAPTER 7 – Appointments ..... 28

CHAPTER 8 – Ethics, Decorum, Outside Statements ..... 29

CHAPTER 9 – Interactions with Staff & City Attorney ..... 30

CHAPTER 10 – Censure [and Removal] ..... 31

CHAPTER 11 – Amendment and Repeal ..... 32

## 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, 11<sup>th</sup> 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.<sup>3</sup>

**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~~ by the mayor:

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. Unfinished business.
14. New Business.
- ~~14.~~15. Items removed from the Consent Agenda

<sup>3</sup> 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.

~~15,16.~~ Public comment on items not on the agenda.

~~16,17.~~ Closing Council comment.

~~17,18.~~ 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 presiding chair 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 ten (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 will be recognized by the presiding chair. Those wishing to provide public comment on an item subject to a vote of the council will be recognized by the presiding chair shall as identified in Chapter 5 Motions, Debate, Public Comment and Voting, section III.
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 scheduled for a public hearing at that same meeting they will sign in for that hearing, and 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 and will approach witness table upon being recognized by the presiding chair. For public hearings, ~~Generally~~ generally, the speakers will be called upon in the order in which they have signed in on the speaker's roster. All ~~Speakers~~ speakers shall identify themselves by their names and by their place of street on which they residence and city 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 (3) 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.~~
- ~~7.6.~~ 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.
- ~~8.7.~~ 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, 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 ~~and may give their address [or identify the ward in which they reside.]~~ 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 (3) 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).
  - 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).
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.

## CHAPTER 2 – Meeting Time, Location, and Frequency

- I. **Regular meetings.** The Council shall meet every 2<sup>nd</sup> Tuesday of the month in the evening, with the exception of designated holidays.
  - A. Meetings shall begin at 6:30 p.m.
  - B. Meetings shall adjourn at 10:00 p.m., allowing one-hour increment extensions upon a majority vote of the Council.
  - C. Regular meetings shall be noticed in accordance with Oregon's Public Meetings Law, and, at a minimum, shall be noticed in three (3) public places in the City at least 24 hours prior to the meeting taking place.
- II. **Special meetings.** Special meetings may be called by the Mayor, or at the request of three (3) 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 or~~ email.
  - C. Special meetings shall be noticed in accordance with Oregon's Public Meetings Law, and, at a minimum, shall be noticed in three (3) 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 (3) members of the 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 or~~ 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 media<sup>1</sup> 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 ~~cancelled~~rescheduled.
- 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.
  - B. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.

<sup>1</sup> 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.

- 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 individual's 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. 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. [\(City Charter Section 18\)](#)

**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~~ other committee/commission members:** 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~~ Recorder and the results provided to the Mayor ~~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 by title only. After introduction, the Council may direct that:
    - a. The full ordinance be read aloud;
    - ~~a-b.~~ A public hearing on the ordinance be held;
    - ~~b-c.~~ Refer the ordinance to committee for review and recommendation;
    - ~~e-d.~~ Refer the ordinance to the City Manager for further revision;
    - ~~d-e.~~ Pass the ordinance; or
    - ~~e-f.~~ 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 by a majority vote of the Council ~~of~~ (at least

**Commented [KK1]:** Section 31 of the City Charter states proposed ordinances shall be read once in full at a council meeting. How would council like to address this?

three-(3) members) ~~s of the Council~~ shall be necessary to pass an ordinance. (City Charter Section 31)

4. An affirmative vote of at least three (3) members of the Council shall be necessary to pass an ordinance.
5. 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))
6. 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))~~
7. The ordinance shall become effective thirty (30) days following passage by the Council (City Charter Section 31) unless:
  - a. ~~A~~The -ordinances is 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. (City Charter Section 31)(MCC\_2.30.030 (3))
8. An ordinance may provide a later time for taking effect. (City Charter Section 31)

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 (LUDC).

## CHAPTER 5 – Motions, Debate, Public Comment and Voting<sup>2</sup>

- 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.

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<sup>2</sup> 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 three (3) 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, street on which they reside and [city of residence address](#) prior to giving comment. This information shall be used to ensure 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.

- 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.
- 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 the 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 requires 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.

**RESOLUTION NO. 2020-02**

**A RESOLUTION REPEALING RESOLUTION 2017-8  
AND ADOPTING RULES OF PROCEDURE FOR THE CITY COUNCIL OF  
MILLERSBURG, OREGON**

**WHEREAS**, the City Council has previously adopted rules of procedure for use at meetings of the Council; and,

**WHEREAS**, from time-to-time, there is a need to update and restate such rules to ensure the orderly conduct of City business, and to protect the ability of the public to participate meaningfully in such business; and,

**WHEREAS**, the City Council wishes to adopt new rules of procedure;

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

1. Resolution 2017-8, adopted March 14, 2017, is hereby repealed.
2. The City Council adopts the City Council Rules of Procedure attached and incorporated herein as Exhibit A.

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

**Duly passed** by the City Council this 11<sup>th</sup> day of February, 2020.

---

Jim Lepin, Mayor  
City of Millersburg, Oregon

ATTEST:

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Kimberly Wollenburg  
City Recorder



TO: Millersburg City Council  
VIA: Kevin Kreitman, City Manager  
FROM: Janelle Booth, Assistant City Manager/City Engineer  
DATE: February 6, for the February 11, 2020 City Council Meeting  
SUBJECT: Connection Charges Revision

Action Requested: Staff requests Council review of a proposed revision to the Connection Charge ordinance to apply connection charges only at the time of property division or land use action.

Discussion:

In May, 2019 Council meeting, Council passed Ordinance 151 adopting connection charges for sanitary sewers, water distribution facilities, storm drains, and improved streets. In August, Council adopted a revision to the Ordinance exempting frontage associated with existing homes from the connection charges.

As originally adopted and amended, connection charges are applied to both land divisions and building permits. The proposed change would apply connection charges only at the time of property division or land use action (conditional use, etc.). This would mean connection charges are not applied when a building permit is obtained on an existing parcel, for which no land use action is required. Currently there are less than ten residential lots within the City that will be affected by this change.

Budget Impact:

Minimal change in connection charges collected is anticipated.

Recommendation:

If Council desires to apply connection charges only at the time of property division or land use action, staff recommends adoption of Ordinance 2020-02.

Attachment(s):

- Ordinance 2020-02, Revised Connection Charges
- Exhibit A, Connection Charges Code Language

**ORDINANCE NO. 2020-02**

**AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 15.30.020,  
CONNECTION CHARGES**

**WHEREAS**, the City of Millersburg desires to create an equitable system for property owners and developers to participate in the cost of sanitary sewers, water distribution facilities, storm drains, and/or improved streets required along the frontage of their property; and,

**WHEREAS**, the City of Millersburg has established connection charges for sanitary sewers, water distribution facilities, storm drains, and/or improved streets to collect fees commensurate with the cost of the improvements; and,

**WHEREAS**, the City of Millersburg desires to allow time for those currently involved in land use and/or construction planning activities to complete those activities before the fees become effective; and,

**WHEREAS**, the City of Millersburg desires to exempt frontage associated with existing homes from connection fees; and,

**WHEREAS**, the City of Millersburg desires to apply connection charges only at the time of property division or land use action;

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

The City of Millersburg amends Section 15.30.020 of the Municipal Code, CONNECTION CHARGES, by adopting attached “Exhibit A” as the revised connection charge policy for sanitary sewers, water distribution facilities, storm drains, and/or improved streets; and,

Applications accepted by the City prior to June 14, 2019 shall be exempt from connection charges until June 14, 2020; and,

Any modification of an existing application after June 14, 2019 shall be subject to all applicable connection charges.

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

**APPROVED** by the Council this 11<sup>th</sup> day of February, 2020.

---

Jim Lepin, Mayor  
City of Millersburg, Oregon

ATTEST:

---

Kimberly Wollenburg  
City Recorder

## Exhibit A

### CONNECTION CHARGES

Sections:

- [15.30.010](#) Application of connection charges
- [15.30.020](#) Timing and procedures for determination of connection charge
- [15.30.025](#) Exemption for frontage associated with existing homes
- [15.30.030](#) Determination of the amount of the connection charge
- [15.30.040](#) Use of monies raised through connection charges
- [15.30.050](#) Failure to pay connection charge

#### **15.30.010 Application of connection charges.**

A connection charge shall be due and payable when any person, corporation, or legal entity, connects to or accesses the City's sanitary sewers, water distribution facilities, storm drains, and/or improved streets, from or for the benefit of any real property against which no assessment has previously been levied or for which the cost of constructing the sanitary sewer, water distribution facility, storm drain, and/or improved street has not been paid by the property owner or predecessor thereof. The City Council shall, by separate resolution establish, and may from time to time amend, a methodology which shall be used to determine the criteria by which a determination will be made concerning the application of any particular connection charge to any particular property within the City.

#### **15.30.020 Timing and procedures for determination of connection charge.**

If the sanitary sewer, water distribution facility, storm drain, and/or improved street is to be utilized pursuant to any activity involving a land division or land use approval through a site plan review or conditional use, the amount of the applicable connection charge shall be paid, in full, prior to the signing of the final plat or exercise of the land use approval. ~~In all other cases, the connection charge shall be assessed and paid, in full, prior to the issuance of any building permit or encroachment permit authorizing construction on real property which will utilize or connect to any of the City facilities in MMC 15.30.010.~~

#### **15.30.025 Exemption for frontage associated with existing homes.**

Frontage associated with existing homes, as of the effective date of this ordinance, shall be exempt from connection charges. In the case of a land partition or subdivision, connection charges shall be exempted for only the lot/parcel containing the existing home. All other parcels/lots are not exempted. Any change in use which requires improvements to the property will require connection charges.

In cases where new parcels are created which extend behind an existing home (such as flag lots), connection charges shall be based on the entire width of the newly created parcel(s), measured at the widest point, or the entire road frontage of the property being divided, whichever is less.

**15.30.030 Determination of the amount of the connection charge.**

The City Council shall, by separate resolution, establish and may, from time to time, revise, a methodology for determining a fair and equitable connection charge when such charge is due pursuant to MMC [15.30.020](#).

**15.30.040 Use of monies raised through connection charges.**

Revenues obtained through connection charges shall only be used for the same type of facility for which the charge was collected. For example, street connection charges shall only be utilized for authorized street fund purposes. Connection charges may be used to repay third persons, other governmental entities, or the City in the event that these entities provided the original funding which constructed the improved facility to which connection is allowed.

**15.30.050 Failure to pay connection charge.**

Any development permit, building permit, or encroachment permit erroneously issued by the City without payment of the connection charge required by this chapter shall be void and, in addition to any other remedy or consequence which may follow from the use or occupancy of premises without the required permit, failure to pay the connection charge within 10 days following written notice by the City, addressed to the property owner at the address shown on the applicable county tax records, shall constitute a misdemeanor punishable under the general penalty provided in the Millersburg Code of Ordinances [10.99](#).



TO: Millersburg City Council  
 FROM: Kevin Kreitman, City Manager  
 DATE: February 4, 2020 for the February 11, 2020 City Council Meeting  
 SUBJECT: Implementing Website Update

Action Requested: Consideration of website update and enhancements

Discussion: At the January 28, 2020 Council Work Session staff shared that a review of potential vendors for a website update had been completed by staff and a presentation was provided by the preferred vendor Municode.

Attached is the proposal from Municode for the website redesign, hosting and maintenance, and the costs associated with the redesign and ongoing hosting and maintenance of the City's website. Staff would like to receive Council's input on the services to include, and if the Council wishes to move forward, Council direction on whether to move forward with beginning implementation of the redesign or wait for the next fiscal year.

**Initial Costs**

Design, Development and Implementation		
• With base features		\$4,600.00
• Upgrade to Custom Design (optional)		\$3,500.00
Business Directory (optional)		\$ 750.00
	Total	\$4,600 – 8,900.00

**Annual Costs**

Annual Hosting, Maintenance, & Customer Support	\$1,800.00 / year
Meeting and Agenda Management (optional)	\$2,400.00 / year
Email Subscriptions/Notifications (optional)	\$ 600.00 / year
Business Directory (optional)	\$ 600.00 / year
Property Directory (Commercial/Industrial) (optional)	\$ 200.00 / year
	Total           \$1,800.00 – 5,600.00/year

Of the options mentioned above, a couple were not covered during the presentation due to time.

- The email subscriptions would allow citizens to subscribe and select information they would like "pushed" to their email when items are posted or updated on the new website. It would also allow for notifications such as road closures and emergency alerts as well as other functions.
- The business directory would allow business to enter information regarding their services etc. to populate an A-Z directory that would include a map that can be searched by type of business and where they are located in the City.

- Finally, the property directory would show a listing of commercial/industrial buildings for lease or sale, it would also allow additional information and map of the location as well as listing incentives and property contact information.

We will have a short 6 minute video available to show if Council desires to see the features of the email subscriptions/notifications, business directory, and property directory.

Budget Impact:

Funds are currently available based on savings on our phone and internet costs to allow implementation to move forward this fiscal year if desired, with ongoing costs included in the 2020 – 2021 budget moving forward.

Recommendation:

Request for Council concurrence on the selection of Municode as a provider for website redesign and the selection of optional features, with direction on moving forward.

Attachment(s):

- Municode Proposal



## Website Redesign, Hosting, and Support

### Quote for Millersburg, Oregon



**Bob Geiger**

PO Box 2235 Tallahassee, FL 32316  
850-692-7132 [bgeiger@municode.com](mailto:bgeiger@municode.com)

# LETTER OF INTEREST

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09/06/19

Dear Website Selection Team:

Thank you for the opportunity to present our quote for website redesign, hosting, and support services. It is our goal to deliver a mobile-friendly website that is professional, easy-to-use, and easy-to-maintain.

Our team has developed a portfolio of online services that are tailored for local government agencies. We have worked with cities, towns, villages, counties and other local government agencies for over sixty-five years continually striving to make your job easier. When it comes to posting content on the web, our solution is simple and straight-forward.

Our websites make it easier for your community to find content by providing multiple navigation paths to each page. Our designs reinforce self-service to enable 24x7 online access to your organization's services.

We create your website using Drupal, an industry-leading content management system. Since Drupal is open-source, your website is truly yours unlike those of many other government redesign companies that use their own proprietary software.

We are thrilled at the opportunity to partner on such an important initiative.

Sincerely,



Brian Gilday  
President, Website Division

# CONTENTS

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Letter of Interest .....	2
Contents .....	3
Company Profile .....	4
References and Design Examples .....	6
Website Content Management System (CMS) Features .....	10
Meeting and Agenda Management (Optional) .....	11
Policies and Procedures Management (Optional) .....	12
Project Timeline and Approach .....	13
Hosting, Maintenance, and Customer Support .....	16
Project Costs .....	18
Payment Schedule .....	19
Services Agreement .....	20

# COMPANY PROFILE

## History, Mission, and Team

With over 65 years of experience, Municode's mission is to connect public sector organizations with their communities. Our solutions promote transparency and efficiency - such as custom website design, meeting and agenda management, online payment portals, the legal codification process, and our robust suite of online legislative search tools.

Municode has been in business for over sixty-five years and partners with more than 4,000 government agencies across all fifty states. Municode is a privately-owned corporation and is financially sound with no debt. Our leadership focuses on improving Municode through investments in its people and its technology. Our culture is conducive to the longevity of our employees; Our clients can establish a long-term partnership with our experienced and stable workforce.



Municode is home to over 230 employees (most of whom enjoy a 10+ year tenure). Our headquarters in Tallahassee, Florida includes four buildings totaling 56,000 square feet. Our West Coast office is in Portland, Oregon. We also have individual team members working in several states across the country.

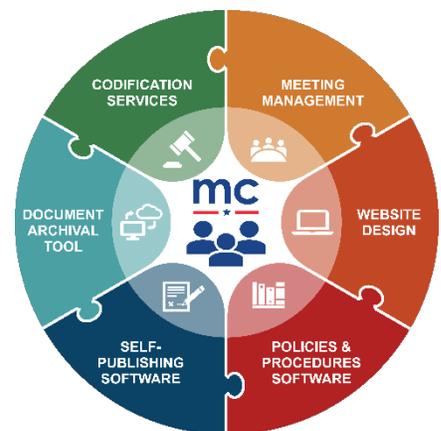


## Our Vision: Simple, Seamless Integration

Our vision is to create seamless integration between our service offerings. The goal is to reduce staff workload, while at the same time, increasing the ability for municipalities to connect with their communities.

The following example integration points are either in place today or envisioned in our future strategic roadmap.

- Unified search across all platforms (website, meetings, online codes)
- Auto-publish agendas and minutes from the Meetings platform to the Website
- Ordinance auto-publishing from the Meetings platform to your online code, queued for supplementation, Code of ordinance cross-references to legislative voting history, minutes, and video/audio



## Project Team

We have a highly-skilled team with a customer service focus.



### **Jarrod - Project Sponsorship / Project Management / Customer Service**

Jarrod has a Bachelor of Science degree in Mathematics and Business Administration from the University of Oregon. Jarrod is the Director of Professional Services and leads all aspects of project development and customer support.



### **Dave - Project Management / User Experience**

Dave has a Bachelor of Arts degree in Communications from California State University. In addition to project and design leadership, Dave will participate in various analytical, site configuration, content migration, and training activities.



### **Mary Joy – Project Management / User Experience**

Mary Joy has that unique ability to put technical concepts into easy-to-understand terms with clients such as Dunkin Donuts, Gillette, Fidelity, and Osram Sylvania. A Bentley graduate with a Bachelor of Science in CIS, Mary Joy leads our customer support efforts and content migration.



### **Paul – Development / Systems Architecture / QA**

Paul has been working on software systems for years and is a strong member of our team. We will turn to Paul for any custom development work that might be required. In addition, Paul has many years of experience in quality assurance testing, so he will be acting as Municode’s lead tester for the engagement.



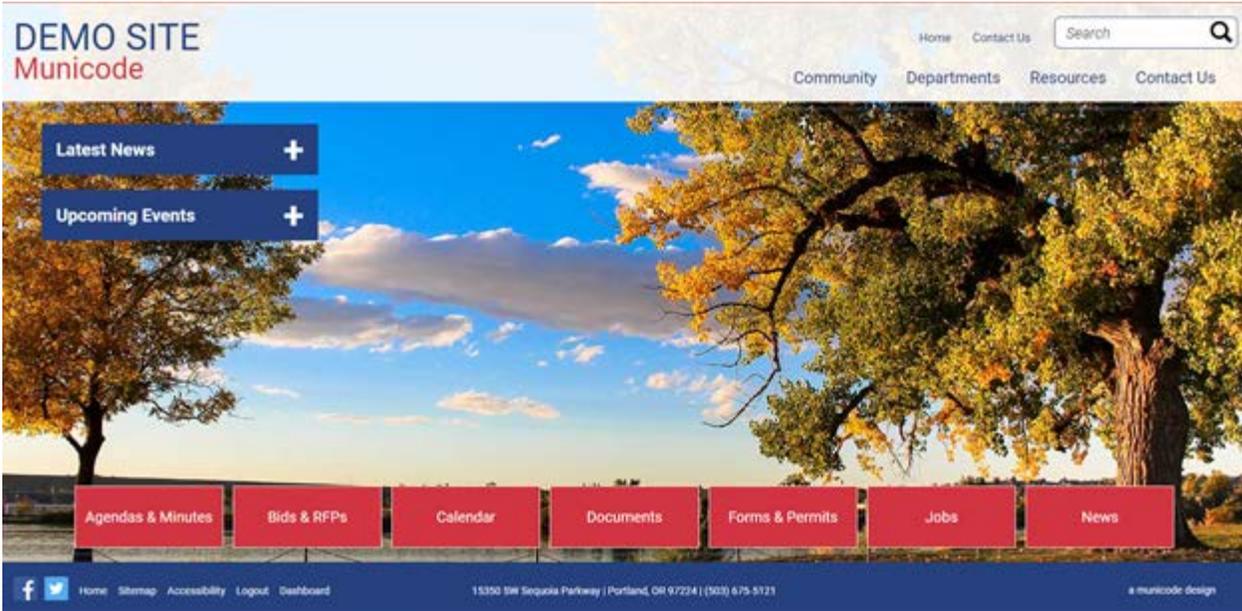
### **Drago - Graphic Design**

Drago's work speaks for itself. He has the unique ability to capture the essence of your branding and communication requirements and transform them to stunning web designs.

# REFERENCES AND DESIGN EXAMPLES

## Standard Designs

Our standard designs come as part of our base price and are a great option for those who want a professional, mobile friendly design without the added expense of custom graphic design work. You choose from one of our standard layouts and still get to customize the color palette and background photos.



- ★ Same features and systems as custom design.
- ★ Customize your images.
- ★ Your logo.
- ★ Customize the header bar color.
- ★ Customize your menus.
- ★ Customize your quick links.
- ★ Customize your button colors.
- ★ Customize the footer bar color.



## Standard Designs

Our standard designs come as part of our base price and are a great option for those who want a professional, mobile friendly design without the added expense of custom graphic design work. You choose from one of our standard layouts and still get to customize the color palette and background photos.

### Apple Valley Utah

<https://www.applevalleyut.gov>

Population: 701

Marty Lisonbee, Mayor

435-680-2629

[mlisonbee@applevalleyut.gov](mailto:mlisonbee@applevalleyut.gov)



### Bowling Green Virginia

<https://www.townofbowlinggreen.com/>

Population: 1,111

Melissa Lewis, Clerk/Treasurer

804-633-6212

[towntreasurer@townofbowlinggreen.com](mailto:towntreasurer@townofbowlinggreen.com)



### San Augustine Texas

<https://www.cityofsanaugustinetx.gov>

Population: 2,108

John Camp, City Manager

936-275-2121

[John.Camp@cosatx.com](mailto:John.Camp@cosatx.com)



### Craig Alaska

<http://www.craigak.com>

Population: 1,201

Brian Templin, Planner

(907) 826-3275

[planner@craigak.com](mailto:planner@craigak.com)



## Custom Designs

There is a reason why we have loyal customers! It is because we have a great solution, we take care of our customers, and we are committed to working with you for the long haul. When you pick up the phone and call us, we answer! When you email, we respond quickly – usually within 30 minutes. When you need us, we will be there for you. **But don't take our word for it, ask our clients.**

### Brownsville Oregon

<http://www.ci.brownsville.or.us>

Population: 1,668

Scott McDowell, City Administrator

541-466-5880

[admin@ci.brownsville.or.us](mailto:admin@ci.brownsville.or.us)



### Skagway Alaska

<http://www.skagway.org/>

Population: 1,057

Emily Deach, Municipal Clerk

907-983-9706, 9079832297

[e.deach@skagway.org](mailto:e.deach@skagway.org)



### Harlem Georgia

<https://harlemga.org>

Population: 2,666

Debbie Moore, Clerk

706-556-3448

[dmoore@harlemga.org](mailto:dmoore@harlemga.org)



### Freeport Florida

<http://freeportflorida.gov>

Population: 1,787

Becky Podraza, City Clerk

850-835-1978

[cityclerk@freeportflorida.gov](mailto:cityclerk@freeportflorida.gov)

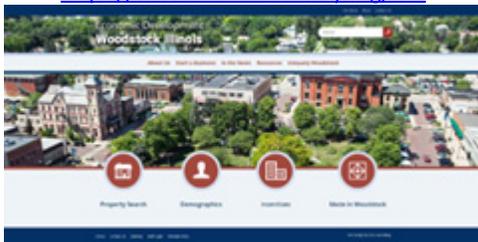


## Specialty Sub-Site Graphic Designs

We also offer the option of having graphic designs for sub-sites that require specialized branding. We call these 'specialty sub-sites'. We leverage your main CMS and database, which allows us to offer these sub-sites with the same functionality as your main site yet with a completely different look and feel.

### Economic Development

[www.choosewoodstock.com](http://www.choosewoodstock.com)  
<https://www.fluvannacounty.org/ced>



### Parks & Recreation

[www.cprdnewberg.org](http://www.cprdnewberg.org)  
[www.cityofvancouver.us/parksrec](http://www.cityofvancouver.us/parksrec)



### Festivals

[www.wintermusicfestival.org](http://www.wintermusicfestival.org)



### Libraries

[www.woodstockpubliclibrary.org](http://www.woodstockpubliclibrary.org)



### Police and Fire

[www.mvfpd.org](http://www.mvfpd.org)  
[www.quincypd.org](http://www.quincypd.org)  
[www.co.benton.or.us/sheriff](http://www.co.benton.or.us/sheriff)



### Event Centers / Cultural Centers

[www.eventcenter.org](http://www.eventcenter.org)  
[www.woodstockoperahouse.com](http://www.woodstockoperahouse.com)  
[www.sherwoodcenterforthearts.org](http://www.sherwoodcenterforthearts.org)



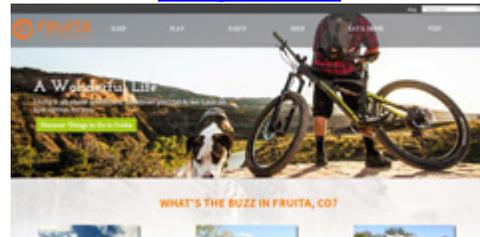
### Golf Courses

[www.meadowlakesgc.com](http://www.meadowlakesgc.com)



### Tourism

[www.gofruita.com](http://www.gofruita.com)



# WEBSITE CONTENT MANAGEMENT SYSTEM (CMS) FEATURES

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Municode Web was designed for local governments by experts in local government. It utilizes Drupal, an open source platform, that powers millions of websites and is supported by an active, diverse, and global community. We are the Drupal experts for local government!

## Key Project Deliverables

- ★ WEBSITE DESIGN
- ★ CONTENT MIGRATION
- ★ TRAINING
- ★ HOSTING
- ★ SUPPORT

## Standard Features

- ⊙ Responsive Mobile Friendly Design
- ⊙ Simple Page Editor
- ⊙ Best-in-Class Search Engine
- ⊙ Social Media Integration
- ⊙ Web Page Categories - create a page once, have it show up in multiple places
- ⊙ Department Micro-sites (sites-within-a-site)
- ⊙ Rotating Banners and Headline Articles
- ⊙ Online Job Postings
- ⊙ Online Bid/RFP Postings
- ⊙ Photo Album Slideshows
- ⊙ Google Maps Integration
- ⊙ Resource/Document Center
- ⊙ Image auto-scaling and resizing
- ⊙ Site Metrics (Google Analytics)
- ⊙ Scheduled Publish On/Off Dates
- ⊙ Unlimited User logins
- ⊙ Unlimited Content
- ⊙ Word-like WYSIWYG Editor
- ⊙ Private Pages – staff view only
- ⊙ Unlimited Online Fillable Forms
- ⊙ Emergency Alerts
- ⊙ Meeting Agendas/Minutes/Videos
- ⊙ Event Calendar
- ⊙ Page Versioning / Audit Trail
- ⊙ Latest News / Press Releases
- ⊙ Anti-spam controls
- ⊙ Email Harvesting Protection
- ⊙ Broken Link Finder
- ⊙ Dynamic Sitemap
- ⊙ Support for Windows, Mac, Linux
- ⊙ Video integration (YouTube, Vimeo, etc.)
- ⊙ Client owns rights to all data
- ⊙ Organization/Staff Directory
- ⊙ Frequently Asked Questions (FAQs)
- ⊙ Ordinances and Resolutions
- ⊙ Share This Button (Facebook/Twitter)
- ⊙ Secure Pages / SSL
- ⊙ Printer Friendly Pages
- ⊙ RSS Feeds Inbound/Outbound

## Optional Features/Services

- ⊙ Email Subscriptions / Notifications
- ⊙ Projects Directory
- ⊙ Parks and Trails Directory
- ⊙ Property Directory (Commercial/Industrial)
- ⊙ Business Directory
- ⊙ Facility Reservations
- ⊙ Specialty Sub-site Graphic Designs
- ⊙ Custom Feature Development

# MEETING AND AGENDA MANAGEMENT (OPTIONAL)

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Municode Web includes a standard feature to post meeting agendas and minutes. Many organizations seek the additional features of an agenda management solution such as agenda item approval workflow, auto-generated PDF/Word agendas, live council voting/roll call, and audio/video integration.

Municode Meetings is the easiest-to-use and most modern agenda management system in the industry. It is a 100% cloud-based offering that will greatly reduce the staff time and effort required to create and publish online agendas and minutes.

## Key Project Deliverables

- ✦ BOARD/COMMITTEE SETUP - configure as many boards as you need - no limit
- ✦ MEETING TEMPLATE DESIGN - design one or more meeting templates to your custom specifications
- ✦ TRAINING
- ✦ WORKFLOW - setup custom agenda item approval workflows
- ✦ USERS/ROLES/PERMISSIONS - create and configure unlimited user accounts
- ✦ ANNUAL SERVICE - 99.95% up-time guarantee, data backups, disaster recovery
- ✦ SUPPORT - 8AM to 8PM Eastern phone and email support; 24x7x365 emergency support

## Standard Features

- ⦿ Unlimited Meetings and Agenda Templates
- ⦿ Unlimited Meeting Agenda Templates
- ⦿ Unlimited Users
- ⦿ Create Meetings
- ⦿ Submit/Add Agenda Items
- ⦿ Attach agenda item files
- ⦿ Create Agendas
- ⦿ Create Agenda Packets
- ⦿ Create Meeting Minutes
- ⦿ Approve Items with Approval Workflow
- ⦿ Auto Publishing Agenda, Agenda Packet, Minutes to the web
- ⦿ Self-service YouTube video time stamping
- ⦿ Integration with Swagit Video (coming soon)
- ⦿ Voting/Roll Call
- ⦿ Integration with Municode Web calendar

## Service and Support

We will guarantee service uptime of 99.95%. In the event this service level is not met within a given month, you will receive a credit for that month's service.

We will provide you contact numbers to reach us 24x7x365 for catastrophic site issues. We will also be available from Monday to Friday 8AM-8PM EST via email and phone to handle routine questions from staff.

We will perform security upgrades and other optimizations during off-hours, typically between the hours of 12-3AM PST, if such work requires your meetings to be off-line. We will provide at least 14 days' notice for any non-emergency maintenance that requires down-time.

Our auto-monitoring software continually monitors performance and instantly alerts us when problems occur. We act as soon as possible and no later than two hours after problems are detected.

# POLICIES AND PROCEDURES MANAGEMENT (OPTIONAL)

---

Municode Web includes a standard feature to post policy and procedure documents. Many organizations seek the additional features of a policy and procedures management solution, such as approval workflow, automated PDF generation, and historical tracking. Examples of policy and procedure manuals include fire codes, general plans, financial reports, and proclamations. Municode’s Self-Publishing Software facilitates these needs.

## Key Project Deliverable

- ★ SOFTWARE LICENSE – Annually, includes up to five (5) authorized users
- ★ CONVERSION – Convert your current Word/Folio manuals to our software database for in-house publication, updates and maintenance
- ★ WORKFLOW – Provides organized, systematic execution of updates, corrections, new clauses, new codes, etc.
- ★ ONLINE BOOK HOSTING – Published in HTML format
- ★ SERVICE LEVEL - 99.95% up-time guarantee, data backups, disaster recovery
- ★ SUPPORT - 8AM to 8PM Eastern phone and email support; 24x7x365 emergency support

## Standard Features

- ⊙ Policy/Amendment drafting tool
- ⊙ Automated code, policy and publication updates
- ⊙ Automated approval and signature workflow
- ⊙ Automated PDF generation for backup/printing
- ⊙ Historical tracking tool
- ⊙ Online training and customer service

## Service and Support

We will guarantee service uptime of 99.95%. In the event this service level is not met within a given month, you will receive a credit for that month's service.

We will provide you contact numbers to reach us 24x7x365 for catastrophic site issues. We will also be available from Monday to Friday 8AM-8PM EST via email and phone to handle routine questions from staff.

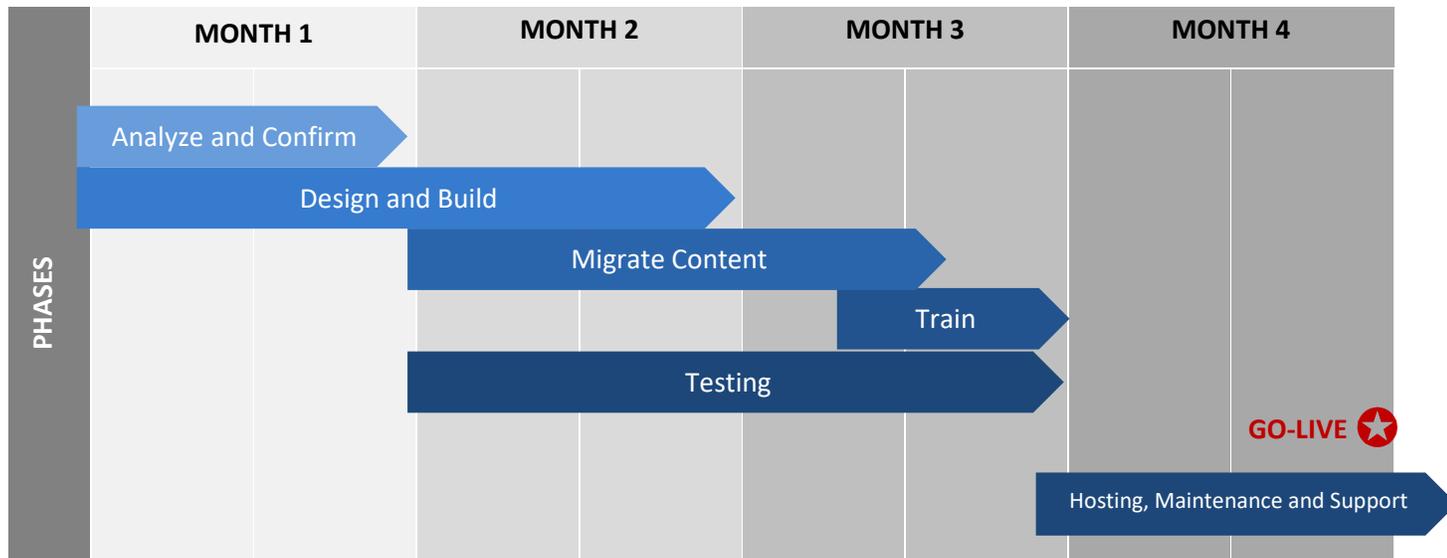
We will perform security upgrades and other optimizations during off-hours, typically between the hours of 12-3AM PST, if such work requires your meetings to be off-line. We will provide at least 14 days’ notice for any non-emergency maintenance that requires down-time.

Our auto-monitoring software continually monitors performance and instantly alerts us when problems occur. We act as soon as possible and no later than two hours after problems are detected.

# PROJECT TIMELINE AND APPROACH

The typical project takes from 3 to 7 months. The high-level timeline below is an approximation. We will finalize the schedule once we meet with you:

## Project Timeline Sample



## Client Responsibilities

The client's responsibility and the key to a smooth on-time deployment is providing the initial information and approving proofs quickly.

- The Client will make available to Municode relevant images, photos, logos, colors, and other branding material as well as an inventory of existing applications, websites, and content at the start of this effort. The Client will create new content copy as needed.
- The Client will assign a single point of contact for Municode to interact with that will be responsible for coordinating the schedules of other project stakeholders.
- The Client will review any deliverables requiring formal approval within 5 business days and return all comments/issues at or before those 5 days have elapsed.
- The Client will assign one person who will act as the "ultimate decision maker" in the case where consensus among the team cannot be reached.
- The Client must agree to applicable terms of services for Google related services such as Google Analytics and Google Maps to access those features. Municode is not responsible for Google's decisions related to discontinuing services or changing current APIs.

## Project Phase Descriptions

### Phase 1: Analyze and Confirm Requirements

#### Website Assessment:

Municode will complete an analysis of your current website(s) to assess the existing navigation, features/functions, and quality of content.

#### Organizational Overview Inventory/Survey:

Municode will provide an organizational overview document for you to complete as part of this assessment.

#### Website Design Meeting:

Municode will conduct a design meeting with a client-defined web advisory team. We recommend the advisory team be limited to a maximum of 6 members. This design meeting will allow the website advisory team to provide input regarding the overall design of the new website, including the site branding as well as high-level site navigation. This team will act as the initial review team for website design concepts. In addition, this team will act as the final review team for the website before it is approved for go-live.

### Deliverables

- ① Summary assessment sheet
- ① Organization Survey
- ① Website design specification sheet (graphic design and information / navigation design)

### Phase 2: Design and Build phase

#### Design Concept Creation and Approval (Custom Designs):

Municode will complete home page design concepts for the Home Page and inner pages. These design concepts will incorporate all the graphical elements as well as the high-level sitemap. You will select a winning concept after going through a series of iterative design revision meetings. We allow for a total of 6 revisions.

#### Website Setup, Configure, and Customization:

Municode will create a fully functional website that includes the functional elements described in this proposal. As part of the website setup, Municode will finalize any remaining elements to the approved design and navigation.

### Deliverables

- ① Design concepts
- ① Finalized design (Photoshop PSD)
- ① Functional beta website with approved design
- ① Content migration

## Phase 3: Migrate Content

### Content Finalization and Departmental Acceptance

Municode migrates initial content and your trained staff finalizes prior to go-live. See pricing section for specific number of included pages.

**Meeting Agendas and Minutes:** Client completes an excel template with information regarding each meeting plus corresponding files. Municode will then auto-import that content. Files must be provided with a standard naming convention to allow for auto parsing of date. (i.e. minutes\_061516.pdf, etc.)

**Standard Web Pages:** A standard web page is defined as a page that contains a title, body text, and up to a total of 5 links, file attachments, or images. If you require migration of more complex pages, we can provide a custom quote.

**Directory pages (Staff Directory, Projects, Commercial/Industrial Properties, Business Directory, Ordinances/Resolutions):** Client completes manually or may request a custom quote. For custom quotes, client completes an excel template with directory data and Municode auto-imports directory content.

### Deliverables

- ⦿ Content creation and migration
- ⦿ Departmental content 'signoff'

## Phase 4: Staff Training

### Staff Training

Throughout the development and after launch, our customers have access to training, resources and educational opportunities that help them thrive. Our initial training is offered to administrators and content contributors.

### Deliverables

- ⦿ On-site (if applicable)
- ⦿ Web teleconference
- ⦿ Videos and User guides

## Phase 5: Testing

### Municode Functional Testing

Municode will perform a series of tests across multiple browser and operating system versions to confirm site functionality. Test will confirm proper functionality of all features documented in this proposal.

### Acceptance Testing

Staff will review the website for completeness. Municode will have completed functional testing and cross-browser compatibility testing.

### Deliverables

- ⦿ Completing Testing Checklists
- ⦿ Site acceptance by client

## Go Live

### Go-Live

We will work with you to make the appropriate 'A' Record DNS entry changes to begin the process of propagating the new production web server IP address.

### Deliverables

- ⦿ Accepted Final Live Website

# HOSTING, MAINTENANCE, AND CUSTOMER SUPPORT

---

## Hosting

We provide first-class hosting services in a secure data center. We take cyber security seriously. Your website will be secure from multiple perspectives:

### Data Center

We host your website in a secure data center. The data center is manned 24x7x365. Your website is maintained using firewalls, load balancers, multiple web application servers, and a database server. We apply security updates to the entire web server stack on a regular basis.

### Data transmission

We guarantee up to 1 Terabyte of data transfer per month.

### Redundant high-availability failover (optional):

We have the capability of providing premium hosting service levels by offering a mirrored copy of your site on a separate infrastructure and geographic location. We would need to talk through the required service levels and bandwidth to provide pricing for this item.

### Web CMS software security

We apply security updates to your Drupal-based CMS whenever updates are posted. Your website is built on Drupal software that has the confidence of millions of websites in both the private sector and public sector, including whitehouse.gov, the City of Boston and the City of Los Angeles. Several built-in security mechanisms are in place to prevent cross-site scripting attacks.

### Web transmission security

Your website is secured with SSL to encrypt transmission of data. We SSL-enable every page on your website for maximum security.

### User authentication security

Our solution is configured with granular role-based permissions, and each user is required to login with a unique user id and password. We also offer a [two-factor authentication option](#) using Google Authenticate if that should be something you are interested in pursuing.

### Data Backup

We back up your data in multiple geographic locations. We backup daily, weekly, monthly, and up to 7 years of annual data backups.

### Guaranteed Uptime

Municode guarantee web server uptime of 99.95%. In the event this service level is not met within a given month, you will receive a credit for that month's service

## Maintenance and Customer Support

### **24x7 Customer support:**

We will provide you contact numbers to reach us 24x7x365 for catastrophic site issues. We will also be available from Monday to Friday 8AM-8PM EST via email and phone to handle routine website operation questions from staff.

### **Security upgrades:**

Municode will apply security upgrades to your solution's core and contributed modules ensuring that your website stays secure. Municode will perform security upgrades and other web server and website optimizations during off-hours, typically between the hours of 9PM-3AM Pacific, if such work requires taking the website off-line. We will provide at least 14 days' notice for any non-emergency maintenance that requires down-time.

### **Site Monitoring and Site Recovery:**

Municode will install auto-monitoring software routines that continually monitor website performance and alert us when problems occur. We will act as soon as possible and no later than two hours after problems are detected.

### **Free feature upgrades:**

As we update our base Municode features, you receive those upgrades for FREE.

# PROJECT COSTS

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## Design, Development, and Implementation Phase

**\$4,600**

- Fully functional Municode CMS with all base features
- Responsive mobile-friendly website with **standard** design
- Content migration; up to 100 pages and 5 years meeting minutes
- Training: web teleconference, video, user guides

## Annual Hosting, Maintenance, and Customer Support

**\$1,800 / year**

- 80GB disk space and up to 1 terabyte data transfer per month
- 99.95% up-time guarantee, telephone support 8AM-8PM Eastern
- Email support with one-hour response time during working hours
- Emergency 24x7 support
- Up to 3 hours' webinar refresher trainings per year

## Total Year 1 Costs

**\$6,400**

## Select Additional Website Options

- |   |  |
|---|--|
| <input type="checkbox"/> Custom website design                                    | \$3,500 one-time                       |
| <input type="checkbox"/> Email Subscriptions / Notifications                      | \$600 per year                         |
| <input type="checkbox"/> Business Directory                                       | \$750 setup + \$600 per year           |
| <input type="checkbox"/> Facility Reservations                                    | \$1500 setup + \$900 per year          |
| <input type="checkbox"/> Projects Directory                                       | \$200 per year                         |
| <input type="checkbox"/> Parks and Trails Directory                               | \$200 per year                         |
| <input type="checkbox"/> Property Listings (Commercial/Industrial)                | \$200 per year                         |
| <input type="checkbox"/> Specialty sub-site graphic designs                       | \$3500 + \$600 per year (per design)   |
| <input type="checkbox"/> Site graphic redesign every 4th year                     | \$600 per year (per design)            |
| <input type="checkbox"/> Additional on-site visits (training, consultation, etc.) | \$1500 day 1, \$1000 per day (days 2+) |
| <input type="checkbox"/> Custom Feature Development                               | \$150 per hour or fixed bid quote      |
| <input type="checkbox"/> Meeting and Agenda Management (Municode Meetings)        | \$2,400 per year                       |
| <input type="checkbox"/> Policies and Procedures Management                       | ask for quote                          |

# PAYMENT SCHEDULE

## Option A: Standard Payment Schedule

### Year 1

Sign contract	50% of one-time costs (\$2,300)
Implement design and features	50% of one-time costs (\$2,300)
Conduct training (site moved to production / annual support begins)	annual hosting and support (\$1,800)

### Notes

- No long-term commitments required. We will earn your trust. You may cancel service at any time.
- Guaranteed pricing. Hosting and Support fees will not increase for first three years.
- Payment schedule will be adjusted accordingly based on selected optional features.
- Annual hosting and support fees starting year four will increase according to the previous year-ending *Consumer Price Index (CPI) for All Urban Consumers*.

## Option B: 4-year Interest-free Payment Schedule

- Year 1
  - o at time of contract signature
    - Project payment 1 of 4 \$1,150
    - Annual website hosting/support \$1,800
    - **Total year 1 \$2,950**
- Year 2
  - o one year from contract signature
    - Project payment 2 of 4 \$1,150
    - Annual website hosting/support \$1,800
    - **Total year 2 \$2,950**
- Year 3
  - o two years from contract signature
    - Project payment 3 of 4 \$1,150
    - Annual website hosting/support \$1,800
    - **Total year 3 \$2,950**
- Year 4
  - o three years from contract signature
    - Project payment 4 of 4 \$1,150
    - Annual website hosting/support \$1,800
    - **Total year 4 \$2,950**

### Notes

- Four-year commitment required.
- Guaranteed pricing. Hosting and Support fees will not increase for first four years.
- Payment schedule will be adjusted accordingly based on selected optional features.
- Annual hosting and support fees starting year five will increase according to the previous year-ending *Consumer Price Index (CPI) for All Urban Consumers*.



TO: Millersburg City Council  
VIA: Kevin Kreitman, City Manager  
FROM: Janelle Booth, Assistant City Manager/City Engineer  
DATE: February 6, for the February 11, 2020 City Council Meeting  
SUBJECT: Parks and Open Space

Action Requested: Staff requests Council review and consider the adoption of a proposed new section to the Municipal Code: Parks and Open Space Regulations.

Discussion:

At the January 2020 Work Session, Council discussed adopting a policy establishing what activities are allowed and not allowed on City-owned open space. Council directed staff to prepare an ordinance establishing regulations for activities on open space, as discussed at the Work Session.

As staff worked on preparing the ordinance, it became apparent that the policy would be most complete and effective if incorporated into a municipal code section addressing both parks and open space. Because Millersburg does not currently have a municipal code section addressing parks, a new section was developed. This language incorporates previously adopted ordinances regarding alcohol and tobacco use. The intent of adopting this new language is to consolidate all park-related matters into one location, not to revisit or propose changes to any previous Council decisions on these matters.

Budget Impact:

None.

Recommendation:

If Council desires to establish code language for regulation of parks and open space, staff recommends adoption of Ordinance 2020-03.

Attachment(s):

- Ordinance 2020-03, Park and Open Space Regulations
- Exhibit A, 7.28 Park and Open Space Regulations

**ORDINANCE NO. 2020-03**

**AN ORDINANCE AMENDING THE MILLERSBURG MUNICIPAL CODE  
BY ADOPTING SECTION 7.28, PARKS AND OPEN SPACE REGULATIONS**

**WHEREAS**, the City of Millersburg acknowledges the importance of clear regulations pertaining to the use of public parks and open spaces in order to help maintain public parks and open spaces enjoyable for all citizens; and,

**WHEREAS**, the City of Millersburg currently has a limited amount of adopted regulations for allowable activities in parks; and,

**WHEREAS**, the City of Millersburg currently has no adopted regulations for allowable activities in open space; and,

**WHEREAS**, the City of Millersburg desires to establish regulations for parks and open space;

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS:** Millersburg Municipal Code Section 7.28, Parks and Open Space Regulations, is hereby adopted.

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

**APPROVED by the Council this 11th day of February 2020.**

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Jim Lepin  
Mayor

ATTEST:

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Kimberly Wollenburg  
City Recorder

## Exhibit A

### Chapter 7.28 PARK AND OPEN SPACE REGULATIONS

#### Sections:

<a href="#">7.28.010</a>	Definitions.
<a href="#">7.28.020</a>	Prohibited acts.
<a href="#">7.28.040</a>	Traffic.
<a href="#">7.28.070</a>	Hunting and firearms.
<a href="#">7.28.080</a>	Picnic areas and use.
<a href="#">7.28.090</a>	Horseback riding.
<a href="#">7.28.100</a>	Intoxicating beverages – General.
<a href="#">7.28.102</a>	Intoxicating beverages – Prohibition – City Park and Acorn Park.
<a href="#">7.28.104</a>	Intoxicating beverages – Special permit – Issuance authority.
<a href="#">7.28.106</a>	Intoxicating beverages – Special permit – Fees.
<a href="#">7.28.108</a>	Intoxicating beverages – Special permit – Conditions.
<a href="#">7.28.110</a>	Tobacco products
<a href="#">7.28.120</a>	Domestic animals – Responsibility.
<a href="#">7.28.160</a>	Fires.
<a href="#">7.28.170</a>	Closed areas.
<a href="#">7.28.210</a>	Exhibit permits.
<a href="#">7.28.230</a>	Merchandising, advertising and signs.
<a href="#">7.28.240</a>	Park operating policy.
<a href="#">7.28.245</a>	Overnight camping.
<a href="#">7.28.250</a>	Reservation of park facilities – Obtaining a permit.
<a href="#">7.28.260</a>	Standards for issuance.
<a href="#">7.28.270</a>	Appeal – Apprising.
<a href="#">7.28.280</a>	Effect of permit – Bounds of permittee.
<a href="#">7.28.290</a>	Liability of permittee.
<a href="#">7.28.300</a>	Revocation of permit.
<a href="#">7.28.310</a>	Enforcement of chapter.

#### **7.28.010 Definitions.**

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

- (1) “City” means the City of Millersburg.
- (2) “City Manager” means the person appointed by the City Council as the City Manager for the City of Millersburg or designee.
- (3) “Open space” means natural areas that are owned by the City of Millersburg, but may not be developed as a Park. Open space does not include stormwater detention basins.
- (4) “Park” means a park, playground, trail, and multiuse path or any other area in the City, owned or used by the City, and devoted to active or passive “recreation.”

(5) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.

(6) "Vehicle" means any wheeled conveyance, whether motor powered, animal-drawn, or self-propelled. The term includes any trailer in tow of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the City.

#### **7.28.020 Prohibited acts.**

No person in a park or open space shall:

(1) Buildings and Other Property.

(a) Dig, or remove any beach sand, or any soil, rock, stone, tree, shrub, plant, downed timber or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency.

(b) Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, on, or across such lands, except by special written permit and approval by the City.

(c) Store, pile, or stack materials (wood, compost, soil, construction materials).

(d) Dispose of materials, including yard debris and grass clippings.

(e) Remove vegetation without prior City approval, except vegetation less than 1" in diameter may be removed in open space areas for weed abatement and to promote growth of native plants.

(f) Plant vegetation without prior City approval.

(g) Play sports or engage in other activities outside recreation areas set aside for that purpose if the activity is harmful to plant life or interferes with other uses of the park or open space, or during a time when such areas are already reserved for use, without the permission of the City.

(h) No person may wash any clothing or other material in a park or open space area.

#### **7.28.040 Traffic.**

No person in a park or open space shall:

(1) Speed of Vehicles. Ride or drive a vehicle at a rate of speed exceeding 5 miles per hour except upon such roads as designated by posted signs.

(2) Operation Confined.

(a) Drive any vehicle on any area except paved park roads, parking areas or other such areas as may on occasion be specifically designated as temporary parking areas.

(b) Drive any vehicle, truck, trailer or combination thereof upon any paved road or parking area in a park when the gross weight of the vehicle, truck, trailer, or combination thereof shall exceed 10,000 pounds, except emergency vehicles or vehicles in the service of the City, without permission of the City.

(c) Vehicle operations in open space is prohibited with the exception of emergency vehicles or vehicles in the service of the City.

(3) Parking.

(a) Park a vehicle in other than an established or designated parking area.

(b) Double-park any vehicle on any road or parkway unless directed by a park official or traffic officer.

(4) Bicycles.

(a) Ride a bicycle on other than a paved vehicular road or path designated for that purpose. A bicyclist shall be permitted to push a bicycle by hand over any grassy area, wooden trail, or on any paved area reserved for pedestrian use.

(b) Leave a bicycle lying on the ground or paving, set against trees or in any place or position where other persons may trip over or be injured by it.

**7.28.070 Hunting and firearms.**

No person in a park or open space shall:

(1) Hunt, trap, or pursue wildlife at any time.

(2) Discharge firearms, air rifles, spring guns, bow and arrows, slings or any other forms of weapons potentially harmful to wildlife and human safety, or use any instrument that can be loaded with and fire blank cartridges. Shooting into park or open space areas from beyond park or open space boundaries is forbidden.

(3) The restriction provided in subsection (1) of this section shall not apply to authorized peace officers.

(4) The restriction provided in subsection (1) of this section shall not apply if all of the following criteria are met:

(a) The City Manager authorizes, in writing, the activity which would otherwise be prohibited; and

(b) The activity in question promotes a legitimate educational, scientific, historical, or recreational activity; and

(c) The City Manager reasonably concludes that the activity in question will be conducted in a manner consistent with wildlife and human safety; and

(d) The organization or party applying for the exemption provides the City Manager with a certificate of liability insurance coverage naming the City as an additional insured and providing coverage limits for the activity in question which are not less than the applicable statutory limits of governmental liability provided by state law.

(5) If the City Manager denies an application for authorization to engage in an activity which would otherwise be prohibited by subsection (1) of this section, the City Manager's decision may be appealed within 10 days by a written appeal to the City Council. The City Council shall thereafter conduct proceedings as they deem appropriate; and upon consideration of the criteria set forth in subsection (2) of this section, may reverse, modify, or affirm the decision of the City Manager. The decision of the City Council shall be final.

### **7.28.080 Picnic areas and use.**

No person in a park or open space shall:

(1) Regulations. Picnic or lunch in a place other than those designated for that purpose. City employees shall have the authority to regulate the activities in such areas where necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end by city staff.

(2) Availability. Violate the regulation that use of the individual fireplaces together with the tables and benches follows generally the rule of "first come, first served."

(3) Nonexclusive. Use any portion of the picnic areas, buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such area and facility for an unreasonable time if the facilities are crowded. Exception is made by approved reservation as specified and granted by the City.

### **7.28.090 Horseback riding.**

No person in a park or open space shall:

(1) Location. Ride a horse except on designated bridle trails. Where permitted, horses shall be thoroughly broken and properly restrained, ridden with due care and not be allowed to graze or go unattended nor shall any horse be hitched to any rock, tree, or shrub.

### **7.28.100 Intoxicating beverages – General.**

No person shall:

(1) Parks. Bring or drink alcoholic beverages, except by a permit issued in accordance with MMC 7.28.104.

(2) Open Space. Bring or drink alcoholic beverages at any time in open space.

Violation of MMC 7.28.100 is a Class C Misdemeanor. (Ord. 153, passed 6-11-2019; Ord. 147, passed 4-9-2019).

### **7.28.102 Intoxicating beverages – Prohibition – City Park and Acorn Park.**

It is unlawful for any person to possess an alcoholic beverage in City Park and Acorn Park without a special permit. For the purpose of this section through MMC [7.28.108](#), an "alcoholic beverage" is any beverage having alcohol content of more than one-half of one percent by volume. (Ord. 153, passed 6-11-2019; Ord. 147, passed 4-9-2019).

### **7.28.104 Intoxicating beverages – Special permit – Issuance authority.**

Notwithstanding prohibition against the use or possession of alcoholic beverages in City parks set forth in other ordinances of the City, the City Manager shall have the right to issue a special permit for the use and possession of alcoholic beverages in the park which contain not more than 8.5 percent alcohol by volume, including but not limited to, flavored, sparkling, or

carbonated cider (commonly known as cider), beer, and wine. (Ord. 153, passed 6-11-2019; Ord. 147, passed 4-9-2019).

#### **7.28.106 Intoxicating beverages – Special permit – Fees.**

Any person or organization may request a permit referred to in MMC [7.28.104](#), subject to the following conditions:

- (1) Payment of fee in accordance with approved Council policy;
- (2) The name and address of the applicant shall be furnished, together with an estimate of the number of persons who will be participating.

#### **7.28.108 Intoxicating beverages – Special permit – Conditions.**

The granting of a permit referred to in MMC [7.28.104](#) shall be discretionary with the City Manager and, if issued, such conditions may be attached thereto as will be in the best interests of peace, health and safety to all citizens.

#### **7.28.110 Tobacco products**

Smoking or consuming any tobacco products, e-cigarettes, marijuana, or vaping products is prohibited in all Millersburg City parks and open space except for areas designated by the City. (Ord. 138, passed 8-14-2018).

#### **7.28.120 Domestic animals – Responsibility.**

No person in a park or open space shall:

- (1) Allow a dog or other domestic animal to be off-leash in parks or open space except in designated off-leash areas. Nothing herein shall be construed as permitting the running of dogs at large.
- (2) City employees and police officers may require a person in charge of an animal to undertake any measure including the removal of the animal from the park area, if necessary, to prevent interference by the animal with the safety, comfort, or well-being of park visitors or resources.
- (3) No animal may be hitched to a tree or shrub in a manner that endangers the tree or shrub.
- (4) Owners of dogs or other animals shall be responsible for clean-up and removal of all waste deposited in the parks by their animals.
- (5) No person shall harass, injure or otherwise harm or remove any existing wildlife from any park or park facility.
- (6) No person shall deposit, leave or otherwise abandon any animal either domestic or wild within park boundaries.
- (7) Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot, or throw missiles at any animal, reptile, or bird. Nor shall a person remove or have in their possession the young of any wild animal or the eggs, nest, or young of any reptile or bird. Nor shall a person collect, remove, have in their possession, give away, sell, offer to sell or buy or offer to buy or accept as a gift any specimen alive or dead of any of the group of tree snails. Exception to the foregoing is

made in the case of snakes which are known to be deadly poisonous which may be killed on sight.

(8) Give, offer, or attempt to give or offer any animal or bird tobacco, alcohol, or other known noxious substances.

**7.28.160 Fires.**

(1) Fires in park and open space areas shall be confined to:

(a) Barbecue stands, pits, or fireplaces provided for that purpose.

(2) No fire in a park or open space area may be left unattended. Every fire must be extinguished by the user before leaving the park area.

**7.28.170 Closed areas.**

No person in a park or open space shall enter an area posted as "Closed to the Public," nor shall any person use, or abet the use of any area in violation of posted notices.

**7.28.210 Exhibit permits.**

No person in a park or open space shall:

(1) Permit Inspection. Fail to produce and exhibit any permit the park user claims to have following the request of any authorized person who desires to inspect it for the purpose of enforcing compliance with any ordinance or rule.

**7.28.230 Merchandising, advertising and signs.**

No person in a park or open space shall:

(1) Vending and Peddling. Expose or offer for sale any article or thing. Nor shall a vendor station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing. Exception is made for any regularly licensed concessionaire acting by and under the authority and regulation of the City Manager.

(2) Advertising. Announce, advertise, or call attention in any way to any article or service for sale or hire.

**7.28.240 Park operating policy.**

(1) Hours. Unless otherwise posted by order of the City Manager as provided in subsection (2) of this section, parks and open space shall be closed to the public between 11:00 p.m. and 5:00 a.m. daily. During hours when parks are closed, no person shall enter or remain in a park except law enforcement personnel and others duly authorized by the City Manager or designee.

(2) Park and Open Space Closures. Any park, open space, or portion thereof may be declared closed to the public by the City Manager at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses, as the City Manager finds reasonably necessary.

(3) Lost and Found Articles. The finding of lost articles by city employees shall be reported and articles shall be turned over to the City Recorder, who shall

make every reasonable effort to locate the owners. Articles containing personal identification shall be turned over to the Linn County Sheriff's Office. Articles held at City Hall will be considered abandoned and disposed of by ordinance if no claim has been made for the article within 60 days.

#### **7.28.245 Overnight camping.**

No person in a park or open space shall:

(1) Authorization. Camp in any park area without the specific written authorization of the City Manager. Any person who has not received authorization shall be guilty of committing a violation punishable by a fine not to exceed \$100.00 for each occurrence.

#### **7.28.250 Reservation of park facilities – Obtaining a permit.**

A person shall obtain a permit from the City before participating in a park activity requiring reservation of facilities. A person seeking issuance of a permit shall file an application with the City which will state:

- (1) The name and address of the applicant;
- (2) The name and address of the person(s), corporation or association sponsoring the activity, if any;
- (3) The day and hours for which the permit is desired;
- (4) The park or portion thereof for which such permit is desired;
- (5) An estimate of the anticipated attendance; and
- (6) Any other information which the City Manager shall find reasonable to a fair determination as to whether a permit should be issued.

#### **7.28.260 Standards for issuance.**

The City Manager shall issue a permit when it is found:

- (1) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general enjoyment of the park, the promotion of public health, welfare, safety and recreation;
- (2) That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;
- (3) That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the City;
- (4) That the facilities desired have not been previously reserved by another group at the day and hour requested in the application;
- (5) That all permit deposits and fees have been paid prior to the date of the requested park and park facility usage.

#### **7.28.270 Appeal – Apprising.**

Typically, park reservation applications will be reviewed and approved by city staff. If an activity proposed in an application is anticipated to exceed typical impacts to the park or other park users, it shall be escalated to the City Manager for approval. Within seven days after an application is escalated to the City Manager, the City Manager shall either approve or deny the permit. If denied,

the applicant shall be apprised in writing of the reasons for refusing the permit and allow the aggrieved person the right to appeal in writing within 21 days to the City Council, which shall consider the application under the standards set forth in MMC [7.28.260](#). Based on these standards, the Council will either sustain or overrule the City Manager's decision within 30 days which shall be final.

**7.28.280 Effect of permit – Bounds of permittee.**

A permittee shall be bound by all park rules and regulations as set forth in this chapter and all other applicable ordinances as though they were inserted in the permits.

**7.28.290 Liability of permittee.**

The person(s) to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person by whatever reason of the negligence of the person or persons to whom the permit has been issued while in or on any park or park facility.

**7.28.300 Revocation of permit.**

The City Manager shall have the authority to revoke any permit upon the violation of any rule or ordinance, or upon good cause shown.

**7.28.310 Enforcement of chapter.**

(1) Officials. The City Manager and city staff shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.

(2) Ejectment Period. The City Manager and any city staff shall have the authority to eject from any park or open space any person acting in violation of the Millersburg Municipal Code or State law. The City Manager or any city staff ordering the ejectment may prohibit return to the park or open space for any period of time up to six months and any person entering upon or remaining on the park or open space in violation of such directive shall be guilty of criminal trespass and subject to prosecution therefor.

(3) Seizure of Property. The City Manager and any city staff shall have the authority to seize and confiscate any property, thing or device in the park or open space which is used in violation of this chapter.