



*This meeting is being recorded for public review on the City of Millersburg website.*

#### Rules of Conduct for Public Meetings

No person shall be disorderly, abusive, or disruptive of the orderly conduct of the meeting. Microphones will be muted and webcams will be turned off for remote participants unless called upon to speak or during public comment period.

Persons shall not comment or testify without first receiving recognition from the presiding officer and stating their full name and city of residence.

During public hearings no person shall present irrelevant, immaterial, or repetitious testimony or evidence.

There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the meeting. If online participant(s) disrupt the meeting, the participant(s) microphone and webcam will be turned off. If disruption continues, the participant(s) will be removed from the meeting.

## CITY COUNCIL MEETING

**In-Person Meeting with Remote Access Available**

Millersburg City Hall

4222 NE Old Salem Road, Millersburg OR 97321

December 13, 2022 @ 6:30 p.m.

### Agenda

Remote access for the meeting is available. Instructions for joining the meeting can be found at <https://www.cityofmillersburg.org/citycouncil/page/city-council-regular-meeting-24>. If you do not have access to a phone or computer, or need additional support, please contact City Hall prior to 5:00 p.m. on Monday, December 12, 2022.

Meeting link to join via computer:

<https://aspenuc.accessionmeeting.com/j/11597014359>

Phone number to join meeting: 503-212-9900

Meeting ID: 115 9701 4359

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. CHANGES AND ADDITIONS TO THE AGENDA

E. CONSENT AGENDA

1) Approval of November 8, 2022, City Council Meeting Minutes

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

F. GUEST PRESENTATIONS

1) Linn County Sheriff's Office Monthly Report

G. HEARINGS

1) DC 22-05 and Ordinance 201-22- Comprehensive Plan Amendment for revised Housing Chapter

H. PUBLIC COMMENT

*The public has the opportunity to address the Council during "Public Comment." Those attending virtually may raise their hand electronically or request to speak upon unmuting. The public may also send written comments by email to [cityclerk@cityofmillersburg.org](mailto:cityclerk@cityofmillersburg.org). Please limit comments to one page and include your name and address. Emails received before 5:00 p.m. on the day of the meeting will be included and read into the record for comments by the Council.*

I. COUNCIL MEMBER AND STAFF COMMENTS

J. CITY MANAGER'S REPORT

- 1) Project Updates

K. CITY ATTORNEY'S REPORT

L. UNFINISHED BUSINESS

- 1) Republic Services Rate Increase Request

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

M. NEW BUSINESS

- 1) Canvas Votes & Certification of Election – Resolution – 2022-15

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

- 2) Appointments, Re-Appointments to Planning Commission, Budget Committee, Parks Commission

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

- 3) Miller's Cemetery Survey

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

- 4) Transition Parkway and Buffer/Linear Park Update

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

N. CLOSING PUBLIC COMMENT

O. CLOSING COUNCIL COMMENT

P. ADJOURNMENT OF REGULAR MEETING

Upcoming Meetings & Events:

For a schedule of meetings and events, visit the City's website calendar at

<https://www.cityofmillersburg.org/meetings>

*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 458-233-6300.*



## CITY COUNCIL MEETING MINUTES

November 8, 2022 @ 6:30 p.m.

A. CALL TO ORDER Meeting called to order by Mayor Cowan at 6:30 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Councilors Present: Mayor Scott Cowan, Councilors Dave Harms, Mike Hickman, Mark Raum, and John Sullivan

Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Matt Straite, Community Development Director; and Sheena Dickerman, City Recorder

Presenters: Linn County Sheriff's Office

D. CHANGES AND ADDITIONS TO THE AGENDA

None

E. CONSENT AGENDA

6:31 p.m.

- 1) Approval of October 11, 2022, City Council Meeting Minutes
- 2) Water System DRC Contract Amendment

Action: **Motion to approve Consent Agenda as presented made by Councilor Mark Raum, seconded by Councilor Dave Harms.**

**Mayor Scott Cowan: Aye**

**Councilor Dave Harms: Aye**

**Councilor Mike Hickman: Aye**

**Councilor Mark Raum: Aye**

**Councilor John Sullivan: Aye**

**Motion PASSED: 5/0**

F. GUEST PRESENTATIONS

6:32 p.m.

- 1) Linn County Sheriff's Office Monthly Report

Sergeant Steven Frambes, LCSO, noted that traffic citations were low, but staff have been on vacation or field training. Property crimes are on the rise for the entire state, including Millersburg. He showed a slide with Year-to-Date (YTD) reports\*. He said there were 17 calls for Love's in October.

Councilor Mark Raum asked about the number for drug incidents. Frambes explained that with current Oregon laws drug incidents are shown as violations.

Frambes showed the YTD arrests. Fourteen arrests were made for property crimes. He explained that 14 arrests could equal 100 reports.

City Manager Kevin Kreitman asked how the City compared statewide per capita. Frambes replied he would be able to get information for cities within the County, but not for the entire state. Cowan requested Frambes to do a comparison of cities within Linn County.

Harms asked how many hours a deputy could be on per call. Frambes replied that an average response time was 1.3 hours per call.

**G. PUBLIC COMMENT**

**6:43 p.m.**

Duane Liner, NE Millersburg Drive, Millersburg, 97321 thanked Booth for her work on the backflow flap valve on his property. Booth clarified that maintenance staff installed it and explained the process. Councilor Mark Raum asked if it was for the recent deluge. Booth replied she didn't believe that this type of event is what would trigger the issues from the past this valve is intended to address. Liner added this would be for a flood event.

**H. COUNCIL MEMBER AND STAFF COMMENTS**

**6:46 p.m.**

Cowan shared that the Events Planning Committee members expressed a desire to pull back. The committee relies on volunteers to assist with events. He said unless there was interest or an increase in the number of committee members, the City would not be able to continue past events. He suggested a letter to the community to communicate what was happening with the committee and to ask for any interest in being involved.

Kreitman added that the committee has invested a lot of time already and it is important to acknowledge that. Cowan agreed. He asked Council to bring forth recognitions for their hard work at the next Council meeting.

**I. CITY MANAGER'S REPORT**

**6:50 p.m.**

**1) Project Updates**

**a) Industrial Developments**

Kreitman stated that the Wilbur-Ellis project was approved at the last Planning Commission meeting. He shared that Aymium had a preapplication meeting and are looking to break ground in March. Aymium takes a wood bio waste and converts it to a carbon product, CO2 free. Aymium is a green industry.

Kreitman stated that there are several letters of interest on City properties and Council will see more in the future.

Booth shared that City is looking at water and wastewater in meeting the needs of the potential industries. The biggest is conveyance of wastewater to the treatment plant. There will need to be a conveyance study. The existing lift station is constrained and will not be able to meet future needs. The water system is in good shape, the infrastructure will just need to be expanded to where demands are. Additional water

demands could require negotiation with Albany in the future. This is good timing as the City of Albany is currently doing a water master plan update that will help project their future needs.

b) Transition Parkway and Buffer

Booth said the design process started last week. She showed the location for the future road and water infrastructure. Sewer already exists. Staff will bring more information in the future. The next step is laying it out with existing constraints.

Booth said that to mitigate the impacts, the buffer is envisioned to have a berm and a multi-use path. Kreitman added it that it would tie into Woods Road. Booth said it would provide access to the future YMCA too.

Raum asked for an update on the power substation. Kreitman said staff was told sometime in December. It will add redundancy, which should mean less power outages for the residential area. Booth added the work along Woods Road is being coordinated, to avoid easement/right-away where the path will go and will include a boring. Cowan asked about the boring. Booth explained the need to cross BPA lines to get to Millersburg Drive.

Kreitman stated that one of the reasons Millersburg is receiving increased reliability is because of the concentration of industry.

Booth said staff has asked about putting the power underground for removal of poles on Conser Road and it would be expensive. Staff will attempt to get quote for Council to have the information regarding the cost. She estimated that the cost would be 1 to 3 million dollars.

c) Traffic Study Old Salem Road

Booth said staff has asked the County if Old Salem Road will need any improvements to accommodate traffic growth. Millersburg's last Transportation Plan was completed in 2016. The growth that is coming was not anticipated in that study. Each project submitted for land use approval must do a traffic study for their project. She recommends an updated traffic study for all the impacts of all the projects, from north of City Hall to the Murder Creek interchange, to know what would need to be required of the projects. This would be a joint project with the County. The County has agreed to pay for half of the cost, approximately \$10,000. Staff would like to have study done by January, if possible.

Action: **Motion to authorize City staff to move forward with the study made by Councilor John Sullivan; seconded by Councilor Mark Raum.**

**Mayor Scott Cowan:**

**Aye**

**Councilor Dave Harms: Aye**  
**Councilor Mike Hickman: Aye**  
**Councilor Mark Raum: Aye**  
**Councilor John Sullivan: Aye**

**Motion PASSED: 5/0**

Kreitman said that Oregon Department of Transportation (ODOT) approached the City in 1998-99, and surrounding cities on I-5, regarding a new interchange that would have dropped out on Transition Parkway. At the time, ODOT said it would be completed by 2012. It was supposed to have been three lanes on I-5 and would have closed the Murder Creek interchange. He stated recent meetings have been set up with ODOT and other organizations to talk about improvements on I-5, but ODOT has said that even with funding, it would be at least another 10 years before anything was completed.

Cowan was supportive of continual conversations with ODOT regarding improvements in the area.

d) Stormwater MS4 Permit Update

Booth said the second annual stormwater report was due to Department of Environmental Quality (DEQ). The report required the City's stormwater management plan, which included public education and an operations procedure plan, etc. Most was documentation about what the City is already doing, but to be compliant there are more documents that need to be completed; an update to GIS with Albany, website updates, minor Municipal Code and Development Code revisions and an update to Engineering standards. The City's responsibility includes tracking, inventory and following up with owners. The City will be responsible for the implementation. Kreitman acknowledged the maintenance staffs' time spent on stormwater.

Cowan asked if there was funding provided for all the extra work. Booth said no, we are required to provide the funding to meet the permit requirements.

Hickman asked if staff had looked at contracting out for landscaping of the parks, so maintenance staff would be free to do the other jobs. The park did not look good this past spring. Kreitman explained that the park issue was related to weather and not staffing. Booth added that portions of landscaping has been contracted in the past.

Booth said the larger pieces of the stormwater would need to be done by engineering staff. Maintenance staff would not be able to do inspections on an industry's stormwater. Several of the requirements are more office work versus field work. David Evans and Associates can assist with some of the inspections.

Kreitman added that there would need to be some landscaping contracted, especially on Transition Parkway near fire station.

Raum asked if City has an applicators license. Booth replied that the City would have one soon. Staff found an exception for public employees use only, where the City is allowed to apply general use pesticides. Staff will get an applicator's license to use other equipment.

Cowan encouraged keeping the parks landscaping situation in mind for the upcoming Spring.

e) City Projects

**7:22 p.m.**

Booth mentioned that the Woods Road shared use path, in front of the subdivision on Woods Road, was added into the project. She explained that the paving in front of the subdivision was required for their half. The centerline stripe on the new pavement will remain in the previous alignment until the eastern half of the road is improved in the future.

Doug Iverson, NE Summit Drive, said that the reflectors are difficult to see and asked when striping would be done. Booth said as soon as weather permitted.

Kathie Strathern, Katelyn Way, asked what a shared use path was. Booth explained that it is a path for bikes, pedestrians, roller skates or anything that is not a vehicle. She added that when Woods Road is completed it would include bike lanes. Cowan said that staff has the information of how it will look when it's completed.

Booth said there were more cracks on Conser Road than estimated. Crack sealing will be done next year to finish Conser Road and other roads throughout the City.

Straite gave an update about the Urban Growth Boundary (UGB) expansion. The application has been submitted to the County and is being reviewed.

f) CFEC Parking Code Change update

**7:30 p.m.**

Straite explained that State passed Climate Friendly and Equitable Communities which will require some changes. Due to the size of the City the only requirements are some parking changes. He explained that several cities have joined together for a lawsuit against the State because of the requirements. The State doesn't require the City to change our parking rules, but the State's requirements will supersede the City's parking lot requirements starting January 1, 2023. The Planning

Commission has opted to wait to change the code, due to the lawsuit and elections.

Raum asked how the state addressed ADA requirements. Straite explained there are still requirements at the building level. He believes that the parking issue will not be detrimental to Millersburg because businesses will want the needed parking for their business. The one conflict is with multi-family developers and them wanting minimal parking.

Straite stated that there is no punitive impact to cities for not updating their code, but the State's requirements would supersede cities code.

## 2) Litigation Team Assignments (2)

**7:35 p.m.**

Kreitman said that as part of the water/wastewater joint committee and litigation team there were two assignments that are no longer represented due to previous Council members no longer being members. The next litigation team meeting is December 1, 2022. Cowan is on the joint committee and litigation team, but there needs to be another Council Member and an alternate. Raum volunteered to be the alternate, and Harms volunteered to be one of the primary representatives.

Kreitman shared that he was contacted by the League of Oregon Cities (LOC) about two separate but parallel budget proposals for the 2023 legislative session, dealing with statewide homelessness. The LOC asked if the City would be willing to be added to the list of supporters. The Oregon Mayors Association (OMA) proposal asked for all incorporated cities to receive no less than \$50,000 towards homelessness. The cities could either use the funds for their own needs or redirect funds to their community partners. The funds would need to be used for homelessness and not for cleanup. The other proposal is for capital construction funds for shelter and transitional housing projects statewide. This is not applicable to Millersburg.

Kreitman reminded everyone that Millersburg does have homeless population, south near Talking Waters, but it impacts Albany more than Millersburg. Albany has hired someone to assist with homelessness. If Millersburg received funds, he suggested some of those funds could be used to support them. Kreitman asked if the Council was interested in being listed as being in support of the proposal.

Hickam asked if there was a draft bill. Kreitman replied he had not seen a draft Bill but would try and find the proposal. Cowan said he would support the City being listed and potentially assist Albany. He has come across many homeless in the City's Park and south part of Talking Gardens which is within Millersburg. He asked what the timeframe to respond was. Kreitman replied November 23. He didn't see a Bill drafted on the website.



Harms expressed support as long as City's name wasn't tied to services the City didn't want to support. Cowan added that if it passes Council can look at the agreement and make further decisions. He stated that Council gives direction to put forth City of Millersburg name on the list.

J. CITY ATTORNEY'S REPORT **7:49 p.m.**  
None

K. UNFINISHED BUSINESS **7:49 p.m.**  
None

L. NEW BUSINESS **7:49 p.m.**

1) Republic Services Rate Increase Request

Kreitman said the franchise agreement with Republic Services has a rate increase in January. He stated the following criteria for the rate increase is it must be approved, it must be "just, fair, reasonable and sufficient", and be in accordance with ORS 459.085. The cost breakdown is provided in the staff report. The cost increase was calculated at 13.4 percent this year but Republic is requesting a 9 percent increase. This would be approximately a little over \$3 to each of their customers. He added that Republic provided the supporting material for the increase.

Julie Jackson, Republic Services, 110 NE Walnut Boulevard, Corvallis, OR, 97330 – said the 9 percent is for all the franchises in the local area. Recycling costs have doubled but the hope is the cost will go down at the beginning of the year. Last year the Governor signed the Plastic Pollution and Recycling Modernization Act. The concept is the producers of all the materials will be responsible for the cost of the end of life of the material. This will go into effect July 2025, at that time the City will be responsible for certain recycling reports, which Republic stays on top of for the City.

Jackson said Republic is completely staffed with drivers; this was not the case a year ago. However, currently they are not fully staffed for customer service. Cowan asked if fuel costs and lack in staffing is a cause for the increase. Jackson affirmed. She said the calculation was for 13.4 percent, but she requested it to be lower, 9 percent. The intent of the adjusted rates was to keep it at 2 to 2.5 percent but the economy is different than what it has been in the past.

Raum asked how the timeframe was chosen. Jackson replied that it has always been July 1 to June 30. Raum questioned why the financials were not matching up. Jackson said that the balance sheet and scheduled expenses do not factor into the adjustment. The index method is what is used to calculate the increase. Raum stated that he would like to see where the expenses went up. Jackson said the request is not based on their financials. Raum stated that Republic was supporting their request for an

increase with their financials. Jackson said that if the City wanted more information, her financial manager could work with the City.

Raum asked about Republic's chart on page 31 of agenda packet. Jackson said that it is the amount that came in and paid in the franchise fees. Raum questioned why they didn't match the revenue and expenses for Millersburg. Jackson said they should, she will look into it.

Sullivan said his issue isn't with the increase in the cost, but with the service their constituents receive. Councilors get calls with they don't receive service. Jackson reports the concerns to Republic's corporate office. She explained that when corporate went with a call center, Oregon strongly requested local people to be hired. There are 20 people, from Oregon, budgeted for the call center. Republic is having a difficult time hiring Oregon people. She requested an opportunity for Republic to be fully staffed and trained locally. Sullivan stated that the City wants stellar customer service in the community.

Jackson said quarterly reports could be made available if the City wants to see Republic's actual costs. Hickam asked if the charges listed were correct, he pays more than what was listed. Jackson offered her card to answer specific questions regarding his account. She explained that he could look at his account online.

Strathern asked about having monthly service instead of weekly. Jackson said a quote could be given to the City for monthly service. Sullivan added there are minimum fixed costs. Cowan asked how a driver would know which carts to pick up. Jackson explained that the garbage can lid would be a different color and would be a specific week of the month. Cowan liked the City having options. Jackson said there is a new 64-gallon garbage can that is in between the 32-gallon and 90-gallon. She said that during the summer the odor could become problematic, and that is why most cities have weekly pickup.

Cowan reiterated Council's concerns regarding customer service and the financials. Jackson said that Republic will not make any changes to service options without Council direction. Cowan asked Jackson to bring rates to next Council meeting.

Kreitman stated that there was a revised resolution for consideration.

Action: **Motion to approve Resolution 2022-14 made by Councilor John Sullivan; no one seconded. Motion died.**

Cowan asked each Councilor what Republic needed to provide for the next Council meeting. Hickman said financial numbers for a complete year. Raum requested expenses and revenues that match the data for the increase. Sullivan said his biggest concern was customer service and wants

to have local representation. Harms agreed with Raum's requests. Hickam added to the list the price rate on a 64-gallon trash can.

Kreitman explained that most local cities requested the data point of June 30.

Jackson stated she would get the information before next Council meeting.

Strathern asked Council to request a monthly pick-up quote.

2) Emergency Management Code Revision **8:30 p.m.**

Kreitman stated there is no language in the Municipal Code currently addressing emergency management. The proposed language provides provisions and authority and identifies roles and responsibilities. The ordinance would define the emergency and framework. Since there is nothing in the current Code, staff is requesting it be declared an emergency and so it can be placed in effect immediately.

Action: **Motion to adopt Ordinance 200-22 and the attached Emergency Management language declaring an emergency made by Councilor Dave Harms; seconded by Councilor John Sullivan.**

- Mayor Scott Cowan: Aye**
- Councilor Dave Harms: Aye**
- Councilor Mike Hickam Aye**
- Councilor Mark Raum: Aye**
- Councilor John Sullivan: Aye**

**Motion PASSED: 5/0**

Kreitman said staff is working on a continuity of operations plan in the case of an emergency and the in-between time of the County opening an Emergency Operations Center (EOC). There has been discussion for the City to have a seat on Albany's EOC.

3) Natural Hazard Mitigation Plan **8:33 p.m.**

Kreitman explained that the County is doing an update to their Natural Hazards Mitigation Plan. In 2017, the County adopted their first plan and had asked Millersburg if the City wanted to participate but the City declined. The County has a grant to update the Natural Hazards Mitigation Plan from the Department of Land Conservation and Development (DLCD). The County asked if the City wanted to participate and he said yes and would bring it to Council. The County received an additional grant and

there would be no cost for the City. He added that with collaboration with Albany, he doesn't believe that the City needs to their own emergency operations center.

Kreitman continued saying that if there was an emergency, since the City is not identified as a sub listing of the County's Natural Hazards Mitigation Plan, the City would not have access to all the potential federal funding that may be available following a federal declaration. He added that by being a part of the County Plan, there would be no question the City meets the Stafford Act requirements. The purpose of the Act is for cities to be prepared to minimize damage and costs. Being a participant allows for project funding to mitigate hazards that have been identified. Staff is requesting Council to approve the Intergovernmental Agreement (IGA).

Raum asked if the target dates listed in the agenda were still accurate. Kreitman believed so.

Hickam asked for clarification if there was a cost or not. Kreitman replied that there was a cost, but the County received another grant to cover that cost, so there would be no cost to the City.

Kreitman added that the County is also doing an update on their wildfire protection plan.

Action: **Motion to approve the IGA for the update of Linn County Multi-Jurisdictional Natural Hazards Mitigation Plan and authorize the City Manager to sign the agreement made by Councilor Mark Raum; seconded by Councilor Dave Harms**

|                                 |            |
|---------------------------------|------------|
| <b>Mayor Scott Cowan:</b>       | <b>Aye</b> |
| <b>Councilor Dave Harms:</b>    | <b>Aye</b> |
| <b>Councilor Mike Hickam</b>    | <b>Aye</b> |
| <b>Councilor Mark Raum:</b>     | <b>Aye</b> |
| <b>Councilor John Sullivan:</b> | <b>Aye</b> |
| <b>Motion PASSED: 5/0</b>       |            |

M) CLOSING PUBLIC COMMENT

**8:40 p.m.**

Strathern requested that when the traffic from Conser Road moves to Transition Parkway, for a speed change on Conser Road. Kreitman explained that road speeds are determined by the State.

Strathern suggested that in the letter to the community regarding the request for event committee volunteers to include the amount of time a volunteer could expect to spend.

Strathern asked if there was anything citizens could do to help encourage the State to work on the I-5 exchange. Kreitman explained

that it was a legislative issue. He added that staff meets with ODOT regularly and shares staff and citizens' concerns. Hickam encouraged anyone to contact legislators.

Strathern suggested creating a community "clean up the park" event. Kreitman stated that Millersburg has more landscaped area than all four of Albany's major parks combined. In the past Millersburg citizens made it clear that the cleanup was City's staff's job.

Strathern asked if staff monitor trees that need trimming over sidewalks. Kreitman encouraged her to let staff know when she comes across trees that need trimming. Booth added that due to a limited number of staff, it was handled case by case. Kreitman said the Code has been updated with a list of approved trees. Booth said approved trees are a recommendation. Staff is not going to cut them down but if someone puts in the wrong tree the homeowner would be responsible for all incurred costs. She encouraged Strathern to let staff know if there is a specific location that needed to be addressed.

2) CLOSING COUNCIL COMMENT

**8:54 p.m.**

Cowan mentioned that the Christmas lights will be put up at City Hall. He said there was movement on Intermodal center. He commented that when there is high water in the community staff have been putting signs out.

ADJOURNMENT Mayor Cowan adjourned the regular meeting at 8:55 p.m.

Respectfully submitted:

Reviewed by:

Sheena Dickerman  
City Recorder

Kevin Kreitman  
City Manager





Start: 2022-11-14  
End: 2022-11-21  
Times: 0:00-23:59

# Compliance & Risk Report

## Millersburg, Sonora/Sedona, EB

Medium Risk Threshold: Speed Limit + 10  
High Risk Threshold: Speed Limit + 20  
Speed Range: 1 to 150  
Time View: By Hour (Total Volumes)

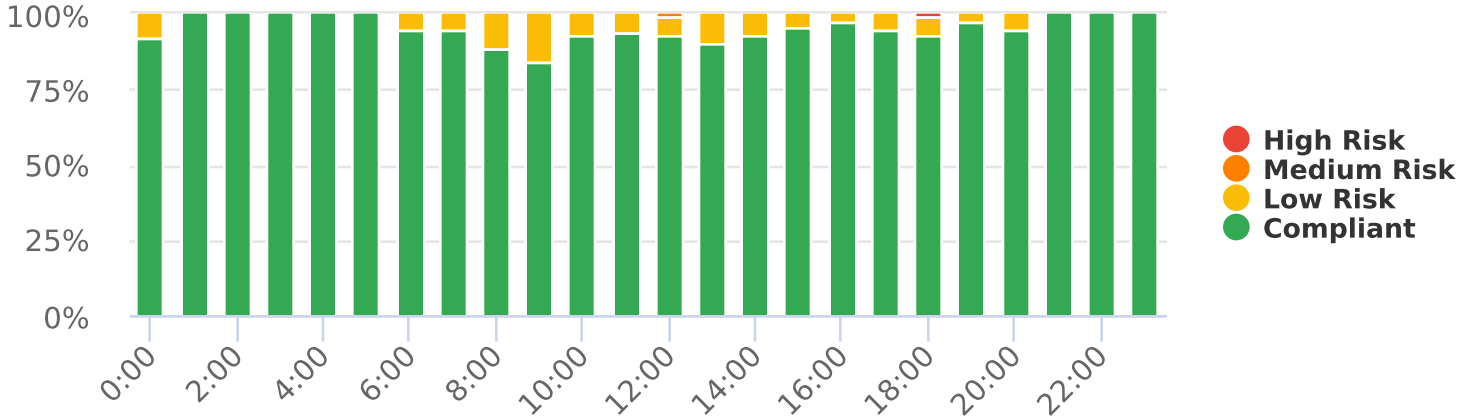
| Time         | Speed Limit | Mode               | Compliant   | Low Risk   | Medium Risk | High Risk | Total Num Vehicles |
|--------------|-------------|--------------------|-------------|------------|-------------|-----------|--------------------|
| 0:00         | 25          | Dependent Messages | 12          | 1          | 0           | 0         | 13                 |
| 1:00         | 25          | Dependent Messages | 5           | 0          | 0           | 0         | 5                  |
| 2:00         | 25          | Dependent Messages | 1           | 0          | 0           | 0         | 1                  |
| 3:00         | 25          | Dependent Messages | 3           | 0          | 0           | 0         | 3                  |
| 4:00         | 25          | Dependent Messages | 8           | 0          | 0           | 0         | 8                  |
| 5:00         | 25          | Dependent Messages | 19          | 0          | 0           | 0         | 19                 |
| 6:00         | 25          | Dependent Messages | 18          | 1          | 0           | 0         | 19                 |
| 7:00         | 25          | Dependent Messages | 53          | 3          | 0           | 0         | 56                 |
| 8:00         | 25          | Dependent Messages | 96          | 13         | 0           | 0         | 109                |
| 9:00         | 25          | Dependent Messages | 60          | 11         | 0           | 0         | 71                 |
| 10:00        | 25          | Dependent Messages | 92          | 7          | 0           | 0         | 99                 |
| 11:00        | 25          | Dependent Messages | 147         | 9          | 0           | 0         | 156                |
| 12:00        | 25          | Dependent Messages | 149         | 11         | 1           | 0         | 161                |
| 13:00        | 25          | Dependent Messages | 154         | 16         | 0           | 0         | 170                |
| 14:00        | 25          | Dependent Messages | 199         | 16         | 0           | 0         | 215                |
| 15:00        | 25          | Dependent Messages | 261         | 11         | 0           | 0         | 272                |
| 16:00        | 25          | Dependent Messages | 292         | 7          | 0           | 0         | 299                |
| 17:00        | 25          | Dependent Messages | 205         | 11         | 0           | 0         | 216                |
| 18:00        | 25          | Dependent Messages | 206         | 14         | 0           | 1         | 221                |
| 19:00        | 25          | Dependent Messages | 120         | 3          | 0           | 0         | 123                |
| 20:00        | 25          | Dependent Messages | 104         | 6          | 0           | 0         | 110                |
| 21:00        | 25          | Dependent Messages | 45          | 0          | 0           | 0         | 45                 |
| 22:00        | 25          | Dependent Messages | 34          | 0          | 0           | 0         | 34                 |
| 23:00        | 25          | Dependent Messages | 15          | 0          | 0           | 0         | 15                 |
| <b>Total</b> |             |                    | <b>2298</b> | <b>140</b> | <b>1</b>    | <b>1</b>  | <b>2440</b>        |



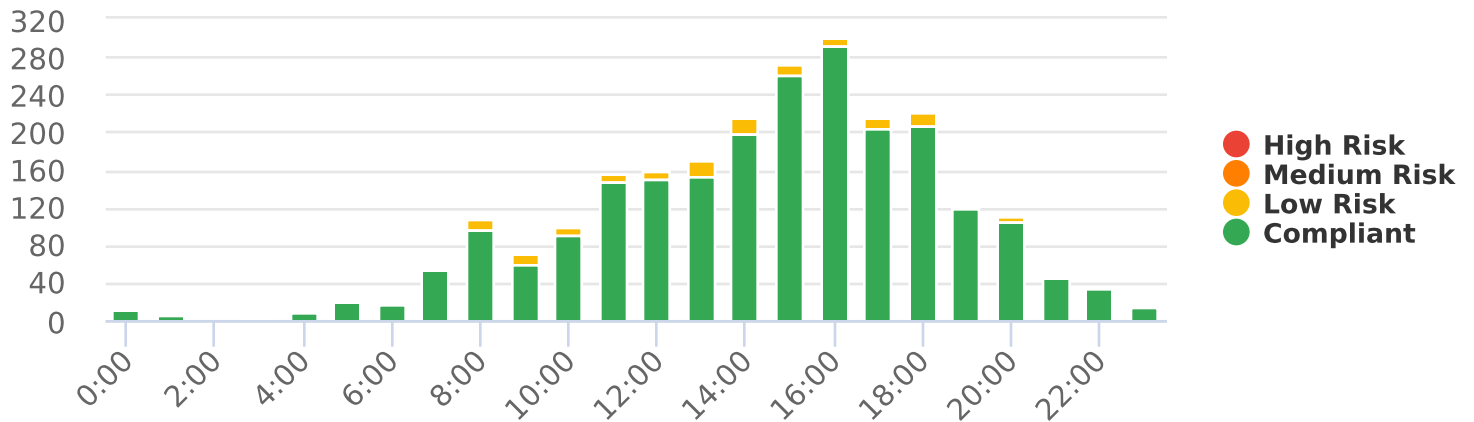
Start: 2022-11-14  
 End: 2022-11-21  
 Times: 0:00-23:59

Medium Risk Threshold: Speed Limit + 10  
 High Risk Threshold: Speed Limit + 20  
 Speed Range: 1 to 150  
 Time View: By Hour (Total Volumes)

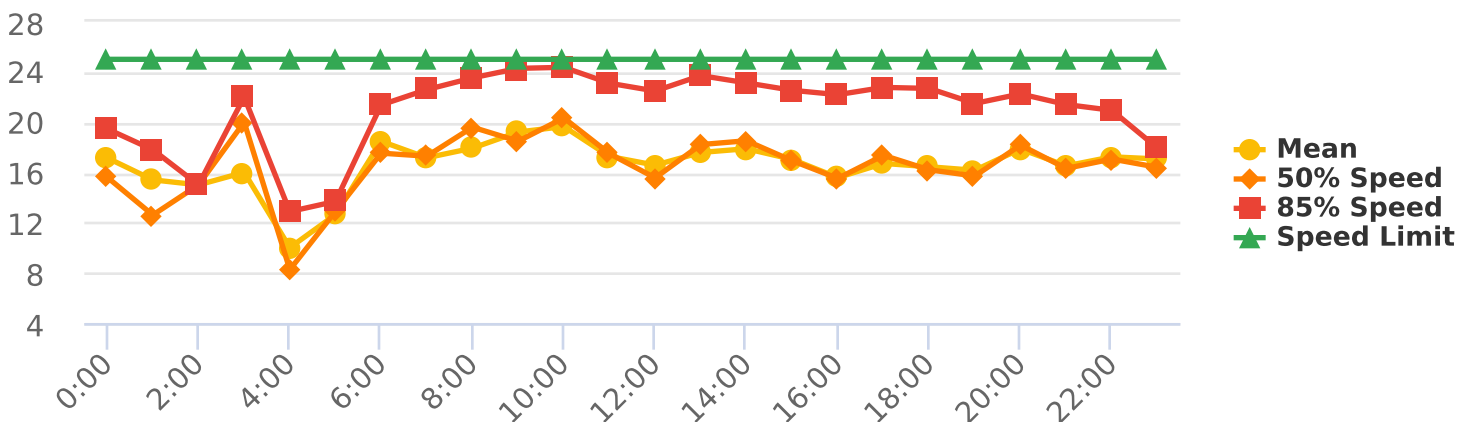
Compliance % by Hour (Totals)



Compliance by Hour (Totals)



Speeds







**File No: DC 22-05 Adoption of a new Housing Chapter for the Comprehensive Plan.**

**Proposal:** The City of Millersburg is proposing to amend the Comprehensive Plan by replacing the existing Housing Chapter with an all-new chapter. The proposed change includes new goals and policies and an updated background section for the Housing Chapter. The project proposes the following action<sup>1</sup>:

- Adoption of a new Housing Chapter for the Comprehensive Plan (Comprehensive Plan Text amendment)

**I. BACKGROUND**

- A. Applicant: City of Millersburg
- B. Location: City Wide
- C. Review Type: The proposed Comprehensive Plan Housing Chapter Amendment (DC 22-05) requires a hearing before the Planning Commission whereby the Commission makes a recommendation to the City Council. A subsequent hearing before the City Council is required for a final action, including the repeal of all existing goals and policies that created the current housing chapter, and adoption of a new ordinance that amends the Comprehensive Plan. Any appeal of the City Council's decision relating to this matter will be considered by the Oregon Land Use Board of Appeals (LUBA).
- D. Public Notice and Hearing: Notice has been provided to the State through the Department of Land Conservation and Development (DLCD), published in the Democrat Harold on November 7, 2022, and posted at City Hall. A notice was published to the DLCD on November 1, 2022. The notice was posted in City Hall on November 7, 2022. Information related to the hearing is posted on the City's website here - <http://cityofmillersbrg.org/planning-commision/>.
- E. Review Criteria: Per Article 5 §5.11.030, the proposed Comprehensive Plan text amendments must be consistent with all applicable decision criteria. Each criteria is discussed in Section II.
- F. Background: The Comprehensive Plan was adopted in 1976 and has seen two small revisions since then. Usually, these plans are refreshed every 10-20 years based on a critical mass of updated data, new planning efforts, and technical analyses.

The City has been planning to embark on a significant update to the Comprehensive

<sup>1</sup> This will also require the repeal of all Ordinances that created or altered the existing housing chapter.

Plan, given that the City now has a newer Transportation System Plan, Sewer Master Plan, Development Code, Parks Master Plan, Housing Needs Analysis and Buildable Lands Inventory, and Economic Development Analysis. The City is beginning its update to the Comprehensive Plan with a new Housing Chapter.

As such, the existing goals and policies of the current Housing Chapter are out of date and no longer reflect changes in the housing market, shifting demographics, as well as community preferences and priorities. The new Housing Chapter includes policies that guide the City in planning for new neighborhoods, retaining the quality and character of existing neighborhoods, and providing housing opportunity for all. The new Housing Chapter will better align with the City's recent zoning and development code changes. It does not propose any further amendments to zoning designations or development code at this time.

The new Housing Chapter opens many new and exciting opportunities. For example, the new Chapter includes policies that protect the rural character of Millersburg's large lot residential lands while prioritizing UGB expansion areas for the development of new master-planned, mixed-use communities that are highly walkable and serviceable with public transit. The new Housing Chapter provides policy direction to inform public investments and manage the effects of growth over the next 20 years.

The new Housing Chapter of the Comprehensive Plan is attached for review and approval.

## **II. CRITERION**

This section contains all applicable City and State provisions that apply to the proposed Comprehensive Plan amendment and how each provision is met.

### **A. CITY OF MILLERSBURG DEVELOPMENT CODE CRITERIA**

Amendments to the Comprehensive Plan text are required to satisfy the following criteria. These come from Section 5.11.030 of the existing Millersburg Development Code.

**Decision Criteria (1). There are no negative impacts of the proposed amendment on land use and development patterns within the city, as measured by:**

#### **(a) Traffic generation and circulation patterns**

**ANALYSIS:** To mitigate the negative impacts on traffic generation and circulation patterns, new housing policy language ensures land uses allow for the efficient provision of public facilities and transportation networks, and there is coordination among partners and service providers to develop infrastructure that supports residential development. Additional policies commit the City to promoting the development of new housing in areas with access to services, amenities, and transportation connections in order to lessen the impact on infrastructure. Additionally, there are no proposed changes to the Comprehensive Plan Map or

Zoning Map at this time. Therefore, the density of the City is not changing as a result of this new chapter. The policies may result in eventual changes to density as the City grows, any changes needed to the transportation system at that time will be addressed at that time.

**FINDING:** Based on the analysis above, the project meets the required criteria.

#### **(b) Demand for public facilities and services**

**ANALYSIS:** To mitigate increased demand for public facilities and services, new housing policy language promotes the housing development in areas with existing access to facilities and services, or where efficient provision of facilities can occur. Policy language also directs the development of new master-planned, mixed-use communities in key areas, increasing the economies of scale when providing any new public facilities and services. Policy language also promotes the assessment of residential land needs relative to employment land needs to ensure a balanced tax base that can support the cost of infrastructure.

**FINDING:** Based on the analysis above, the project meets the required criteria.

#### **(c) Level of park and recreation facilities**

**ANALYSIS:** To mitigate increased demand for parks and recreation facilities, new housing policy language ensures coordination among partners and service providers to develop infrastructure such as parks and recreation facilities that supports residential development. Additionally, the City has a park's master plan that is designed to grow parks and open space resources as the City grows. The new housing policies are fully consistent with the parks master plan.

**FINDING:** Based on the analysis above, the project meets the required criteria.

#### **(d) Economic activities**

**ANALYSIS:** New housing policies are crafted to support Millersburg's economy through language that promotes a greater variety of housing choices to support the needs of the City's workforce. Policy language also promotes greater economic activity by ensuring a balanced ratio of jobs to housing through regular assessments of residential land needs relative to employment land needs.

**FINDING:** Based on the analysis above, the project meets the required criteria.

#### **(e) Protection and use of natural resources**

**ANALYSIS:** There are no changes proposed to the natural resources chapter. New housing policies are crafted to protect natural resources by supporting infill development where quality and compatibility can be maintained. In addition, policy language supports the development of master-planned, mixed-use communities that are highly walkable and serviceable with public transit, lessening

the impact on natural resources by encouraging higher intensity development.

**FINDING:** Based on the analysis above, the project meets the required criteria.

**(f) Compliance of the proposal with existing adopted special purpose plans or programs.**

**ANALYSIS:** This criterion does not apply, as there are no existing adopted special purpose plans or programs that apply to the Comprehensive Plan Housing Chapter.

**FINDING:** Based on the analysis above, this criterion does not apply.

**Decision Criteria (2). A demonstrated need exists for the proposed amendment.**

**ANALYSIS:** The updated goals and policies of the new Housing Chapter are informed by data from the 2022 Housing Needs Analysis. The HNA indicates that the Millersburg population is forecast to grow from 2,937 people in 2021 to 4,883 people in 2041, an increase of 1,946 people. The growth of 1,946 people will result in demand for 719 new dwelling units over the 20-year planning period, averaging 36 new dwelling units annually. The forecast uses a 2.5% population increase rate; using actual historical trends in the City the growth rate is 7%. Currently, Millersburg's housing stock is predominantly single-family detached housing units, but there will likely be a shift in the types of housing that are needed in the future. The factors driving that shift include increasing State regulations and mandates, changes in demographics and decreases in housing affordability. The aging of the Baby Boomers and the growth of younger and diversified Millennial households is likely to result in increased demand for a wider variety of housing that are affordable and appropriate for both the elderly and families with children. The new housing chapter responds to this demonstrated need by including a new goal that states the City will provide the opportunity for a full range of housing options in order to meet the various needs and preferences of existing and future residents, while retaining the character, quality and livability of Millersburg's neighborhoods.

**FINDING:** Based on the analysis above, the project meets the required criteria.

**Decision Criteria (3). The proposed amendment complies with all applicable Statewide Planning Goals and Administrative Rule requirements.**

**ANALYSIS:** Of the 19 Statewide Planning Goals, Goals 1, 2, 10, 12 and 14 are applicable to the proposed update to the Housing Chapter.

Goal 1 requires citizen involvement. This land use application is subject to a Millersburg land use review, which includes a significant citizen involvement component. This process has been established by the city and determined to be consistent with this goal. The project included two rounds of community outreach to understand housing preferences and priorities, which included activities such as online surveys, a public meeting, and tabling at community events. In addition, the mandatory public notice of the action and decision, and the hearings on this case before the Planning Commission

and City Council are all avenues of citizen participation.

Goal 2 requires that land use decisions 1) have an adequate factual base, 2) that alternatives have been considered, and 3) that implementation measures are consistent with and adequate to carry out the comprehensive plan. This Goal is implemented by the Millersburg Development Code which requires that all Land Use approvals follow the process outlined in Goal 2. This Land Use planning process was utilized in drafting the proposed Housing Chapter, and the adoption of the Comprehensive Plan Amendment also uses this established process. Alternatives have been considered throughout the drafting of the updates and the proposed changes will update the Housing Chapter of the Comprehensive Plan.

Goal 10 addresses housing in Oregon and provides guidelines for local governments to follow in developing their local comprehensive land use plans and implementing policies. Goal 10 requires incorporated cities to complete an inventory of buildable residential lands and encourage the numbers of housing units in price and rent ranges commensurate with the financial capabilities of its households. The City recently completed a Buildable Lands Inventory (BLI) and Housing needs Analysis (HNA) in 2022 to inform the update to the Housing Chapter. The new housing policies state that the City will plan for a 20-year supply of suitable land to meet housing needs through regular monitoring and adjustments of available residential land, and identify opportunities to ensure the housing supply includes a variety of housing types and unit sizes, in appropriate locations in the City, that support a range of housing prices.

Goal 12, the Transportation Planning Rule (TPR), OAR 600-012-0060, requires that, where an amendment to a comprehensive plan or zoning regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures that assure that allowed land uses are consistent with the function, capacity, and performance standards of the facility. The proposed Housing Chapter does not, in and of itself, propose any changes to an existing or planned transportation facility. However, the updated housing policies may have transportation impacts in future growth areas, which will be addressed as part of land use review.

Goal 14, urbanization, administers Urban Growth Boundaries and assures that development occurs within Cities. Goal 14 is supported by the adoption of this updated Housing Chapter in that the city's goals and policies related to residential development will be timely and appropriate for any expansion efforts the city may undertake toward urbanization.

**FINDING:** Based on the analysis above, the project meets the required criteria.

**Decision Criteria (4). The amendment is appropriate as measured by at least one of the following criteria.**

**(a) It corrects identified error(s) in the provisions of the Plan;**

**ANALYSIS:** This criterion does not apply, as there are no identified error(s) in the

provisions of the current Comprehensive Plan Housing Chapter.

**FINDING:** Based on the analysis above, this criterion does not apply.

**(b) It represents a logical implementation of the Plan;**

**ANALYSIS:** The current housing policies are out of date and don't reflect changes in the housing market, shifting demographics, as well as community preferences and priorities. With the completion of the 2022 HNA and BLI, an update to the housing chapter of the Comprehensive Plan represents a logical next step.

**FINDING:** Based on the analysis above, the project meets the required criteria.

**(c) It is mandated by changes in Federal, State, or local law;**

**ANALYSIS:** While generally this criterion does not apply, recent statewide legislation like House Bill 2001 and current rulemaking around Climate-Friendly and Equitable Communities (CFEC) will impact Millersburg. The new housing chapter prepares for the effects of new state law by promoting a greater variety of housing types (HB 2001) where appropriate and signaling the intent to provide for higher-density, mixed-use development in new UGB expansion areas to respond to CFEC rules.

**FINDING:** Based on the analysis above, the project meets the required criteria.

**(d) It is otherwise deemed by the City Council to be desirable, appropriate, and proper.**

**ANALYSIS:** In late 2020, Millersburg City Council approved a request for funding assistance through DLCDC to update the Comprehensive Plan Housing Chapter, deeming this project as an appropriate step to preparing a full revision of the Comprehensive Plan.

**FINDING:** Generally, this criterion does not apply, however, the proposed text amendments to the Comprehensive Plan will address possible impacts from changes in state law.

**III. STAFF RECOMMENDATION TO THE PLANNING COMMISSION**

Based on the above findings of fact, the proposed amendments satisfy the applicable criteria. Staff recommends that the Planning Commission recommend approval of Application No. DC 22-05 to the City Council.

**IV. STAFF RECOMMENDED MOTION FOR TO THE CITY COUNCIL** *(assuming the Planning Commission recommends approval)*

Based on the findings of fact in the staff report, the proposed amendment satisfies the applicable criteria. The City Council hereby approves DC 22-05 and adopts Ordinance No. 201-22.

**V. EXHIBITS**

- A. Proposed Comprehensive Plan Housing Chapter Text Amendments  
*Hard copy available upon request or by download-*  
<https://www.cityofmillersburg.org/planning/page/dc-22-05-comprehensive-plan-amendment-new-housing-chapter-comprehensive-plan>
  
- B. Public Hearing Notice



Section 9.400

# GOAL 10: HOUSING





## OVERVIEW

Goal 10 addresses housing in Oregon and provides guidelines for local governments to follow in developing their local comprehensive land use plans and implementing policies. Goal 10 requires incorporated cities to complete an inventory of buildable residential lands and encourage the numbers of housing units in price and rent ranges commensurate with the financial capabilities of its households [read full text version of Goal 10: OAR 660-015-0000(10)].

Housing is at the core of vibrant communities, supporting industry, job growth, services and City amenities. As communities change and grow over time, the City of Millersburg must plan for housing that meets the needs of current and future community members. Planning efforts are guided by information about the housing market and the factors that affect residential development, including changes in the housing market and shifting demographics, as well as community preferences and priorities. Understanding trends and community goals is key to informing the City's policy development related to housing and options for addressing unmet housing needs in Millersburg. As of 2022, data indicates the following key findings regarding current and future housing needs in Millersburg (2022 Housing Needs Analysis):

- Millersburg's population is forecast to continue growing. The Millersburg population is forecast to grow from 2,937 people in 2021 to 4,883 people in 2041, an increase of 1,946 people. This population growth will occur at an average annual growth rate of 2.6%. By comparison, Millersburg added 2,199 new residents between 2000 and 2020, at an average annual growth rate of 7.7%.
- Millersburg needs to plan for 719 new dwelling units. The growth of 1,946 people will result in demand for 719 new dwelling units over the 20-year planning period, averaging 36 new dwelling units annually. Currently, Millersburg's housing stock is predominantly single-family detached housing units.
- There will likely be a shift in the types of housing that are needed in Millersburg in the future. The factors driving that shift include changes in demographics and decreases in housing affordability. The aging of the Baby Boomers and the growth of younger and diversified Millennial households is likely to result in increased demand for a wider variety of housing that are affordable and appropriate for both the elderly and families with children.

## GOAL

*The City shall provide the opportunity for a full range of housing options in order to meet the various needs and preferences of existing and future residents, while retaining the character, quality and livability of Millersburg's neighborhoods.*

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## POLICIES

### *Plan for new neighborhoods.*

- POLICY 1** Plan for a 20-year supply of suitable land for Millersburg to meet housing needs through regular monitoring and adjustments of available residential land.
- POLICY 2** Identify opportunities to ensure the housing supply includes a variety of housing types and unit sizes, in appropriate locations in the City, that support a range of housing prices.
- POLICY 3** Encourage housing that is of a design and quality compatible with the neighborhood in which it is located.
- POLICY 4** Promote the development of new housing in areas with access to services, amenities, and transportation connections.
- POLICY 5** Encourage construction practices that result in high-quality development and reduce the industry's impact on the environment.
- POLICY 6** Encourage innovative design and planning concepts to reduce the cost of housing and services through code review procedures.
- POLICY 7** Ensure a balanced ratio of jobs to housing by regularly assessing residential land needs relative to employment land needs.
- POLICY 8** Coordinate with partners and service providers to develop infrastructure that supports residential development.
- POLICY 9** Utilize UGB expansion areas for the development of new master-planned, mixed-use communities that are highly walkable and serviceable with public transit.

***Retain the quality and character of existing neighborhoods.***

- POLICY 10**      Preserve the quality of existing neighborhoods and ensure that new neighborhoods and infill partitions and divisions fit with Millersburg’s character and landform.
- POLICY 11**      Retain the rural character of Millersburg’s large lot residential lands north of NE Conser Road and west of NE Old Salem Road.
- POLICY 12**      Maintain high-quality housing conditions through enforcement of codes and ordinances.
- POLICY 13**      Ensure land uses allow for the efficient provision of public facilities and transportation networks.

***Provide housing for all.***

- POLICY 14**      Provide opportunities for housing at price and rent levels commensurate with the needs of current and anticipated residents.
- POLICY 15**      Support the need for all citizens of the community to obtain adequate housing regardless of their income, age, race, religion, sex or ethnic background.
- POLICY 16**      Support homeownership and rental opportunities for all housing types.
- POLICY 17**      Provide opportunities for elderly residents to age in place by encouraging the development of housing types that are affordable and accessible, such as accessory dwelling units and retirement communities.
- POLICY 18**      Collaborate with services, programs and organizations that provide opportunities for development of lower cost housing in areas with access to jobs, public transportation, open spaces, schools, and supportive services and amenities.
- POLICY 19**      Maintain information and resources on available housing, financing programs, and assistance programs in both the public and private sector that are suited to the needs of the community.
- POLICY 20**      Encourage the land use code to include “clear and objective” standards for housing development and does not have the effect of discouraging needed housing through unreasonable cost or delay or reducing the proposed housing density already allowed by zoning.
- POLICY 21**      Ensure existing manufactured home parks shall continue to be allowed within the locational criteria of the land use code and protected from redevelopment to maintain Millersburg’s existing affordable housing stock.
- POLICY 22**      Streamline the permitting process to reduce cost and delay of new housing units.
- POLICY 23**      Promote the development of accessory dwelling units as a means to contribute to the overall housing stock and rental market.
- POLICY 24**      Allow manufactured homes on individual lots to increase housing choices.



**NOTICE OF PUBLIC REVIEW**  
**December 6, 2022, 6:00 p.m.**  
**And December 13, 2022, 6:30 p.m.**  
**Hearing will be in person and**  
**by phone/computer.**

**See Agenda on the City website for details.**

The City of Millersburg will hold a **PLANNING COMMISSION** hearing on December 6, 2022 at the above time and place, and a **CITY COUNCIL** hearing on December 13, 2022 at the above time and place to consider the action described below. The action may be heard later than the time indicated, depending on the agenda schedule. Interested parties are invited to send written comment or attend the hearing. A staff report relating to the proposal will be available seven (7) days prior to the first public hearing. For further information, contact Millersburg City Hall at (458) 233-6306.

The location of the meeting is accessible to the disabled. If you need any special accommodations to attend or participate in the meeting, please notify City Hall twenty-four (24) hours before the meeting.

**APPLICANT:** City initiated  
**LOCATION:** City wide  
**CRITERIA:** Millersburg Development Code; Section 5.11. These criteria also require compliance with the applicable Statewide Planning Goals and Oregon Administrative Rules, 660-004, 660-012, 660-014, 660-015, 660-022, and Oregon Revised Statutes 197.732.  
**FILE No.:** DC 22-05  
**REQUEST:** Comprehensive Plan Amendment DC 22-05 proposes to revise and replace the Comprehensive Plan Housing Chapter. Grant funding was provided by the DLCDC for this effort. This is intended to be the first step in a full revision of the City's Comprehensive Plan. See this link for more detail and new housing chapter: <https://www.cityofmillersburg.org/planning/page/land-use-matters-application>

## **ORDINANCE NO. 201-22**

### **AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN TO REPLACE THE HOUSING CHAPTER WITH A NEW HOUSING CHAPTER**

**WHEREAS**, the City of Millersburg has jurisdiction and desires to provide the opportunity for a full range of housing options to meet the various needs and preferences of existing and future residents, while retaining the character, quality and livability of Millersburg's neighborhoods; and,

**WHEREAS**, the State of Oregon Planning Goal 10 requires Cities to create a plan to accommodate needed housing; and,

**WHEREAS**, the City of Millersburg in an effort to provide housing opportunity for the citizens of Millersburg has a Housing Chapter in its adopted Comprehensive Plan; and,

**WHEREAS**, the Housing Chapter of the Comprehensive Plan has been in effect since 1983 and was slightly revised in 2001 and 2020; and,

**WHEREAS**, the existing goals and policies of the current Housing Chapter are out of date and no longer reflect changes in the housing market, shifting demographics, as well as community preferences and priorities; and,

**WHEREAS**, the City wishes to repeal the existing Housing Chapter and replace in its entirety a new Housing Chapter that includes policies to guide the City in planning for new neighborhoods, while retaining the quality and character of existing neighborhoods, and provide housing opportunity for all; and,

**WHEREAS**, the City performed a Housing Needs Analysis dated January 2022, which was considered during the preparation of the Housing Chapter; and

**WHEREAS**, a Comprehensive Plan Amendment was processed as case number DC 22-05 following all required land use processes including all notifications required by the City of Millersburg Development Code; and,

**WHEREAS**, the City held a public open house on May 18, 2022, staffed a booth at the Community Grange on May 13, 2022, and the Farmers' Market on June 1, 2022, and held three advisory committee meetings with the Planning Commission, all of which were open to the public; and,

**WHEREAS**, the Department of Land Conservation and Development (DLCD) received notice on November 1, 2022, more than 35 days in advance of the first hearing; and,

**WHEREAS**, the Millersburg Planning Commission recommended to the Millersburg City Council on December 6, 2022, that the City Council approve the Comprehensive Plan Amendment.

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

1. The Comprehensive Plan is hereby adopted as amended to replace the Housing Chapter with the revised version, as provided to the City Council on December 13, 2022, and reflecting all changes requested during the Planning Commission and City Council hearings, as shown in Exhibit A to this document, including all supporting studies and analysis.
2. A copy of this Ordinance shall be filed in the office of the City Recorder of the City of Millersburg, and these changes shall be made in the Millersburg Comprehensive Plan.

**FURTHERMORE**, this ordinance shall become effective 30 days after the adoption.

**PASSED by the Council this 13<sup>th</sup> day of December, 2022.**

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Scott Cowen  
Mayor

ATTEST:

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Sheena Dickerman  
City Recorder



TO: Millersburg City Council  
VIA: Kevin Kreitman, City Manager  
FROM: City Staff  
DATE: December 8, 2022, for Council Meeting December 13, 2022  
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.

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

**ODOT Fund Exchange Letter**

In August, AAMPO discussed concerns with ODOT's plans to suspend the State Fund Exchange Program. The loss of this program will negatively impact funding for all agency members. Following this meeting, Albany staff worked with City of Corvallis staff to draft a letter of concern (see attached). In September, this draft letter was sent to the AAMPO policy board for review. The AAMPO members are now being asked if there is interest in signing this letter, if there are plans to reach out individually, or not at all. Albany would like to send a letter out before the end of the year so needs to know whether we are interested in being listed as a party to the letter.

**Transition Parkway and Buffer**

Work is progressing on the Transition Parkway and Buffer Project. Intersections at the east and west ends are being designed with consideration for desired traffic flow and will be reviewed during the meeting.

Parks Commission reviewed buffer/linear park concept options on 12/7/22 and provided feedback. This will be discussed during the meeting under New Business.

**Lead and Copper Rule Changes**

The EPA has revised its Lead and Copper Rules for drinking water providers. Lead and copper enter drinking water primarily through plumbing materials. Exposure to lead and copper may cause health problems ranging from stomach distress to brain damage.

The Lead and Copper Rule Long-Term Revision (LCRR) was finalized by the US EPA in January 2021 and effective December 16, 2021. The rules include:

- Development of a lead service line (LSL) inventory
- Updated tap water sampling locations and modified sample collection procedures
- Development of sampling plans for schools and childcare facilities
- New requirements for full- and partial-lead service line replacement plans
- Additional planning, monitoring, and corrosion control treatment (CCT) requirements based on a new trigger level of 10 µg/L (micrograms per liter) - below the 15 µg/L action level
- Stricter public education and communication requirements

Within these rules, there are different requirements for large, medium, and small systems (Millersburg will be categorized as a medium system). The LCRR and compliance date is October 16, 2024. Oregon Drinking Water Services may impose additional requirements on drinking water providers.

#### Lead Service Line Inventory (LSL)

This is the first, and most time intensive, requirement of the program. We are required to inventory all service lines, from the water main to the structure. In Millersburg, a portion of this line (from the main to the water meter) is part of the public infrastructure. The remainder of the line (from the meter to the structure) is private. This task will involve evaluating available information, including GIS info, dates of construction, and record drawings. Then, field work will be required to attempt to determine pipe materials that are not known. It is anticipated that a large portion of the private lines will be of unknown material. However, it can be assumed that any water line constructed after 1986 is not lead because after 1986 lead was no longer allowed in water line construction.

Although we may also begin working on other requirements, some of them (sampling plans, etc.) depend on the results of the inventory. Staff will be coordinating with City of Albany staff to obtain GIS data. It will likely be necessary to engage consultants to assist with meeting these program requirements.



To:

Subject: State Fund Exchange Program Discontinuation

ODOT has recently announced that it intends to discontinue the State Fund Exchange program. This program has provided an essential service for cities and counties who are not certified by ODOT to deliver Federally funded projects. Even those agencies that are certified, which among AAMPO and CAMPO members include the City of Corvallis and Linn County, often opt to exchange the funds in order to more efficiently deliver Federally funded projects. The funds received from the Federal government come with stipulations that make the projects inordinately complicated and expensive to deliver. In addition, the process to become certified, and maintain that certification is difficult and time consuming, so much so that there is little financial benefit to becoming certified or incentive to maintain such certifications.

Historically, agencies have been able to rely upon the state to provide funds in exchange for those we receive from the Federal government. With the end of this program approved projects will need to use Federal funds, start to finish, and projects will need to be delivered either by ODOT or a certified agency. Neither the City of Corvallis nor Linn County have the resources to fully support their neighbors in implementing their Federally funded projects. With only 12 certified agencies in Oregon, we imagine that this scenario will be a familiar one across the state, and ODOT will be called upon to provide the majority of support necessary to deliver projects for uncertified agencies. Unfortunately, the feedback we hear from ODOT leads us to believe that the state may not be prepared to provide the necessary level of support to deliver the expected volume of projects.

This decision may have been made without a complete understanding of its serious ramifications. With sufficient warning, uncertified agencies could have chosen to pursue the certification process before the exchange was closed, but even that option is known to be a lengthy and expensive process. This change will present a serious negative impact for cities and counties at a time when they most need help in implementing infrastructure projects, and we request an opportunity to discuss the possibility of reversing the decision or ways to mitigate its harmful effects.

Benton Co

Linn Co

Albany

Jefferson

Millersburg

Tangent

Corvallis

Philomath

Adair



TO: Millersburg City Council  
VIA: Kevin Kreitman, City Manager  
FROM: Sheena Dickerman, City Recorder  
DATE: December 7, 2022, for the December 13, 2022 City Council Meeting  
SUBJECT: Canvas Votes – Resolution 2022-15

Action Requested: Approval of Resolution Canvassing November 8, 2022, Election Votes.

Discussion: The City recently received the certification of the November 8, 2022, election results of votes cast by Millersburg registered voters. Per the Millersburg City Charter, the Council is to canvass the votes and act as the final judge of the election and qualifications of its members. The attached Resolution notes the results of the election and identifies the two winners of the election based on the votes then directs the City Recorder to send Certificates of Election to the winners.

Budget Impact: None.

Recommendation: Approve Resolution 2022-15 canvassing the votes cast at the November 8, 2022, general election and directing City Recorder to issue Certificates of Election to persons declared elected.

Attachment(s):

- Resolution 2022-15
- Linn County Certification of Election Results

**RESOLUTION 2022-15**

**A RESOLUTION CANVASSING THE VOTES CAST AT  
THE GENERAL ELECTION HELD NOVEMBER 8, 2022**

**WHEREAS**, a general City election was held on November 8, 2022, during which time legal voters of the City of Millersburg considered the election of City officers; and,

**WHEREAS**, pursuant to state law, the Linn County Clerk has certified the results of said election, said certification having been issued on the 1<sup>st</sup> day of December, 2022; and

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

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

Section 1. That the votes cast by electors of the City of Millersburg for two (2) City Councilors at the general election of November 8, 2022, are hereby found, determined, and declared to be as follows:

|                  |      |
|------------------|------|
| <b>COUNCILOR</b> |      |
| Scott Cowan      | 1045 |
| Mike Hickam      | 935  |
| Write-in         | 54   |
| Write-in         | 13   |

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

Section 2. Pursuant to the foregoing election results, certified to by the Linn County Clerk and canvassed and ratified by the City Council by this resolution, it is hereby found, determined, and declared that the following are the official results of the general election held on November 8, 2022.

|                  |             |
|------------------|-------------|
| <b>COUNCILOR</b> | Scott Cowan |
| <b>COUNCILOR</b> | Mike Hickam |

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

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

**Duly Passed** by the City Council this 13<sup>th</sup> day of December, 2022.

\_\_\_\_\_  
Scott Cowan, Mayor  
City of Millersburg, Oregon

ATTEST:

\_\_\_\_\_  
Sheena Dickerman  
City Recorder

Office Report  
 Linn County  
 General Election November 08, 2022  
 All Precincts, All Districts, All Counter Groups, All ScanStations, All Contests, All Boxes  
 Final and Official  
 Total Ballots Cast: 61992, Registered Voters: 97495, Overall Turnout: 63.58%

City of Millersburg Council Members (Vote for 2)

| Precinct     | Ballots Cast | Reg. Voters | Total Votes | Scott Cowan | Mike Hickam | With-in  | With-in  | Over Votes | Under Votes |
|--------------|--------------|-------------|-------------|-------------|-------------|----------|----------|------------|-------------|
| Precinct 076 | 1886         | 2620        | 2048        | 1045 51.03% | 929 45.70%  | 54 2.64% | 13 0.63% | 0          | 1924        |
| Total        | 1886         | 2620        | 2048        | 1045 51.03% | 929 45.70%  | 54 2.64% | 13 0.63% | 0          | 1924        |

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

*[Signature]*  
 December 21, 2022  
 County Clerk  
 Deputy



*City of Millersburg, Oregon*

County of Linn  
422 NE Old Salem Road, Millersburg OR 97321  
Phone: (458) 233-6300  
[www.cityofmillersburg.org](http://www.cityofmillersburg.org)

## *Certificate of Election*

*It appears from the official canvass of the votes cast at the Election for the City of Millersburg held within and for the City of Millersburg, County of Linn, State of Oregon, on Tuesday, the 8th day of November, 2022, that*

*Scott Cowan*

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

*NOW, THEREFORE, I, Sheena Dickerman, City Recorder of the City of Millersburg, State of Oregon, by virtue of the authority vested in me under the statute for the State of Oregon, Chapter 254.565, do hereby grant this **Certificate of Election** and declare said Scott Cowan of Millersburg, State of Oregon, to be duly elected to the Office of Councilor of the City of Millersburg, for the term ending December 31, 2026.*

*IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said City of Millersburg to be hereunto affixed this 13th day of December, 2022.*

\_\_\_\_\_  
*Sheena Dickerman*  
*City Recorder*

### ACCEPTANCE

*I, Scott Cowan, having received notice from the City Recorder of the City of Millersburg, Oregon, that a General Election held in said City on November 8, 2022, that I was elected to the office of Councilor for the term of four (4) years, hereby certify that I do accept the office at the first regular meeting of the Council in January 2023.*

\_\_\_\_\_  
*Scott Cowan*



*City of Millersburg, Oregon*

County of Linn  
422 NE Old Salem Road, Millersburg OR 97321  
Phone: (458) 233-6300  
[www.cityofmillersburg.org](http://www.cityofmillersburg.org)

## *Certificate of Election*

*It appears from the official canvass of the votes cast at the Election for the City of Millersburg held within and for the City of Millersburg, County of Linn, State of Oregon, on Tuesday, the 8th day of November, 2022, that*

*Mike Hickam*

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

*NOW, THEREFORE, I, Sheena Dickerman, City Recorder of the City of Millersburg, State of Oregon, by virtue of the authority vested in me under the statute for the State of Oregon, Chapter 254.565, do hereby grant this **Certificate of Election** and declare said Mike Hickam of Millersburg, State of Oregon, to be duly elected to the Office of Councilor of the City of Millersburg, for the term ending December 31, 2026.*

*IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said City of Millersburg to be hereunto affixed this 13th day of December, 2022.*

\_\_\_\_\_  
*Sheena Dickerman*  
*City Recorder*

### ACCEPTANCE

*I, Mike Hickam, having received notice from the City Recorder of the City of Millersburg, Oregon, that a General Election held in said City on November 8, 2022, that I was elected to the office of Councilor for the term of four (4) years, hereby certify that I do accept the office at the first regular meeting of the Council in January 2023.*

\_\_\_\_\_  
*Mike Hickam*



TO: Millersburg City Council  
VIA: Kevin Kreitman, City Manager  
FROM: Sheena Dickerman, City Recorder  
DATE: December 8, 2022, for the December 13, 2022 City Council Meeting  
SUBJECT: Prohibit Psilocybin Businesses Votes – Ordinance 196-22

Action Requested: None. Information only.

Discussion: The City recently received the certification of the November 8, 2022, election results of votes cast by Millersburg registered voters to Prohibit Psilocybin Businesses. There were 1403 "Yes" votes and 521 "No" votes for a total of 1924 votes. The Council approved Ordinance 196-22 for a permanent ban on psilocybin mushrooms on July 12, 2022. The majority of voters approved the referral on November 8, 2022, making the effective date December 8, 2022.

Budget Impact: None.

Attachments:

- Linn County Certification of Election Results
- Copy of Ordinance 196-22

Office Report  
 Linn County  
 General Election November 08, 2022  
 All Precincts, All Districts, All Counter Groups, All Scan Stations, All Contests, All Boxes  
 Final and Official  
 Total Ballots Cast: 61992, Registered Voters: 97495, Overall Turnout: 63.58%

**22-193 City of Millersburg Prohibit Psilocybin Businesses (Vote for 1)**

| Precinct     | Ballots Cast | Reg. Voters | Total Votes | Yes         | No         | Over Votes | Under Votes |
|--------------|--------------|-------------|-------------|-------------|------------|------------|-------------|
| Precinct 076 | 1886         | 2620        | 1924        | 1403 72.92% | 521 27.08% | 0          | 62          |
| Total        | 1886         | 2620        | 1924        | 1403 72.92% | 521 27.08% | 0          | 62          |

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

*[Signature]* December 2, 2022  
 County Clerk  
 Deputy



**ORDINANCE NO. 196-22**

**AN ORDINANCE DECLARING A BAN ON PSILOCYBIN SERVICE CENTERS  
AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS**

**WHEREAS**, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

**WHEREAS**, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

**WHEREAS**, the Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023; and

**WHEREAS**, as of July 12, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of Millersburg is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the City; and

**WHEREAS**, ORS 475A.718 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the city; and

**WHEREAS**, the Millersburg City Council believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the City's jurisdictional boundaries to enable the adoption of the state's psilocybin licensing and regulatory program and to allow the city to adopt reasonable time, place, and manner regulations on the operation of psilocybin facilities is in the best interest of the health, safety and welfare of the people of Millersburg; and

**WHEREAS**, the City Council seeks to refer to the voters of Millersburg the question of whether to establish a ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries.

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

Section 1. Prohibition.

The establishment of psilocybin product manufacturers licensed under ORS 275A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the City of Millersburg.



TO: Millersburg City Council  
FROM: Kevin Kreitman, City Manager  
DATE: December 3, 2022, for the December 13, 2022, City Council Meeting  
SUBJECT: Commission and Committee Appointments and Re-Appointments

Action Requested:

Approval and appointment/re-appointment of Commission and Committee Members.

Discussion:

In accordance with the Council's adopted Citizen Commission/Committee Member and Staff Manual, in November public notice of all current or anticipated vacancies was posted on the City's website.

The vacancies this year are on the Planning and Parks Commissions and the Budget Committee. All re-appointments will be effect January 1, 2023. The Planning Commission has three positions for up for reappointment which are currently filled by Caryl Thomas, Monty Ayers, and Jason Young. Commissioner Young was appointed to fill the remaining term of Commissioner Lepin this past September. All three appointments will be for new four (4) year terms. The Planning Commission also has one current vacancy due to the appointment and election of former Commissioner Hickam to City Council. We have one applicant, Briggs Dunn, to fill the remaining term for this position. This position will then be up for reappointment in December of 2023.

The Parks Commission currently has one (1) vacancy and one (1) position eligible for reappointment, currently filled by Talley Richardson. Both positions are for new four (4) year terms. No applications have been received at this time for the vacant position.

The Budget Committee currently has one (1) vacancy and two (2) positions eligible for reappointment, currently filled by Lorri Headrick and Rob Yencopal. All three positions are for new four (4) year terms. No applications have been received at this time for the vacant Budget Committee position.

If additional applications are not received for prior to the December Council meeting, staff will continue to advertise the open positions online until the vacancies are filled. Any new applications received after the December meeting will be brought forward at the subsequent City Council meeting for Council consideration.

Budget Impact:

None

Recommendation:

Council consideration of the following four (4) year re-appointments to the Planning Commission:

Monty Ayres  
Caryl Thomas  
Jason Young

Council consideration of the following new appointment to the Planning Commission to complete a remaining term through 2023:

Briggs Dunn

Council consideration of the following four (4) year re-appointments to the Parks Commission:

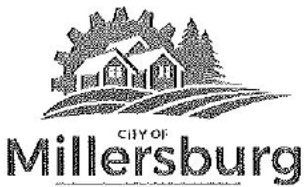
Talley Richardson

Council consideration of the following four (4) year re-appointments to the Budget Committee:

Lorri Headrick  
Rob Yencopal

Attachment(s):

- Commission/Committee Applications



# COMMISSION AND COMMITTEE APPLICATION

(Please print legibly or type)

CITY HALL  
4222 NE Old Salem  
Road Albany, OR 97321  
www.cityofmillersburg.org  
(458) 233-6300

## Commission and/or Committee Preference:

Commission

(list all for which you are applying)

Name: Monte Ayers Preferred First Name: Monte

### Residential Information:

Home Address

[Redacted]

Phone:

[Redacted]

Cellular:

[Redacted]

E-mail:

[Redacted]

Fax:

[Redacted]

(Optional)

### Employment Information:

Employer's Name:

\_\_\_\_\_

Work Address:

\_\_\_\_\_

Phone:

\_\_\_\_\_

Cellular:

\_\_\_\_\_

E-mail:

\_\_\_\_\_

Fax:

\_\_\_\_\_

(Optional)

Please provide information as requested below to describe your qualifications to serve on this City of Millersburg Commission or Committee. Feel free to provide additional information you wish to share with the City.

- List current or most recent occupation, business, trade, or profession:

J+H Trucking Inc.

- List community/civic activities. Indicate activities in which you are or have been active:

High school coach, multiple foundations connected to schools,

Active in all these.

- Indicate why you are interested in serving on this commission or committee and what other qualifications apply to this position.

I've had one term as commissioner and want more.

- What contributions do you hope to make?

would like to have a part in keeping the city growing in a great direction, as it has been.

Please consult the *Guide for Public Officials* and the *Guide for Public Officials 2015 Supplement* that are posted on the state of Oregon's website at <http://www.oregon.gov/ogec/Pages/index.aspx> (see visual reference below).

#### Guide for Public Officials

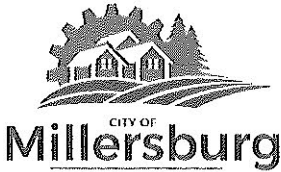


The guide has been revised to include informational links to statutes and rules to give you a more complete reference tool.

Click here to access the guide. Click here for Guide for Public Officials 2015 Supplement.

Monte Ayres  
Signature of Applicant

12-7-22  
Date



# COMMISSION / COMMITTEE

## SUPPLEMENTAL FORM

Your Name Monte Ayers

Commission / Committee Name Planning Commission

Sometimes, the City receives requests for contact information for members serving on City commissions and committees. Under Oregon law, as a public body volunteer serving the City, your addresses and telephone numbers are generally exempt from public disclosure.

To help City staff members, could you please check "yes," "no," or "not applicable" below as to whether or not you authorize this information being available to the public:

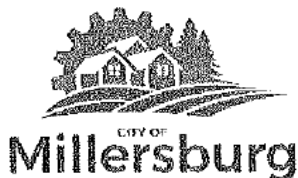
- Home Address  Yes  No  Not Applicable
- Home Telephone Number  Yes  No  Not Applicable
- Home Fax Number  Yes  No  Not Applicable
- Personal Cell Number  Yes  No  Not Applicable
- Home E-mail Address  Yes  No  Not Applicable
  
- Work Address  Yes  No  Not Applicable
- Work Telephone Number  Yes  No  Not Applicable
- Work Fax Number Work  Yes  No  Not Applicable
- Cell Number  Yes  No  Not Applicable
- Work E-mail Address  Yes  No  Not Applicable

Generally, only information for which you have checked "yes" will be released. If you have chosen "no" to all and a citizen wants to communicate with you, the City will suggest that s/he either:

- send a letter to you c/o the City Recorder, 4222 NE Old Salem Road, Albany, OR 97321; then the City will forward it to you; or
- leave a phone message or e-mail message with the City Recorder who will then give the message to you.

Signature Monte Ayers

Date 12-7-22



# COMMISSION AND COMMITTEE APPLICATION

(Please print legibly or type)

**CITY HALL**  
4222 NE Old Salem Road  
Albany, OR 97321  
www.cityofmillersburg.org  
(458) 233-6300

**Commission and/or Committee Preference:**

Planning Committee

(list all for which you are applying)

Name: Briggs Dunn

Preferred First Name: Briggs

### Residential Information:

Home Address:

[REDACTED]

Millersburg, OR 97321

Phone:

Cellular:

[REDACTED]

E-mail:

[REDACTED]

Fax:

(Optional)

### Employment Information:

Employer's Name: Retired

Work Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

E-mail:

\_\_\_\_\_

Phone:

Cellular:

Fax:

(Optional)

Please provide information as requested below to describe your qualifications to serve on this City of Millersburg Commission or Committee. Feel free to provide additional information you wish to share with the City.

- List current or most recent occupation, business, trade, or profession:

I have been retired for the past 15 years. Prior to the retirement, I was a senior manager for a small manufacturing plant, part of Alcan Cable, located in Wilbur, OR. In total, I worked for Alcan Aluminum Corp for over 20 years in a variety of management positions in the US and Canada.

- List community/civic activities. Indicate activities in which you are or have been active:

Umpqua Fisheries Enhancement Derby  
United Way Board for Douglas County, OR

- Indicate why you are interested in serving on this commission or committee and what other qualifications apply to this position.

I live in Millersburg and would like to help chart the future development strategy for the city.

- What contributions do you hope to make?

I have had a variety of managerial positions in industry. That experience has given me the opportunity to develop analysis and strategic planning skills. I also developed leadership skills as part of my role in an industrial setting. These skills and experience will be valuable to the Millersburg Planning Committee and the Millersburg leadership team in general.

Please consult the *Guide for Public Officials* and the *Guide for Public Officials 2015 Supplement* that are posted on the state of Oregon's website at <https://www.oregon.gov/ogec/Pages/Guide-for-Public-Officials.aspx> (see

#### Guide for Public Officials



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Click here to access the guide. [Click here for Guide for Public Officials 2015 Supplement.](#)

*Bryce Dunn*

Signature of Applicant

11-19-22

Date





# COMMISSION / COMMITTEE SUPPLEMENTAL FORM

Your Name Briggs Dunn

Commission / Committee Name Planning Committee

Sometimes, the City receives requests for contact information for members serving on City commissions and committees. Under Oregon law, as a public body volunteer serving the City, your addresses and telephone numbers are generally exempt from public disclosure.

To help City staff members, could you please check "yes," "no," or "not applicable" below as to whether or not you authorize this information being available to the public:

|                       |                              |  |  |
|-----------------------|------------------------------|--|--|
| Home Address          | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Not Applicable            |
| Home Telephone Number | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Not Applicable            |
| Home Fax Number       | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Not Applicable            |
| Personal Cell Number  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Not Applicable            |
| Home E-mail Address   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Not Applicable            |
|                       |                              |  |  |
| Work Address          | <input type="checkbox"/> Yes | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Not Applicable |
| Work Telephone Number | <input type="checkbox"/> Yes | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Not Applicable |
| Work Fax Number Work  | <input type="checkbox"/> Yes | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Not Applicable |
| Cell Number           | <input type="checkbox"/> Yes | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Not Applicable |
| Work E-mail Address   | <input type="checkbox"/> Yes | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Not Applicable |

Generally, only information for which you have checked "yes" will be released. If you have chosen "no" to all and a citizen wants to communicate with you, the City will suggest that s/he either:

- send a letter to you c/o the City Recorder, 4222 NE Old Salem Road, Albany, OR 97321; then the City will forward it to you; or
- leave a phone message or e-mail message with the City Recorder who will then give the message to you.

Signature Briggs Dunn

Date 11-19-22



# COMMISSION AND COMMITTEE APPLICATION

(Please print legibly or type)

CITY HALL  
4222 NE Old Salem  
Road Albany, OR 97321  
www.cityofmillersburg.org  
(458) 233-6300

**Commission and/or Committee Preference:**

Planning Commission

(list all for which you are applying)

Name: Jason Young

Preferred First Name: Jason

| Residential Information: |                  |
|--------------------------|------------------|
| Home Address:            | _____            |
| Phone:                   | _____            |
| Cellular:                | _____            |
| E-mail:                  | _____            |
| Fax:                     | _____ (Optional) |

| Employment Information: |                  |
|-------------------------|------------------|
| Employer's Name:        | _____            |
| Work Address:           | _____            |
| Phone:                  | _____            |
| Cellular:               | _____            |
| E-mail:                 | _____            |
| Fax:                    | _____ (Optional) |

Please provide information as requested below to describe your qualifications to serve on this City of Millersburg Commission or Committee. Feel free to provide additional information you wish to share with the City.

- List current or most recent occupation, business, trade, or profession:

Environmental Compliance Manager for a wood products industrial manufacturing facility in the City of Millersburg. I am a chemist by education with experience in public safety, chemical manufacturing and wood products manufacturing.

- List community/civic activities. Indicate activities in which you are or have been active:

Currently serving as City of Millersburg Planning Commissioner.

I also have experience with participating in city counsel meetings on behalf of my employer and I have provided public comment on regulatory issues and rule-making with the Legislature and Oregon DEQ.

- Indicate why you are interested in serving on this commission or committee and what other qualifications apply to this position.

I am interested in serving on the Planning Commission because I both live and work within the City of Millersburg and have a vested interest in the economic viability, resilience and sustainability as well as our public safety and environmental quality. I believe that my experience with environmental compliance would be valuable in understand regulation as it applies to planning and reviewing projects.

- What contributions do you hope to make?

I hope to assist my community with reviewing plans for development that will benefit the city while still maintaining the aspects of our community that make it a desirable community to live and work in. I have been serving as a planning commissioner the past couple of months and with to continue to serve my community in this capacity.

Please consult the *Guide for Public Officials* and the *Guide for Public Officials 2015 Supplement* that are posted on the state of Oregon's website at <http://www.oregon.gov/ogec/Pages/index.aspx> (see visual reference below).



#### Guide for Public Officials



The guide has been revised to include informational links to statutes and rules to give you a more complete reference tool.

[Click here to access the guide.](#) [Click here for Guide for Public Officials 2015 Supplement.](#)

  
\_\_\_\_\_  
Signature of Applicant

12/6/2022

\_\_\_\_\_  
Date



# COMMISSION / COMMITTEE SUPPLEMENTAL FORM

Your Name Jason Young

Commission / Committee Name Planning Commission

Sometimes, the City receives requests for contact information for members serving on City commissions and committees. Under Oregon law, as a public body volunteer serving the City, your addresses and telephone numbers are generally exempt from public disclosure.

To help City staff members, could you please check "yes," "no," or "not applicable" below as to whether or not you authorize this information being available to the public:

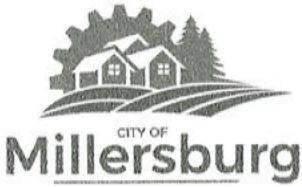
|                       |   |  |  |
|-----------------------|---|--|--|
| Home Address          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | <input type="checkbox"/> Not Applicable            |
| Home Telephone Number | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Not Applicable |
| Home Fax Number       | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Not Applicable |
| Personal Cell Number  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | <input type="checkbox"/> Not Applicable            |
| Home E-mail Address   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | <input type="checkbox"/> Not Applicable            |
|                       |   |  |  |
| Work Address          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | <input type="checkbox"/> Not Applicable            |
| Work Telephone Number | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | <input type="checkbox"/> Not Applicable            |
| Work Fax Number Work  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Not Applicable            |
| Cell Number           | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | <input type="checkbox"/> Not Applicable            |
| Work E-mail Address   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | <input type="checkbox"/> Not Applicable            |

Generally, only information for which you have checked "yes" will be released. If you have chosen "no" to all and a citizen wants to communicate with you, the City will suggest that s/he either:

- send a letter to you c/o the City Recorder, 4222 NE Old Salem Road, Albany, OR 97321; then the City will forward it to you; or
- leave a phone message or e-mail message with the City Recorder who will then give the message to you.

Signature Jason Young

Date 12/6/2022



# COMMISSION AND COMMITTEE APPLICATION

(Please print legibly or type)

**CITY HALL**  
4222 NE Old Salem  
Road Albany, OR 97321  
www.cityofmillersburg.org  
(458) 233-6300

**Commission and/or Committee Preference:**

Parks Commission

(list all for which you are applying)

Name: Talley Richardson

Preferred First Name: Talley

| Residential Information:        |                          |
|---------------------------------|--------------------------|
| Home Address: <u>[REDACTED]</u> | Phone: <u>[REDACTED]</u> |
| <u>[REDACTED]</u>               | Cellular: _____          |
| E-mail: <u>[REDACTED]</u>       | Fax: _____               |
|                                 | <i>(Optional)</i>        |

| Employment Information:            |                          |
|------------------------------------|--------------------------|
| Employer's Name: <u>[REDACTED]</u> | Phone: <u>[REDACTED]</u> |
| Work Address: <u>[REDACTED]</u>    | Cellular: _____          |
| E-mail: <u>[REDACTED]</u>          | Fax: _____               |
|                                    | <i>(Optional)</i>        |

Please provide information as requested below to describe your qualifications to serve on this City of Millersburg Commission or Committee. Feel free to provide additional information you wish to share with the City.

- List current or most recent occupation, business, trade, or profession:  
**Program Assistant for Study Abroad Programs**

- List community/civic activities. Indicate activities in which you are or have been active:

Former Mid Valley Little League board member (Secretary/Treasurer). I am still a consultant to the Mid Valley Little League board

- Indicate why you are interested in serving on this commission or committee and what other qualifications apply to this position.

I would like to contribute to the betterment of my community. I like to help with making the community I live in, a better place. The Parks Commission is a group who's committment fits within the amount of time I have, given that I work full time and have a schoolage child.

- What contributions do you hope to make?

Maybe a different perspective. I've noticed that few people that have schoolage children do not have the time to devote to volunteer positions, especially ones that their children are not involved in. I have repeatedly looked for opportunities to give my time to my community.

Please consult the *Guide for Public Officials* and the *Guide for Public Officials 2015 Supplement* that are posted on the state of Oregon's website at <https://www.oregon.gov/ogec/Pages/Guide-for-Public-Officials.aspx> (see

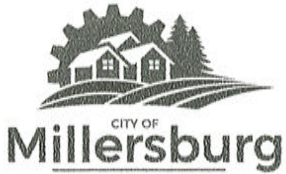
#### Guide for Public Officials



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Click here to access the guide. Click here for Guide for Public Officials 2015 Supplement.

  
\_\_\_\_\_  
Signature of Applicant

  
\_\_\_\_\_  
Date



# COMMISSION / COMMITTEE SUPPLEMENTAL FORM

Your Name Talley Richardson

Commission / Committee Name Parks Commission

Sometimes, the City receives requests for contact information for members serving on City commissions and committees. Under Oregon law, as a public body volunteer serving the City, your addresses and telephone numbers are generally exempt from public disclosure.

To help City staff members, could you please check "yes," "no," or "not applicable" below as to whether or not you authorize this information being available to the public:

|                       |   |  |  |
|-----------------------|---|--|--|
| Home Address          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | <input type="checkbox"/> Not Applicable            |
| Home Telephone Number | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Not Applicable |
| Home Fax Number       | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Not Applicable |
| Personal Cell Number  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Not Applicable            |
| Home E-mail Address   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | <input type="checkbox"/> Not Applicable            |
| Work Address          | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Not Applicable            |
| Work Telephone Number | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Not Applicable            |
| Work Fax Number Work  | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Not Applicable |
| Cell Number           | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Not Applicable |
| Work E-mail Address   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | <input type="checkbox"/> Not Applicable            |

Generally, only information for which you have checked "yes" will be released. If you have chosen "no" to all and a citizen wants to communicate with you, the City will suggest that s/he either:

- send a letter to you c/o the City Recorder, 4222 NE Old Salem Road, Albany, OR 97321; then the City will forward it to you; or
- leave a phone message or e-mail message with the City Recorder who will then give the message to you.

Signature Talley Richardson

Date 12/7/22



TO: Millersburg City Council  
VIA: Kevin Kreitman, City Manager  
FROM: Janelle Booth, Assistant City Manager/City Engineer  
DATE: December 7, for the December 13, 2022 City Council Meeting  
SUBJECT: Miller's Cemetery Survey

Action Requested: Approval of surveying services to establish north and east boundaries of Miller's Cemetery property/road right-of-way and adjust property lines.

Discussion:

Miller's Cemetery is located on the SW corner of the Woods Road and Millersburg Drive intersection. In reviewing the property lines with the new cemetery board president, it appears the existing cemetery is encroaching on Millersburg Drive right-of-way to the north and Woods Road has encroached upon cemetery property on the east side of the cemetery.

Because of the presence of known and possibly unknown burial sites in northern area of the cemetery, proposed improvements to Millersburg Drive are designed to remain outside of the existing cemetery fence. Therefore, the City does not plan to utilize any of the existing right-of-way currently identified within the cemetery fence. Through discussions with the cemetery board, it has been determined that the best way to address this issue is to exchange property on the east for property on the north.

The first step in this process is to hire a surveyor to establish the legal boundaries. The next steps will be to record a right-of-way dedication on the east side and a right-of-way vacation on the north, set monuments, and record a new map.

The attached proposal from Azimuth Surveying includes services for this process. A cemetery of this age can require significant research to verify existing property lines. Additionally, Azimuth investigated existing information to provide a cost proposal that accurately reflects the effort they expect to spend on this project and found some apparent discrepancies in existing property lines that may take additional effort to resolve.

Budget Impact:

Approval of the attached survey proposal will result in a cost of \$13,750. Although this work was not anticipated in our current budget, there are sufficient funds in the Street Fund to perform this work.

Recommendation:

Because establishing cemetery and historical property boundaries is a specialized area of surveying, and Azimuth is a local surveyor with extensive



experience with this type of work, staff recommends approval of the survey proposal from Azimuth Survey.

Attachment(s):

- Proposal from Azimuth Survey (email)

**From:** [James Hepler](#)  
**To:** [Janelle Booth](#)  
**Subject:** RE: Miller"s Cemetery survey and PLA  
**Date:** Wednesday, October 19, 2022 1:06:47 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

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**WARNING: This is an EXTERNAL email.** Do not open attachments or click links unless you recognize the sender and know the contents are safe.

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Janelle,

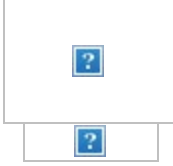
As we discussed by phone, I believe the scope of work needs to be modified to reflect services to provide my professional opinion as to the correct location of the boundary of the cemetery property, describe and prepare an exhibit map as needed for a right-of-way dedication along the east side of the cemetery, and possibly describe and prepare an exhibit map for a right-of-way vacation along the north side of the cemetery. In addition, we will place corner monuments for the cemetery boundaries and the new right-of-way lines. Included will be a map of the survey, filed with the Linn County Surveyor as required by law. My fee for these services will be \$13,750.

Because the dedication and vacation process may take some time, I will bill according to my estimate of the percentage of work at various stages of completion. Invoices are due upon receipt and will be consider late after 30 days form the date of the invoice. Late charges of 1.5 percent per month will be added after 30 days.

We are able to begin work within 4 weeks of authorization to proceed. Because of the nature of surveying, a completion date cannot be specified. However, I would not anticipate more than about 8 weeks to complete the survey.

Thank you for being interested in the service of Azimuth Surveying. I look forward to your reply.

Best regards,  
Jim



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**From:** James Hepler <[jim@azimuth-surveying.com](mailto:jim@azimuth-surveying.com)>  
**Sent:** Friday, October 14, 2022 12:21 PM  
**To:** Janelle Booth <[jbooth@cityofmillersburg.org](mailto:jbooth@cityofmillersburg.org)>  
**Subject:** RE: Miller's Cemetery survey and PLA

**WARNING: This is an EXTERNAL email.** Do not open attachments or click links unless you recognize the sender and know the contents are safe.

Janelle,

I am in the process of looing through prior surveys to identify potential questions or concerns that we will need to answer in the survey. I hope to have something back to you next week.

Best regards,  
Jim

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**From:** Janelle Booth <[jbooth@cityofmillersburg.org](mailto:jbooth@cityofmillersburg.org)>  
**Sent:** Monday, October 10, 2022 4:13 PM  
**To:** James Hepler <[jim@azimuth-surveying.com](mailto:jim@azimuth-surveying.com)>  
**Cc:** Matt Straite <[mstraite@cityofmillersburg.org](mailto:mstraite@cityofmillersburg.org)>  
**Subject:** Miller's Cemetery survey and PLA

Hi Jim,

As we discussed on the phone, I would like to get a proposal from you for the following property and scope of work.

Miller's Cemetery  
10S 03W 17D 02700

Establish existing property boundary, recover/set monuments.

Supporting documents/figures for a property line adjustment on north and east sides of property to establish north property line at existing fence line (approximately 20 feet north of existing boundary as shown on attached map) and east property line 6 feet behind sidewalk (approximately 20 feet west of existing boundary as shown on attached map).

Final plat to be recorded with Linn County.

Please let me know if you need more information or have questions. Thank you.

Janelle Booth, P.E.  
Assistant City Manager/City Engineer  
City of Millersburg  
[jbooth@cityofmillersburg.org](mailto:jbooth@cityofmillersburg.org)  
458-233-6302 (Direct)  
458-233-6300 (City Hall)





TO: Millersburg City Council  
VIA: Kevin Kreitman, City Manager  
FROM: City Staff  
DATE: December 8, 2022, for City Council Meeting December 13, 2022  
SUBJECT: Parks Commission review update of Phase 1 Conser Road Buffer/Linear Park and Multiuse Path Concepts

**Background:**

On December 7, 2022 the Parks Commission reviewed 3 conceptual designs for the proposed Phase 1 Conser Road Buffer/Linear Park and Multiuse Path (Linear Park).

**Parks Commission Input for Phase 1:**

Our consultant developed three concepts for the linear park. All included:

- A berm/grading concept,
- Landscaping intended to screen the residential area from industrial development, and,
- A Multiuse path.

Staff provided an overview of the 3 concepts, including additional information on design criteria, constraints, and overall project goals. The intent was not to choose one of the three designs, but to select elements of all three that could be combined into a “preferred alternative.” The Parks Commission provided the following feedback on these concepts for our consultant as they move forward with the next stage of design.

- Trees - The preferred concept for tree placement was Concept 3, the natural, clustered tree placement. This concept had the lowest number of trees. Staff indicated that the number of trees in this option could be increased if desired. The Commission indicated that they did not think that was necessary. The Commission liked the mix of evergreens and deciduous trees because they felt the colors of the seasons changing would be an asset to the community.
- Shrubs - The Commission indicated that shrubs should be used as accents, but not in a way to provide additional screening. Shrubs should not be used to provide a place for anyone to hide. Police should have a clear view of the entire park.
- Groundcover – With a close eye on maintenance, the Commission indicated that ground cover should be a combination of mow-able grass on all sides of the berm, and river rock (or similar) under the clusters of trees. The idea is that grass is easy to care for, allows easier weeding, and in the Fall, grass would simplify leaf collection. Using river rock under the trees will allow for weed spraying, it will last better in areas where light is less abundant and help aid in clearing leaves because maintenance teams can use blowers to clear out leaves into areas where they can be more easily collected.
- Wall – Because they are expensive and do not look as natural, the Commission indicated that retaining walls should be minimized, but used in

areas where grade and pathway design would benefit from use. The Commission agreed that any structural retaining walls should be on the south side of the park. Smaller retaining walls could be used as decorative elements and provide sitting spaces throughout the park. If walls are used, they should be more natural in appearance and not appear as engineered walls (no cast-in-place concrete walls visible). The Commission also indicated that gabion-style walls should be avoided as they may present safety issues for children.

- Benches – Benches and/or walls acting as places to sit should be used even in Phase 1 of the design. The Commission did not discuss a preference for the design of the benches/sitting walls.
- Future Amenities – While most amenities would be part of Phase 2, the Commission was asked to provide input on future amenity preferences because the design of Phase 1 may need to accommodate areas for such amenities. The Commission indicated a preference for:
  - Industrial-related theming,
  - Informational displays and signage explaining industrial processes, benefits and history of the area,
  - Electrical outlets for additional holiday light displays (these should be disabled at other times of the year),
  - Art elements
  - Gathering areas such as trail heads, but not larger picnic areas that may attract larger crowds

#### **City Maintenance Staff input:**

Maintenance staff for Millersburg, also provided input to staff on the three park concepts. Comments included:

- Trees – a more linear planting layout could be faster for mowing and require fewer turns with the mower, which can damage grass, especially when the ground is soft. The design of the trees should minimize possible places for someone to hide along the top and south side of the berm.
- Rocks – If rocks are incorporated into the landscaping, especially under trees, choose materials that discourage people from walking or loitering in these areas. If landscaping rock is utilized beneath trees incorporate larger and medium sized boulders to break up the uniformity of size. Benches should be of a type that does not permit sleeping.
- Walls – South side of slope could be less visible and more attractive for camping. Retaining walls along the south side of the buffer could reduce or eliminate slopes on this side.
- Deciduous trees – Winds are generally out of the south in this area. Use of deciduous trees should be limited because in the fall, leaves will tend blow north into residential neighborhoods and deciduous trees will lose their screening benefits when they drop their leaves.