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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 PUBLIC HEARING & REGULAR MEETING

In-Person Meeting with Remote Access Available

Millersburg City Hall

4222 NE Old Salem Road, Millersburg OR 97321

May 14, 2024 @ 6:30 p.m.

### Agenda

Remote access for the meeting is available. Instructions for joining the meeting can be found at <https://www.millersburgoregon.gov/citycouncil/page/city-council-public-hearing-regular-meeting-5>. 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, May 13, 2024.

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. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. CHANGES AND ADDITIONS TO THE AGENDA
- E. CONSENT AGENDA
  - 1) Approval of April 9, 2024, City Council Regular Meeting Minutes
  - 2) Approval of AKS Contract Amendment
  - 3) Approval of Jacobs Contract Amendment
  - Action: \_\_\_\_\_
- F. GUEST PRESENTATIONS
  - 1) Linn County Sheriff's Office Monthly Report
- G. PUBLIC HEARING
  - 1) **Files:** DC 24-01 & SP 24-02
    - DC 24-01 proposes to change the zoning of Tract A of the Transition Parkway Industrial Park subdivision from General Industrial (GI) to Public Facilities (PF).
    - SP 24-02 proposes a new linear park that will be located between the existing Conser Road and the new street, Transition Parkway (to be built in tandem with the park). The park will be a passive/active park comprised primarily of landscaping, a 12-foot-wide multi-use path, and sidewalk connections to nearby roadways. The park will include a retaining wall and a vegetated berm that will

provide a buffer between residentially zoned lands to the north and industrial lands to the south.

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

H. PUBLIC COMMENT

*The public has the opportunity to address the Council during "Public Comment" while in the virtual meeting by virtually signaling by unmuting first, then those who call in will be acknowledged, or if the public prefers, may 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

- 1) Strategic Plan Update – Mayor

J. CITY MANAGER'S REPORT

- 1) Projects Update
- 2) Transition Parkway Design Update
- 3) Council start time change for the *JUNE 11, 2024*, meeting to 5:30 p.m.
- 4) Joint Millersburg and City of Albany Council Meeting and Executive Session June 10, 2024, 4:00 p.m. at the City of Albany

K. CITY ATTORNEY'S REPORT

- 1) Westside Access Update

L. UNFINISHED BUSINESS

M. NEW BUSINESS

- 1) COLA
- 2) Engineering Services Director/City Engineer Position

N. CLOSING COUNCIL COMMENT

O. ADJOURNMENT

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 REGULAR MEETING MINUTES

April 9, 2024 @ 6:30 p.m.

A. CALL TO ORDER Meeting called to order by Council President Mark Raum at 6:30 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Councilors Present: Council President Mark Raum (Virtual); Councilors Dave Harms, Mike Hickam, and John Sullivan.

Councilors Absent: Mayor Scott Cowan

Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Matt Straite, Community Development Director; Margaret Gander-Vo, City Attorney; Sheena Dickerman, City Recorder

D. CHANGES AND ADDITIONS TO THE AGENDA 6:31 p.m.  
None

E. CONSENT AGENDA 6:31 p.m.  
1) Approval of March 12, 2024, City Council Regular Meeting Minutes  
2) Approval of March 26, 2024, City Council Special Public Hearing Minutes

Action: Motion to adopt the consent agenda as presented made by Councilor John Sullivan ; seconded by Councilor Mike Hickam.

Councilor Dave Harms: Aye

Councilor Mike Hickam: Aye

Councilor Mark Raum: Aye

Councilor John Sullivan: Aye

Motion PASSED: 4/0

F. GUEST PRESENTATIONS 6:32 p.m.

1.) Linn County Sheriff's Office Monthly Report

Deputy Steven Frambes reviewed the LCSO report in the agenda packet\*. He mentioned phone scams where scammers are calling and saying they are part of LCSO and the victim owes money and to pay them through bit coin. He emphasized LCSO does **not** request money through calling. He said thousands of dollars were given to the scammers.

Frambes reported that there were 10 arrests, six out of the 10 were warrant related issues. He said the assault call was from a delivery driver that was assaulted from an upset customer. There were lots of activities at Love's and counterfeit money was recovered there. Deputies spend a lot of time at Love's due to the activities they see.

Frambes said 15 citations were issued for 24 different violations. The highest citations were issued for no insurance or driving with a suspended driver's license. One was for permitting unlawful operation of a vehicle, it was a suspended license driver allowing another suspended license driver to drive their car.

City Manager Kevin Kreitman shared that the line team presentation that was going to take place, the individual was sick, and the presentation will be rescheduled later.

## 2.) Albany Fire Department Quarterly Report and Annual Report

Chief Shane Wooten said that there was not a lot to report in the quarterly report as far as data pieces. He shared some activities that are happening in the department and the 2023 annual year end review.

Wooten said since the last time he had attended there was an ice event in January. He said the community of Millersburg heeded their warnings and stayed inside, but not everyone in AFD service area did. Over the five-day period they had over 266 calls. The busiest day was January 15 and there were 70 calls. He said that on a normal day there are 32 to 33 calls. There were 65 falls/lift assists or traumatic injuries, and all came from people venturing on the ice. He said remarkably they only had 12 car accidents over that same five-day period. He said most would stay off the roads but would venture outside their homes. He said in AFD's service call area there were only three cold related incidents, those that didn't have proper shelter or were exposed to the elements. He said they had three burns or scalds over the same time frame. People would take boiling water outside and then slip on the ice and spill hot water on themselves. Millersburg only had six calls on that day, and on January 18 there were four calls when it started to melt. People ventured out when they thought it was safe.

Wooten stressed the importance of smoke detectors. He said there were two fatal fires in Albany over a 10-day period last month. In both cases AFD can say that if there had been a working active smoke detector the individuals would have been able to get out of their homes. Smoke detectors do save lives.

Wooten said that the next time AFD comes to Council there will be a new fire truck and an additional fire truck will be moved to Station 15, that will act as a backup. There is already a backup engine that is 30 plus years old being replaced.

Wooten shared a few items in review of 2023. He highlighted the work Hilary Kosmicki, Community Paramedic, is doing to address houselessness, not only in Albany but in Millersburg. She pulls in different stakeholders and cooperators to work towards a common goal to get services to people that need them.

Wooten said that in February AFD did CPR in the schools, where every 8<sup>th</sup> grader in the 8J school district is taught CPR. He said ATI has taken it on as a project and funding the education that is happening. ATI has provided employees and together with AFD teaching CPR classes. They have been great partners.



In March, AFD offered their first CPR in Spanish. Senior Deputy Fire Marshal Alfredo Mendez took it upon himself to go teach Spanish speaking parents at South Albany High School CPR. He hoped that AFD could further serve the Spanish community in the future.

In April AFD was awarded, from the State Marshal's office, a new fire truck. It is a tactical tender, a fire truck that carries a bunch of water. This will be useful for the areas around Millersburg.

In June AFD purchased new turnouts for all the fire fighters, making sure they had the latest technology and safest gear.

Wooten explained that AFD partners with an outfit back east where AFD does 12 lead EKGs (cardiac monitoring) on kids, and then information sent to cardiologists back east to review and if there are any recommendations sent to the families. AFD found a child that was predisposed to have a cardiac event that could potentially kill them. He said the power of prevention was proven and is an example of saving a life before a person's life needed to be saved.

AFD has opened a portal where people can pay their ambulance bills and FireMed subscriptions online.

AFD held their golf tournament that raises money for their non-profit that gives out car seats and life jackets. They are at a point where they need to think of ways to spend some money, the low number in savings is usually \$10,000 and it's up to \$46,000.

In August AFD bought a new ambulance.

Wooten shared that in September a person in the department brought in another \$500,000 grant, over the biennium, to fund the Community Paramedic position. An additional 0.5 FTE has been added to the program. The local Rotary groups helped purchase an AED that people can loan. AFD also received a grant to do fuel mitigation. He explained that fuel mitigation is areas with overgrown brush that are prone to fire. AFD goes in and mitigates fuel from the area that could burn, if it does catch fire it won't burn at the intensity and rate that it would otherwise.

In November 2023, AFD began staffing an additional ambulance to provide more capacity to the system. This allows a decrease of workload on other ambulances and keeps them available in their districts.

Wooten stated a future issue is a paramedic shortage in Oregon. AFD can hire them, but it is super competitive to get them and retain them.

Councilor Mike Hickam asked if AFD was recruiting paramedics. Wooten replied they are always recruiting paramedics. There are only a few Community Colleges that do the program, and most are doing one paramedic class a year. The best scenario is 25 people graduate, then they go get their degree, and they still have

to pass the tests. He said with four to five colleges offering the program and only 125 entering the workforce for the entire state, there is a shortage.

Wooten announced that this was his last Council meeting. In July, Chief Chris LaBelle will attend. Chief Wooten is retiring, and his last day is June 28, 2024. He has been with Albany Fire Department for 32 years. LaBelle will take over as Chief on June 3, 2024. He would be available to answer questions as LaBelle goes through a month-long process.

Wooten thanked the Council. He said years ago the Council took a leap of faith to contract with AFD for the City's fire protection and ambulance service. He hoped that in his five years as Chief that AFD validated the Council's decision.

Councilor Dave Harms expressed his appreciation. He said that Wooten's presentations have always been informative and thorough. He had sat through the meetings in the past and no one has regretted the decision to have AFD.

### 3.) Timberlab Introduction

City Manager Kevin Kreitman shared that on March 26, 2024, there was a special Council meeting, and the Council authorized entering into a purchase and sales agreement (PSA) with Timberlab for purchase of City property on the west side of the tracks. It was signed the next day by Timberlab and they asked for an opportunity to introduce themselves. Timberlab is going through their due diligence.

Jared Revay, Timberlab- thanked everyone for the opportunity to share about Timberlab and what they are looking to do in Millersburg. His discussions to date with Kreitman and Booth were to see how to continue to partner and educate the community on Timberlab. He presented a slide show about who they are and what they do\*.

Revay said Millersburg's logo is "A Community Linking Agriculture and Industry" and that is what Timberlab is about. Timberlab is about linking the forest with the built environment with a progressive product type that advances the mainstream building product. He said their values align well with Millersburg's.

Revay gave a background of Timberlab. Timberlab is 100 percent employee-owned company, down to the craft people who are working on product in the facilities. He said their ownership follows all of their other values; integrity, leadership, passion and excellence. They hope to bring this and 100 plus jobs to the community.

Timberlab's types of services are the full spectrum from conceptual design through building the building. The one component that is missing is manufacturing. Timberlab is looking into that so they can be a part of the entire supply chain, from the point of manufacturing through installed build.

Revay said their vision is "A world where buildings have a low carbon footprint and high community impact". Swinerton is known as a community builder, and

where Timberlab's roots come from. He said while they are a national company, they like to be a part of the local community. One thing that makes them successful is being innovative and flexible. The average age of employees is low 30's. They have a culture that wants to advance mass timber in the United States.

Revay presented pictures of projects in Portland, Oregon\*. He showed the Portland Airport that he is finishing up managing, it is one of the main projects that has put a name to mass timber in Oregon and in the United States. It shows what can be done with locally sourced and manufactured products. He showed lattice that was sourced within a 200-mile radius from the airport, all from forest, a community center they built in Hillsboro and Monmouth's City Hall which was done with their Swinerton partner.

Timberlab would be manufacturing solid on solid lumber and glue boards perpendicular to each other, so that it becomes a cross laminated panel, ultimately to replace concrete products in buildings. He showed an example of how the product was used in buildings, what else would be done in their fabrication building. He showed a list of jobs that would be created around technology, modeling, engineering, and advanced machinery.

Revay said that the reason mass timber is important for the greater community, is the carbon sequestering capabilities versus steel and concrete, the ability to erect buildings faster, and the natural beauty of having wood inside. He said Oregon State University (OSU) and University of Oregon (UO) are doing studies on mass timber and the benefits it has on healthcare settings and promoting advanced recovery. It shows it is an advancement of building greener buildings that don't create as much impact on the environment.

Revay said the site location is adjacent to the rail and is currently land locked. Timberlab is working with staff to get access to the site. It is the one challenge with the site but see a path to get there. Timberlab is working with the City and the County to get it to happen. Showing the site, he shared that Timberlab has a purchase agreement for it and an option for the site north and they are already considering the next steps to put a fabrication building there. Timberlab's plans are already evolving for the site. He said this is a good site for them due to the access to Interstate 5 (I-5), it's close access to the raw materials and a community that promotes industry. He said there is consideration for the option site to have an office or auxiliary building.

Revay showed a snapshot picture of the CLT manufacturing building\*. An office will be inside the CLT building. Timberlab wants to bring the technology here and become a leader in providing CLT in the US market.

Revay said Timberlab plans to have 35 new jobs in 2027 and looking to have over 100 jobs by 2031, that is just for the CLT plant and not fabrication. Timberlab has not put numbers to fabrication, but it should be about 25 to 30 more people. He showed the projection of their employee counts and what it would look like ramping from one shift to three shifts. He said their numbers are conservative. He said it involves the local economy from Millersburg to the entire state of Oregon,

with the Mass Timber Coalition. Timberlab is a strong partner of the Tallwood Design institute, OSU and UO in developing mass timber and working jointly with them on research. He added that they are working with them on reviewing their plans to build micro housing with mass timber. Timberlab wants to provide the best facilities and great jobs so that it can be around for generations to come. He stated that with them being employee owned, they are not just thinking about their jobs but the next generation coming into the company.

Revey addressed the impacts during construction. There would be some civil work and trucks moving machinery. They want to work with the community if there any mitigation plans needed when construction starts. Timberlab plans for operation to run five days a week, three shifts, with occasional maintenance on the weekends. Most of the traffic will be during the day and during the week. Phase one the plan is to get the access road built, CLT building and rail spur. He showed the schedule\*. The hope is to move dirt by the third quarter and a building permit by the end of the year. He said Kreitman and Booth have been great to work with to provide direction, answer questions, and provide leadership on how to navigate through Millersburg.

Revey showed a picture of the first building Timberlab built. The man in the middle had started with them as a carpenter, worked up to a superintendent, a project manager and just finished his MBA. He is now the plant manager overseeing both the northwest and southeast plants. These are the types of people the company likes to bring up and help them grow through their career.

Revey thanked the Councilors and asked for feedback on how to communicate the right message with the community to get consensus versus opposition.

Harms asked if they built the billets and the beams. Revey replied that this facility will be to make the billets and the fabrication facility will work with both. He said with DR Johnson closing down their operation there is no CLT manufacturer in Oregon. The Port is developing a mass timber campus in Portland that they want to ensure has supply for the CLT side. This facility will be for manufacturing CLT billets. Harms asked if that was part of the fabrication side, and second expansion to do all the machining or is it in this one as well. Revey said the machines will be in the first one and the second will be an expansion of those machines. He said the manufacturing of the billets goes quickly. They want to make sure they have enough capacity for fabrication. Timberlab is helping other fabricators come online across the US.

Harms said it looked like a year and half before the equipment arrives and operations begin. Revey said setup and commissioning takes about a year and then they have to go through a line certification through EPA. The hope is to be commercially providing CLT by January 2027, if not earlier.

Councilor Mark Raum asked how tall of a structure could mass timber support. Revey replied the tallest building they have been a part of is 18 stories of wood over concrete in Milwaukee, Wisconsin. It is the tallest mass timber construction in the world, at the moment. There are more planned to be taller. He added the

envelope continues to be pushed with the code and engineering. The issue behind getting taller is getting the code updated. International Building Code has gotten behind it and has been great to get it established across the US.

Harms asked if the thickness of the builds change or are the same. Revey said they will manufacture down to less than an inch thick and up to 16 inches thick, give or take.

Raum asked how much of the building do they plan to construct with mass timber. Revey replied the plan is to construct the building with mass timber and are evaluating the approaches to do that. Kreitman explained that mass timber has the same fire rating and is higher than what is for steel and concrete. The wood only chars to a certain point and then protects it from further burn. They outperform buildings built with steel and concrete. Revey said steel will melt before the timber fails.

G. PUBLIC COMMENT 7:17 p.m.  
None

H. COUNCIL MEMBER AND STAFF COMMENTS 7:17 p.m.  
None

I. CITY MANAGER'S REPORT 7:17 p.m.

1) Transition Parkway Design Update

a. Grant Request update –

Community Development Director Matt Straite said that they just finished submitting an application to Oregon State Parks for a grant. The maximum that could be requested was \$1,000,000 and what staff requested. He said this would cover a quarter of the project. The grant is specific to the park and not the streets or anything else. Staff should find out in September. Sixty people applied and \$37 million was requested and they have \$35 million to handout.

Assistant City Manager/City Engineer Janelle Booth said that is separate from street and water and the grants to fund those parts are still out there as well. She showed how the project would be bid on. She said it would be breaking out the projects, schedule A, B, and C. This has to do with timing and funding. Schedule A is for everything on the east end, near project Delorean. Schedule B will be water for the water main on the west end. She said she had heard from Timberlab that it would be important for them to have water soon. She said that it wasn't originally going to be a part of schedule A but realized that it needed to be done at the same time.

Booth said the plan is to go out for the base bid for schedules A and B. Staff would like to get pricing for schedule C because it would be most efficient to do the project all at once. The timing will depend on the timing of funding. This will allow staff to have all the options when they evaluate bids. There are other options but there are more chances have having issues

down the road, staff want to keep it as simple as possible. The timeline is to be advertising by the end of May.

Harms said that if staff wait too long, parts could be discontinued. He asked if there was a way to ensure that doesn't happen. Booth said the only thing that would matter on are the light fixtures in the park and to ensure that doesn't happen would depend on how long the City waits. The items could be pre-procured. She said it is cleaner if it is all part of the contractor's contract. She said one of the things in the timeline will be the award of schedule C. Staff is working on the wording, but having it look like that if it can't be awarded upfront, that there would be a timeline in which it could be awarded to the same contractor and the City will pay an increase on construction cost on the date of bid.

- 2) YMCA- update – Kreitman shared that the YMCA has approached the City about potential veterans' housing. The funding has occurred for the project, and they are looking at two sites, one in Millersburg and one in Albany. He said one thing that came up was access to services. The City does have call-a-ride. Staff has already had discussions with Albany about the potential extension of one of their bus service routes. All businesses pay a tax towards transit. Staff are trying to figure out how much comes out of Millersburg with the amount of industry. He said the YMCA is looking to complete the evaluation process next year.

- 3) Republic Services Weekly Yard Debris Pickup  
Kreitman said on April 1, 2024, weekly yard debris pickup started. If people have questions about food scraps the flyer is available in City Hall and on the website.

Kreitman said he heard a complaint from someone that thought they could leave a pile of boxes, not broken down, in the middle of the street. Republic did pick them up because it was a hazard. It was a significant amount of boxes. The customer was upset with the driver because he wouldn't pick them up. Republic is not required to pick up a pile of boxes that are not broken down it is outside of their franchise agreement. Republic Services did go above and beyond, and they didn't have to. Staff may try to reach out to the customer and explain. Councilor John Sullivan said Republic Services are happy to do the pickup, at an additional cost.

Straite said on April 18, 2024, there will be a recycling event for people to learn how to do their recycling better.

- 4) Overview of Chamber Presentation and Property Update  
Kreitman showed the presentation he did for the Chamber of Commerce last month\*. He shared that ATI sponsored it. He said he talked about the collaboration with the City of Albany (COA) for water, sewer, and fire services.

Kreitman shared Millersburg's past and how the City got here\*. Millersburg started in 1871 when Southern Pacific Railroad established a station on a donation land claim. He said Millersburg had a post office back then. He said according to the



postal service Millersburg will never see one again, but residents can now put Millersburg for the city name on the 97321 zip code.

Kreitman added that prior to the incorporation of the City, the reason the City is here, is its proximity to Interstate 5 and Highway 99 and the convergence of Burlington Northern and Southern Pacific railroads.

Kreitman pointed out that if someone had an MRI the reason they are able to have one is from materials here, from ATI and Ti Squared. Every space launch has material from the facility here. He said if anyone had stints, joint replacements, knee replacement, or anything like that, it is ATI material. He added that when he and Booth were at Business Oregon people didn't realize that ATI provided key components for the chip industry. Nuclear plants also rely on material from here. He said their importance is widespread, from medical to electrical.

Kreitman continued with the presentation. He mentioned that although the initial effort to form a city only wanted industrial, the County wanted residential north of Conser Road. He showed the Comprehensive Plan Map from back then and noted that all the brown shown on it was marked industrial. He said essentially everything south of Conser Road is industrial and everything north of Conser Road is residential.

Kreitman shared that the vote was 76-74 to incorporate the City in 1984 and that the longtime Mayor Clayton Woods said he had voted no.

Kreitman showed an ariel view of Millersburg when Simpson Timber and the lumber mill, today is Talking Water Gardens. This is property staff has talked about that was heavy industry that the City has lost. He showed ATI's old research center and a picture from 1967 of the City. He pointed out that the west side and the papermill are gone. He commented that the City has lost approximately 480 acres of industrially developable property.

Kreitman showed the amount of manufacturing jobs the City has lost since 1987. He commented the importance of manufacturing jobs is that the average wage is \$72,000. The City does not have a lot of commercial. The average wage of Millersburg is significantly higher than Linn County, Millersburg is \$10,000 higher. When talking about affordable housing the primary problem is the lack of industrial jobs. He said it cannot be expected that someone can purchase a home even if wages are \$20 at a fast-food restaurant.

Kreitman talked about developable land zoned for General Industry, population trends, and gave a shoutout to former Mayor Clayton Wood. He went through the past five years history of Millersburg and Millersburg's competitive advantage. He said it was important to look at where the City is located, 20 miles south of Salem and 25 miles north from Eugene and when potential employers are coming to look, the City has a large employment base to draw from. There are residents where one spouse works in Gresham and the other works in Eugene. He said transportation is another big advantage for businesses with the rail line and I-5.



Kreitman said he gave the Chamber a highlight of how the City had been marketing the City's property. He had shared with them that the City had built the \$6.5 million fire station without going out for a bond. The City would not have been able to do that without its industrial base. He had also shared with the Chamber about Transition Parkway, other marketing for the City, and the remaining industrial lands and how they are moving.

Kreitman added that he had talked about the UGB swap and why it was selected. He said the City was looking at the west because of constraints for industrial on the east side: the future interchange, Albany's waterline coming through, Kinder Morgan petroleum pipeline and ATI's high pressure gas line.

Kreitman said he talked about the City's need for an access road and the importance of large parcels. He said over the last five years companies have been searching for large parcels and are looking at large investments, up to \$5 billion. They are looking at 200 to 400 acres sites. It is difficult to find in the state. He said there is a need for power. He said this year the dams on Columbia River produced the lowest amount of power since their inception. He added that those that come to the City needing large amounts of power, with use of the new substation, there is the potential of that capability.

Kreitman said he talked to them about project DeLorean, due diligence for a battery storage facility, Aymium, an LOI request that is now a PSA with Timberlab, Gordon Truck centers that are looking at their expansion, and project Northwest RE LLC. He mentioned that Arauco is looking at investment too.

Kreitman shared that he and Booth had talked to the new President of ATI. They say 5 to 10 years of continual growth in investment and new jobs. ATI is seeing a lot of diversifications in contracts.

Kreitman said the City could see assessed value at \$1.6 billion and up to 900 new jobs. He showed a slide of the industrial lands that are not usable. He said what the City has remaining for industrial land likely has wetlands.

Kreitman said he talked about the City's residential, the future school site, possible YMCA, and commercial development. He added that without the industrial growth the City would not have been able to put all the services for the residential areas in. He said for example Tangent can't grow, they do not have a water system and are limited in what they can do.

Kreitman shared the future challenges; lack of industrial land, State regulations, and current and new regulations that place industrial development at risk. He said one thing he has noticed with incubator companies is that once they begin expanding, they do not stay in Oregon. He said the League of Oregon Cities is doing a study on cities and he would like them to look at industrial base and what the State is doing to enhance and secure industrial base. The City would not have a \$3.50 tax rate without the industrial base keeping it that low.

Kreitman talked about the importance of having industrial lands for development. He said that if the Council would like to have a copy of the presentation, he would get it to them.

J. CITY ATTORNEY'S REPORT

7:47 p.m.

Acting City Attorney Margaret Gander-Vo said there was nothing new.

K. UNFINISHED BUSINESS

7:47 p.m.

1) Tank Farm Removal Update-

Kreitman said that a couple of the Council mentioned last month that it was time to consider fines. The next morning, he sent an email to Kinder Morgan letting them know that the Council was considering fining them. Straite showed photos of them removing the tanks. Kreitman said they should be out by the end of the month. The tanks are not heavy metal. He said some things that they ran into were some swallows nesting, asbestos, and had electrical things to deal with. He said the video was from a different location, but the photos were taken from this location. Harms said the cost of fines sped up the process. Kreitman said it had not been a cheap process for them. He mentioned some of the issues they had before removal.

L. NEW BUSINESS

7:50 p.m.

None

M. CLOSING COUNCIL COMMENT

7:50 p.m.

Hickam asked if staff has started working with ODOT about the interchange. He said with two new industries it would make it easier for their truck access and would keep truck access away from residential. Kreitman said they have had discussions with ODOT on numerous occasions. He said that Hickam would have an opportunity to talk about it at AAMPO meetings. Booth explained that there was a mix up with Hickam's email address, but he will be getting the AAMPO meeting invites.

Kreitman said that it was frustrating at all levels, that anytime anyone wants to do anything it is another study. The study gets done, then it is put on the shelf, and then when there is funding, another study has to be done. Hickam said he understands ODOT's funding issues, he would like to see pressure on ODOT so that they get it in their planning stage, and it doesn't continue to be a Portland bridge every time. Booth said that the City needs to keep doing that. She added ODOT is very aware that this is important to the City. She said she and Straite were in a meeting and one of ODOT's staff brought it up. She said a planner from ODOT was throwing out ideas that the City might want to look at and one was how much money the City could bring to the table. ODOT keeps saying that it is a \$500 million project. The City could bring a token, and that is what they are looking for some kind of commitment. She said if the City can help with getting federal funding, that is where the money will most likely come from for a project that scale. Hickam said there are federal grants sitting there. Kreitman said that the frustrating part is most of those grants are for planning. He said it would cost millions to do the plan, then it will sit on a shelf, but it is a prerequisite to be done to qualify for federal funding.

Kreitman said the best thing would be to look at an auxiliary lane between milepost 234 and milepost 233. He recommended moving the south ramp a little bit further down. He said the State focuses on Eugene down and above Salem and now there is a bottle neck. He said ODOT doesn't want to add more capacity because the State is trying to create hubs where a person won't leave a mile radius, if a person needs anything they will walk or ride a bike. Hickam said that he would like to see something happen before there are more residents and the City is waiting on ODOT. Harms said he doesn't see an issue now unless it is on Fridays and Sundays. Kreitman said when ODOT first approached Albany and Millersburg in the late 1990's the interchange was to be done by 2010 and was \$50 million. Councilors and staff talked about when ODOT had started talking about it and how in the last few years it has doubled in cost.

N. ADJOURNMENT Council Pre adjourned the regular meeting at **7:57 p.m.**

Respectfully submitted:

Reviewed by:

Sheena Dickerman  
City Recorder

Kevin Kreitman  
City Manager

\*Presentation materials or documents discussed at the meeting that are not in the agenda packet are archived in the record. Documents from staff are posted to the website after the meeting. Documents submitted by the public are available by emailing.



TO: Millersburg City Council  
VIA: Kevin Kreitman, City Manager  
FROM: Janelle Booth, Assistant City Manager/City Engineer  
DATE: May 8, 2024, for the May 14, 2024 City Council Meeting  
SUBJECT: Professional Services Agreement Amendment #1 with AKS

Action Requested:

Approval to sign Amendment #1 to the On Call Environmental Consultation Services Professional Services Agreement with AKS Engineering and Forestry to continue to provide Millersburg with consultative wetland services on our city owned industrial properties.

Discussion:

The City of Millersburg entered into an agreement with AKS in October 2021 for services to assist with wetland permitting and mitigation on our industrial land properties. This work involved development of permit applications and support through the regulatory processes with both state and federal agencies. This work is now nearly completed, and that contract is in the process of being closed.

In April of 2024, the city entered an on-call Environmental Consultation Services contract for continued wetlands support. The current contract has a not to exceed amount of \$10,000 and an expiration date of June 30, 2024. To date, \$1,491 of this contract has been billed. Amending this contract will allow AKS to continue providing consultation services to the city as we complete our wetland permitting for the Transition Parkway project. It will also enable AKS to serve in an advisory capacity as the city addresses other wetland challenges associated with city projects. The contract is for consultation work only; specific tasks may be amended into this contract, in accordance with the city's procurement code and state law, at a future date.

Budget Impact:

Approval of this contract amendment authorizes up to \$20,000 for wetland support services for fiscal year 2024-25. Funding is included in the 2024-25 budget.

Recommendation:

Staff recommends Council approval of Amendment #1 to the On Call Environmental Consultation Services Professional Services Agreement with AKS Engineering and Forestry.

Attachment(s):

- Amendment #1 to the On Call Environmental Consultation Services Professional Services Agreement with AKS Engineering and Forestry.

**AMENDMENT 1  
CONTRACT FOR PROFESSIONAL SERVICES  
ON CALL ENVIRONMENTAL CONSULTATION SERVICES**

THIS AGREEMENT is made and entered into by and between the following parties:

**CITY OF MILLERSBURG**, (City), 4222 NE Old Salem Road, Albany, Oregon, 97321; and,

**AKS Engineering and Forestry**, (Contractor), 3700 River Road N, Suite 1, Keizer, Oregon 97303.

1. **Compensation:** The total contract amount is increased by \$20,000, for a total not-to-exceed contract amount of \$30,000.
2. **Contract Extension:** This amendment extends the Contract for Professional Services signed April 2, 2024, to an end date of June 30, 2025.
3. **Scope of Work:** The following is added to Exhibit A, Scope of Work
  - a. The scope of work also includes assistance in responding to questions or comments raised by the agencies following the submission of the Joint Permit Application (JPA) for the Transition Parkway project. This may include correspondence and clarification of the JPA in the form of telephone calls, letters, or emails, to clarify regulatory agency concerns and to facilitate the issuance of the DSL and Army Corps of Engineers permits for this project. No regulatory agency site visit or in-person meetings will be required.
4. All other terms and conditions of and amendments to the original contract apply.

**IN WITNESS WHEREOF**, the parties hereto have caused this instrument to be executed in duplicate by the duly authorized persons whose signatures appear below. Each party, by the signature below of its authorized representative, hereby acknowledges that it has read this agreement, understands it, and agrees to be bound by its terms and conditions. Each person signing this agreement represents and warrants to have the authority to execute this agreement.

AKS Engineering and Forestry

CITY OF MILLERSBURG

\_\_\_\_\_  
AKS Engineering and Forestry authorized  
signer

\_\_\_\_\_  
Kevin Kreitman,  
City Manger

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



TO: Millersburg City Council  
VIA: Kevin Kreitman, City Manager  
FROM: Janelle Booth, Assistant City Manager/City Engineer  
DATE: May 8, for the May 14, 2024 City Council Meeting  
SUBJECT: Jacobs (CH2M) Contract Amendment

Action Requested: Approval to amend the existing CH2M Hill, Inc. Contract for Professional Services for an additional year.

Discussion:  
The Jacobs (CH2M) Professional Services contract for on-call engineering services currently has an end date of June 30, 2024. To support ongoing projects and engineering consultation needs and based on Jacobs staff familiarity/experience with the City of Millersburg, it is proposed that the on-call engineering services contract be amended for an additional year with a not-to-exceed amount of \$100,000 for FY 2024-25 (Amendment #20). All other terms and conditions of the previous contract, including the raw labor multiplier, will remain unchanged. These costs are included in the proposed 2024-25 budget.

Budget Impact:  
Approval of this contract amendment authorizes up to \$100,000 for engineering services for fiscal year 2024-25. Funding is included in the 2024-25 budget.

Recommendation:  
Staff recommends Council approve staff to execute Amendment #20 to the CH2M Hill, Inc. Contract for Professional Services.

**AMENDMENT 20  
CONTRACT FOR PROFESSIONAL SERVICES**

THIS AGREEMENT is made and entered into by and between the following parties:

**CITY OF MILLERSBURG**, (City), 4222 NE Old Salem Road, Albany, Oregon, 97321; and,

**CH2M HILL Engineers, Inc.** (Contractor), 1100 NE Circle Blvd., Corvallis, Oregon 97330, a Delaware corporation, whose Federal Employer Identification Number is 32-0100027.

1. **Contract Extension:** This amendment extends the Contract for Professional Services signed July 23, 2014 to an end date of June 30, 2025.
2. **Compensation:** As consideration for the performance of services in accordance with all terms and conditions set forth in the Contract, City shall pay Contractor a total amount not to exceed \$100,000 for the fiscal year beginning July 1, 2024 and ending June 30, 2025 upon receipt of an invoice to be submitted by Contractor.
3. All other terms and conditions of and amendments to the original contract apply.

**IN WITNESS WHEREOF**, the parties hereto have caused this instrument to be executed in duplicate by the duly authorized persons whose signatures appear below. Each party, by the signature below of its authorized representative, hereby acknowledges that it has read this agreement, understands it, and agrees to be bound by its terms and conditions. Each person signing this agreement represents and warrants to have the authority to execute this agreement.

CH2M HILL Engineers, Inc.

CITY OF MILLERSBURG

\_\_\_\_\_  
CH2M HILL authorized signer

\_\_\_\_\_  
Kevin Kreitman,  
City Manger

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date





# LINN COUNTY SHERIFF'S OFFICE

**Michelle Duncan, Sheriff**

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

## 2024

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

**FOR THE MONTH OF: APRIL**

<b>TRAFFIC CITATIONS: -----</b>	<b>6</b>
<b>TRAFFIC WARNINGS: -----</b>	<b>6</b>
<b>TRAFFIC CRASHES: -----</b>	<b>5</b>
<b>ARRESTS MADE: -----</b>	<b>3</b>
<b>COMPLAINTS/INCIDENTS INVESTIGATED:-----</b>	<b>112</b>

**TOTAL HOURS SPENT:**

**MILLERSBURG**  
**153 hours**

**CONTRACT HOURS= 153 HOURS**

**Michelle Duncan,**  
**Sheriff, Linn County**

**By: Sgt. Steven Frambes**



File No: DC 24-01 & SP 24-02 Zone Change and Site Development Review

**Proposal:** DC 24-01 proposes to change the zoning of Tract A of the Transition Parkway Industrial Park subdivision from General Industrial (GI) to Public Facilities (PF). SP 24-02 proposes a new linear park that will be located between the existing NE Conser Road and the new street, NE Transition Parkway (to be built in tandem with the park). The park will be a passive/active park comprised primarily of landscaping, a 12-foot-wide multi-use path, and sidewalk connections to nearby roadways. The park will include a retaining wall and a vegetated berm that will provide a buffer between residentially zoned lands to the north and industrial lands to the south. Most of the park is on a newly created tract of land, however some will be built within the right of way on the far western edge of the park, crossing over NE Conser Road to the intersection of NE Woods Road and NE Transition Parkway.

**I. BACKGROUND**

- A. Applicant: City of Millersburg
- B. Location: The site has no address. It is located southerly of NE Conser Road on section/township/range 10S-03W-28 Tax Lot 00100 and includes park improvements within the right-of-way between NE Woods Road and NE Conser Road (based on the revised ROW designs).
- C. Review Type: The proposed Development Code Amendment (DC) is a type IV review which 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 adoption of an ordinance. The Site Development Review (SP) is a type III review which normally requires a hearing only before the Planning Commission, however, because this SP review is linked with the DC, the code states that the two should go through the process dictated by the highest-ranking case type.<sup>1</sup> It should be noted that the case is being processed as a quasi-judicial case type because the zone change is applied to only one property. 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: A notice was posted in City Hall. A separate notice was sent to the Department of Land Conservation and Development (DLCD) on March 19, 2024. A notice was also posted in the newspaper on April 16, 2024. Additionally, notices were sent by mail to those within 200 feet of the park property on April 17, 2024, because the case is being processed as a quasi-judicial case. Information related to the hearing is posted on the City's website here - <https://www.millersburgoregon.gov/planning/page/dc-24-01-sp-24-02-transition-parkway-linear-park>.
- E. Review Criteria: Millersburg Development Code Section 5.11.050 for the zone change and section 5.05.060 for the site development review.
- F. Current Zoning: General Industrial (GI)
- G. Proposed Zoning: Public Facilities (PF)

<sup>1</sup> See Millersburg Development Code Section 5.16.010

## H. Background:

### Concept

The City of Millersburg is proposing a new linear park that will be located between the existing NE Conser Road and the new street, NE Transition Parkway (to be built in tandem with the park). The park will be a passive/active park comprised primarily of landscaping, a 12-foot-wide multi-use path, and sidewalk connections to nearby roadways. The park will include a retaining wall and a vegetated berm and trees that will provide a buffer between residentially zoned lands to the north and industrial lands to the south.

Because of funding limitations and timing of the need for construction, the project is divided into Schedule A and Schedule C (Schedule B includes only utilities, not park facilities). Schedule A includes the eastern 1,300 feet of the park, from NE Castillo Drive to a point approximately 1,300 feet west. Schedule B is the balance of the project, from where Schedule A ends to the intersection with NE Woods Road, approximately 1,700 feet to the west.

### Design

The project is a long park. The shape of the park was dictated by the intended function, which includes acting as a buffer between zones, connecting a trail link for the community, providing additional recreational features, and providing space for special events in Millersburg. The initial design is intended to provide passive and active recreation opportunities with open space lawns, and seating for taking breaks or watching birds. The trail will be used for recreation and exercise, and while the first initial buildout is not planned to have playground equipment, it has been designed for play. The landscaping, the berms, the rocks, and the sidewalks (which cross over the berm) have all been designed so that children can play on all parts of the parks;. A second phase is planned that will introduce more specific built features, possibly playground and/or exercise equipment, or similar features. These will require additional public outreach to see what the people of Millersburg would like to see in the park.



The landscaping has also been designed to feature changing colors throughout the seasons. Sidewalks will be flanked by several colorful trees to create 'tree tunnels' filled with season-changing colors. Additionally, the park has been designed with electrical connection for events and Christmas displays, acting as a community gathering point and a point of pride for the community.

### Safety

The park includes several safety design features. First, it provides a multi-use trail off-street. This trail will accommodate bikes, pedestrians, joggers, and other compatible uses. All of these will be off-street which protects users from vehicles. All trails will include lighting for safe use at night. The landscaping has been designed to ensure that law enforcement can view all aspects of the park, night or day, from a patrol car on a street, there are no hiding places in the park. All trails and sidewalks are ADA accessible.



### Buffer

The proposed park will be located between the existing NE Conser Road and the proposed Transition Parkway. NE Conser Road is currently an important dividing line in the City because the zoning changes between residential zones to the north and industrial zones to the south. The City does not want to see industrial traffic using NE Conser Road, partially because it has homes that front on to the road. This is the reason why the new street, NE Transition Parkway, has been designed to parallel the existing NE Conser Road, allowing a downgrade of NE Conser Road from an Arterial. NE

Transition Parkway will become an Arterial.



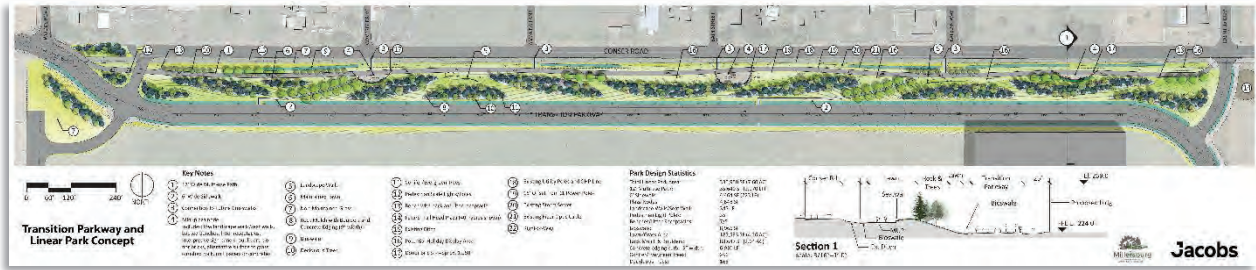
The park will include a visual buffer between these uses as well. The park will feature a berm that will be landscaped with deciduous and evergreen trees. These will visually buffer the residential and industrial uses throughout the year.

### Multi-Use Trail

The 12-foot multi-use trail will connect to another trail system currently in development along NE Woods Road, which spans most of the residential portion of the City north of NE Conser Road. The future Woods Road Trail will connect to this east-west trail which will allow people to walk to popular destinations including the local community store and City Hall. Additionally, a future YMCA is planned near City Hall, as is a future Elementary School. There are currently no sidewalks on NE Conser Road; however, the completion of this trail, and the Woods Road Trail System, will also allow people to



complete a loop around most of the residential area, from Woods Road, to NE Conser Road, to NE Old Salem Road, and then along NE Millersburg Drive.



## II. CRITERION

### CITY OF MILLERSBURG DEVELOPMENT CODE

**5.10.050 Decision Criteria.** Zone change proposals shall be approved if the applicant provides evidence substantiating the following:

- (1) **The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.**

**ANALYSIS:** The property has a Comprehensive Plan Land Use designation of Industrial. The proposed zoning is Public Facilities (PF). Table 9.500B in the City’s Comprehensive Plan lists which zones are compatible with which Comprehensive Plan Land Use designations. The Industrial Comp Plan designation is compatible with the PF zone in the table.

Section 9.590 of the Comp Plan lists the policies specific to each designation. Policy 1 explains that all development in the designation shall be industrial. The park is not specifically listed, however, public facilities are specifically permitted in any designation as previously explained.

Policy 3 explains that development shall not result in disruptions to residential uses through traffic, noise and pollution, or otherwise detract from the livability of the community. The PF zone will permit the proposed park, which will specifically address compatibility issues and concerns. The park will provide a buffer between the uses. The trees, berm and landscaping will provide a natural barrier to limit (not totally prevent) noise and any visual concerns. Pollution is addressed by State rules and regulations. The park is part of a re-design of the streets in the area. The redesign will route through traffic away from the residential area fronting NE Conser Road.

Policy 7 states similar requirements, that all industrial development shall include

consideration of the relationship with other land uses and the adequacy of landscaping. This project helps address these concerns.

Policy 9 explains that industrial areas shall be protected from the encroachment of incompatible uses. The park helps address any concerns with compatibility by essentially hiding the industrial uses from the residential (and vice versa). The project creates a clear demarcation line between the two uses, one that is not just on paper or imaginary, rather one that is tangible and not temporary.

Policy 10 requires screening buffers. The project was designed for that specific intent.

All other policies are not applicable to the project, but are also not inconsistent with, the proposed park/ zoning designation. The proposed PF zone and public park fully implement, and are not inconsistent with, the Comp Plan Land Use designation.

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

- (2) **The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.**

**ANALYSIS:** The proposed zone is Public Facilities (PF). This zone permits a wide variety of potential uses, including schools, parks, playgrounds, and facilities like sewer lift stations and basins. Naturally, the shape of the parcel is such that schools would not fit. However, parks and other facilities could easily be accommodated. The proposed park has already been designed specifically for this property.

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

- (3) **Allowed uses in the proposed zone can be established in compliance with the development requirements in this Code.**

**ANALYSIS:** Most uses in a PF zone will have minimal setbacks or other regulations. The property can accommodate most smaller PF uses, again, clearly not larger ones like schools. The proposed park can be established in accordance with the regulations, see the Site Development Review criteria below for more details.

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

- (4) **Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property.**

**ANALYSIS:** All public utilities front the site. The site is surrounded by public streets (though one is not yet constructed, but is planned to be built as part of the park project).

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

- (5) For residential zone changes, the criteria listed in the purpose statement for the proposed residential zone shall be met.

**ANALYSIS:** The proposed zone change is not going from, or to, a residential zone.

**FINDING:** This criteria does not apply.

**5.10.050 Decision Criteria. The review of a site plan shall be based upon the following criteria:**

- (1) The proposed use is allowed in the zone and complies with the underlying zone development standards.

**ANALYSIS:** Section 2.11.020 lists the permitted uses in the PF zone. Parks are specifically listed in subsection 2.11.020(2)h. Development standards for the PF zone are listed in section 2.11.050. They include the following:

Minimum lot area	Sufficient for the use	The lot area is 6.7 acres and is sufficient for the park and trail system proposed.
Front yard setback- non-residential	None	No structures are proposed.
Side yard setback non-residential	None	No structures are proposed.
Rear yard setback non-residential	None	No structures are proposed.
Maximum structure height	60 feet	No structures are proposed.
Maximum lot coverage	80%	The proposed park will include some hardscape in the form of trail and sidewalk surfaces. These will be far less than the 80% coverage requirement. The rest of the park will be landscaped.

Additionally, section 2.11.060 clarifies that all projects must still comply with the development standards found throughout the rest of the Development Code. Applicable standards from the rest of the code are addressed in section III of this staff report. In summary, all standards are met.

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

- (2) The proposed use will not create negative impacts on the surrounding area resulting



**from traffic flow, noise, dust, glare, odor, potential incompatible adjacent uses such as parking lots, or other impacts identified in the public hearing process.**

**ANALYSIS:** The proposed park should not result in negative impacts on the surrounding area. Regarding traffic, the park is intended to be a neighborhood park, not a regional destination. As such, no parking is proposed. The City anticipates that most users of the park will come on foot from residential properties north of the park; in fact, the included multi-purpose trail is intended to connect to other sidewalks and trails partially for that reason. The park is proposed along with a new street, NE Transition Parkway. The new street is designed to accommodate the traffic from the industrial areas proposed south of the park. This project will allow Conser Road to be downgraded from an arterial in the future. The park alone will not result in less traffic on NE Conser Road, but the project as a whole (including the street) will.

Regarding other possible impacts, this park is proposed without a playground and without any sports fields. While parks can be noisy, the traditional noise generating features are absent in this park. Children can certainly play in the open lawns and in, and around, the tree areas (in fact, it was designed for them to), but there should be no single concentrated place where kids will play. This will cut down on noise. The entire park will be landscaped, so there should be no dust, glare, or odor impacts.

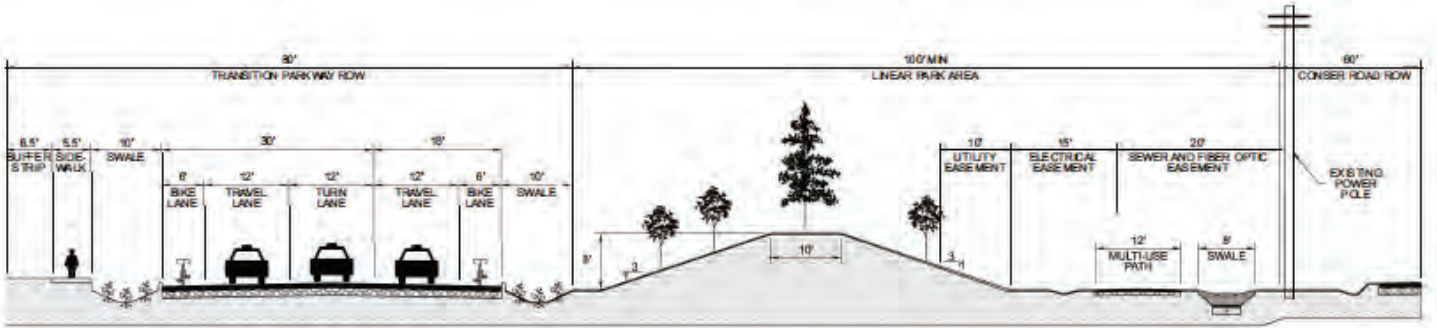
**FINDING:** Based on the analysis above, the project meets the required criteria.

- (3) **The City may impose conditions of approval intended to mitigate potential impacts including, but not limited to:**
- a. **Provisions for public utilities, including drainage and erosion control needs;**
  - b. **Parking, traffic safety, and connectivity of internal circulation to existing and proposed streets, bikeways, and pedestrian facilities;**
  - c. **Provision for adequate noise and/or visual buffering from non-compatible uses including using site and landscaping design to provide needed buffering; and**
  - d. **Protections from any potential hazards.**

**ANALYSIS:** All drainage requirements are addressed in the design of the park. No parking is proposed, and all onsite internal circulation has been fully addressed in the design.

Item c above explains that the City can add mitigation for screening of non-compatible neighboring uses. It should be noted that bulk of the project is intended to be screening between residential and industrial uses. The park includes a berm, with both deciduous and evergreen trees included in the plantings. These are arranged in

a dense pattern, and arranged so that the screening should be viable through all seasons.



The park should present no hazards to the surrounding area. Part of the property features a zoning overlay to mitigate for radon gas in enclosed structures. No structures are proposed, therefore, no mitigation of any kind if required.

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

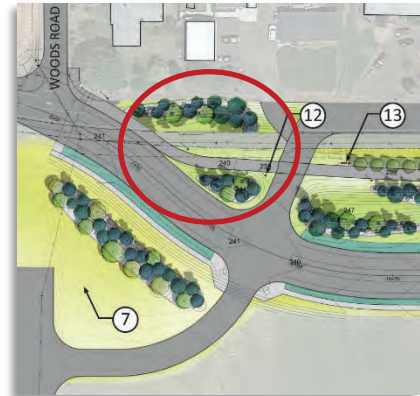
**III. STANDARDS**

The Development Code includes standards for many kinds of development. Some are not applicable in every case or situation. Some are addressed in the design or do not require any explanation. Those that require explanation, or require conditions of approval in order to be consistent, are reviewed below.

**CHAPTER 3.02- STREET STANDARDS**

This section includes standards for new streets or improvements that are required when a project is taking access from a public street.

**ANALYSIS:** The park is part of a larger project that includes a new street to the south of the park site, NE Transition Parkway. There will be no vehicular access from the street required, because no parking is provided as part of the project. No street improvements are required for the street to the north, NE Conser Road. It should be noted that part of the park will be constructed within a right-of-way area, between NE Woods Road and NE Conser Road (as revised by the larger project which includes NE Transition Parkway). The route of NE Conser Road will change, turning southerly near the new intersection of NE Conser Road and NE Transition Parkway. All revisions with NE Conser Road will be made in accordance with the requirements of this section.



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

#### **CHAPTER 3.04- STORM DRAINAGE**

This section includes standards for storm drainage.

**ANALYSIS:** All required storm drainage is addressed through the design of the project. A stormwater plan has already been provided and reviewed by the City Engineer for compliance with the Code. The site will require extensive grading. A 1200-C NDPES permit will be required for erosion and sediment control during construction. No easements are required because the entire property is owned by the City.

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

#### **CHAPTER 3.06- SIGNAGE**

This section regulates signage.

**ANALYSIS:** No signage is proposed with this site development review. A separate sign permit would be required when signage is proposed.

**FINDING:** These standards do not apply.

#### **CHAPTER 3.07- FENCING AND SCREENING**

This section includes standards for fences and screening. Some of these requirements are applicable here because the berm provides screening.

**ANALYSIS:** Sub section 3.07.070 contains regulations for berms that provide the function of screening. This park does include such a berm; therefore, these apply. Standards 1 through 4 pertain to fences specifically. The only fencing in the park will be located at the top of the retaining walls to prevent people from falling. These will all fully conform to the code requirements; they will all be under 6 feet in height. Standard 5 requires the height of the berm to comply with the zone. The berm is well under the zoning height allowance. The berm at its highest point is only 8 feet tall. Standard 6 requires all berms to be fully landscaped. As discussed previously, the entire berm is planned to be fully landscaped, in accordance with this requirement.

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

#### **IV. STAFF RECOMMENDATION TO THE PLANNING COMMISSION**

Based on the above findings of fact, the proposed Zoning Map Amendment and Transition Parkway Linear Park Site Development Review satisfies the applicable criteria.

Staff recommends that the Planning Commission recommend approval of Applications DC 24-01 and SP 24-02 to the City Council.

**V. SUGGESTED MOTION FOR PLANNING COMMISSION**

I motion that the Planning Commission recommend approval of DC 24-01 and SP 24-02 to the City Council because all applicable criteria are met and all findings of fact are included in the staff report and Ordinance 211-24.

**VI. STAFF RECOMMENDATION TO THE CITY COUNCIL** (*assuming the Planning Commission recommends approval*)

Based on the above findings of fact the proposed Zone Map Amendment and Site Development Review satisfy the applicable criteria. The Planning Commission and staff recommend that the City Council approve Applications DC 24-01 and SP 24-02 and adopt Ordinance No. 211-24.

**VII. CONDITIONS OF APPROVAL**

**General Conditions:**

1. This land use approval shall substantially comply with the submitted preliminary plans included as Exhibit C, except as indicated in the following conditions. Additional development or change of use may require a new development application and approval.
2. Copies of any required federal or state permits that may be required shall be filed in the Record File of this application.
3. This approval does not negate the need to obtain permits, as appropriate, from other local, state, or federal agencies, even if not specifically required by this decision.

**Prior to Building Permit Issuance**

4. Stormwater detention and water quality facilities shall be designed as required to meet City standards. Maintenance of detention basin and water quality facilities shall be the responsibility of the City.
5. The City Engineer shall approve all plans for all public improvements, including connections to public utilities (water, sewer, stormwater, and streets) to the City. The engineering plans shall conform to the Millersburg Engineering Design Standards, to the satisfaction of the City Engineer.

**Prior to Grading:**

6. Stormwater:

- Prior to the issuance of a grading permit the applicant must obtain a 1200C Erosion Control Permit and a City of Millersburg Erosion Prevention and Sediment Control (EPSC) Permit for all the disturbed ground, both on and off site. The applicant shall follow the latest requirements from DEQ for NPDES 1200-C Permit submittals.
- Stormwater facilities shall be designed and constructed in accordance with the City of Millersburg Engineering Standards.

7. All required public improvement plans shall be approved by the City prior to beginning construction. All utilities shall remain uncovered until inspected and approved by the City. All required public improvements shall be completed and approved by the City prior to occupancy.

### VIII. NOTICES TO THE APPLICANT

The applicant should also be aware of the following standards and processes that are required for development. These are not part of the decision on this land use case and are provided as a courtesy to the applicant. Please contact City Hall with any questions.

1. All required street signage and street lighting shall be approved by the City Engineer and installed.
2. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
3. **This approval of the Site Development Review is valid for a period of two (2) years from the date of the decision notice.** The zone change takes effect 30 days after the City Council adopts the ordinance. Extensions may be granted for the Site Development Review by the City as afforded by the Millersburg Development Code.
4. The continual operation of the property shall comply with the applicable requirements of the Millersburg Development Code.
5. Noise shall be kept at the minimum level possible during construction.
6. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris includes food and drink waste. All waste shall be contained on site in proper containers or construction fencing enclosures and shall leave the construction site in

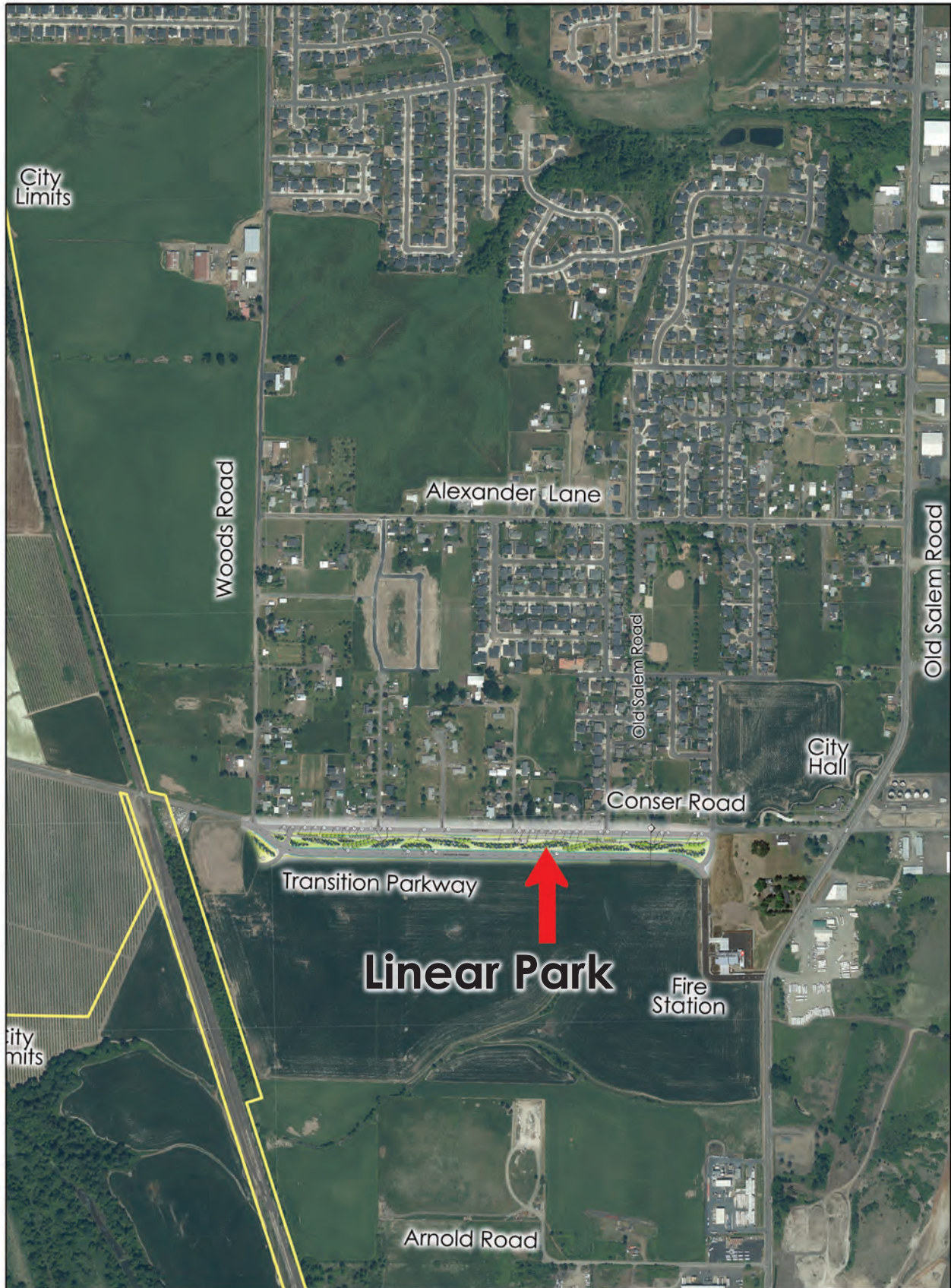
proper disposal containers. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the City.

**IX. EXHIBITS**

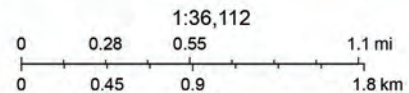
- A. Vicinity Map
- B. Zoning Map
- C. Park Site Plan
- D. Draft Ordinance No. 211-24
- E. Public Hearing Notice



# Linear Park Vicinity Map



- Other City's UGBs
- Millersburg UGB
- Highways
- Railroad
- Tax Lots
- Roads



City of Albany, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA  
Linn County GIS



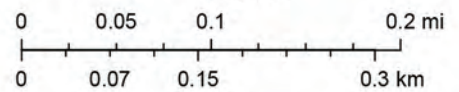
# DC 24-01 Zoning



3/19/2024, 10:21:01 AM

1:9,028

- |                    |                           |
|--------------------|---------------------------|
| Highways           | MIXED USE                 |
| Railroad           | PUBLIC FACILITIES         |
| Millersburg Zoning | RESIDENTIAL LOW DENSITY   |
| COMMERCIAL OFFICE  | RESIDENTIAL MIXED DENSITY |
| GENERAL COMMERCIAL | RURAL                     |
| GENERAL INDUSTRIAL | LIGHT INDUSTRIAL          |
| LIMITED INDUSTRIAL | Tax Lots                  |



Linn County GIS, GeoTerra, 2021, City of Albany, County of Benton, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA





**Key Notes**

- 1 12' Wide Multi-use Path
- 2 6' Wide Sidewalk
- 3 Connection to Future Crosswalks
- 4 Multi-use path with landscape walk/crosswalk, interpretive sign panels, public art, dog waste stations, litter receptacles, (crushed rock, unit pavers or concrete)
- 5 Landscape Walk
- 6 Maintained Lawn
- 7 Non-Maintained Grass
- 8 Rock Mulch with Boundaries and Grounds Edging (2' width)
- 9 Sitowalls
- 10 Deciduous Trees
- 11 Conifer/Evergreen Trees
- 12 Pedestrian Scale Lights/Poles
- 13 Bench with back and litter receptacle
- 14 Future Trail Head Plaza (40' radius shown)
- 15 Existing Ditch
- 16 Potential Holiday Display Area
- 17 Donor Bricks - Approx. 1,050
- 18 Existing Utility Poles and Ohio Line
- 19 15' Offset from CL Power Poles
- 20 Existing Storm Sewer
- 21 Existing Fiber Optic Cable
- 22 Right-of-Way

**Park Design Statistics**

- 100,000 SF (4.64 AC)
- 33,440 SF (1,270 LF)
- 4,444 SF (102 LF)
- 4,948 SF
- 7/9 LF
- 35
- 7/9 LF
- 185,935 SF (4,28 AC)
- 88,887 SF (2.04 AC)
- 266,822 LF
- 165

**Section 1**

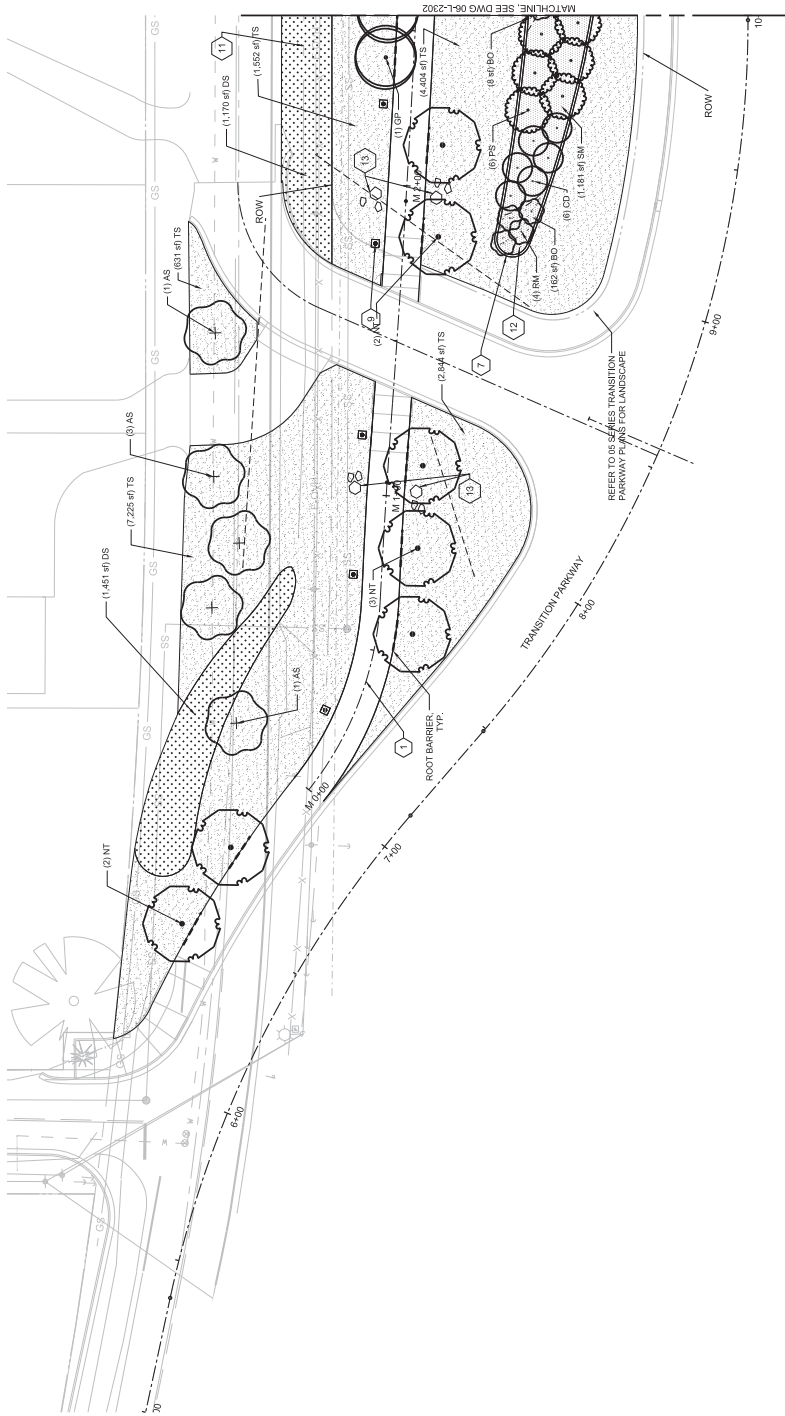


### GENERAL NOTES

- REFER TO DRAWING 06-G-0021 FOR PLANTING LEGEND, SCHEDULE AND GENERAL NOTES.
- REFER TO DRAWINGS 06-L-2001 - 2005 FOR LAYOUT PLANS.
- REFER TO DRAWINGS 06-L-2101 - 2105 FOR GRADING PLANS.
- REFER TO DRAWINGS 06-L-2201 - 2205 FOR IRRIGATION PLANS.
- REFER TO STANDARD DRAWINGS AND 06-L-5000 - 5025 FOR PLANTING DETAILS.
- OMITTED SHEET KEY NOTE NUMBERS ARE NOT USED ON THIS SHEET.

### SHEET KEYNOTES

- MULTIUSE PATH ALIGNMENT.
- LANDSCAPE CURB, TYPICAL.
- LIGHT FIXTURE AND POLE, TYPICAL. REFER TO DRAWINGS 06-E-2001 THROUGH 06-E-2004.
- EXISTING DITCH.
- BOULDER PLACEMENT AREAS, 06-L-5001 FOR TYPICAL LAYOUT.
- PLACE 2'-4" DIA. BOULDERS AT LOCATION SHOWN ON PLAN. EDGE OF BOULDER SHALL BE 1'-0" FROM EDGE OF MULTIUSE PATH.



PLAN STA 5+00 TO 10+00  
1"=20'

### PLANTING LEGEND

SYMBOL	CODE	BOTANICAL COMMON NAME
(AS)	ASER CINCINNATI /	ASH
(AM)	AMELANCHIER LARIX /	GREEN AND GOLD DOGWOOD
(AN)	ANEMONE /	ANEMONE
(AP)	APALACHIA /	APALACHIA
(AR)	ARUNDO /	ARUNDO
(AT)	ATLANTIC /	ATLANTIC
(AU)	AUTUMN BRILLIANCE APPLE /	AUTUMN BRILLIANCE APPLE
(BA)	BALTIMORE /	BALTIMORE
(BB)	BALTIMORE /	BALTIMORE
(BC)	BALTIMORE /	BALTIMORE
(BD)	BALTIMORE /	BALTIMORE
(BE)	BALTIMORE /	BALTIMORE
(BF)	BALTIMORE /	BALTIMORE
(BG)	BALTIMORE /	BALTIMORE
(BH)	BALTIMORE /	BALTIMORE
(BI)	BALTIMORE /	BALTIMORE
(BJ)	BALTIMORE /	BALTIMORE
(BK)	BALTIMORE /	BALTIMORE
(BL)	BALTIMORE /	BALTIMORE
(BM)	BALTIMORE /	BALTIMORE
(BN)	BALTIMORE /	BALTIMORE
(BO)	BALTIMORE /	BALTIMORE
(BP)	BALTIMORE /	BALTIMORE
(BQ)	BALTIMORE /	BALTIMORE
(BR)	BALTIMORE /	BALTIMORE
(BS)	BALTIMORE /	BALTIMORE
(BT)	BALTIMORE /	BALTIMORE
(BU)	BALTIMORE /	BALTIMORE
(BV)	BALTIMORE /	BALTIMORE
(BW)	BALTIMORE /	BALTIMORE
(BX)	BALTIMORE /	BALTIMORE
(BY)	BALTIMORE /	BALTIMORE
(BZ)	BALTIMORE /	BALTIMORE
(CA)	CALIFORNIA /	CALIFORNIA
(CB)	CALIFORNIA /	CALIFORNIA
(CC)	CALIFORNIA /	CALIFORNIA
(CD)	CALIFORNIA /	CALIFORNIA
(CE)	CALIFORNIA /	CALIFORNIA
(CF)	CALIFORNIA /	CALIFORNIA
(CG)	CALIFORNIA /	CALIFORNIA
(CH)	CALIFORNIA /	CALIFORNIA
(CI)	CALIFORNIA /	CALIFORNIA
(CJ)	CALIFORNIA /	CALIFORNIA
(CK)	CALIFORNIA /	CALIFORNIA
(CL)	CALIFORNIA /	CALIFORNIA
(CM)	CALIFORNIA /	CALIFORNIA
(CN)	CALIFORNIA /	CALIFORNIA
(CO)	CALIFORNIA /	CALIFORNIA
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(CT)	CALIFORNIA /	CALIFORNIA
(CU)	CALIFORNIA /	CALIFORNIA
(CV)	CALIFORNIA /	CALIFORNIA
(CW)	CALIFORNIA /	CALIFORNIA
(CX)	CALIFORNIA /	CALIFORNIA
(CY)	CALIFORNIA /	CALIFORNIA
(CZ)	CALIFORNIA /	CALIFORNIA
(DA)	DALLAS /	DALLAS
(DB)	DALLAS /	DALLAS
(DC)	DALLAS /	DALLAS
(DD)	DALLAS /	DALLAS
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(NF)	NORWAY /	NORWAY
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(NZ)	NORWAY /	NORWAY
(OA)	ORANGE /	ORANGE
(OB)	ORANGE /	ORANGE
(OC)	ORANGE /	ORANGE
(OD)	ORANGE /	ORANGE
(OE)	ORANGE /	ORANGE
(OF)	ORANGE /	ORANGE
(OG)	ORANGE /	ORANGE
(OH)	ORANGE /	ORANGE
(OI)	ORANGE /	ORANGE
(OJ)	OR	





# GENERAL NOTES

- REFER TO DRAWING 04-G-0021 FOR PLANTING LEGEND, SCHEDULE AND GENERAL NOTES.
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- REFER TO DRAWINGS 06-4-2101 - 2105 FOR GRADING PLANS.
- REFER TO STANDARD DRAWINGS AND 06-4-5000 - 5025 FOR PLANTING DETAILS.
- OMITTED SHEET KEY NOTE NUMBERS ARE NOT USED ON THIS SHEET.

# SHEET KEYNOTES

- MULTIUSE PATH ALIGNMENT.
- RETAINING WALL.
- LANDSCAPE CURB: TYPICAL.
- LIGHT FIXTURE AND POLE: TYPICAL. REFER TO DRAWINGS 06-2-2001 THROUGH 06-2-2004.
- EXISTING DITCH.
- BOULDER PLACEMENT AREAS, REFER TO TYPICAL LAYOUT.

# PLANTING LEGEND

SYMBOL	CODE	BOTANICAL COMMON NAME
(A)	AC	AMERICAN LARCH
(B)	BA	BALTIMORE ANEMONE
(C)	CA	CALIFORNIA ANEMONE
(D)	CD	CALLUNA VULGARIS
(E)	CE	CELANO ANEMONE
(F)	CF	COMMON FERN
(G)	CG	COMMON GARDENIA
(H)	CH	COMMON HYDRANGEA
(I)	CI	COMMON IRIS
(J)	CJ	COMMON JASMINE
(K)	CK	COMMON KENTONIA
(L)	CL	COMMON LILAC
(M)	CM	COMMON MAHONIA
(N)	CN	COMMON NEROLI
(O)	CO	COMMON OLEANDER
(P)	CP	COMMON PINK
(Q)	CQ	COMMON QUERCUS
(R)	CR	COMMON RHODODENDRON
(S)	CS	COMMON SAGE
(T)	CT	COMMON TULIP
(U)	CU	COMMON YUKONIAN
(V)	CV	COMMON VIBURNUM
(W)	CW	COMMON WILLOW
(X)	CX	COMMON XANTHODERMIS
(Y)	CY	COMMON YUKONIAN
(Z)	CZ	COMMON ZEPHYRUS

# GENERAL NOTES

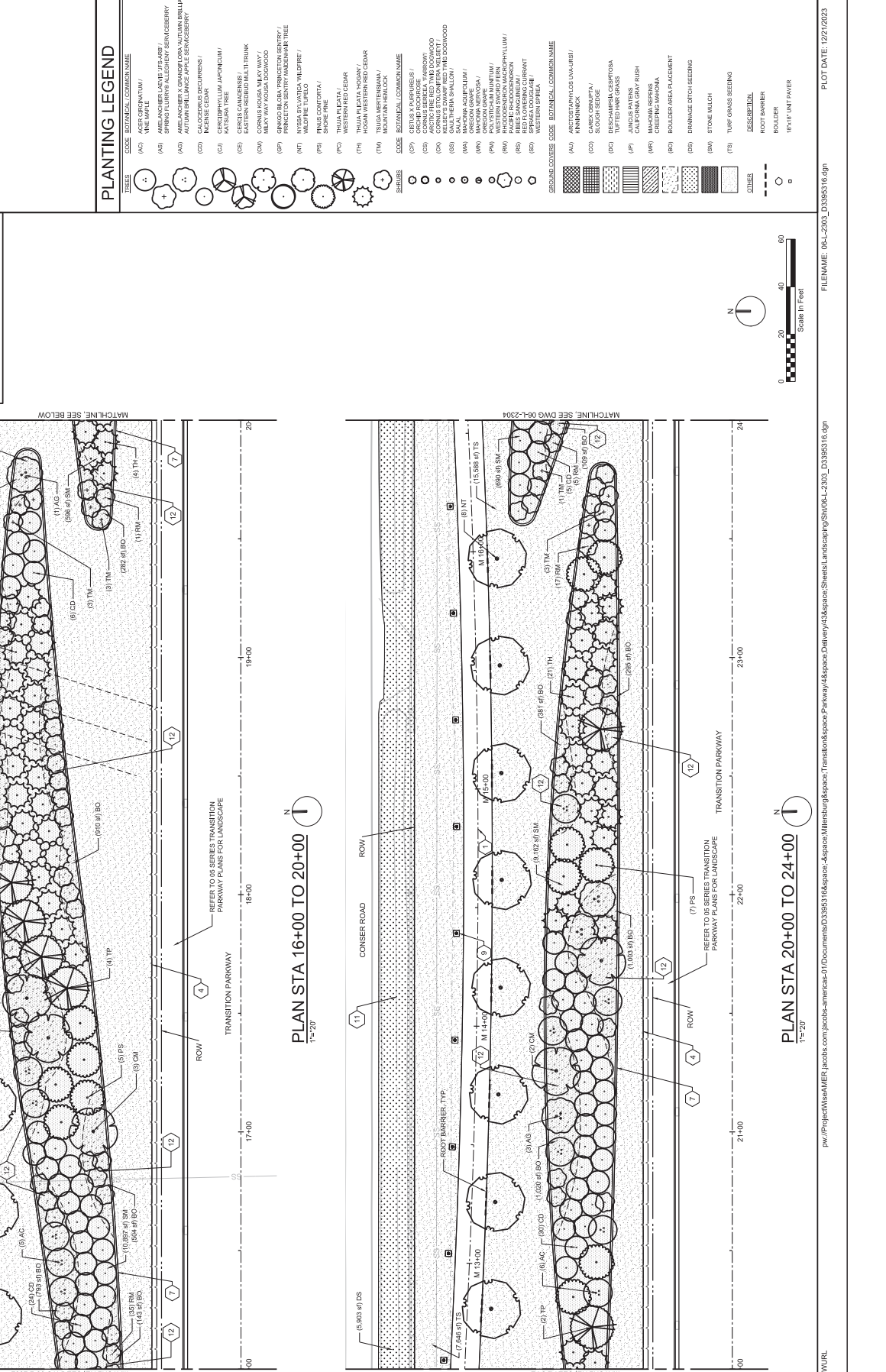
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- EXISTING DITCH.
- BOULDER PLACEMENT AREAS, REFER TO TYPICAL LAYOUT.

# PLANTING LEGEND

SYMBOL	CODE	BOTANICAL COMMON NAME
(A)	AC	AMERICAN LARCH
(B)	BA	BALTIMORE ANEMONE
(C)	CA	CALIFORNIA ANEMONE
(D)	CD	CALLUNA VULGARIS
(E)	CE	CELANO ANEMONE
(F)	CF	COMMON FERN
(G)	CG	COMMON GARDENIA
(H)	CH	COMMON HYDRANGEA
(I)	CI	COMMON IRIS
(J)	CJ	COMMON JASMINE
(K)	CK	COMMON KENTONIA
(L)	CL	COMMON LILAC
(M)	CM	COMMON MAHONIA
(N)	CN	COMMON NEROLI
(O)	CO	COMMON OLEANDER
(P)	CP	COMMON PINK
(Q)	CQ	COMMON QUERCUS
(R)	CR	COMMON RHODODENDRON
(S)	CS	COMMON SAGE
(T)	CT	COMMON TULIP
(U)	CU	COMMON YUKONIAN
(V)	CV	COMMON VIBURNUM
(W)	CW	COMMON WILLOW
(X)	CX	COMMON XANTHODERMIS
(Y)	CY	COMMON YUKONIAN
(Z)	CZ	COMMON ZEPHYRUS















## **ORDINANCE NO. 211-24**

### **AN ORDINANCE AMENDING THE MILLERSBURG ZONING MAP CHANGING THE ZONING ON THE TRANSITION PARKWAY LINER PARK**

**WHEREAS**, the State of Oregon Land Conservation and Development Commission acknowledged the City's first Comprehensive Plan, and the City adopted said plan in 1983, including a zoning map; and,

**WHEREAS**, the City is proposing to construct a linear park along the new NE Transition Parkway; and,

**WHEREAS**, the Zoning for the proposed park site (identified as 10S-03W-28-00100) as of January 2024 was General Industrial (GI); and,

**WHEREAS**, the General Industrial (GI) zone does not permit a public park; and,

**WHEREAS**, the City now wishes to amend the Zoning designation to Public Facilities (PF) which permits a city park; and,

**WHEREAS**, the proposed zoning of Public Facilities (PF) is consistent with the Industrial Comprehensive Plan Land Use Designation as shown on Table 9.500B of the Comprehensive Plan; and,

**WHEREAS**, the Department of Land Conservation and Development (DLCD) received hearing notice thirty-five days in advance of the first Planning Commission hearing on March 19, 2024; and,

**WHEREAS**, quasi-judicial public hearing notices were sent to all surrounding addresses in the City (200 feet), at least twenty days prior to the of the first Planning Commission hearing on May 7, 2024 and posted in the newspaper on April 16, 2024; and,

**WHEREAS**, the Millersburg Planning Commission recommended to the Millersburg City Council on May 7, 2024, that the City Council approve the Zone map amendment that is the subject of this Ordinance; and,

**WHEREAS**, the Millersburg Planning Commission and City Council find that the proposal meets all criteria requirements from Section 5.09 of the Millersburg Development Code and all findings are included in the staff report dated April 30, 2024.

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO  
ORDAIN AS FOLLOWS:** the Millersburg Zoning Map is hereby amended to change the

zoning designation for the property known as tax lots 10S-03W-28-00100, from General Industrial (GI) to Public Facilities (PF).

**PASSED by the Council and signed by the Mayor this 14<sup>h</sup> day of March, 2024.**

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Scott Cowan,  
Mayor

ATTEST:

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Sheena Dickerman,  
City Recorder

Draft



**NOTICE OF PUBLIC REVIEW**  
**May 7, 2024, 6:00 p.m.**  
**And May 14, 2024, 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 May 7, 2024 at the above time and place, and a **CITY COUNCIL** hearing on May 14, 2024 at the above time and place to consider the actions described below. The actions may be heard later than the time indicated, depending on the agenda schedule. Interested parties are invited to send written comments 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 Matt Straite, Community Development Director, at Millersburg City Hall- (458) 233-6306.

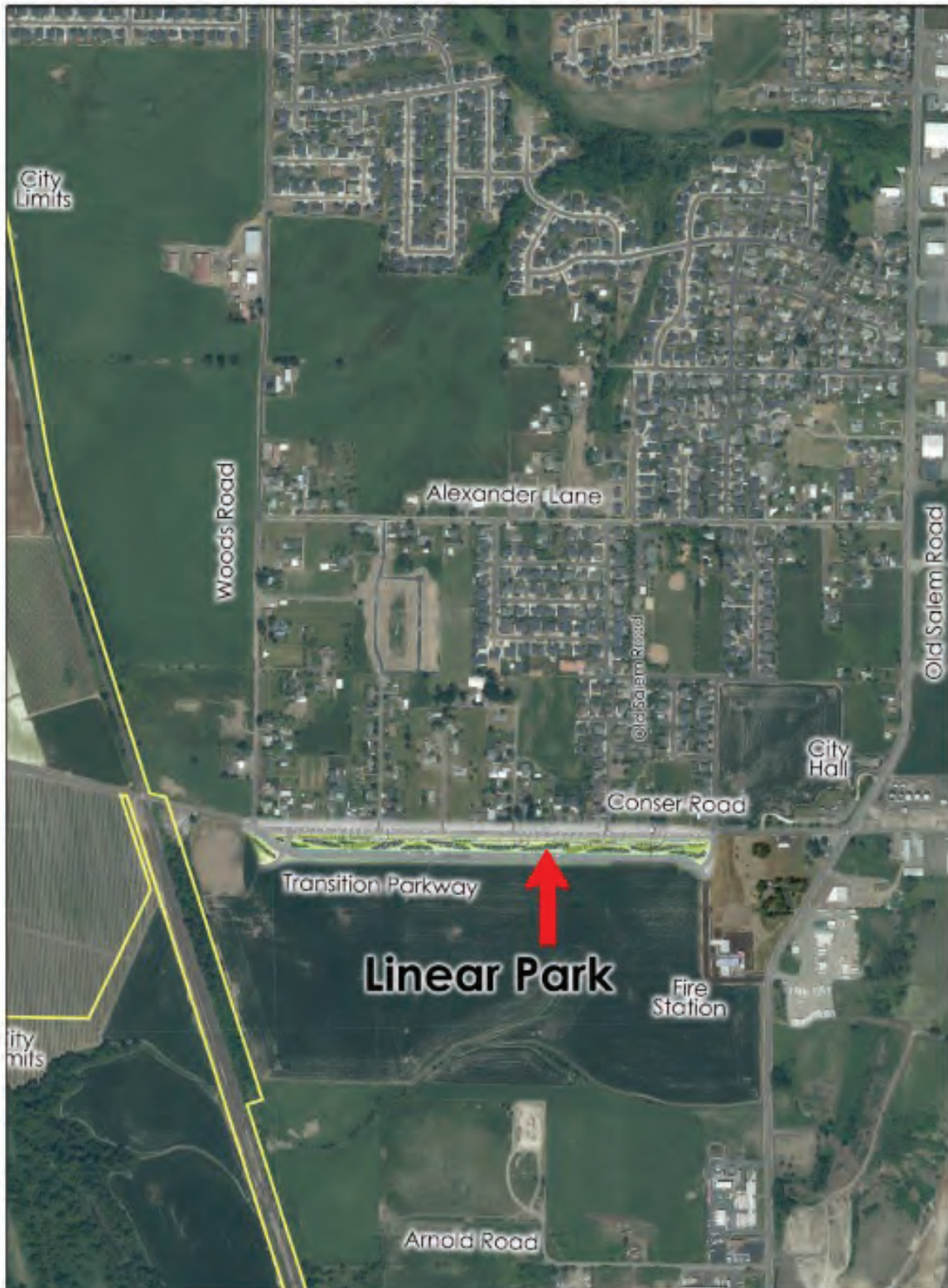
The location of the meeting is accessible to the disabled. If you need any special accommodation to attend or participate in the meeting, please notify City Hall at least twenty-four (24) hours before the meeting.

- APPLICANT:** City initiated
- LOCATION:** Southerly of NE Conser Road between NE Woods Road and NE Castillo Drive.
- CRITERIA:** Millersburg Development Code; Section 5.09.050 and 5.10.050. 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 24-01 & SP 24-02
- REQUEST:** DC 24-01 proposes to change the zoning Tract A of the Transition Parkway Industrial Park subdivision from General Industrial (GI) to Public Facilities (PF). SP 24-02 proposes a new linear park that will be located between the existing Conser Road and the all new street, Transition Parkway (to be built in tandem with the park). The park will be a passive/active park comprised primarily of landscaping, a 12-foot-wide multi-use path, and sidewalk connections to nearby roadways. The park will include a retaining wall and an 8-foot tall, vegetated berm that will provide a buffer between residentially zoned lands to the north and industrial lands to the south.

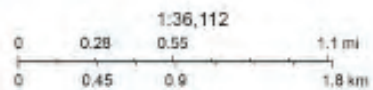
See this link for more detail and full Code text edits proposed:  
<https://www.millersburgoregon.gov/planning/page/land-use-applications-and-applications-under-review>



# Linear Park Vicinity Map



- Other City's UGBs
- Millersburg UGB
- Highways
- Railroad
- Tax Lots
- Roads



City of Albany, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri, Canada, Esri, HERE, Garmin, INCREMENT P, USGS, METNUSA, EPK, USDA, Linn County GIS

ArcGIS Web AppBuilder

City of Albany, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri, Canada, Esri, HERE, Garmin, INCREMENT P, USGS, METNUSA, EPK, USDA, Linn County GIS

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**WHEREAS**, the City now wishes to amend the Zoning designation to Public Facilities (PF) which permits a city park; and,

**WHEREAS**, the proposed zoning of Public Facilities (PF) is consistent with the Industrial Comprehensive Plan Land Use Designation as shown on Table 9.500B of the Comprehensive Plan; and,

**WHEREAS**, the Department of Land Conservation and Development (DLCD) received hearing notice thirty-five days in advance of the first Planning Commission hearing on March 19, 2024; and,

**WHEREAS**, quasi-judicial public hearing notices were sent to all surrounding addresses in the City (200 feet), at least twenty days prior to the of the first Planning Commission hearing on May 7, 2024 and posted in the newspaper on April 16, 2024; and,

**WHEREAS**, the Millersburg Planning Commission recommended to the Millersburg City Council on May 7, 2024, that the City Council approve the Zone map amendment that is the subject of this Ordinance; and,

**WHEREAS**, the Millersburg City Council find that the proposal meets all criteria requirements from Section 5.09 of the Millersburg Development Code and all findings are included in the staff report dated April 30, 2024, which is attached hereto as Exhibit A and incorporated herein as the findings of fact and conclusions of law of the City Council.

**WHEREAS**, the Millersburg City Council held a duly noticed hearing on May 14, 2024

and adopted a motion to approve the Zone map amendment that is the subject of this Ordinance; and,

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS:** the Millersburg Zoning Map is hereby amended to change the zoning designation for the property known as tax lots 10S-03W-28-00100, from General Industrial (GI) to Public Facilities (PF).

**PASSED by the Council and signed by the Mayor this 14<sup>h</sup> day of May, 2024.**

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Scott Cowan,  
Mayor

ATTEST:

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Sheena Dickerman,  
City Recorder



TO: Millersburg City Council  
VIA: Kevin Kreitman, City Manager  
FROM: City Staff  
DATE: May 9, 2024, for Council Meeting May 14, 2024  
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.

An overview of several specific tasks and projects is provided below.

**Street Maintenance Projects**

Crack seal and surface treatment projects are planned for the summer of 2024. Crack sealing is planned for Summit Drive, Evergreen Avenue, Deciduous Avenue, Riverstone Loop, Nestucca Avenue, and portions of Clearwater Drive, 54th Street, and Woods Road. Additionally, the parking lot and walking path at Millersburg Park will be crack sealed.

Surface treatment (slurry seal) is currently planned for the West Park, Becker Ridge Phase 1, and Hoffman Estates neighborhoods. The final slurry seal areas will be determined based on quote prices.

**Waverly Drive/Cox Creek Bridge**

Millersburg received a grant for replacement of the Waverly Drive/Cox Creek Bridge. Due to the presence of federal funding, it must be delivered by a Certified Agency, with oversight from ODOT. As a Certified Agency, Linn County is managing and delivering this project for Millersburg. We expect consultant selection (from an ODOT list of approved consultants) to begin in June with award later in the summer. Millersburg staff will participate with Linn County staff in the selection process.

**Other Projects in Progress**

- Woods Road multiuse path – Wetland delineation and permitting, design, right-of-way.
- Old Salem Road AC waterline abandonment – finalizing design, packaging for bidding, coordination with customers. Planned for construction summer 2025.
- Sewer Feasibility Study – To be complete by August 2024.



TO: Millersburg City Council  
FROM: Kevin Kreitman, City Manager  
DATE: May 6, 2024, for the May 14, 2024 City Council Meeting  
SUBJECT: Cost of Living Wage Increase Consideration

Action Requested: Adoption of Cost of Living Wage Increase (COLA) for fiscal year 2024-2025 effective July 1, 2024.

Discussion: Based on the Council adopted Benefits and Compensation Policy for staff we present for Council consideration the annual wage adjustments to be effective July 1, based on the Consumer Price Index (CPI-W) as identified in our policy for the period of January 2023 to January 2024. The City typically utilizes the lowest of the three CPI-W classes, which this year is the US City Average at 2.9 percent. The highest of the three classes was 3.7 percent. The proposed budget calculated a cost of living increase of 3 percent given information we had available at the time we began drafting the budget.

The council does have the option, based on policy, to elect an amount lower or higher than the CPI at your discretion. Last years CPI was a low of 5.9 percent and high of 6.3 percent, with a 5.0 percent increase approved.

Adoption of the COLA excludes the City Manager, Assistant City Manager/City Engineer, and Community Development Director positions which are executive staff positions and not subject to the City wage scale/steps. Annual increases for these positions were previously adopted by Council.

Budget Impact:

Costs associated with the proposed COLA were included and reviewed in the proposed 2024-25 budget calculation for personnel. Should the Council elect to adopt the proposed increases, the funds have been included in the budget.

Recommendation:

Staff recommends Council consideration of the adoption of the COLA as budgeted for fiscal year 2024-25.

Attachment(s):

None



TO: Millersburg City Council  
VIA: Kevin Kreitman, City Manager  
FROM: Janelle Booth, Assistant City Manager/City Engineer  
DATE: May 8, for the May 14, 2024 City Council Meeting  
SUBJECT: Approval of Engineering Services Director/City Engineer Position

Action Requested: Approval of Engineering Services Director/City Engineer position.

Discussion:

To implement the planned city management succession plan that began in 2018, a new position titled Engineering Services Director/City Engineer has been proposed. As discussed during Budget Committee meetings, this position will replace the Assistant City Manager/City Engineer position at the end of 2024.

Funding for the position is budgeted for the entire 2024-25 fiscal year to enable filling the position as early as July 2024. This will allow for the new Engineering Services Director/City Engineer to become fully functional in the role prior to City Manger's retirement at the end of 2024.

The funding for the position was approved during the Budget Committee meeting on May 8, 2024. Approval of the position is now requested so the advertisement and selection process can begin in May or June. The anticipated start date for the new employee will be after July 1, 2024.

Budget Impact:

Funding for this position is included in the approved fiscal year 2024-25 budget.

Recommendation:

Staff recommends Council approve the Engineering Services Director/City Engineer position, to be filled following July 1, 2024.

Attachment:

Engineering Services Director/City Engineer Job Description





**Position Title:** Engineering Services Director/City Engineer  
**FLSA Status:** Exempt  
**Status:** Full-Time  
**Supervisor:** City Manager  
**Supervises:** City Maintenance Supervisor

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**GENERAL PURPOSE SUMMARY:** This position plans, manages, and oversees the activities of public works and engineering services, including water, wastewater, stormwater, streets, public facilities, and parks. The position manages capital improvement project delivery; reviews development work for compliance with public standards and requirements; directs creation of plans and documents for city sponsored projects; works with outside consultants employed to perform city work by providing technical assistance; and oversees construction inspections to ensure compliance with city requirements. This position serves as a city liaison to the community at large and serves on the city's management team.

**ESSENTIAL FUNCTIONS AND RESPONSIBILITIES:**

1. Oversees and administers engineering activities (design and construction of public improvements, permitting, regulatory affairs, and master planning) determines needs, sets goals and objectives. Serves as the primary contact with City of Albany staff for management of jointly owned facilities and coordination of maintenance of water and wastewater systems.
2. Supervises assigned employees which includes scheduling and assigning work; mentoring, coaching, and training; developing work plans and reviewing work for completion; evaluating performance and providing necessary feedback to employee; setting work standards; imposing or effectively recommending necessary disciplinary action; responding to staff questions or concerns; and making or effectively recommending hiring and termination decisions.
3. Develops and manages the annual budgets for areas of responsibility and capital projects. Participates in the development of the city budget. Reviews and monitors city budget expenditures to remain within established budgetary constraints. Authorizes purchases and signs purchase orders, contract payments, and change orders. Manages city infrastructure financial planning, utility rates and fees, and development and preparation of the city's Capital Improvement Program.
4. Assists the City Manager and members of the City Council in monitoring issues inside and outside of the organization; assists in development of short and long-

range plans; gathers, interprets, and prepares data for studies, reports, and recommendations. Develops, maintains, and updates long-range facility and financial plans for transportation, water, sewer, and stormwater utilities.

5. Conducts a variety of special projects as assigned by the City Manager. Projects may involve extensive research and comparisons, administrative follow-up, liaison with community groups, other agencies, and city staff. Keeps informed on details and progress of special projects informing the City Manager of progress and any issues of sensitivity.
6. Confers with the City Manager on administrative matters and policies pertinent to city operations. Drafts ordinances and policies and facilitates City Council and community review and adoption.
7. Demonstrates understanding and good judgment in the evaluation of complex technical and/or financial information and alternatives related to policy development and/or engineering project management, planning, design, design review, surveying, permit issuance, construction, and mapping/records.
8. Serves as the City Engineer; reviews and stamps engineering drawings and reports as required. This position's primary duty requires knowledge in the field of engineering and application of the same, including the exercise of discretion and judgement in its performance. Such work is intellectual and varied as opposed to standardized, requiring critical thinking.
9. Communicates effectively in writing and orally with a variety of technical and non-technical groups and individuals regarding budgets and performance, engineering projects, and utility service policies.
10. Negotiates with other government agencies, developers, contractors, and consultants to develop agreements/contracts and resolve issues and disputes.
11. Prepares and makes presentations to the City Council, advisory commissions and committees, community groups, other agencies, and news media as assigned.
12. Responds to citizen inquiries or complaints.
13. Evaluates and reviews impacts of development proposals, land use applications, permits, etc. on city utilities and transportation facilities. Reviews traffic engineering studies and reports.
14. Reviews private project development plans and permit applications for compliance with codes, regulations, and standards. Oversees construction inspections for conformity with city requirements.
15. Coordinates and directs the preparation of engineering plans and specifications, the bidding process, contract award, and construction monitoring. Seeks and selects consultants and service providers in accordance

with state and local laws and city procurement policy; manages consultant and service contracts. Reviews work products and work performance for compliance with contracts.

16. Tracks and ensures compliance with regulatory and permit requirements, develops compliance strategies, and fulfills reporting requirements. Participates in development of, feedback to, and negotiation with state and federal regulators (Department of Environmental Quality, Oregon Health Authority, and Water Resources Department) regarding water, wastewater, and stormwater permits applicable to the City of Millersburg.
17. Protects the public investment in its infrastructure through developing appropriate maintenance and replacement programs in conjunction with the city's maintenance staff.
18. Applies for and administers grant programs as directed.
19. Attends and participates in professional group meetings; participates in and makes presentations to a variety of boards and commissions; stays abreast of new trends and innovations in engineering, public works, and other types of public services as they relate to the area of assignment. Monitors changes in laws, regulations, and technology that may affect city operations; implements policy and procedural changes as needed.
20. Attends and participates in City Council, Planning Commission, and other meetings as assigned.
21. Participates in economic development efforts that may include response to specific development proposals or creation of long-range economic development strategies and/or area plans.
22. Guides development of, maintains, and updates transportation and utility computer models necessary to support long-range planning, system optimization and maintenance, and response to development inquiries, as needed.
23. Guides development and proposes policies for City Council adoption: utility rates for services; system development charge methodologies and fees; new programs for utility customers; and utility facility and financial plans.
24. Maintains professional networks and attends training sessions and conferences as necessary to advance skills and keep abreast of issues and practices in all areas of responsibility, and to maintain required certifications.
25. Represents the City of Millersburg by responding to the public, citizens, its employees, and others in a prompt, professional, and courteous manner while continuously maintaining a positive customer service demeanor. Regards

everyone, internal and external, as a customer and delivers the best service possible in a respectful and patient manner.

26. Serves as a member of the city's emergency management team.
27. Serves as member of various assigned committees.
28. Possesses the ability to drive and operate a motor vehicle safely and legally.
29. Maintains regular, reliable, and punctual attendance and adherence to working hours, work rules and internal policies.
30. The physical demands of this job are outlined further below and incorporated herein as an essential job function.

## **QUALIFICATIONS & REQUIREMENTS:**

### EDUCATION AND EXPERIENCE:

Bachelor's degree in civil or environmental engineering and seven years responsible engineering experience including at least two years in a supervisory position, preferably with a municipal public works or engineering department; or any satisfactory equivalent combination of education and experience.

### SPECIAL REQUIREMENTS:

Registration as a Professional Engineer (Civil) in the state of Oregon or professional registration as a Civil Engineer in another state and the ability to become registered in Oregon within 180 days after employment.

Possession of a valid Oregon driver's license within 45 days of hire, as driving is an essential job function associated with this position.

The individual is able to perform the essential job functions of this position, with or without an accommodation, and the individual shall not pose a direct threat to the health or safety of the individual or others in the workplace, as determined by their treating physician.

### KNOWLEDGE, SKILLS, AND ABILITIES:

1. Knowledge of legal issues, statutes, regulations, and codes related to specific projects or programs within the city.
2. Knowledge of engineering principles and practices; design construction, sewer, water, storm drain, or street design, and/or traffic engineering.
3. Personnel management, including ability to supervise, train, and evaluate personnel; productively utilize goal setting and progress monitoring to promote accomplishment of tasks.
4. Establish and maintain effective working relationships with individuals, co-workers, other agencies, interest groups, supply vendors, and the public.

5. Actively listen, analyze problems, and identify alternative solutions, projecting consequences of proposed actions, and implementing recommendations in support of goals.
6. Communicate effectively verbally and in writing to a wide range of individuals; provide leadership skills necessary to resolve conflicts.
7. Survey practices, development land use processes and land divisions.
8. Have a working knowledge of the environmental regulatory process.
9. Possess comprehension of the public procurement processes, rules, and laws.
10. Ability to develop capital plans and budgets.
11. Ability to consult on construction business fundamentals.
12. Ability to use computers, systems, and various software.

#### PHYSICAL DEMANDS:

The physical demands described here (including lifting, mobility, movement, manual dexterity) are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

In the performance of job duties, the employee is frequently required to stand, walk, sit, talk, and hear. The employee is occasionally required to use hands and fingers, handle, feel, and operate objects, tools, or controls; and reach with hands and arms. The employee is occasionally required to climb or balance, stoop, kneel, crouch, or crawl.

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to focus.

Manual dexterity and coordination are required to perform the work. This is used while operating equipment such as computer keyboards, calculators, and telephones.

#### TOOLS AND EQUIPMENT USED:

In the performance of job duties, the employee will use a personal computer (provided by the city) and various software programs; copier; fax machine; ten key/calculator; phone; and other related tools and equipment.

This position, in unique situations, may require operation of public works equipment to assist/support staff.

#### WORK ENVIRONMENT/WORKING CONDITIONS:

*The work environment and working conditions described here are representative of those that are typical of the job and must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals to perform the essential functions.*

The work environment includes an office setting, and frequent travel to field locations and construction sites in a variety of weather, light (day or night), and terrain conditions.

The noise level in the work environment is usually quiet to moderate in the office environment. The field work environment frequently involves moderate to loud construction noise.

This position is regularly required to attend evening meetings and may be required to work evenings and weekends.

This position requires onsite operations and work. This is not a remote position.

#### ADDITIONAL JOB INFORMATION

This position is subject to successful completion of pre-employment drug and alcohol testing. This position is also subject to a successful criminal background screening and driver's record screening.

#### INTENT OF JOB DESCRIPTION

This document is intended to describe the most significant essential and auxiliary duties performed by the position for illustration purposes, but it does not include other occasional work, which may be similar, related to, or a logical assignment for the position.

#### EEOC STATEMENT

The City of Millersburg provides equal opportunity in employment, activities and its programs. It is the policy of the City of Millersburg that there shall be no harassment or discrimination in any of its programs, activities, or employment on the grounds of race, color, religion, ethnicity, use of native language, national origin, sex, sexual orientation, marital status, disability, veteran status, age, genetic information or any other status protected under applicable, federal, state or local laws.

Pursuant to Oregon Revised Statutes 408.225-237, the City of Millersburg grants a preference in hiring veterans as defined by state laws.

To request an accommodation in applying for this position and/or to participate in the application process, please contact Sheena Dickerman at 458-233-6303 or [Sheena.Dickerman@millersburgoregon.gov](mailto:Sheena.Dickerman@millersburgoregon.gov).