



Agenda

CITY OF MILLERSBURG City Council Regular Meeting

Electronic Meeting
January 12, 2021 @ 6:30 PM

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

This meeting will be held remotely. Instructions for joining the meeting can be found at <https://www.cityofmillersburg.org/bc/page/join-meeting-instructions>. 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, January 11.

Meeting link to join via computer:

<https://aspenuc.accessionmeeting.com/j/1161717173>

Phone number to join meeting: 503-212-9900

Meeting ID: 116 171 7173

CALL TO ORDER

ROLL CALL

Swearing in of Councilors Harms, McPhee, and Sullivan

- 1) Oath of Office - Dave Harms
- 2) Oath of Office - Scott McPhee
- 3) Oath of Office - John Sullivan

Vote for Mayor; Vote for Council President

CHANGES AND ADDITIONS TO THE AGENDA

CONSENT AGENDA

- 4) Approval of December 8, 2020 City Council Meeting Minutes
- 5) Approval of December 22, 2020 City Council Work Session Minutes
- 6) Acceptance of Report on City Accounts Payable

Action:_____

GUEST PRESENTATIONS

- 7) Linn County Sheriff's Office Monthly Report
- 8) Albany Fire Department Quarterly Report

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. 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.

COUNCIL MEMBER AND STAFF COMMENTS

- 9) Committee Assignments - Mayor

CITY MANAGER'S REPORT

- 10) Housing Needs Analysis and Buildable Lands Inventory – John Morgan
- 11) Regionally Significant Industrial Sites (RSIS) Program
- [12](#)) Project Updates

CITY ATTORNEY'S REPORT

- [13](#)) Open Public Meetings & Records Review

UNFINISHED BUSINESS

- 14) Budget Committee Appointments (continuation)
Action: _____

NEW BUSINESS

- [15](#)). Ordinance Updates
 - a). Repealing and Replacing MC 1.20.010, Repealing MC 1.20.030, and Repealing and Replacing Title of Municipal Code 1.20 - Ordinance 179-21
Action: _____
 - b). Repealing MC 7.28.245 - Ordinance 180-21
Action: _____
 - c). Amending MC 14.16.010, Repealing and Replacing 14.16.020(1), and Amending 14.16.060 - Ordinance 181-21
Action: _____

CLOSING PUBLIC COMMENT

CLOSING COUNCIL COMMENT

ADJOURNMENT

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

Upcoming Meetings & Events:

January 19, 2020 @ 6:00 p.m. – Planning Commission Meeting

January 26, 2020 @ 5:00 p.m. – Open House – Water and Sewer Rates

Rules of Conduct for Public Hearings

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

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation to attend or participate, please notify the Millersburg City Hall in advance by calling 458-233-6300.

OATH OF OFFICE

I, Dave Harms, do solemnly swear or affirm, that I will support the Constitution of the United States and the Constitution of the State of Oregon, and that I will faithfully discharge the duties of the office of Councilor for the City of Millersburg, Oregon, upon which I am about to enter.

Dave Harms

Date

Kimberly Wollenburg
Millersburg City Recorder

Date



City of Millersburg, Oregon

County of Linn
422 NE Old Salem Road, Albany OR 97321
Phone: (458) 233-6300
www.cityofmillersburg.org

Certificate of Election

It appears from the official canvass of the votes cast at the Election for the City of Millersburg held within and for the City of Millersburg, County of Linn, State of Oregon, on Tuesday, the 3rd day of November, 2020, that

Dave Harms

*of Millersburg, State of Oregon was one of three (3) candidates receiving the highest number of votes cast for the office of **Councilor** of the City of Millersburg at said Election.*

*NOW, THEREFORE, I, Kimberly Wollenburg, City Recorder and Chief Elections Officer of the City of Millersburg, State of Oregon, by virtue of the authority vested in me under the statute for the State of Oregon, Chapter 254.565, do hereby grant this **Certificate of Election** and declare said Dave Harms of Millersburg, State of Oregon, to be duly elected to the Office of Councilor of the City of Millersburg, for the term ending December 31, 2024.*

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said City of Millersburg to be hereunto affixed this 8th day of December, 2020.

*Kimberly Wollenburg
Chief Elections Officer
City Recorder*

ACCEPTANCE

I, Dave Harms, having received notice from the City Recorder of the City of Millersburg, Oregon, that a General Election held in said City on November 3, 2020, that I was elected to the office of Councilor for the term of four (4) years, hereby certify that I do accept the office at the first regular meeting of the Council in January 2021.

Dave Harms

OATH OF OFFICE

I, Scott McPhee, do solemnly swear or affirm, that I will support the Constitution of the United States and the Constitution of the State of Oregon, and that I will faithfully discharge the duties of the office of Councilor for the City of Millersburg, Oregon, upon which I am about to enter.

Scott McPhee

Date

Kimberly Wollenburg
Millersburg City Recorder

Date



City of Millersburg, Oregon

County of Linn
422 NE Old Salem Road, Albany OR 97321
Phone: (458) 233-6300
www.cityofmillersburg.org

Certificate of Election

It appears from the official canvass of the votes cast at the Election for the City of Millersburg held within and for the City of Millersburg, County of Linn, State of Oregon, on Tuesday, the 3rd day of November, 2020, that

Scott McPhee

*of Millersburg, State of Oregon was one of three (3) candidates receiving the highest number of votes cast for the office of **Councilor** of the City of Millersburg at said Election.*

*NOW, THEREFORE, I, Kimberly Wollenburg, City Recorder and Chief Elections Officer of the City of Millersburg, State of Oregon, by virtue of the authority vested in me under the statute for the State of Oregon, Chapter 254.565, do hereby grant this **Certificate of Election** and declare said Scott McPhee of Millersburg, State of Oregon, to be duly elected to the Office of Councilor of the City of Millersburg, for the term ending December 31, 2024.*

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said City of Millersburg to be hereunto affixed this 8th day of December, 2020.

*Kimberly Wollenburg
Chief Elections Officer
City Recorder*

ACCEPTANCE

I, Scott McPhee, having received notice from the City Recorder of the City of Millersburg, Oregon, that a General Election held in said City on November 3, 2020, that I was elected to the office of Councilor for the term of four (4) years, hereby certify that I do accept the office at the first regular meeting of the Council in January 2021.

Scott McPhee

OATH OF OFFICE

I, John Sullivan, do solemnly swear or affirm, that I will support the Constitution of the United States and the Constitution of the State of Oregon, and that I will faithfully discharge the duties of the office of Councilor for the City of Millersburg, Oregon, upon which I am about to enter.

John Sullivan

Date

Kimberly Wollenburg
Millersburg City Recorder

Date



City of Millersburg, Oregon

County of Linn
422 NE Old Salem Road, Albany OR 97321
Phone: (458) 233-6300
www.cityofmillersburg.org

Certificate of Election

It appears from the official canvass of the votes cast at the Election for the City of Millersburg held within and for the City of Millersburg, County of Linn, State of Oregon, on Tuesday, the 3rd day of November, 2020, that

John Sullivan

*of Millersburg, State of Oregon was one of three (3) candidates receiving the highest number of votes cast for the office of **Councilor** of the City of Millersburg at said Election.*

*NOW, THEREFORE, I, Kimberly Wollenburg, City Recorder and Chief Elections Officer of the City of Millersburg, State of Oregon, by virtue of the authority vested in me under the statute for the State of Oregon, Chapter 254.565, do hereby grant this **Certificate of Election** and declare said John Sullivan of Millersburg, State of Oregon, to be duly elected to the Office of Councilor of the City of Millersburg, for the term ending December 31, 2024.*

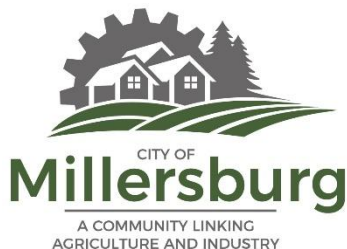
IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said City of Millersburg to be hereunto affixed this 8th day of December, 2020.

*Kimberly Wollenburg
Chief Elections Officer
City Recorder*

ACCEPTANCE

I, John Sullivan, having received notice from the City Recorder of the City of Millersburg, Oregon, that a General Election held in said City on November 3, 2020, that I was elected to the office of Councilor for the term of four (4) years, hereby certify that I do accept the office at the first regular meeting of the Council in January 2021.

John Sullivan



**CITY OF MILLERSBURG
CITY COUNCIL MEETING MINUTES**

Held Virtually
December 8, 2020 @ 6:30 p.m.

A. CALL TO ORDER Mayor Lepin called the meeting to order at 6:33 p.m.

B. ROLL CALL

Councilors Present: Mayor Jim Lepin, Councilors Scott Cowan, Scott McPhee, John Sullivan; Dave Harms joined at 6:37 p.m.

Councilors Absent: None

Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Forrest Reid, City Attorney; Jake Gabell, Deputy City Recorder

Presenters: Linn County Sheriff's Office – Captain Michelle Duncan and Sergeant Beth Miller
MECOP Intern - Betiel Yohannes

C. CONSENT AGENDA

1) Approval of November 10, 2020 City Council Meeting Minutes

2) Acceptance of Report on City Accounts Payable

Action: **Motion to Accept Consent Agenda as Presented made by Councilor John Sullivan; seconded by Councilor Scott McPhee.**

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye

Councilor Dave Harms: Not present for vote

Councilor Scott McPhee: Aye

Councilor John Sullivan: Aye

Motion PASSED: 4/0

D. PRESENTATIONS

1) Linn County Sheriff's Office Monthly Report

Captain Michelle Duncan introduced Sergeant Beth Miller who is now the city contract liaison due to long-time Sergeant Greg Klein's retirement. Captain Michelle Duncan reviewed the November 2020 monthly report and requested that residents not leave firearms in vehicles as one was stolen. A number of accidents were noted for November 2020.

2) Betiel Yohannes – MECOP Internship Presentation

Betiel Yohannes provided a report regarding her time spent with the City as an engineering intern through the Multiple Engineering Cooperative Program (MECOP) program.

E. PUBLIC COMMENT

None

F. COUNCIL MEMBER AND STAFF COMMENTS

- 1) Mayor's Jim Lepin – City Management Salary Discussion
 Mayor Lepin led a discussion on the accomplishments of City Manager Kreitman and Assistant City Manager/City Engineer Booth.
 Action: **Motion for a 2.5% Salary Increase for City Manager Kevin Kreitman and Assistant City Manager/City Engineer Janelle Booth effective January 1, 2021 by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

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

Motion PASSED: 5/0

- 2) Assistant City Manager/City Engineer Booth provided a report on the Millersburg Drive lift station work currently in progress.

G. CITY MANAGER'S REPORT

1) Project Updates

City Manager Kreitman provided a review of the interest in City-owned properties and current economic development. He reported that the intermodal project is on track and has successfully met all of the State's benchmarks to date. He next updated Council regarding the Celebration of Lights parade route, noting that it was adjusted to include the Morningstar neighborhood. The new City website was discussed and reviewed.

2) Water and Sewer Rates

Assistant City Manager/City Engineer Booth provided an overview of the upcoming water and sewer rate changes. The timeline has not changed, flyers have been mailed out, and information added to the City's website.

3) Fire Station Project Update

A new City street is needed for the road for the new fire station. Council discussed potential street names and thoughts about industries potentially coming into town. A deadline of December 22nd was made to decide on the new street name. Alloy Way was decided as a placeholder with a decision to be made on the 22nd.

4) Email Support for City Council

City Manager Kreitman provided an overview of what was causing the Councilors recent email issues. It was decided to get the Councilors Dell tablet/laptops that would be City-owned and managed by COG IT.

H. CITY ATTORNEY'S REPORT

None

I. UNFINISHED BUSINESS

None

J. NEW BUSINESS

- 1) Budget Committee Appointments – Resolution 2020-21
Staff presented resolution to fill four vacant Budget Committee positions. The resolution was drafted with the ability to appoint additional members at a future date until all vacant positions are filled. Two applications which had been received were presented to Council for consideration.

Action: **Move for Adoption of Resolution 2020-21 and the Appointments of Allison Haley and Mike Martin to Budget Committee made by Councilor John Sullivan; seconded by Councilor Dave Harms.**

Action: **Motion to Amend Motion to Adopt Resolution 2020-21 and Appointments, Move to Adopt Resolution 2020-21 and the Appointments of Allison Haylee to position 1 and Mike Martin to position 2 of the Budget Committee made by Councilor John Sullivan; seconded by Councilor Dave Harms.**

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

Motion PASSED: 5/0

- 2) Canvas Votes & Certification of Election – Resolution 2020-22

Action: **Move for the Adoption of Resolution 2020-22 Canvassing the Votes Cast at the November 3, 2020 General Election and Directing the City Recorder to issue Certificates of Election to Persons Declared Elected made by Councilor Scott Cowan; seconded by Councilor John Sullivan.**

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

Motion PASSED: 5/0

K. CLOSING PUBLIC COMMENT

None

L. CLOSING COUNCIL COMMENT

- 1) Mayor Lepin discussed the timeline of the Celebration of Lights parade and logistics of the City Council and staff parade float.
- 2) City Manager Kreitman provided an overview of the current year to date collected taxes. As of December 4th the City was at 97% of the budgeted tax revenue.

M. ADJOURNMENT
Meeting adjourned at 8:57 p.m.

Respectfully submitted:

Reviewed by:

Jake Gabell
Deputy City Recorder

Kevin Kreitman
City Manager

DRAFT

CITY COUNCIL WORK SESSION MINUTES

Millersburg City Hall
via Virtual Meeting
December 22, 2020 @ 4:00 p.m.

A. CALL TO ORDER Mayor Lepin called meeting to order at 4:02 p.m.

B. ROLL CALL

Councilors Present: Mayor Jim Lepin, Councilors Scott Cowan, Dave Harms, Scott McPhee, John Sullivan

Councilors Absent: Councilor Dave Harms arrived at 4:09 p.m.

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

Presenters: Erica Jankowski, Soderstrom Architects
Hans Ettlín, Soderstrom Architects

C. WORK SESSION ITEMS

1) Fire Station Project and Cost Estimate Review

City Manager Kreitman gave a brief introduction regarding the background off Hans Ettlín, one of the project consultants.

Assistant City Manager/City Engineer Booth provided a brief overview of the plan for the work session discussion and path forward. City Manager Kreitman started out by noting the idea is that the station is being built to support 50 years of growth and development in the City including increased staffing levels.

Erica Jankowski from Soderstrom Architects, provided a video rendering of the interior of the proposed fire station.

Staff reviewed the power point presentation, noting how the design of the project progressed, and reasons for differences between the original budgetary estimate, preliminary estimate, and final design estimate based on the development of the scope of the project.

The Council had lengthy discussion regarding the revised estimated construction costs. Councilor McPhee asked if designing for staffing needs for the next 20 years would change the costs. Ms. Jankowski and Mr. Ettlín noted that it would not significantly change the cost estimate. The question was also asked whether, due to current bidding climate and material prices, delaying the bidding date and pushing the construction start date out would result in costs savings. She noted the plan is to time the bidding to take advantage of good building weather versus delaying the bid a few months, to a time when costs could be cheaper, but weather is worse for building, which can also impact building costs.

The Council supported the current path forward with regard to estimated costs and schedule for bidding.

2) Audit Overview

City Manager Kreitman provided an overview of the FY 2019-2020 audit. Additionally, he reviewed the letter from the auditors revealing one repeated finding based on cash reconciliation and the problems caused by the current billing software and the issue to be resolved with the new billing software starting in January 2021.

D. CLOSING 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. 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.

No public present.

E. CLOSING COUNCIL COMMENT

- 1) Councilor Cowan noted how much he appreciated everyone's work on the Celebration of Lights.

F. ADJOURNMENT Meeting adjourned at 5:28 p.m.

G. Council entered Executive Session per ORS 192.660(2)(e): Real property transactions at 5:29 p.m.

Respectfully submitted:

Reviewed by:

Kimberly Wollenburg
City Recorder

Kevin Kreitman
City Manager

Upcoming Meetings & Events:

January 12, 2020 @ 6:30 p.m. – City Council Meeting

January 19, 2020 @ 6:00 p.m. – Planning Commission Meeting

**City of Millersburg
Council Approval Report
(Council Approval Report)**

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
222 Albany Area Chamber of Commerce, PO Box 548, Albany, OR, 97321		83462	12/01/20	Albany Area Chamber of Commerce - 2021 Annual Fee	12/31/20	\$681.00	\$681.00	01-1336	DUES & SUBSCRIPTIO	\$14,000.00	\$4,836.38
							\$681.00				
130 Carlye Schrader, Albany, OR, 97321		12042020	12/07/20	Carlye Schrader - Hobby Lobby Christmas Decorations	12/07/20	\$40.43	\$40.43	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$29,689.99
12042020	12/07/20	Carlye Schrader - Hobby Lobby Jumbo Candy Cane	12/07/20	\$39.92	\$39.92	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$29,689.99		
12042020	12/07/20	Carlye Schrader - Amazon Christmas Decorations	12/07/20	\$37.29	\$37.29	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$29,689.99		
12042020	12/07/20	Carlye Schrader - Amazon Holiday Lights	12/07/20	\$152.78	\$152.78	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$29,689.99		
							\$270.42				
466 CH2MHill Engineers, Inc, PO Box 201869, Dallas, TX, 75320-1869		D3395300-06	12/04/20	CH2M Hill Engineers - Engineer Support through November 2020	01/04/20	\$495.42	\$495.42	01-1354	CONSULTANTS - ENGI	\$20,000.00	\$12,676.03
D3395300-06	12/04/20	CH2M Hill Engineers - Engineer Support through November 2020	01/04/20	\$2,677.56	\$2,677.56	04-1301	20% CONSULTANTS - E	\$10,000.00	\$5,935.04		
							\$3,172.98				
327 De Lage Landen Financial Services, Inc., PO Box 41602, Philadelphia, PA, 19101-1602		70289977	12/01/20	De Lage Landen Financial Services - printer lease through December 2020	01/01/21	\$375.01	\$375.01	01-1332	CONTRACTED SERVIC	\$81,440.00	\$64,948.76
							\$375.01				
335 EC Electrical Construction Co, PO Box 35146, #43035, Seattle, WA, 98124-5146		202110	12/07/20	EC Electrical Construcion Co - work at City Park	01/07/21	\$336.24	\$336.24	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$57,960.37
							\$336.24				
916 ECONortwest, 222 SW Columbia St., Suite 1600, Portland, OR, 97201-6616		23299	12/01/20	ECONorthwest - buildable lands inventory through November 2020	12/30/20	\$241.25	\$241.25	01-1353	CONSULTANTS - PLAN	\$111,000.00	\$78,185.00
							\$241.25				
617 Pacific Office Automation, 14747 NW Greenbriar Pkwy, Beaverton, OR, 97006		103257	11/29/20	Pacific Office Automation - Printer Overages	12/29/20	\$104.38	\$104.38	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$19,322.50
							\$104.38				
23 Pacific Power, PO Box 26000, Portland, OR, 97256-0001		12162020	11/30/20	Pacific Power - through November 2020	02/16/20	\$990.88	\$990.88	01-1317	CITY HALL UTILITIES	\$20,000.00	\$11,608.56
12162020	11/30/20	Pacific Power - through November 2020	02/16/20	\$32.72	\$32.72	01-1357	RENTAL PROPERTY	\$12,000.00	\$9,003.53		
12162020	11/30/20	Pacific Power - through November 2020	02/16/20	\$54.52	\$54.52	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$57,960.37		
12162020	11/30/20	Pacific Power - through November 2020	02/16/20	\$544.34	\$544.34	01-4303	UTILITIES - FIRE STATI	\$8,000.00	\$6		
12162020	11/30/20	Pacific Power - through November 2020	02/16/20	\$3,387.94	\$3,387.94	02-1323	STREET LIGHTS POWE	\$42,000.00	\$25		

City of Millersburg
Council Approval Report
(Council Approval Report)

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
		12162020	11/30/20	Pacific Power - through November 2020	02/16/20	\$1,431.32	\$1,431.32	04-1328	SEWER MISCELLANEO	\$10,000.00	\$4,245.01
							\$6,441.72				
6	Petro Card, PO Box 34243, Seattle, WA, 98124-1243										
		C671736	11/30/20	Petro Card - fuel through November 2020	12/12/20	\$110.42	\$110.42	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$57,960.37
							\$110.42				
924	Printers Alliance, PO Box 5859, Eugene, OR, 97405										
		44262	12/07/20	Printers Alliance - check stock	12/31/20	\$258.36	\$258.36	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$19,322.50
							\$258.36				
447	R.L Reimers Company, 3939 Old Salem Road Suite# 200, Albany, OR, 97321										
		220560	12/02/20	R.L. Reimers Company - ARV replacement at Morninstar	01/02/21	\$2,250.00	\$2,250.00	04-1305	O&M COLLECTION SYS	\$223,000.00	\$132,931.02
							\$2,250.00				
912	Saalfeld Griggs PC, P.O. Box 470, Salem, OR, 97308										
		420085	12/03/20	Saalfeld Griggs PC - Condemnation Legal Support through November 2020	01/03/20	\$9,303.50	\$9,303.50	01-1339	LEGAL SERVICES	\$190,000.00	\$81,283.40
							\$9,303.50				
223	Wallace W. Lien, P.C., P.O. Box 5730, Salem, OR, 97304										
		11/25/2020	11/25/20	Wallace W Lien - Legal land use through November 2020	12/25/20	\$180.00	\$180.00	01-1339	LEGAL SERVICES	\$190,000.00	\$81,283.40
							\$180.00				
681	Xtreme Grafx, LLC, 505 Main SE, Albany, OR, 97321										
		23766	12/04/20	Xtreme Grafx, LLC - Celebration banners and signs	12/04/20	\$538.33	\$538.33	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$29,689.99
							\$538.33				
							\$24,263.61				
							Total Bills To Pay:				

**City of Millersburg
Council Approval Report
(Council Approval Report)**

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
43	Aflac, 1932 Wynnton Road, Columbus, GA,										
656905		12/11/20	AFLAC through December 2020	01/01/21	\$49.08	\$49.08	01-9210	Payroll Taxes Payable	\$0.00	(\$11,977.19)	
						\$49.08					
539	Barrett Business Services Inc., 421 Water Avenue NE, Albany, OR, 97321										
3166955		12/11/20	Barrett Business Services - week ending 12/6/2020 - Nicholas Bohanan	01/11/21	\$67.60	\$67.60	01-1361	COVID Expenses	\$0.00	(\$15,588.88)	
3167576		12/18/20	Barrett Business Services - week ending 12/13/20 - Nicholas Bohanan	01/18/21	\$67.60	\$67.60	01-1361	COVID Expenses	\$0.00	(\$15,588.88)	
3166955		12/11/20	Barrett Business Services - week ending 12/6/2020 - Mark Yeager	01/11/21	\$260.00	\$260.00	03-1312	MUNICIPAL SEPARATE	\$30,000.00	\$9,819.03	
3167576		12/18/20	Barrett Business Services - week ending 12/13/20 - Mark Yeager	01/18/21	\$260.00	\$260.00	03-1312	MUNICIPAL SEPARATE	\$30,000.00	\$9,819.03	
3166955		12/11/20	Barrett Business Services - week ending 12/6/2020 - Mark Yeager	01/11/21	\$130.00	\$130.00	04-1409	WETLANDS/WASTEWA	\$704,700.00	\$691,920.84	
3167576		12/18/20	Barrett Business Services - week ending 12/13/20 - Mark Yeager	01/18/21	\$130.00	\$130.00	04-1409	WETLANDS/WASTEWA	\$704,700.00	\$691,920.84	
						\$915.20					
714	Cable Huston LLP, 1455 SW Broadway, Suite 1500, Portland, OR, 97201										
103820		12/16/20	Cable Huston - MS4 Permit support through September 2020	01/16/21	\$1,582.35	\$1,582.35	03-1312	MUNICIPAL SEPARATE	\$30,000.00	\$9,819.03	
						\$1,582.35					
762	Code Publishing Co, 9410 Roosevelt Way NE, Seattle, WA, 98115-2844										
68391		11/30/20	Code Publishing Co - Annual Web Fees	12/30/20	\$480.00	\$480.00	01-1332	CONTRACTED SERVIC	\$81,440.00	\$62,593.75	
						\$480.00					
659	David Evans & Associates, Inc., Dept LA 24340, Pasadena, CA, 91185-4340										
478766		12/14/20	David Evans and Associates - PCPI through November 2020	01/14/21	\$1,744.81	\$1,744.81	02-1303	PCPI EXPENSE	\$10,000.00	\$233.03	
478766		12/14/20	David Evans and Associates - PCPI through November 2020	01/14/21	\$1,744.81	\$1,744.81	03-1303	PCPI	\$10,000.00	\$542.31	
478766		12/14/20	David Evans and Associates - PCPI through November 2020	01/14/21	\$1,046.89	\$1,046.89	04-1303	SEWER PCPI	\$6,000.00	\$16.12	
478766		12/14/20	David Evans and Associates - PCPI through November 2020	01/14/21	\$1,046.89	\$1,046.89	05-1303	PCPI EXPENSE	\$6,000.00	\$325.39	
						\$5,583.40					
107	Grove, Mueller & Swank, P.C., PO Box 2122, Salem, OR, 97308-2122										
95019		12/06/20	Grove, Mueller & Swank - final billing for 2020 financial audit	01/06/21	\$3,850.00	\$3,850.00	01-1302	ACCOUNTING & AUDIT	\$20,000.00	\$7,150.00	
						\$3,850.00					
68	HALO Branded Solutions Inc, 3182 Momentum Place, Chicago, IL, 60689-5331										
4851033		12/07/20	HALO Branded Solutions - 2021 front counter calendars	01/07/20	\$744.87	\$744.87	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$17	

**City of Millersburg
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Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance	
							\$744.87					
925	Holiday Designs, Inc., PO Box 6150, Gainesville, GA, 30504	18590	12/09/20	Holiday Designs Inc - City Hall Holiday Light display	01/09/21	\$9,890.60	\$9,890.60	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$18,990.64	
							\$9,890.60					
19	Linn County Planning and Building, PO Box 100, Albany, OR, 97321	Nov 2020	12/09/20	Linn County Planning and Building - November 2020	01/09/21	\$37,132.33	\$37,132.33	01-5332	PMNT TO LINN CO BUIL	\$255,000.00	\$55,654.09	
							\$37,132.33					
41	Providence Health Plan, PO Box 4167, Portland, OR, 97208-4167	1/1/21	12/10/20	Providence Health Plan through January 2021	01/01/21	\$7,346.90	\$7,346.90	01-1211	MEDICAL INSURANCE	\$91,062.00	\$45,484.70	
							\$7,346.90					
687	Rite Way Electric, Inc., 2904 Three Lakes Road SE, Albany, OR, 97322	359818	12/08/20	Rite Way Electric - Install exterior weather proof receptacles	01/08/21	\$3,939.00	\$3,939.00	01-1401	CITY HALL IMPROVEM	\$0.00	(\$5,922.00)	
							\$3,939.00					
652	Wheat LLC, 1141 Chemawa Rd N, Keizer, OR, 97321	6104	11/30/20	Wheat LLC, sweeping through November 2020	12/30/20	\$2,225.77	\$2,225.77	02-1319	STREET SWEEPING	\$25,000.00	\$12,707.88	
							\$2,225.77					
786	Witherspoon Industries LLC, PO Box 1047, Lebanon, OR, 97355	INV4122	10/31/20	Witherspoon Industries LLC - Janitorial supplies through October 2020	11/30/20	\$249.93	\$249.93	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$17,964.96	
INV4122		10/31/20	Witherspoon Industries LLC - Janitorial through October 2020	11/30/20	\$600.00	\$600.00	01-1332	CONTRACTED SERVIC	\$81,440.00	\$62,593.75		
INV4122		10/31/20	Witherspoon Industries LLC - Janitorial through October 2020 - Deodorize	11/30/20	\$300.00	\$300.00	01-1332	CONTRACTED SERVIC	\$81,440.00	\$62,593.75		
INV4182		11/30/20	Witherspoon Industries LLC - Janitorial through November 2020	12/30/20	\$600.00	\$600.00	01-1332	CONTRACTED SERVIC	\$81,440.00	\$62,593.75		
INV4122		10/31/20	Witherspoon Industries LLC - Janitorial through October 2020	11/30/20	\$325.00	\$325.00	01-1361	COVID Expenses	\$0.00	(\$15,588.88)		
INV4182		11/30/20	Witherspoon Industries LLC - Janitorial through November 2020	12/30/20	\$325.00	\$325.00	01-1361	COVID Expenses	\$0.00	(\$15,588.88)		
							\$2,399.93					
Total Bills To Pay:							\$76,139.43					

**City of Millersburg
Council Approval Report
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Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
539	Barrett Business Services Inc., 421 Water Avenue NE, Albany, OR, 97321										
3168047		12/24/20	Barrett Business Services - Week Ending 12/20/2020 - Nicholas Bohanan	01/24/21	\$67.60	\$67.60	01-1361	COVID Expenses	\$0.00	(\$17,229.49)	
3166638		12/04/20	Barrett Business Services - Week Ending 11/29/2020 - Mark Yeager	01/04/21	\$260.00	\$260.00	03-1312	MUNICIPAL SEPARATE	\$30,000.00	\$9,299.03	
3168296		12/24/20	Barrett Business Services - Week Ending 12/20/2020 - Mark Yeager	01/24/21	\$260.00	\$260.00	03-1312	MUNICIPAL SEPARATE	\$30,000.00	\$9,299.03	
3168296		12/24/20	Barrett Business Services - Week Ending 12/20/2020 - Mark Yeager	01/24/21	\$130.00	\$130.00	04-1409	WETLANDS/WASTEWA	\$704,700.00	\$691,790.84	
						\$717.60					
607	Business Connections, Inc., P.O. Box 566, Salem, OR, 97308-0566										
072212212020		12/21/20	Business Connections through December 2020	01/11/21	\$42.95	\$42.95	01-1317	CITY HALL UTILITIES	\$20,000.00	\$9,688.67	
						\$42.95					
48	Cintas Corporation-172, PO Box 650838, Dallas, TX, 75265-0838										
4070881077		12/22/20	Cintas - City Hall through December 2020	01/01/21	\$93.27	\$93.27	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$16,079.00	
						\$93.27					
733	Cynthia Sue Burgey-Mason, Albany, OR, 97321										
12/2/2020		12/22/20	Cynthia Burgey-Mason - Library Reimbursement	12/22/20	\$40.00	\$40.00	01-1340	LIBRARY SERVICES	\$3,000.00	\$2,240.00	
						\$40.00					
660	Element Graphics, 250 NW Tyler Avenue, Corvallis, OR, 97330										
1006441		12/17/20	Element Graphics - COVID signage for City Park	01/17/21	\$1,477.55	\$1,477.55	01-1361	COVID Expenses	\$0.00	(\$17,229.49)	
						\$1,477.55					
765	Handy Hands Landscape C&M LLC, 31410 HWY 34, Tangent, OR, 97389										
Dec 2020		12/01/20	Handy Hands Landscape - City Hall Landscape through Dec 2020	01/01/21	\$1,280.00	\$1,280.00	01-1332	CONTRACTED SERVIC	\$81,440.00	\$61,155.78	
Dec 2020 1		12/29/20	Handy Hands Landscape - City House Landscape through Dec 2020	12/29/20	\$480.00	\$480.00	01-1357	RENTAL PROPERTY	\$12,000.00	\$8,490.81	
						\$1,760.00					
926	Heidi Swirbul, Albany, OR, 97321										
12/23/20		12/29/20	Heidi Swirbul - Celebration Expense Reimbursement	12/29/20	\$262.00	\$262.00	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17	
						\$262.00					
835	Matt Straite Photography, 8495 SW Dakota Dr, Tualatin, OR, 97062										
1010		12/22/20	Matt Straite Photography - Parade / Holiday pictures	01/22/21	\$400.00	\$400.00	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$16,079.00	
						\$400.00					
585	MorganCPS Group, 1308 Marigold Street NE, Keizer, OR, 97303-3553										

City of Millersburg
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Vendor									
InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
8849	12/21/20	MorganCPS - Planning services through November 2020	01/21/21	\$2,720.00	\$2,720.00	01-1353	CONSULTANTS - PLAN	\$111,000.00	\$75,223.75
				\$2,720.00					
793	Professional Security Alarm, 1981 Fescue St SE, Suite A, Attn: Accounts Receivable, Albany, OR, 97322								
2877554	12/18/20	Professional Security Alarm - monitoring from 1/2021 - 3/2021	01/01/21	\$123.00	\$123.00	01-1332	CONTRACTED SERVIC	\$81,440.00	\$61,155.78
				\$123.00					
902	Soderstrom Architects, Ltd, 1200 NW Naito Parkway, Suite Number 410, Portland, OR, 97209								
8373	11/30/20	Soderstrom Architects - Fire Station Design	12/30/20	\$61,975.60	\$61,975.60	01-4404	Permanent Fire Station D	\$315,000.00	\$109,519.50
				\$61,975.60					
84	Ultrex, 110 SW 9th Avenue, Albany, OR, 97321								
INV92177	12/21/20	Ultrex - Printer Overage	01/21/21	\$34.97	\$34.97	01-1332	CONTRACTED SERVIC	\$81,440.00	\$61,155.78
				\$34.97					
700	US Bank, P.O. Box 790428, St Louis, MO, 63179-0428								
12/21/20	12/21/20	Lifemap - Disability Insurance (December)	01/21/21	\$178.32	\$178.32	01-1212	DISABILITY INSURANC	\$8,000.00	(\$4,065.58)
12/21/20	12/21/20	LifeMap - Disability Insurance (November)	01/21/21	\$178.32	\$178.32	01-1212	DISABILITY INSURANC	\$8,000.00	(\$4,065.58)
12/21/20	12/21/20	Whitaker's - Blinds for East Conference Room	01/21/21	\$500.00	\$500.00	01-1309	City Hall Building	\$40,400.00	\$39,188.30
12/21/20	12/21/20	Lowes - City Hall Irrigation Repair	01/21/21	\$63.70	\$63.70	01-1309	City Hall Building	\$40,400.00	\$39,188.30
12/21/20	12/21/20	Home Depot - City Hall Irrigation Repair	01/21/21	\$42.97	\$42.97	01-1309	City Hall Building	\$40,400.00	\$39,188.30
12/21/20	12/21/20	Republic Services - City Hall	01/21/21	\$106.92	\$106.92	01-1317	CITY HALL UTILITIES	\$20,000.00	\$9,688.67
12/21/20	12/21/20	Verizon Wireless - Emergency Phone	01/21/21	\$36.22	\$36.22	01-1317	CITY HALL UTILITIES	\$20,000.00	\$9,688.67
12/21/20	12/21/20	Republic Services - City Hall	01/21/21	\$40.44	\$40.44	01-1317	CITY HALL UTILITIES	\$20,000.00	\$9,688.67
12/21/20	12/21/20	Home Depot - Celebration of lights	01/21/21	\$22.44	\$22.44	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Mcdonald Supply - Celebration of lights	01/21/21	\$121.90	\$121.90	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Home Depot - Celebration of lights	01/21/21	\$217.03	\$217.03	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Home Depot - Celebration of lights	01/21/21	\$265.75	\$265.75	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Home Depot - Celebration of lights	01/21/21	\$449.66	\$449.66	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Lowes - Celebration of lights	01/21/21	\$35.95	\$35.95	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Lowes - Celebration of lights	01/21/21	\$89.88	\$89.88	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Home Depot - Clebration supplies	01/21/21	\$15.84	\$15.84	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Home Depot - Celebration of lights	01/21/21	\$16.98	\$16.98	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Amazon - Celebration of Lights	01/21/21	\$44.97	\$44.97	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Amazon - Celebration of Lights	01/21/21	\$89.00	\$89.00	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Amazon - Celebration of Lights	01/21/21	\$539.85	\$539.85	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Amazon - Celebration of Lights	01/21/21	\$99.95	\$99.95	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Amazon - Celebration of Lights	01/21/21	\$158.93	\$158.93	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Amazon - Celebration of Lights	01/21/21	\$231.20	\$231.20	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Xtreme Grafx - Celebration of Lights Banners	01/21/21	\$838.33	\$838.33	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Amazon - Celebration of Lights	01/21/21	\$31.27	\$31.27	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17

**City of Millersburg
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Vendor									
InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
12/21/20	12/21/20	Amazon - Celebration of Lights	01/21/21	\$173.94	\$173.94	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Amazon - Celebration of Lights	01/21/21	\$76.93	\$76.93	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Amazon - Celebration of Lights	01/21/21	\$24.67	\$24.67	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Garten - Celebration Mailers	01/21/21	\$48.00	\$48.00	01-1326	MILLERSBURG CELEBR	\$30,000.00	\$15,136.17
12/21/20	12/21/20	Garten - monthly mailings through November 2020	01/21/21	\$1,211.86	\$1,211.86	01-1327	POSTAGE AND SHIPPI	\$6,000.00	\$1,781.35
12/21/20	12/21/20	Safeway - Flowers for Employee recovering from surgery	01/21/21	\$45.00	\$45.00	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$16,079.00
12/21/20	12/21/20	Site5 - Monthly Website Hosting	01/21/21	\$19.14	\$19.14	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$16,079.00
12/21/20	12/21/20	Amazon - Ergo Mouse	01/21/21	\$34.99	\$34.99	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$16,079.00
12/21/20	12/21/20	Vista Print - Holiday Cards	01/21/21	\$181.44	\$181.44	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$16,079.00
12/21/20	12/21/20	Earth2O - Monthly Water	01/21/21	\$42.18	\$42.18	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$16,079.00
12/21/20	12/21/20	Ease US - Data Recovery Software	01/21/21	\$69.95	\$69.95	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$16,079.00
12/21/20	12/21/20	Costco - City Hall Tree	01/21/21	\$999.99	\$999.99	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$16,079.00
12/21/20	12/21/20	Bakers Dozen - Albany Crews	01/21/21	\$24.00	\$24.00	01-1335	MEETINGS & TRAINING	\$13,000.00	\$12,911.60
12/21/20	12/21/20	Costco - Annual membership	01/21/21	\$60.00	\$60.00	01-1336	DUES & SUBSCRIPTIO	\$14,000.00	\$4,095.38
12/21/20	12/21/20	Zverse - Face Shields	01/21/21	\$95.46	\$95.46	01-1361	COVID Expenses	\$0.00	(\$17,229.49)
12/21/20	12/21/20	Dog Waste Depot - Park Supplies	01/21/21	\$144.83	\$144.83	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$56,497.89
12/21/20	12/21/20	Home Depot - Park Supplies	01/21/21	\$17.81	\$17.81	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$56,497.89
12/21/20	12/21/20	Napa - Truck Battery	01/21/21	\$146.99	\$146.99	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$56,497.89
12/21/20	12/21/20	Home Depot - Park Supplies	01/21/21	\$27.94	\$27.94	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$56,497.89
12/21/20	12/21/20	Republic Services - City Park	01/21/21	\$200.60	\$200.60	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$56,497.89
12/21/20	12/21/20	Verizon Wireless - iPad data cost	01/21/21	\$40.01	\$40.01	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$56,497.89
12/21/20	12/21/20	Republic Services - City Park	01/21/21	\$200.60	\$200.60	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$56,497.89
12/21/20	12/21/20	Republic Services - City Park	01/21/21	\$125.02	\$125.02	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$56,497.89
12/21/20	12/21/20	ODA - Applicator License Renewal	01/21/21	\$57.50	\$57.50	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$56,497.89
12/21/20	12/21/20	Republic Services - Fire Station	01/21/21	\$101.96	\$101.96	01-4303	UTILITIES - FIRE STATI	\$8,000.00	\$5,393.42
12/21/20	12/21/20	SP&B Printign - Fire station drawings print	01/21/21	\$193.00	\$193.00	01-4404	Permanent Fire Station D	\$315,000.00	\$109,519.50
12/21/20	12/21/20	OHA - Cross Connections Annual Fee	01/21/21	\$200.00	\$200.00	05-1304	O&M TRANSMISSION LI	\$119,000.00	\$104,441.61
					\$8,979.63				
927	Whitaker's Floor and Covering & Blinds, 324 SE Main Street, Albany, OR, 977321								
61046	12/16/20	Whitaker's Floor and Coverings & Blinds - Blinds for East Conference Room	12/16/20	\$511.76	\$511.76	01-1309	City Hall Building	\$40,400.00	\$39,188.30
					\$511.76				
Total Bills To Pay:					\$79,138.33				



LINN COUNTY SHERIFF'S OFFICE

Jim Yon, Sheriff

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

2020

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

FOR THE MONTH OF: **December**

TRAFFIC CITATIONS:	_____	7
TRAFFIC WARNINGS:	_____	6
TRAFFIC CRASHES:	_____	1
ADULTS CITED/VIOLATIONS:	_____	2
ADULTS ARRESTED :	_____	5
JUVENILES CITED/VIOLATIONS:	_____	1
JUVENILES ARRESTED:	_____	2
COMPLAINTS/INCIDENTS INVESTIGATED:	_____	127
TOTAL HOURS SPENT:		
	MILLERSBURG	173

CONTRACT HOURS= 153 HOURS

**Jim Yon,
Sheriff, Linn County**

By: Sergeant Beth Miller



TO: Millersburg City Council

VIA: Kevin Kreitman, City Manager

FROM: City Staff

DATE: January 7, 2021 for Council Meeting January 12, 2021

SUBJECT: Project Updates Memo

Monthly Update on Projects:

Staff are currently in the process of implementing many projects and activities in the City to address objectives of the Strategic Plan, direction from Council, and needs staff have identified. In order to facilitate tracking these tasks, a Gantt chart has been developed. As staff continue to work on these tasks, the Gantt chart will be periodically updated and provided for Council and public information. The most recent version of the Gantt chart is attached to this memo. Tasks in blue are complete, tasks in yellow are in progress, and tasks that are not colored have not been started.

The attached Gantt chart has been updated to reflect the status of projects as of the end of 2020. A revised chart for 2021 will be provided at the February Council meeting.

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

Water and Sewer Rates

Schedule

- **January 26** – Conduct virtual open house in place of (or in addition to) regular work session. The purpose of the open house is to communicate, educate, and provide information to residents about the proposed changes.
- February 9 – Conduct a public hearing (regular Council meeting date).
- March 9 – Adopt the rate plan, including new rate structures and planned increases over the next 5 years (regular Council meeting date).
- April 1 – rate structure changes become effective.
- Early June, 2021 – residents receive first bill under new rate structures.

Fire Station Project

The Fire Station project is scheduled for Planning Commission review on January 19, building permit applications are being submitted, and the project is scheduled to be advertised for bid at the end of this month.

New Street Name

The Fire Station project will include construction of a new public roadway. The following potential road names have been suggested so far:

Alloy Way
 Responder Way
 Transition Parkway/Way

Kathryn Avenue Stormwater and Pavement

During recent heavy rain events, portions of Kathryn Avenue have flooded. Staff investigated the flooding and found that the stormwater system in Kathryn was full of solids and may have been originally been designed as an infiltration system. The system is being cleaned, then will be reassessed to determine if further actions are needed to address water issues.

The stormwater issues have also likely been a significant contributor to the deterioration of the concrete pavement in the low area on Kathryn. The current condition has become a potential hazard to vehicles due to exposed sharp edges and the depth of the settlement. Staff are currently working to engage a contractor who can remove the broken pieces of concrete and fill the depressed area with rock and a temporary asphalt surface until the permanent repair can be completed in the spring (this is a project already approved in this year's budget).

Morningstar Sewer Lift Station Update

In November, City of Albany operations staff discovered a leak at the Morningstar sewer lift station. After investigating to the extent possible with their own staff, with our permission, they engaged R.L. Reimers to investigate the origin of the leak and assist in repairs. It has been determined that the lift station's buried discharge piping has been damaged and must be repaired. Likely possible causes of the damage are debris or water hammer issues. It does not appear that this damage is covered under a warranty.

At this time, a repair to the damaged piping is being planned. So far, the investigation work has cost \$17,965. The proposed repairs are estimated to cost an additional \$40,000 to \$45,000. This work will be paid out of the sewer fund.

ID	Task Mode	Task Name	Duration	Start	Finish	Resource Names	Gantt Chart (1/21 to 8/26)																											
1	?	Millersburg Tasks																																
2	?																																	
3	?	Charter and Council	261 days	Thu 1/2/20	Thu 12/31/20																													
4	?	Update of charter	261 days	Thu 1/2/20	Thu 12/31/20	Kevin, Forrest																												
5	?																																	
6	?	Ordinances and Code	390 days	Thu 1/2/20	Wed 6/30/21																													
7	?	Update code/resolutions for current billing cycle	257 days	Mon 1/20/20	Tue 1/12/21																													
8	✓	Update streets and traffic section of code	132 days	Mon 3/9/20	Tue 9/8/20	Janelle																												
9	?	Update building section of code	157 days	Mon 8/3/20	Tue 3/9/21																													
10	✓	Update parks section of code	0 days	Tue 2/11/20	Tue 2/11/20	Janelle																												
11	?	Comprehensive Plan Update	390 days	Thu 1/2/20	Wed 6/30/21	Matt, John																												
12	?																																	
13	?	Policies, Procedures, and Standards	260 days	Thu 1/2/20	Wed 12/30/20																													
14	?	Fleet policy and best practices for vehicles	111 days	Thu 1/2/20	Thu 6/4/20	Kevin, Janelle																												
15	?	Computer/electronics use policy	262 days	Tue 12/31/19	Thu 12/31/20	Kevin, Janelle																												
16	?	Equipment use policy - may already be addressed in other policies				Kevin, Janelle																												
17	?	Billing policies				Kim																												
18	?																																	
19	?	Safety procedures and training	261 days	Thu 1/2/20	Thu 12/31/20																													
20	?	Safety manual			Fri 3/12/21	Kevin, Janelle																												
21	?	Staff training plans	390 days	Thu 1/2/20	Wed 6/30/21	Kevin, Janelle																												
22	?	Ergo evaluations	390 days	Thu 1/2/20	Wed 6/30/21	Kevin, Janelle																												
23	?																																	
24	?	Budget			Tue 1/23/18																													
25	✓	2020-2021 Budget	112 days	Mon 1/27/20	Tue 6/30/20	Jake, Kevin, Janelle																												
26	✓	Develop proposed budget	67 days	Mon 1/27/20	Tue 4/28/20																													
27	✓	Adopt budget	31 days	Tue 4/28/20	Tue 6/9/20																													
28	?	CIP update	70 days	Wed 2/5/20	Tue 5/12/20	Janelle																												
29	?																																	
30	?	Equipment life/replacement costs tracking	260 days	Thu 1/2/20	Wed 12/30/20																													
31	?	City Hall Equipment																																
32	?	Parks/Maintenance Equipment																																
33	?	Fire Station																																
34	?																																	
35	?	City Hall work	260 days	Thu 1/2/20	Wed 12/30/20																													
36	✓	East Conference Room reorganization	260 days	Thu 1/2/20	Wed 12/30/20	Kevin, Kim																												
37	✓	Upgrade phone system	22 days	Thu 1/2/20	Fri 1/31/20	Janelle, Kevin, Kim																												
38	?	Parking lot and sidewalk around north end of City Hall	390 days	Thu 1/2/20	Wed 6/30/21	Janelle																												
39	?	Cabinets in conference rooms	261 days	Wed 7/1/20	Wed 6/30/21																													
40	?	Emergency generator	261 days	Wed 7/1/20	Wed 6/30/21																													
41	?																																	
42	?	Planning, Building, and Development	260 days	Thu 1/2/20	Wed 12/30/20																													
43	✓	Complete Land Use Development Code Revision	203.25 day	Thu 1/2/20	Tue 10/13/20	John Morgan																												
44	?	Consider UGB expansion	325 days	Thu 1/2/20	Wed 3/31/21	John, Kevin, Janelle																												
45	?	Buildable Lands Inventory	303 days	Mon 2/3/20	Wed 3/31/21																													
46	?	Housing Needs Analysis	303 days	Mon 2/3/20	Wed 3/31/21																													
47	?	Implementation of Caselle community development mod	256 days	Mon 6/8/20	Mon 5/31/21	Kevin, Janelle																												
48	?																																	
49	?	Economic Development	261 days	Thu 1/2/20	Thu 12/31/20																													
50	?	Consider business registration				Kevin																												
51	✓	Consider fuel tax	349 days	Thu 7/1/21	Tue 11/1/22	Kevin																												
52	?	Consider transient room tax				Kevin																												
53	?	City property conceptual layout/Industrial Park				Kevin, Janelle																												
54	?	Design of utilities and access to city property west of track				Janelle																												
55	✓	Wetland delineation for city owned property	110 days	Mon 1/27/20	Fri 6/26/20	Janelle																												
56	?																																	
57	?	Fire Station	651 days	Thu 1/2/20	Thu 6/30/22																													

Project: Task List
Date: Wed 1/6/21

Task	Summary	Inactive Milestone	Duration-only	Start-only	External Milestone	Manual Progress
Split	Project Summary	Inactive Summary	Manual Summary Rollup	Finish-only	Deadline	
Milestone	Inactive Task	Manual Task	Manual Summary	External Tasks	Progress	

ID	Task Mode	Task Name	Duration	Start	Finish	Resource Names	Gantt Chart (1/21 to 8/26)																											
58	✓	Develop RFQ to select design firm	12 days	Thu 1/2/20	Fri 1/17/20	Kevin,Janelle	[Gantt bar from 1/2 to 1/17]																											
59	✓	Select design firm and negotiate contract	63 days	Fri 1/17/20	Tue 4/14/20	Kevin,Janelle	[Gantt bar from 1/17 to 4/14]																											
60	✓	Site Survey	17 days	Fri 5/8/20	Mon 6/1/20	Janelle	[Gantt bar from 5/8 to 6/1]																											
61	⚠	Design	207 days	Thu 4/30/20	Fri 2/12/21	Kevin,Janelle	[Gantt bar from 4/30 to 2/12]																											
62	⚠	Construction	266 days	Mon 3/15/21	Mon 3/21/22	Kevin,Janelle	[Gantt bar from 3/15 to 3/21]																											
63																																		
64		Parks	261 days	Thu 1/2/20	Thu 12/31/20		[Gantt bar from 1/2 to 12/31]																											
65	✓	Parks Master Plan	74 days	Thu 1/2/20	Tue 4/14/20	Janelle	[Gantt bar from 1/2 to 4/14]																											
66	?	Consider coating of walls and floors in restrooms			Fri 1/29/21	Sean	[Gantt bar from 1/29 to 1/29]																											
67	?																																	
68	⚠	Utilities	260 days	Thu 1/2/20	Wed 12/30/20	Kevin,Janelle,consultant	[Gantt bar from 1/2 to 12/30]																											
69	⚠	Implementation of new utility billing system	282 days	Thu 1/2/20	Fri 1/29/21	Kim	[Gantt bar from 1/2 to 1/29]																											
70	⚠	Rate analysis and update	390 days	Thu 1/2/20	Wed 6/30/21	Janelle	[Gantt bar from 1/2 to 6/30]																											
71		Water	309 days	Thu 1/2/20	Tue 3/9/21		[Gantt bar from 1/2 to 3/9]																											
72		Sewer	309 days	Thu 1/2/20	Tue 3/9/21		[Gantt bar from 1/2 to 3/9]																											
73		Stormwater?	304 days	Fri 5/1/20	Wed 6/30/21		[Gantt bar from 5/1 to 6/30]																											
74	⚠	SDC analysis and update	129 days	Thu 1/2/20	Tue 6/30/20	Janelle	[Gantt bar from 1/2 to 6/30]																											
75	✓	Water	139 days	Thu 1/2/20	Tue 7/14/20		[Gantt bar from 1/2 to 7/14]																											
76	✓	Sewer	139 days	Thu 1/2/20	Tue 7/14/20		[Gantt bar from 1/2 to 7/14]																											
77	✓	Streets	139 days	Thu 1/2/20	Tue 7/14/20		[Gantt bar from 1/2 to 7/14]																											
78	✓	Stormwater	139 days	Thu 1/2/20	Tue 7/14/20		[Gantt bar from 1/2 to 7/14]																											
79		Parks	258 days	Mon 4/6/20	Wed 3/31/21		[Gantt bar from 4/6 to 3/31]																											
80	?																																	
81		Transportation/Streets	260 days	Thu 1/2/20	Wed 12/30/20		[Gantt bar from 1/2 to 12/30]																											
82	✓	Manhole Surface Repair	64 days	Thu 1/2/20	Tue 3/31/20		[Gantt bar from 1/2 to 3/31]																											
83		Kathryn Lane Repair	325 days	Thu 1/2/20	Wed 3/31/21		[Gantt bar from 1/2 to 3/31]																											
84	✓	Woods Road Repair and Overlay	201 days	Thu 1/2/20	Thu 10/8/20		[Gantt bar from 1/2 to 10/8]																											
85	✓	Surface Treatment - Sweetwater and Morningstar Subdivisions	211 days	Fri 1/10/20	Fri 10/30/20		[Gantt bar from 1/10 to 10/30]																											
86	✓	Crack Sealing - SE Area	137 days	Mon 3/30/20	Tue 10/6/20		[Gantt bar from 3/30 to 10/6]																											
87	✓	Thermoplastic Stop Bars and Legends	172 days	Thu 1/2/20	Fri 8/28/20		[Gantt bar from 1/2 to 8/28]																											
88		Beauty Strips Along Woods Road North	223 days	Mon 5/25/20	Wed 3/31/21		[Gantt bar from 5/25 to 3/31]																											
89	?																																	
90		Stormwater	260 days	Thu 1/2/20	Wed 12/30/20		[Gantt bar from 1/2 to 12/30]																											
91		Crooks Creek north trib project	295 days	Mon 7/27/20	Fri 9/10/21		[Gantt bar from 7/27 to 9/10]																											
92	✓	Have Millersburg storm drain facilities added to Albany GIS system through IGA	238 days	Thu 1/2/20	Mon 11/30/20	Janelle	[Gantt bar from 1/2 to 11/30]																											
93	⚠	Becker Ridge Detention Ponds Modifications	243 days	Mon 4/27/20	Wed 3/31/21	Janelle	[Gantt bar from 4/27 to 3/31]																											
94	✓	Erosion Control Permit Program	232 days	Thu 1/2/20	Fri 11/20/20	Janelle	[Gantt bar from 1/2 to 11/20]																											
95	✓	Develop inspection and maintenance program	261 days	Thu 1/2/20	Thu 12/31/20	Janelle	[Gantt bar from 1/2 to 12/31]																											
96	?																																	
97		Water	261 days	Thu 1/2/20	Thu 12/31/20		[Gantt bar from 1/2 to 12/31]																											
98	✓	Look into requirements for becoming a certified distribution system operator and performing DRC duties	219 days	Mon 3/2/20	Thu 12/31/20	Janelle	[Gantt bar from 3/2 to 12/31]																											
99	⚠	Water master plan - submit finance component	261 days	Thu 1/2/20	Thu 12/31/20	Janelle	[Gantt bar from 1/2 to 12/31]																											
100	?																																	
101		Sewer	261 days	Thu 1/2/20	Thu 12/31/20		[Gantt bar from 1/2 to 12/31]																											
102	✓	Manhole grouting	112 days	Mon 1/27/20	Tue 6/30/20	Janelle	[Gantt bar from 1/27 to 6/30]																											
103	✓	Burkhart Lift Station pumps replacement	134 days	Mon 2/3/20	Thu 8/6/20		[Gantt bar from 2/3 to 8/6]																											
104		Crooks Creek Lift Station evaluation	325 days	Thu 1/2/20	Wed 3/31/21		[Gantt bar from 1/2 to 3/31]																											
105																																		
106		Miscellaneous	261 days	Thu 1/2/20	Thu 12/31/20		[Gantt bar from 1/2 to 12/31]																											
107	✓	New website	239 days	Thu 1/2/20	Tue 12/1/20	Kim	[Gantt bar from 1/2 to 12/1]																											
108	⚠	Change city name for addressing	261 days	Thu 1/2/20	Thu 12/31/20	Kevin	[Gantt bar from 1/2 to 12/31]																											
109																																		
110	✓	HR	29 days	Thu 1/2/20	Tue 2/11/20		[Gantt bar from 1/2 to 2/11]																											
111	✓	Update employee manual	252 days	Thu 1/2/20	Fri 12/18/20	Kevin,Forrest	[Gantt bar from 1/2 to 12/18]																											

Project: Task List
Date: Wed 1/6/21

Task	Summary	Inactive Milestone	Duration-only	Start-only	External Milestone	Manual Progress
Split	Project Summary	Inactive Summary	Manual Summary Rollup	Finish-only	Deadline	
Milestone	Inactive Task	Manual Task	Manual Summary	External Tasks	Progress	

Public Meeting and Records Guidelines for Millersburg City Council

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

Review of Oregon open-meetings law.

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

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

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

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

Please contact me if you have any questions.

Forrest Reid
Millersburg City Attorney
forrest@reidlawfirm.com
541.979.3838

Reviewed by: _____

Date: _____

ORDINANCE NO. 179-21

AN ORDINANCE REPEALING AND REPLACING MILLERSBURG MUNICIPAL CODE 1.20.010 AND REPEALING MILLERSBURG MUNICIPAL CODE 1.20.030 AND REPEALING AND REPLACING THE TITLE OF MILLERSBURG MUNICIPAL CODE 1.20

WHEREAS, ORS 153.005-153.025 is applicable to the City of Millersburg through Millersburg Municipal Code 1.20.010; and,

WHEREAS, procedures provided in ORS 153.030 need to be applicable to violations of the Millersburg Municipal Code or City Ordinance; and,

WHEREAS, the City has not adopted ORS 153.030; and,

WHEREAS, the Millersburg City Council desires to clarify when fines and/or imprisonment are applicable to violations of the Millersburg Municipal Code or City Ordinance; and,

WHEREAS, the Millersburg City Council intends that the Linn County Justice Court shall have jurisdiction over violations of Millersburg Municipal Code or City Ordinance; and,

WHEREAS, for clarity, Millersburg Municipal Code 1.20.010 should be repealed and replaced with language indicating applicability of ORS 153.005-153.030 to violations of the Millersburg Municipal Code or City Ordinance; and,

WHEREAS, Millersburg Municipal Code 1.20.010 needs language indicating that the Linn County Justice Court has jurisdiction over violations of the Millersburg Municipal Code or City Ordinance; and,

WHEREAS, Millersburg Municipal Code 1.20.030 is no longer needed due to Linn County Justice Court jurisdiction being established in Millersburg Municipal Code 1.20.010;

WHEREAS, the title "GENERAL PENALTY" under Millersburg Municipal Code Chapter 1.20 should be repealed and replaced with "COURT JURISDICTION, ADOPTION OF CERTAIN OREGON REVISED STATUTES AND PENALTIES FOR VIOLATION OF THE MILLERSBURG MUNICIPAL CODE OR CITY ORDINANCE";

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

REPEALING MMC 1.20.010:

~~**State statutes adopted.**~~

~~The City of Millersburg adopts ORS 153.005 through 153.022 and 153.025 and any future amendments thereto.~~

FURTHERMORE, REPLACING MMC 1.20.010 AND ITS TITLE BY ADDING:

1.20.010 Court jurisdiction, adoption of certain Oregon Revised Statutes, and penalties for violation of the Millersburg Municipal Code or City ordinance

- (1) The City of Millersburg adopts ORS 153.005-153.030, and any future amendments thereto, and makes these ORS provisions governing and applicable to violations of the Millersburg Municipal Code or City Ordinance.
- (2)
 - (a) Whenever in this Code or in any Ordinance of the City of Millersburg, an act is prohibited or is made or declared to be unlawful or an offense, or the doing of an act is required or the failure to do an act is declared to be unlawful or an offense, the violation of any such provision of the Millersburg Municipal Code or any other Ordinance of the City of Millersburg shall be either a misdemeanor or violation and shall be punished as provided in this section.
 - (b) Maximum penalties for offenses shall be as follows:
 - (i) Violation – a civil penalty of not more than \$1,000, or such sum as may be provided in the Ordinance defining the offense. Fines for Class A, B, C, and D violations are as provided in ORS 153.005-153.030.
 - (ii) Misdemeanor – a fine of not more than \$2,500 or imprisonment not to exceed one year, or both such fine and imprisonment.
 - (c) Where an offense is defined in the Millersburg Municipal Code or any other Ordinance of the City of Millersburg, and no penalty is provided, the offense shall be deemed a Class A violation.
 - (d) Every day, or portion thereof, during which any violation of any provision of the Millersburg Municipal Code or any Ordinance of the City of Millersburg is committed, continued, or permitted, shall be a separate offense.
 - (e) A violation, as classified in the Millersburg Municipal Code or City Ordinance, is declared to be an offense, but not a crime. It is intended to be an offense which can be disposed of in all respects as a civil proceeding and not governed by procedural, evidentiary, substantive, and constitutional rules applicable to criminal charges and proceedings.
 - (f) For the purpose of facilitating disposition of violations, the Justice Court Judge may promulgate a schedule of forfeitures for particular violations, and the person charged with such a violation may deposit with the court the amount so scheduled, waive further appearance, and have the sum so deposited forfeited as a plea of “no contest.”
- (3) Upon any Millersburg Municipal Code or City Ordinance charge of a misdemeanor, the City Attorney, or his/her designee, may declare, in open court or in writing, the City’s intention to treat the offense in the case as a violation subject to the violations penalty and procedures set forth in the Millersburg Municipal Code. The case shall then proceed as a violation, subject to the violation penalty and procedures, unless the City Attorney affirmatively states at a later time, in open court or in writing, that the case shall once again proceed as a misdemeanor. If the case proceeds as a violation, the accusatory instrument shall be deemed amended to denominate the offense as a violation and the offense, for purposes of the case, shall thereafter be treated as a Class A violation. If the City Attorney, or his/her designee, declares an intention to treat the offense as a

misdemeanor, the offense in the case shall thereafter be treated as a crime. If the offense is denominated a violation pursuant to this subsection, the court shall, when it enters judgment in the case, clearly denominate the offense as a violation in the judgment order.

- (4) The Linn County Justice Court shall be the jurisdiction for violations of the Millersburg Municipal Code or City Ordinances.

FURTHERMORE, REPEALING MMC 1.20.030:

~~Prosecution in district court.~~

~~All offenses for violations of City ordinances not within the jurisdiction of the Linn County Circuit Court shall be prosecuted in the Linn County Justice Court.~~

FURTHERMORE, REPEALING THE TITLE OF MMC 1.20:

~~GENERAL PENALTY~~

FURTHERMORE, REPLACING THE TITLE OF MMC 1.20 BY ADDING:

Chapter 1.20

COURT JURISDICTION, ADOPTION OF CERTAIN OREGON REVISED STATUTES, AND PENALTIES FOR VIOLATION OF THE MILLERSBURG MUNICIPAL CODE OR CITY ORDINANCE

PASSED by the Council this 12th day of January, 2021.

Jim Lepin
Mayor

ATTEST:

Kimberly Wollenburg
City Recorder

ORDINANCE NO. 180-21

**AN ORDINANCE REPEALING
MILLERSBURG MUNICIPAL CODE 7.28.245**

WHEREAS, Millersburg Municipal Code 7.28.245 prohibits camping in a park or open space; and,

WHEREAS, Millersburg Municipal Code 7.10.190 is more comprehensive and inclusive of public locations where camping is prohibited; and,

WHEREAS, the Millersburg City Council determines that MMC 7.10.190 accomplishes the intent of the City Council and therefore MMC 7.28.245 is unnecessary;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS: MMC 7.28.245 is hereby repealed.

PASSED by the Council this 12th day of January, 2021.

Jim Lepin
Mayor

ATTEST:

Kimberly Wollenburg
City Recorder

ORDINANCE NO. 181-21

**AN ORDINANCE AMENDING MILLERSBURG MUNICIPAL CODE
14.16.010, REPEALING AND REPLACING 14.16.020(1),
AND AMENDING 14.16.060**

WHEREAS, in order to preserve the health and welfare of the community, the City of Millersburg must assure the safe passage of pedestrians over public sidewalks located within the City of Millersburg; and,

WHEREAS, owners of real property that adjoins the public sidewalks are solely responsible for the safety and maintenance of the adjoining public sidewalks; and,

WHEREAS, in order to clarify liability and procedures, the City of Millersburg declares:

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

AMENDING 14.16.010 TO ADD THE FOLLOWING LANGUAGE SHOWN IN *BOLD AND ITALIC FONT*:

It is hereby made the duty *and complete and sole financial responsibility* of all owners of land adjoining any street in the City to maintain in good repair the sidewalks in front of the land. The Council shall have the power and authority to determine the grade and width of all sidewalks, the material to be used, and the specifications for the repair thereof, upon any street or part thereof, or within any district in the City.

**Emphasis added above by bold and italicized font is for ease in determining the added language, but this font is not to be used in the codified version.*

FURTHERMORE, REPEALING MMC 14.16.020(1):

~~(1) If the owner of any lot or part thereof or parcel of land allows any sidewalk along the same to become out of repair, it shall be the duty of the City Engineer, his/her deputy or any persons appointed by the Council for that purpose, to give notice to the owner of the property adjacent to the defective sidewalk to repair it. The notice shall direct the owner, agent or occupant of the property to immediately repair the same in a good and substantial manner to comply with specifications for Millersburg's sidewalks.~~

FURTHERMORE, REPLACING 14.16.020(1) BY ADDING:

(1) The City Council, its staff, or agent(s) may order adjacent property owners to construct, alter, repair or remove curbs or sidewalks or driveway approaches. The City will provide

written notice to the adjacent property owner, giving the property owner at least 60 calendar days from the date of notice to complete the work. The time period may be shortened if needed to remove a safety hazard. The notice shall state that the City will perform the required work if not timely completed by the property owner and impose the cost of the City's work, including administrative costs, as a lien on the adjacent property.

FURTHERMORE, ADDING THE FOLLOWING LANGUAGE TO 14.16.060:

The exclusive remedy of persons sustaining injuries or other damages due to defective sidewalks shall be against the person(s) owning the real property adjacent to or abutting a public sidewalk. Property owners abutting a public sidewalk shall indemnify the City for any costs it may incur in defending lawsuits which may arise as a result of the property owners' failure to repair or maintain the abutting sidewalks. Nothing herein shall affect the City's right to cause sidewalks to be repaired pursuant to MMC 14.16.010 et seq. and to assess the costs thereof against the abutting properties.

PASSED by the Council this 12th day of January, 2021.

Jim Lepin
Mayor

ATTEST:

Kimberly Wollenburg
City Recorder