



City Council Business Meeting Agenda  
June 14, 2022  
6:30 PM

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Mayor: Robert Duncan  
Council President: Mike Caughey  
Councilors: Kimberly Downey, Robert Boese, Adam Keaton, Randy Klemm, and Charlotte Thomas.  
Meeting Location: Harrisburg Municipal Center Located at 354 Smith St

**PUBLIC NOTICES:**

1. *This meeting is open to the public and will be tape-recorded.*
2. *Copies of the Staff Reports or other written documents relating to each item on the agenda are on file in the office of the City Recorder and are available for public inspection.*
3. *All matters on the Consent Agenda are considered routine and will be enacted by one motion. Any member of the public can request that a matter be removed from the Consent Agenda for discussion. It will then be discussed under the "Other" part of the meeting schedule.*
4. *The City Hall Council Chambers are handicapped accessible. Persons with disabilities wishing accommodations, including assisted listening devices and sign language assistance are requested to contact City Hall at 541-995-6655, at least 48 hours prior to the meeting date. If a meeting is held with less than 48 hours' notice, reasonable effort shall be made to have an interpreter present. The requirement for an interpreter does not apply to an emergency meeting. ORS 192.630(5)*
5. *Persons contacting the City for information requiring accessibility for deaf, hard of hearing, or speech-impaired persons, can use TTY 711; call 1-800-735-1232, or for Spanish voice TTY, call 1-800-735-3896.*
6. *The City of Harrisburg does not discriminate against individuals with disabilities, and is an equal opportunity provider.*
7. *For information regarding items of discussion on this agenda, please contact City Recorder, Lori Ross at 541-995-6655*
8. *Facemasks are not required at this time. The City does ask anyone running a fever, having an active cough or respiratory difficulties not to attend this meeting.*
9. *If you wish to testify, and are unable to attend due to health concerns, please contact the City Recorder to be placed on a Conference Call list during the meeting.*

**CALL TO ORDER AND ROLL CALL** by Mayor, Robert Duncan

**CONCERNED CITIZEN(S) IN THE AUDIENCE.** (Please limit presentation to two minutes per issue.)

**ORDINANCES**

- 1. THE MATTER OF APPROVING ORDINANCE NO. 983, “AN ORDINANCE AMENDING HMC 15.05.010, TO ADOPT APPENDIX H, 'SIGNS' AS ALLOWED IN THE 2019 OREGON STRUCTURAL SPECIALTY CODE”**

**STAFF REPORT:**

Exhibit A: Appendix H and Section 101.2.1.2 of the 2019  
Oregon Structural Specialty Code

Exhibit B: Redlined HMC 15.05.010

Exhibit C: Proposed Ordinance No. 983

**ACTION: MOTION TO APPROVE ORDINANCE NO. 983, “AN ORDINANCE AMENDING HMC 15.05.010, TO ADOPT APPENDIX H, 'SIGNS' AS ALLOWED IN THE 2019 OREGON STRUCTURAL SPECIALTY CODE”**

**RESOLUTIONS**

- 2. THE MATTER OF ALLOWING VOLUNTEER WORKER’S COMPENSATION COVERAGE FOR 2022-2023 BY APPROVING RESOLUTION NO. 1262**

**STAFF REPORT:**

Exhibit A: Resolution No. 1262

**ACTION: MOTION TO APPROVE RESOLUTION NO.1262, “A RESOLUTION EXTENDING WORKERS’ COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF HARRISBURG FOR POLICY YEAR 2022-2023”**

**NEW BUSINESS**

- 3. THE MATTER OF A REQUEST FOR THE LIBRARY TO BECOME FINE FREE AFTER A ONE YEAR TRIAL PERIOD**

**STAFF REPORT:**

Exhibit A: City Council Minutes for March 23, 2021

Exhibit B: Fine Free Local Libraries

**ACTION: MOTION TO APPROVE / DENY/ APPROVE WITH CONDITIONS THE HARRISBURG PUBLIC LIBRARY TO BECOME A FINE FREE LIBRARY EFFECTIVE JULY 1, 2022.**

**4. THE MATTER OF APPROVING AN 'ASSIGNMENT' OF THE FRANCHISE AGREEMENT (ORDINANCE NO. 955) FOR MCI METRO ACCESS TRANSMISSION SERVICES CORP. D/B/A VERIZON ACCESS TRANSMISSION TO MCI COMMUNICATIONS SERVICES LLC., AND AUTHORIZING THE CITY ADMINISTRATOR TO CONSENT TO THE ASSIGNMENT AND UPDATED ADDENDUM NO. A**

**STAFF REPORT:**

Exhibit A: Ordinance No. 955 – Adopted Sept 13, 2017

Exhibit B: Legal Assignment of Franchise (Ordinance No. 955)  
and Addendum A

**ACTION: MOTION TO AUTHORIZE THE CITY ADMINISTRATOR TO CONSENT TO THE FOREGOING ASSIGNMENT AND UPDATED ADDENDUM A, AS SHOWN IN EXHIBIT B**

**5. THE MATTER OF DETERMINING THE CITY'S RESPONSE TO MEASURE 109, THE OREGON PSILOCYBIN SERVICES ACT**

**STAFF REPORT:**

Exhibit A: Measure 109; Oregon Psilocybin Services Act

Exhibit B: Referral Measure Packet

**ACTION: TBD – DIRECT STAFF IN NEXT STEPS**

**CONSENT LIST:** Consent list materials are included in the Council Packet. Approval of items on the consent list will be enacted in one motion. Any member of the public, or City Council, can ask for an item to be removed from the consent list for discussion during the 'Other' segment.

**6. THE MATTER OF APPROVING THE CONSENT LIST**

**STAFF REPORT:**

Exhibit A: Harrisburg City Council Minutes for March 8, 2022

Exhibit B: Harrisburg City Council Minutes for April 12, 2022

Exhibit C: Harrisburg City Council Minutes for April 26, 2022

Exhibit D: Payment Approval Report for May 2022

Exhibit E: Appointment of Kristi Prozialeck to Library Board

Exhibit F: Personnel Committee Minutes February 23, 2022

Exhibit G: Municipal Court Collections Report May 2022

Exhibit H: Municipal Court Citation Report May 2022

**ACTION: MOTION TO APPROVE THE CONSENT LIST**

A motion to approve the consent list will approve the following:

**Harrisburg City Council Minutes for March 8, April 12, and April 26, 2022**

**The Payment Approval Report for May 2022**

**Appointment of Kristi Prozialeck to the Library Board with term ending June 30, 2026**

**VERBAL REPORT:** Discussions below should be limited to five minutes of conservation per topic. Topics of interest that require more than five minutes of conversation, should be moved to a future meeting where possible.

- 1. SRO-City ARPA Funding**
- 2. New & Improved Zoning & Development Code Coming Soon!**
- 3. Pictures**
- 4. HRA-Agreement and further information on June 28**

**OTHER ITEMS**

**ADJOURN**



Agenda Bill

**Harrisburg City Council**

Harrisburg, Oregon

**THE MATTER OF APPROVING ORDINANCE NO. 983, “AN ORDINANCE AMENDING HMC 15.05.010, TO ADOPT APPENDIX H, ‘SIGNS’ AS ALLOWED IN THE 2019 OREGON STRUCTURAL SPECIALTY CODE”**

**STAFF REPORT:**

- Exhibit A: Appendix H and Section 101.2.1.2 of the 2019 Oregon Structural Specialty Code
- Exhibit B: Redlined HMC 15.05.010
- Exhibit C: Proposed Ordinance No. 983

**ACTION: MOTION TO APPROVE ORDINANCE NO. 983, “AN ORDINANCE AMENDING HMC 15.05.010, TO ADOPT APPENDIX H, ‘SIGNS’ AS ALLOWED IN THE 2019 OREGON STRUCTURAL SPECIALTY CODE”**

**THIS AGENDA BILL IS DESTINED FOR:** Regular Agenda June 14, 2022

BUDGET IMPACT		
COST	BUDGETED?	SOURCE OF FUNDS
N/A	N/A	N/A

**STAFF RECOMMENDATION:**  
**Staff recommends the Council approve Ordinance No. 983**

**BACKGROUND INFORMATION:**

The Harrisburg Building Official, Russell Young, has recommended that the City adopt Appendix H ‘Signs’ (**Exhibit A**) as the State made changes in 2019 that eliminated certain standards in the structural specialty code. The Scope and Administrative portion of the 2019 Oregon Structural Specialty Code is also located in **Exhibit A**.

The specialty code spells out that municipalities do have the ability to adopt the Sign code in Appendix H. Some of the changes were beneficial to companies, and some were more protective of citizens. Therefore, Staff agrees that it makes sense to adopt this appendix. If a municipality wishes to continue to enforce signs, the State Building Code Division asks that the municipalities who do so have uniform provisions, which is why they have recommended that municipalities adopt appendices.

The redlined version showing the change is shown in **Exhibit B**. Most of these standards have always applied to Harrisburg and have been imposed from 2019 onwards. It should also be noted that some parts of the sign code, such as roof signs

are not allowed in Harrisburg, which is spelled out in the Zoning & Development Code. The proposed ordinance is shown in **Exhibit C**.

REVIEW AND APPROVAL:

	06.07.22
Michele Eldridge, City Administrator	Date

## SCOPE AND ADMINISTRATION

25. Detached tents and other membrane structures erected for periods of 180 days or less.
26. Other structures not regulated by the *state building code* consistent with the scope of ORS 455.020.

*Municipalities*, as defined in ORS 455.010(5), may establish administrative procedures in accordance with ORS 455.020(4), and may amend specific sections of Chapter 1, as identified throughout the chapter.

*Municipalities* are permitted to enact local ordinances for the following:

1. Pursuant to the regulation of dangerous buildings, a *municipality* may adopt seismic rehabilitation plans that provide for phased completion of repairs that are designed to provide improved life safety but that may be less than the standards for new buildings.
2. Abatement of nuisances and dangerous buildings.
3. Fire safety during construction.
4. Demolition.
5. Protection of adjoining property.
6. Temporary use of streets, alleys and public property.
7. Encroachments into the public way.
8. Retaining walls that do not provide safeguards for the users of buildings; and do not support a regulated building or required *accessible* parking; and do not retain material, which if not restrained, could impact a regulated building.
9. Fences.
10. Tanks that are located exterior to and not attached to or supported by a regulated building.
11. Cellular phone, radio, television and other telecommunication and broadcast towers that are not attached to or supported by a regulated building.
12. Flagpoles not attached to or supported by a regulated building.
13. Signs not attached to or supported by a regulated building.
14. Floating structures.
15. Docks.
16. Fixed piers or wharves with no *superstructure*.
17. Equipment shelters not intended for human occupancy with a *building area* 250 square feet or less, designated as *Risk Category I* or *II*.
18. Administration and implementation of a National Flood Insurance Program (NFIP).
19. Transitional housing accommodations.
20. Matters not encompassed by this code.

**101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted as noted in Sections 101.2.1.1 through 101.2.1.3.

**101.2.1.1 Adopted appendices.** The following appendices are adopted by the State of Oregon, Building Codes Division, as part of the *state building code*:

1. Appendix C, "Agricultural Buildings."
2. Appendix I, "Patio Covers."
3. Appendix P, "Tall Wood Buildings."

**101.2.1.2 Appendices not adopted, but are available for municipal adoption.** The following appendices are not adopted by the State of Oregon, Building Codes Division, as part of the *state building code* but may be specifically adopted by a local *municipality* through local ordinance.

1. Appendix A, "Employee Qualifications."
2. Appendix B, "Board of Appeals."
3. Appendix D, "Fire Districts."
4. Appendix F, "Rodentproofing."
5. Appendix G, "Flood-resistant Construction."
6. Appendix H, "Signs."
7. Appendix J, "Grading."
8. Appendix O, "Tsunami Loads."

**101.2.1.3 Appendices not adopted and not available for municipal adoption.** The following appendices are not adopted by the State of Oregon, Building Codes Division, as part of the *state building code*, and a local *municipality* may not adopt the same as the subject matter is encompassed by this code:

1. Appendix E, "Supplementary Accessibility Requirements."
2. Appendix K, "Administrative Provisions."
3. Appendix L, "Earthquake Recording Instrumentation."
4. Appendix M, "Tsunami-generated Flood Hazard."
5. Appendix N, "Replicable Buildings."

**101.3 Purpose.** The purpose of this code, as provided in ORS 455.020(1) and noted in Section 101.2, is to establish the minimum requirements to provide a reasonable level of safety, health and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations. It is not the purpose of this code to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

## SECTION 102 APPLICABILITY

**102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods

## APPENDIX H

### SIGNS

Appendix H is not adopted by the State of Oregon, Building Codes Division, as part of the *state building code*, consistent with the purpose and scope of application authorized in ORS 455.020.

Local *municipalities* are permitted to enact local ordinances for signs.

#### SECTION H101 GENERAL

**H101.1 General.** A sign shall not be erected in a manner that would confuse or obstruct the view of or interfere with exit signs required by Chapter 10 or with official traffic signs, signals or devices. Signs and sign support structures, together with their supports, braces, guys and anchors, shall be kept in repair and in proper state of preservation. The display surfaces of signs shall be kept neatly painted or posted at all times.

**H101.2 Signs exempt from permits.** The following signs are exempt from the requirements to obtain a *permit* before erection:

1. Painted nonilluminated signs.
2. Temporary signs announcing the sale or rent of property.
3. Signs erected by transportation authorities.
4. Projecting signs not exceeding 2.5 square feet (0.23 m<sup>2</sup>).
5. The changing of moveable parts of an approved sign that is designed for such changes, or the repainting or repositioning of display matter shall not be deemed an alteration.

#### SECTION H102 DEFINITIONS

**H102.1 General.** The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

**COMBINATION SIGN.** A sign incorporating any combination of the features of pole, projecting and roof signs.

**DISPLAY SIGN.** The area made available by the sign structure for the purpose of displaying the advertising message.

**ELECTRIC SIGN.** A sign containing electrical wiring, but not including signs illuminated by an exterior light source.

**GROUND SIGN.** A billboard or similar type of sign that is supported by one or more uprights, poles or braces in or upon the ground other than a combination sign or pole sign, as defined by this code.

**POLE SIGN.** A sign wholly supported by a sign structure in the ground.

**PORTABLE DISPLAY SURFACE.** A display surface temporarily fixed to a standardized advertising structure that is regularly moved from structure to structure at periodic intervals.

**PROJECTING SIGN.** A sign other than a wall sign that projects from and is supported by a wall of a building or structure.

**ROOF SIGN.** A sign erected on or above a roof or parapet of a building or structure.

**SIGN.** Any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminated service, which shall be constructed, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise, whatsoever, which is displayed in any manner outdoors. Every sign shall be classified and conform to the requirements of that classification as set forth in this chapter.

**SIGN STRUCTURE.** Any structure that supports or is capable of supporting a sign as defined in this code. A sign structure is permitted to be a single pole and is not required to be an integral part of the building.

**WALL SIGN.** Any sign attached to or erected against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall.

#### SECTION H103 LOCATION

**H103.1 Location restrictions.** Signs shall not be erected, constructed or maintained so as to obstruct any fire escape or any window or door or opening used as a *means of egress* or so as to prevent free passage from one part of a roof to any other part thereof. A sign shall not be attached in any form, shape or manner to a fire escape, nor be placed in such manner as to interfere with any opening required for ventilation.

#### SECTION H104 IDENTIFICATION

**H104.1 Identification.** Every outdoor advertising display sign hereafter erected, constructed or maintained, for which a permit is required, shall be plainly marked with the name of the person, firm or corporation erecting and maintaining such sign and shall have affixed on the front thereof the permit number issued for said sign or other method of identification approved by the *building official*.

## SECTION H105 DESIGN AND CONSTRUCTION

**H105.1 General requirements.** Signs shall be designed and constructed to comply with the provisions of this code for use of materials, loads and stresses.

**H105.2 Permits, drawings and specifications.** Where a permit is required, as provided in Chapter 1, construction documents shall be required. These documents shall show the dimensions, material and required details of construction, including loads, stresses and anchors.

**H105.3 Wind load.** Signs shall be designed and constructed to withstand wind pressure as provided for in Chapter 16.

**H105.4 Seismic load.** Signs designed to withstand wind pressures shall be considered capable of withstanding earthquake loads, except as provided for in Chapter 16.

**H105.5 Working stresses.** In outdoor advertising display signs, the allowable working stresses shall conform to the requirements of Chapter 16. The working stresses of wire rope and its fastenings shall not exceed 25 percent of the ultimate strength of the rope or fasteners.

### Exceptions:

1. The allowable working stresses for steel and wood shall be in accordance with the provisions of Chapters 22 and 23.
2. The working strength of chains, cables, guys or steel rods shall not exceed one-fifth of the ultimate strength of such chains, cables, guys or steel.

**H105.6 Attachment.** Signs attached to masonry, concrete or steel shall be safely and securely fastened by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to safely support the loads applied.

## SECTION H106 ELECTRICAL

**H106.1 Illumination.** A sign shall not be illuminated by other than electrical means, and electrical devices and wiring shall be installed in accordance with the requirements of NFPA 70. Any open spark or flame shall not be used for display purposes unless specifically approved.

**H106.1.1 Internally illuminated signs.** Except as provided for in Section 2611, where internally illuminated signs have facings of wood or of approved plastic complying with the requirements of Section 2606.4, the area of such facing section shall be not more than 120 square feet (11.16 m<sup>2</sup>) and the wiring for electric lighting shall be entirely enclosed in the sign cabinet with a clearance of not less than 2 inches (51 mm) from the facing material. The dimensional limitation of 120 square feet (11.16 m<sup>2</sup>) shall not apply to sign facing sections made from flame-resistant-coated fabric (ordinarily known as "flexible sign face plastic") that weighs less than 20 ounces per square yard (678 g/m<sup>2</sup>) and that, when tested in accordance with NFPA 701, meets the fire propagation performance requirements of both Test 1 and Test 2 or that, when tested in accordance with an approved test method, exhibits an

average burn time of 2 seconds or less and a burning extent of 5.9 inches (150 mm) or less for 10 specimens.

**H106.2 Electrical service.** Signs that require electrical service shall comply with NFPA 70.

## SECTION H107 COMBUSTIBLE MATERIALS

**H107.1 Use of combustibles.** Wood, plastics complying with the requirements of Section H107.1.1 or plastic veneer panels as provided for in Chapter 26, or other materials of combustible characteristics similar to wood, used for moldings, cappings, nailing blocks, letters and laticing, shall comply with Section H109.1 and shall not be used for other ornamental features of signs, unless approved.

**H107.1.1 Plastic materials.** Notwithstanding any other provisions of this code, plastics that burn at a rate not faster than 2.5 inches per minute (64 mm/s) when tested in accordance with ASTM D635 shall be approved for use as the display surface material and for the letters, decorations and facings on signs and outdoor display structures.

**H107.1.2 Electric sign faces.** Individual plastic facings of electric signs shall not exceed 200 square feet (18.6 m<sup>2</sup>) in area.

**H107.1.3 Area limitation.** If the area of a display surface exceeds 200 square feet (18.6 m<sup>2</sup>), the area occupied or covered by plastics complying with the requirements of Section H107.1.1 shall be limited to 200 square feet (18.6 m<sup>2</sup>) plus 50 percent of the difference between 200 square feet (18.6 m<sup>2</sup>) and the area of display surface. The area of plastic on a display surface shall not in any case exceed 1,100 square feet (102 m<sup>2</sup>).

**H107.1.4 Plastic appurtenances.** Letters and decorations mounted on a plastic facing or display surface can be made of plastics complying with the requirements of Section H107.1.1.

## SECTION H108 ANIMATED DEVICES

**H108.1 Fail-safe device.** Signs that contain moving sections or ornaments shall have fail-safe provisions to prevent the section or ornament from releasing and falling or shifting its center of gravity more than 15 inches (381 mm). The fail-safe device shall be in addition to the mechanism and the mechanism's housing that operate the movable section or ornament. The fail-safe device shall be capable of supporting the full dead weight of the section or ornament when the moving mechanism releases.

## SECTION H109 GROUND SIGNS

**H109.1 Height restrictions.** The structural frame of ground signs shall not be erected of combustible materials to a height of more than 35 feet (10 668 mm) above the ground. Ground signs constructed entirely of noncombustible material shall not be erected to a height of greater than 100 feet (30 480

mm) above the ground. Greater heights are permitted where approved and located so as not to create a hazard or danger to the public.

**H109.2 Required clearance.** The bottom coping of every ground sign shall be not less than 3 feet (914 mm) above the ground or street level, which space can be filled with platform decorative trim or light wooden construction.

**H109.3 Wood anchors and supports.** Where wood anchors or supports are embedded in the soil, the wood shall be pressure treated with an approved preservative.

## SECTION H110 ROOF SIGNS

**H110.1 General.** Roof signs shall be constructed entirely of metal or other approved noncombustible material except as provided for in Sections H106.1.1 and H107.1. Provisions shall be made for electric grounding of metallic parts. Where combustible materials are permitted in letters or other ornamental features, wiring and tubing shall be kept free and insulated therefrom. Roof signs shall be so constructed as to leave a clear space of not less than 6 feet (1829 mm) between the roof level and the lowest part of the sign and shall have not less than 5 feet (1524 mm) clearance between the vertical supports thereof. Roof sign structures shall not project beyond an exterior wall.

**Exception:** Signs on flat roofs with every part of the roof accessible.

**H110.2 Bearing plates.** The bearing plates of roof signs shall distribute the load directly to or on masonry walls, steel roof girders, columns or beams. The building shall be designed to avoid overstress of these members.

**H110.3 Height of solid signs.** A roof sign having a solid surface shall not exceed, at any point, a height of 24 feet (7315 mm) measured from the roof surface.

**H110.4 Height of open signs.** Open roof signs in which the uniform open area is not less than 40 percent of total gross area shall not exceed a height of 75 feet (22 860 mm) on buildings of Type 1 or Type 2 construction. On buildings of other construction types, the height shall not exceed 40 feet (12 192 mm). Such signs shall be thoroughly secured to the building on which they are installed, erected or constructed by iron, metal anchors, bolts, supports, chains, stranded cables, steel rods or braces and they shall be maintained in good condition.

**H110.5 Height of closed signs.** A closed roof sign shall not be erected to a height greater than 50 feet (15 240 mm) above the roof of buildings of Type 1 or 2 construction or more than 35 feet (10 668 mm) above the roof of buildings of Type 3, 4 or 5 construction.

## SECTION H111 WALL SIGNS

**H111.1 Materials.** Wall signs that have an area exceeding 40 square feet (3.72 m<sup>2</sup>) shall be constructed of metal or other

approved noncombustible material, except for nailing rails and as provided for in Sections H106.1.1 and H107.1.

**H111.2 Exterior wall mounting details.** Wall signs attached to *exterior walls* of solid masonry, concrete or stone shall be safely and securely attached by means of metal anchors, bolts or expansion screws of not less than  $\frac{3}{8}$  inch (9.5 mm) diameter and shall be embedded not less than 5 inches (127 mm). Wood blocks shall not be used for anchorage, except in the case of wall signs attached to buildings with walls of wood. A wall sign shall not be supported by anchorages secured to an unbraced parapet wall.

**H111.3 Extension.** Wall signs shall not extend above the top of the wall or beyond the ends of the wall to which the signs are attached unless such signs conform to the requirements for roof signs, projecting signs or ground signs.

## SECTION H112 PROJECTING SIGNS

**H112.1 General.** Projecting signs shall be constructed entirely of metal or other noncombustible material and securely attached to a building or structure by metal supports such as bolts, anchors, supports, chains, guys or steel rods. Staples or nails shall not be used to secure any projecting sign to any building or structure. The *dead load* of projecting signs not parallel to the building or structure and the load due to wind pressure shall be supported with chains, guys or steel rods having net cross-sectional dimension of not less than  $\frac{3}{8}$  inch (9.5 mm) diameter. Such supports shall be erected or maintained at an angle of not less than 45 percent (0.78 rad) with the horizontal to resist the *dead load* and at angle of 45 percent (0.78 rad) or more with the face of the sign to resist the specified wind pressure. If such projecting sign exceeds 30 square feet (2.8 m<sup>2</sup>) in one facial area, there shall be provided not fewer than two such supports on each side not more than 8 feet (2438 mm) apart to resist the wind pressure.

**H112.2 Attachment of supports.** Supports shall be secured to a bolt or expansion screw that will develop the strength of the supporting chains, guys or steel rods, with a minimum  $\frac{5}{8}$ -inch (15.9 mm) bolt or lag screw, by an expansion shield. Turnbuckles shall be placed in chains, guys or steel rods supporting projecting signs.

**H112.3 Wall mounting details.** Chains, cables, guys or steel rods used to support the live or dead load of projecting signs are permitted to be fastened to solid masonry walls with expansion bolts or by machine screws in iron supports, but such supports shall not be attached to an unbraced parapet wall. Where the supports must be fastened to walls made of wood, the supporting anchor bolts must go through the wall and be plated or fastened on the inside in a secure manner.

**H112.4 Height limitation.** A projecting sign shall not be erected on the wall of any building so as to project above the roof or cornice wall or, on buildings without a cornice wall, above the roof level except that a sign erected at a right angle to the building, the horizontal width of which sign is perpendicular to such a wall and does not exceed 18 inches (457 mm), is permitted to be erected to a height not exceeding 2 feet (610 mm) above the roof or cornice wall or above the

roof level where there is no cornice wall. A sign attached to a corner of a building and parallel to the vertical line of such corner shall be deemed to be erected at a right angle to the building wall.

**H112.5 Additional loads.** Projecting sign structures that will be used to support an individual on a ladder or other servicing device, whether or not specifically designed for the servicing device, shall be capable of supporting the anticipated additional load, but not less than a 100-pound (445 N) concentrated horizontal load and a 300-pound (1334 N) concentrated vertical load applied at the point of assumed or most eccentric loading. The building component to which the projecting sign is attached shall be designed to support the additional loads.

### SECTION H113 MARQUEE SIGNS

**H113.1 Materials.** Marquee signs shall be constructed entirely of metal or other approved noncombustible material except as provided for in Sections H106.1.1 and H107.1.

**H113.2 Attachment.** Marquee signs shall be attached to approved marquees that are constructed in accordance with Section 3106.

**H113.3 Dimensions.** Marquee signs, whether on the front or side, shall not project beyond the perimeter of the marquee.

**H113.4 Height limitation.** Marquee signs shall not extend more than 6 feet (1829 mm) above, or 1 foot (305 mm) below such marquee. Signs shall not have a vertical dimension greater than 8 feet (2438 mm).

### SECTION H114 PORTABLE SIGNS

**H114.1 General.** Portable signs shall conform to requirements for ground, roof, projecting, flat and temporary signs where such signs are used in a similar capacity. The requirements of this section shall not be construed to require portable signs to have connections to surfaces, tie-downs or foundations where provisions are made by temporary means or configuration of the structure to provide stability for the expected duration of the installation.

**TABLE 4-A  
SIZE, THICKNESS AND TYPE OF GLASS PANELS IN SIGNS**

MAXIMUM SIZE OF EXPOSED PANEL		MINIMUM THICKNESS OF GLASS (inches)	TYPE OF GLASS
Any dimension (inches)	Area (square inches)		
30	500	$\frac{1}{8}$	Plain, plate or wired
45	700	$\frac{3}{16}$	Plain, plate or wired
144	3,600	$\frac{1}{4}$	Plain, plate or wired
> 144	> 3,600	$\frac{1}{4}$	Wired glass

For SI: 1 inch = 25.4 mm, 1 square inch = 645.16 mm<sup>2</sup>.

**TABLE 4-B  
THICKNESS OF PROJECTION SIGN**

PROJECTION (feet)	MAXIMUM THICKNESS (feet)
5	2
4	2.5
3	3
2	3.5
1	4

For SI: 1 foot = 304.8 mm.

### SECTION H115 REFERENCED STANDARDS

ASTM D635—10	Test Method for Rate of Burning and/or Extent and Time of Burning of Plastics in a Horizontal Position	H107.1.1
NFPA 70—17	National Electrical Code	H106.1, H106.2
NFPA 701—10	Methods of Fire Test for Flame Propagation of Textiles and Films	H106.1.1

## Chapter 15.05

### BUILDING CODES

#### 15.05.010 Codes adopted.

The City of Harrisburg adopts the following codes by reference, and each code is incorporated and made a part of this chapter, except as specifically provided by this section:

1. The currently adopted State of Oregon Residential Specialty Code.
2. The currently adopted State of Oregon Electrical Specialty Code.
3. The currently adopted State of Oregon Plumbing Specialty Code.
4. The currently adopted State of Oregon Structural Specialty Code.
5. The currently adopted State of Oregon Mechanical Specialty Code.
6. The currently adopted State of Oregon Manufactured Dwelling Specialty Code.
7. The currently adopted State of Oregon Manufactured Dwelling and Park Specialty Code.
8. The currently adopted State of Oregon Reach Code.
9. The currently adopted State of Oregon Energy Efficiency Specialty Code.
10. The currently adopted State of Oregon Boiler and Pressure Vessel Specialty Code.

#### 11. Appendix H, "Signs", as allowed for Municipal Code Adoption as noted in Section 101.2.1.2 of the 2019 Oregon Structural Specialty Code

~~142.~~ All construction standards and applicable administrative rules relating to building codes that have been adopted by Linn and Lane Counties, and Junction City are hereby adopted. [Ord. 977 § 1 (Exh. A), 2020; Ord. 952 § 1 (Exh. A), 2017; Ord. 929 § 1 (Exh. A), 2015; Ord. 906 § 1, 2012; Ord. 875, 2008; Ord. 856, 2007; Ord. 737 § 1, 1997; Ord. 692 § 1, 1995.]

#### 15.05.020 City building code administration.

1. City Administration Procedures. The City shall provide for the administration of a plan checking, building permit and inspection program for structural, plumbing, mechanical and electrical work. The City program is applicable to public building, including State building, as well as private building.
2. Demolition Permit Requirements and Procedures. The City shall issue demolition permits for all structures known to be listed on the Linn County Assessor tax rolls and provide inspections upon notification by the applicant of completion of the work. The City shall also notify the Linn County Assessor of the demolition permit, for removal of the structure from the tax rolls. The City shall inspect the area for removal of all debris. If no residence will replace the demolished residence, inspect:
  - a. Capping of the sewer line or, if there is no City sewer service, inspect the septic system to be sure it has been adequately removed.
  - b. Removal of water meter. [Ord. 977 § 1 (Exh. A), 2020; Ord. 737 § 2, 1997; Ord. 692 § 2, 1995.]



**ORDINANCE NO. 983****AN ORDINANCE AMENDING HMC 15.05.010 TO ADOPT APPENDIX H, 'SIGNS' AS ALLOWED IN THE 2019 OREGON STRUCTURAL SPECIALTY CODE**

WHEREAS; the 2019 Oregon Structural Specialty Code was changed to remove several appendices that were previously addressed in the state building code division; and,

WHEREAS; the City has determined that it is more beneficial to follow the former structural Building Code in relation to signs, and that the change to some of the code is beneficial to some business owners.

NOW, THEREFORE; the Harrisburg City Council ordains to amend Harrisburg Municipal Code Chapter 15.05.010 as shown in Section 1.

**Section 1:**

11. Appendix H, "Signs", as allowed for Municipal Code Adoption as noted in Section 101.2.1.2 of the 2019 Oregon Structural Specialty Code

12. All construction standards and applicable administrative rules relating to building codes that have been adopted by Linn and Lane Counties, and Junction City are hereby adopted. [Ord. 977 § 1 (Exh. A), 2020; Ord. 952 § 1 (Exh. A), 2017; Ord. 929 § 1 (Exh. A), 2015; Ord. 906 § 1, 2012; Ord. 875, 2008; Ord. 856, 2007; Ord. 737 § 1, 1997; Ord. 692 § 1, 1995.]

**Section 2:** The effective date of this ordinance is hereby set as July 14, 2022.

Passed by the Council this 14<sup>th</sup> day of June 2022.

Approved by the Mayor this 14<sup>th</sup> day of June 2022.

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Mayor Robert Duncan

Attest:

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City Recorder

Agenda Bill  
**Harrisburg City Council**  
Harrisburg, Oregon

**THE MATTER OF ALLOWING VOLUNTEER WORKER'S COMPENSATION  
COVERAGE FOR 2022-2023 BY APPROVING RESOLUTION NO. 1262**

**STAFF REPORT:**

Exhibit A: Resolution No. 1262

**ACTION:            MOTION TO APPROVE RESOLUTION NO. 1262, "A  
RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO  
VOLUNTEERS OF THE CITY OF HARRISBURG FOR POLICY YEAR 2022-2023"**

**THIS AGENDA BILL IS DESTINED FOR:** Regular Agenda – June 14, 2022

BUDGET IMPACT		
COST	BUDGETED?	SOURCE OF FUNDS
FY 21/22 \$126.46	Yes	General Fund

**STAFF RECOMMENDATION:**

**The City Recorder recommends the City Council approve Resolution No. 1262**

**BACKGROUND INFORMATION:**

On an annual basis, the City is required to approve a resolution that extends Workers' Compensation coverage to the Volunteers who provide services on behalf of the City. If a volunteer is injured while volunteering for the City, the City will be able to treat the injury as a worker's compensation claim.

The City chooses to cover our volunteer boards, as well as volunteers for special events. The cost for providing this insurance to our volunteers is quite low, and accounts for not quite 1% of our total workers compensation costs.

**REVIEW AND APPROVAL:**

Lori Ross            06/07/2022  
Lori Ross/ City Recorder    Date

City of Harrisburg  
**RESOLUTION NO.1262**

**A RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF  
THE CITY OF HARRISBURG FOR POLICY YEAR 2022-2023.**

**Volunteer Resolution No.:** 1262

**Effective Date:** July 1, 2022

WHEREAS; The City of Harrisburg elects that pursuant to ORS 656.031, workers' compensation coverage will be provided to the classes of volunteers listed in this resolution, noted on CIS payroll schedule, and verified at audit:

**1. Public Safety Volunteers**

**Applicable:**            **Non-applicable:** X

**2. Volunteer boards, commissions, and councils for the performance of administrative duties.**

**Applicable:** X        **Non-applicable:**

An aggregate assumed annual wage of \$2,500 will be used per each volunteer board, commission, or council for the performance of administrative duties. The covered bodies are:

- a. Harrisburg City Council
- b. Harrisburg Planning Commission
- c. Harrisburg Library Board
- d. Harrisburg Budget Committee
- e. Harrisburg Ad-Hoc Committees

**3. Manual labor by elected officials.**

**Applicable:**            **Non-applicable:** X

**4. Non-public safety volunteers**

**Applicable:** X        **Non-applicable:**

All non-public safety volunteers listed below will track their hours and Oregon minimum wage will serve as assumed wage for both premium and benefits calculations. CIS will assign the appropriate classification code according to the type of volunteer work being performed. Specific non-public safety volunteers are listed below:

- a. City Parks
- b. City Hall
- c. Senior center
- d. Harrisburg Public Library & Programs
- e. On rare occasions, other Public Works areas. (Facilities)

5. Public Events

Applicable: X      Non-applicable:

Volunteers at the following public events will be covered under workers’ compensation coverage using verified hourly Oregon minimum wage as basis for premium and/or benefit calculation:

- a. Harrisburg’s Old-Fashioned 4<sup>th</sup> of July Event
- b. The Day of Service Event
- c. Summer Sounds Concerts & Movies
- d. The Harvest Festival
- e. The Annual Light Parade
- f. National Night Out

6. Community Service Volunteers/Inmates

Applicable:      Non-applicable: X

7. Other Volunteers

Volunteer exposures not addressed here will have workers’ compensation coverage if, prior to the onset of the work provided that The City of Harrisburg:

- a. Provides at least two weeks’ advance written notice to CIS underwriting requesting the coverage
- b. CIS approves the coverage and date of coverage
- c. CIS provides written confirmation of coverage

The City of Harrisburg **agrees to maintain verifiable rosters for all volunteers including volunteer name, date of service, and hours of service and make them available at the time of a claim or audit to verify coverage.**

Now, therefore, be it resolved by The City of Harrisburg to provide workers’ compensation coverage as indicated above.

Adopted by the Harrisburg City Council this 14th day of June 2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Printed Name

# Agenda Bill

## **Harrisburg City Council**

### Harrisburg, Oregon

#### **THE MATTER OF A REQUEST FOR THE LIBRARY TO BECOME FINE FREE AFTER A ONE YEAR TRIAL PERIOD**

#### **STAFF REPORT:**

Exhibit A: City Council Minutes for March 23, 2021

Exhibit B: Fine Free Local Libraries

**ACTION:                    MOTION TO APPROVE / DENY/ APPROVE WITH CONDITIONS THE HARRISBURG PUBLIC LIBRARY TO BECOME A FINE FREE LIBRARY EFFECTIVE JULY 1, 2022.**

**THIS AGENDA BILL IS DESTINED FOR:** Regular Agenda June 14, 2022

<b>BUDGET IMPACT</b>		
<b>COST</b>	<b>BUDGETED?</b>	<b>SOURCE OF FUNDS</b>
Yes	YES	LIBRARY FUNDS

#### **STAFF RECOMMENDATION:**

**Staff recommends City Council to review the information provided in this report and decide if the Library can become a fine free Library effective July 1, 2022.**

#### **BACKGROUND INFORMATION:**

On March 23, 2021, City Council approved a one-year trial period for the Library to become fine free. A condition of the approval was there would need to be a tracking system in place and it would be reviewed by Council after one year. Some of the concerns were accountability, loss of revenue and the length the materials would be check out. Minutes for that meeting are shown in EXHIBITA.

Below is a list of statistics for this fiscal year through May of 2022 and previous fiscal years:

#### **Number of Materials Lost:**

July 2021 to May 2022: 20 items with a total value of \$320.78 from 9 patrons.

July 2020 to June 2021: 41 items with a total value of \$518.35 from 11 patrons.

July 2019 to June 2020: \*6 items with a total value of \$95.00 from 5 patrons.

\*Please note, there were no checkouts between July 1 and November 12, 2019 due to construction of the Library and very few after March due to Covid and the Library being closed or offering only curbside pickup.

<u>Number of Items Checked Out:</u>	<u>Days from Checkout to Check-in:</u>
July 2021 to May 2022: 5,234	22.9 Days
July 2020 to July 2021: 4,172	23.8 Days
July 2019 to July 2020: 2,706 (Covid)	26.3 Days

The Library does now offer E-Books, which accounts for the lower number of items checked out. As of May 17, 2022, there have been 668 books checked out through the Oregon Digital Library Consortium. If we include the ODLC contribution, the total materials checked out is 5,902 for this fiscal year. You can also see that the number of days those items are checked out has stayed consistent with the previous fiscal year.

New Library Cards Issued:  
July 1, 2021 to May 31, 2022: 120 New Library Cards  
July 1, 2020 to June 30, 2021: 55 New Library Cards  
July 1, 2019 to June 30, 2020: 104 New Library Cards

When the Library first began this process in early 2021, there were no other Library's in our area that were offering fine free services. Since we began our trial period on July 1, 2021, Albany Public Library, Springfield Public Library and Eugene Public Library have all become fine free **(EXHIBIT B)**.

Overdue fines are not a guaranteed revenue or are factored into our budget. These fines create an unnecessary barrier to be able to use the Library, especially for those who face financial challenges. Returning items on time can sometimes be a challenge and if one patron has several materials checked out, it can easily add up to a large amount preventing that patron from being able to return to the Library. The Library Board and staff want to our patrons to look forward to visiting the Library and to not be embarrassed to come back, due to overdue fines.

The Library Board and Staff asks that the City Council approve our request to become a Fine Free Library effective July 1, 2022 so we may continue to live up to our mission of providing quality materials and services which fulfill educational, informational, cultural, and recreational needs of the entire community in an atmosphere that is welcoming, respectful, and businesslike.

REVIEW AND APPROVAL:

<u>Lori Ross</u>	<u>06/08/2022</u>
Lori Ross	Date
City Recorder	



## City Council Work Session Meeting Minutes March 23, 2021

Mayor: Robert Duncan, Presiding  
 Council President: Mike Caughey, Present  
 Councilors Present: Robert Boese, Adam Keaton, and Kim Downey  
 Councilors Absent: Randy Klemm and Charlotte Thomas  
 Staff Present: City Administrator Michele Eldridge, Public Works Director Chuck Scholz, and Finance Officer/Deputy Recorder Cathy Nelson  
 Meeting Location: Harrisburg Municipal Center @ 354 Smith St.

**CALL TO ORDER AND ROLL CALL** by Mayor, Robert Duncan at the hour of 6:33pm

**CONCERNED CITIZEN(S) IN THE AUDIENCE.** Those present were there for items on the agenda.

### NEW BUSINESS

#### **THE MATTER OF PROVIDING WASTEWATER PRESSURE LINES UNDER SLOW TRACKS**

**STAFF REPORT:** Scholz explained what the project entailed and what was asked in the bid packages covered. The project will alleviate the emergency repairs needed and improve the overall functionality of our sewer system where it crosses under the slow speed tracks. It still leaves only one line under the tracks. He contacted other companies for another bore under the tracks at a different location but stopped looking when the estimates reached \$1,000,000 without meeting the core requirements.

- Boese asked how much pressure the lines would need. Scholz stated that they would need 115 psi and could handle 400psi.
- Caughey thanked Scholz for adding the drawings to the packet.
- Keaton **motioned that the contract be awarded to Pacific Underground Co. in the amount of \$134,915.00 for the Sanitary Sewer Overflow Improvement and was seconded by Downey. The City Council voted unanimously to award the contract to Pacific Underground Co, in the amount of \$134,915 for the Sanitary Sewer Overflow Improvement.**

Scholz gave an update of the other projects happening in Harrisburg:

- Waterlines on 6<sup>th</sup> Street Place - started this week and should be done next week.

March 23, 2021

- Diamond Hill from 7<sup>th</sup> to 9<sup>th</sup> Street - will come to council late April after going to bid next month.
- Water Treatment Plant – filtration and onsite chlorination information will be available at the April meeting. Going through phases and chapters of plans to reach 80-90% for submittal. Water Improvement plans will be available in April, so we can get it out to bid early summer. By fall of next year we will have treated water.
  - Caughey asked about well 9. Scholz stated that it will not be built on someone else's property. We have already done test wells and submitted results to the State for approval. We expect to go to bid in the very near future as we are 98% done with the plans.
  - Duncan asked what test have been done. Scholz answered they have done soil test and which aquifer we are tapping.
- Scholz asked to be excused for the rest of the meeting. Mayor approved request.

### **THE MATTER OF A REQUEST BY THE LIBRARY BOARD TO INSTITUTE A FINE-FREE LIBRARY SYSTEM**

**STAFF REPORT:** Eldridge reminded the City Council that they talked about this request back in 2019 and asked the library board to create a proposal for a fine-free library system. The Library Board is now ready to present the proposal to the City Council starting on page 18 in the agenda packet. Members present are Barney and Hansen along with staff of Palkey, Spangle and Ross. The Library Board pointed out that they are asking to only waive the late fees, not the cost to replace lost or damaged books. If a book is lost or damaged, customers can bring in a comparable priced book or pay for the book. They also stated that there are three (3) libraries in the region who are already fine-free.

- Caughey asked how long patrons can keep a book. The Library Board stated the maximum timeframe is 63 days. Customers get fined 10 cents per day per book after that time or if they fail to renew the book. The late fees are not deterring returning books late. Caughey asked why it is 63 days, because that seems like a long time. The Library Board replied that that was the Library Consortium Policy that they had to follow.
- Ross shared that the \$536 amount in late fees to be forgiven is spread out over 49 patrons. Spangler stated that this is impacting the children the most.
- Caughey asked if there was contact between the library and the customer regarding late fees. Ross said that they receive emails or letters. The new policy will still charge for lost books and stops future checkout until the fees are paid and they will receive notices from the Library.
- Downey said that she spoke with several residents who are concerned about irresponsibility plus the cost to taxpayers to replace books. But it sounds like it will not cost taxpayers to replace books from the regular customers.
- Boese said he likes the idea of removing the fear of fines, especially to kids. The bad part is if non-responsible people take advantage. He suggested doing a trial period, maybe 6 months.
- Keaton asked how the amnesty program worked and if people brought back books during that time. Spangler stated that it seemed like more books came back but they did not track it.
- Caughey recommended that the council approves a six-month trial and keep records on how many books come back. Keaton countered that six-months does not cut it. He proposed a full year.
- Keaton **motioned to approve the fine-free proposal made by the Library Board for one (1) year starting July 1, 2021 with tracking systems and review.**



March 23, 2021

**Motion seconded by Downey and the City Council voted unanimously to approve the fine-free proposal made by the Library Board for one (1) year starting July 1, 2021 with tracking systems and review.**

## **THE MATTER OF DISCUSSING POSSIBLE USES OF THE RECENT AMERICAN RESUE PLAN (ARP) FUNDING**

**STAFF REPORT:** Eldridge noted the City Council that Harrisburg will receive \$794,341 in two payments, one soon and the other half next year. LOC recommended being very transparent on how funds are spent. How do we want to spend the \$397,000 we will receive this upcoming budget year?

- Helping business is a priority. We can set \$100,000 aside to develop some programs.
- Apply \$100,000 to the Storm Drain, Water and Sewer budgets to stop a rate increase.
- The Hart Center requested an additional \$5,000 to make their annual request \$20,000.
- Duncan recommended doing something for citizens who suffered due to unemployment. Duncan stated that there are several unemployment services available even though the PUA (Pandemic Unemployment Assistance) is over, it is possibly coming back. Keaton said it might be hard for the city to do that.
- Keaton suggested adding funds to the HRA loan program. Duncan reminded the Council that they can not use the HRA because it creates a tax break which is not allowed. Eldridge suggested creating a new grant program coping the loan program.
- Downey asked if we could use the funds to put on events and advertise for local businesses. Eldridge said we could.
- Duncan asked if staff could reach out to other cities and find out what they are doing with the funds.
- Keaton said the reason for the grant was to help communities affected by COVID. We should use it to help with major planning documents that we could not do before like updating the Parks Master Plan and the Transportation Plan. Eldridge said that we did receive a separate grant for parks. We can use the ARP funds for the City match.

## **OTHER ITEMS**

- Eldridge reported that Linn County is at the Moderate Covid Level.
- Council personal OGE reports are due April 1<sup>st</sup>.
- Eldridge is working with Cindy Knox for landscaping on Peoria and Hwy 99. She spoke with the Linn County Road Master about visual clearance. They will focus on the south end entrance next.
- The TMG Grant Pre-Application is in. The main application is due May 3, 2021.

**ADJOURN: The City Council adjourned the meeting at the hour of 8:11pm.**

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**Mayor**

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**City Recorder**

## [En español](#)

Starting May 1, 2022, Eugene Public Library no longer charges overdue fines. Additionally, any existing overdue fines have been removed from accounts. As a result, many Eugene Public Library cards that were blocked due to overdue fines are again free to use.

This policy aims to make library use as easy and accessible as possible for all community members.

The library stopped charging overdue fines on children's and teen items in January 2020. As expected, that change encouraged library card sign-ups and increased use, without causing any problems.

In taking this approach, Eugene is part of a trend sweeping public libraries nationwide. Under the old policy, if borrowers were unable to get to the library to return items before due dates, the combined overdue fines could block use of the card until payment was made. This created an unnecessary barrier to library use, particularly for those already facing financial challenges. The risk of overdue fines led some people to borrow fewer items or not use the library at all.

“Eugene Public Library’s mission is to make books and other items and services easily available to the community,” says Library Director Will O’Hearn. “Overdue fines can get in the way. Plus, the fines can easily add up, especially for anyone already facing financial challenges..”

Many public libraries nationwide have adopted similar overdue-fine-free policies. Based on those libraries’ experiences and its own, Eugene Public Library expects most items will continue to be returned on time, because library borrowers respect the need to make items available for others to use. Items that have not been returned to Eugene Public Library by 30 days after due date will continue to be marked as “lost,” with the account charged for replacement costs.

For more information or assistance, contact Eugene Public Library: 541-682-5450 or [www.eugene-or.gov/library](http://www.eugene-or.gov/library).

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## Frequently Asked Questions

### What is the new fine-free policy?

Starting May 1, Eugene Public Library will no longer charge overdue fines on adult items (we already don't charge them for children and teens). Existing overdue charges will be removed from accounts.

### Didn't you already do this?

In January 2020, we eliminated overdue fines for children's and teen items. That policy change has succeeded: most items are still returned by due date or soon after, overall borrowing has increased, more people have signed up for library cards, and parents express appreciation and feel they can allow their kids to borrow more items per visit.

### What is the purpose of this change?

Our mission is to make library use as easy and accessible as possible to everyone in Eugene.

Overdue fines can unintentionally make it harder for community members to use their library.

For a variety of reasons, people are sometimes unable to get to the library to return items before due dates. If an account has many items borrowed at once, the combined overdue fines can add up to large amounts and even block use of the card until payment is made.

For this reason, overdue fines sometimes create an unnecessary barrier to library use, particularly for those already facing financial challenges. Just the risk of charges leads some people to borrow fewer items or not to use the library at all.

### **What about existing overdue fines and other fees already charged to accounts?**

Existing overdue fines will be removed from accounts. We will also remove fees of any type that we will no longer charge (such as our previous unclaimed holds and processing fees). As a result, some Eugene Public Library cards that are currently blocked will again be free to use.

Please note: payments made before the new policy takes effect cannot be refunded later. We recommend not paying fines right now, because those charges will be deleted on May 1.

Also note: charges to replace incomplete, lost, and damaged items will remain on accounts.

### **Will I still receive due date reminders and overdue notices?**

Yes. We will continue to provide due date reminders and overdue notices. These courtesy notices are delivered by each borrower's choice of communication: email, text, or automated phone service.

### **How can I get help understanding charges on my account and how this affects me personally?**

Please contact the library any time for assistance in understanding charges on your account, setting up a personalized payment plan, or other concerns. If there is anything preventing you from using your library card, please let us know. Visit in person or call 541-682-5450.

### **Without fines, will library items be returned on time?**

Our library and others that have made this change nationwide have found that items continue to be returned on time or soon after, because borrowers respect the need to make items available to others. Items that have not been returned to Eugene Public Library by 30 days after due date will continue to be considered "lost," and the account charged for replacement cost.

### **Which other public libraries have made this change?**

Libraries that have adopted some form of overdue-fine-free borrowing include Multnomah County Library (Portland, Oregon), Springfield Public Library (Oregon), Seattle Public Library (Washington), Salt Lake City Public Library (Utah), Los Angeles Public Library (California), San Rafael Public Library (California), High Plains Library District (Colorado), Noble County Public Library (Indiana), New London Public Library (Wisconsin), Columbus Metropolitan Library (Ohio), Nashville Public Library (Tennessee), Baltimore's Enoch Pratt Free Library (Maryland), the Free Library of Philadelphia (Pennsylvania), and DC Public Library (Washington, D.C.).

### **Doesn't the library need the money from overdue fines to buy more books? How will this affect the library's budget?**

Purchasing new materials is part of the library's budget every year and is not connected to overdue fines. The cost of this change has been accounted for in our planning process. The no-

longer-charged overdue fines will total about \$235,000, which is 1.6 per cent of the library's annual budget of \$15 million.

3.

### **More questions?**

For more information or assistance, including questions about charges on your account, please contact Eugene Public Library: 541-682-5450.

Agenda Bill  
**Harrisburg City Council**  
Harrisburg, Oregon

**THE MATTER OF APPROVING AN ‘ASSIGNMENT’ OF THE FRANCHISE AGREEMENT (ORDINANCE NO. 955) FOR MCI METRO ACCESS TRANSMISSION SERVICES CORP. D/B/A VERIZON ACCESS TRANSMISSION TO MCI COMMUNICATIONS SERVICES LLC., AND AUTHORIZING THE CITY ADMINISTRATOR TO CONSENT TO THE ASSIGNMENT AND UPDATED ADDENDUM NO. A**

**STAFF REPORT:**

Exhibit A: Ordinance No. 955 – Adopted Sept 13, 2017

Exhibit B: Legal Assignment of Franchise (Ordinance No. 955)  
and Addendum A

**ACTION: MOTION TO AUTHORIZE THE CITY ADMINISTRATOR TO CONSENT TO THE FOREGOING ASSIGNMENT AND UPDATED ADDENDUM A AS SHOWN IN EXHIBIT B**

**THIS AGENDA BILL IS DESTINED FOR:** Regular Agenda – June 14, 2022

BUDGET IMPACT		
COST	BUDGETED?	SOURCE OF FUNDS
N/A	N/A	N/A

**STAFF RECOMMENDATION:**

**Staff recommends the City Council authorize the City Administrator to Consent to the Assignment and updated Addendum A.**

**BACKGROUND INFORMATION:**

In the fall of 2021, Staff shared with the City Council that the City had been contacted by MCI Metro near the end of July 2021. MCI informed the Finance Officer that MCI Metro Access Transmission Services Corp, dba Verizon Access Transmission Services, had never signed/authorized Ordinance No. 955 (**Exhibit A**), which was approved by the City Council in 2017. Both the City of Harrisburg, and MCI, have operated continuously together as required by the Franchise Agreement, and MCI has continually paid their franchise fees as specified in Ordinance No. 955. Some Council members may remember that our former Finance Officer had already worked from Jan 2016 to September 2017 to negotiate the final Ordinance No. 955.

Company representatives pointed out that there were several administrative issues that needed to be repaired. One issue was in relation to the company name that was provided to the City in 2017. It was incorrect, and the company asked for the City to ‘amend’ the Franchise Agreement to MCI Communications Services LLC instead of MCI

Metro Access Transmission Services. They also told the City that Addendum A in Ordinance No. 955, had an incorrect map showing the wrong route for the 2,230 of linear footage for their telecommunications lines through the City. The last page of **Exhibit A** shows the 'incorrect' addendum. (The route shown followed the rail line on 4<sup>th</sup> Street, and then changed to follow Hwy 99E outside of town. The actual route both enters and exits the city limits on the BNSF railine.)

Staff referred the issue to City Attorney David Coulombe for review and received instructions for how to proceed. The Finance Officer communicated with MCI through July and August 2021, trying to find middle ground on putting together documentation that confirmed successorship from the previous company, to the current one. Staff followed our attorney's directions. Ultimately, MCI was concerned that after conveying dozens of pages showing the synopsis of the flow of ownership from the franchise affiliate 'MCI WorldCom Network Services', named in previous Ordinance No. 801 to MCI Communications who was the current long-distance carrier and present owner of the 4<sup>th</sup> street route, that the information the City was requiring wasn't correct.

It was determined in October that it would likely be better for the legal representatives of both parties to talk directly. Progress slowed down over the holidays, but picked back up in February 2022, with a culmination between attorneys in May. The City Attorney and attorneys at MCI worked to create the Assignment of Franchise document (**Exhibit B**), which would specifically accept the franchise agreement (Ordinance No. 955) and would also amend the map that was affixed to the original ordinance. The City Attorney believes this to be the easiest way to resolve this situation and is satisfied with the methodology by which MCI proved their ownership of the fiber route that runs on 4<sup>th</sup> Street through Harrisburg.

The rest of the terms of the agreement remain the same. This agreement will be applicable until June 30, 2037. After this date, the franchise shall automatically renew for two subsequent five-year renewal terms, unless the agreement is lawfully terminated or changed.

The motion that authorizes the City Administrator to sign the Assignment of Franchise; is located at the top of this staff report.

#### REVIEW AND APPROVAL:

*Michele Eldridge*

06.08.22

Michele Eldridge Date  
City Administrator

**ORDINANCE NO. 955****AN ORDINANCE RENEWING THE FRANCHISE AGREEMENT OF MCIMETRO ACCESS TRANSMISSION SERVICES CORP. D/B/A VERIZON ACCESS TRANSMISSION SERVICES, FOR THE PLACEMENT OF COMMUNICATION FACILITIES WITHIN THE CITY OF HARRISBURG, STATE OF OREGON, AND SUPERCEDING ORDINANCE NO. 801**

**WHEREAS**, the City of Harrisburg has determined it appropriate and in the best interests of the public to grant MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services, a corporation qualified to do business in Oregon, (Grantee), a nonexclusive franchise to construct, operate and maintain Communication Facilities, with all necessary elements, in, over, and under the surface of the Public Rights-Of-Way within the corporate limits of the City.

**NOW THEREFORE, THE CITY OF HARRISBURG ORDAINS AS FOLLOWS:**

**SECTION 1: Definition of Terms**

- A. For the purpose of this franchise agreement, the following terms, phrases, and their derivations shall have the meanings given below unless the context indicates otherwise. When consistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number.
1. **"City"** means the City of Harrisburg, Oregon, or the lawful successor, transferee, or assignee thereof.
  2. **"Communication Facilities"** means all conduits, handholes, manholes, vaults, pedestals, cross-boxes, poles, wires, cables, antennas, and associated structures owned by Grantee for use of Grantee in providing communication services.
  3. **"FCC"** means Federal Communications Commission.
  4. **"Grantee"** means MCImetro Access Transmission Services LLC, or the lawful successor, transferee, or assignee thereof.
  5. **"Person"** means an individual, partnership, association, joint stock company, trust, corporation, or governmental entity.
  6. **"Public Right-of-Way"** shall mean the surface of, and the space above and below, any public street, road, alley, highway, sidewalk, walkway, or bridge within the City, used or intended to be used by the general public for motor vehicles or pedestrian traffic, to the extent the City has the right to allow the Grantee to use them.
  7. **"Service Area"** means the present boundaries of the City, and shall include any additions thereto by annexation or other legal means.

## **SECTION 2: Grant of Franchise**

- A. The City hereby grants to the Grantee a nonexclusive franchise which authorizes the Grantee to use the Public Right-of-Way to construct, operate, and maintain Communication Facilities within the corporate limits of the city as more specifically set forth in Section 3(A) below.
- B. The Grantee agrees to comply with the terms of any lawfully adopted generally applicable local ordinance, to the extent that the provisions of the ordinance do not have the effect of limiting the benefits or expanding the obligations of the Grantee that are granted by this franchise agreement. Neither the City nor the Grantee may unilaterally alter the material rights and obligations set forth in this franchise agreement.

The franchise agreement granted hereunder shall be for an initial term of twenty (20) years commencing July 1, 2017. The franchise shall automatically renew for two (2) subsequent five (5) year renewal terms unless otherwise lawfully terminated in accordance with the terms of this franchise agreement. If the City and/or Grantee seek to change any of the material rights or obligations of the other party to this franchise agreement for an upcoming renewal term, then the party seeking such change shall provide the other party with no less than one hundred eight (180) days advance written notice of the specifics of the changes proposed. The parties will negotiate diligently and in good faith concerning any proposed change.

## **SECTION 3: Standards of Service**

### **A. Conditions of Use**

1. Where commercially reasonable, the Communication Facilities installed by the Grantee pursuant to the terms hereof shall be located underground so as to cause a minimum of interference with the proper use of Public Right-of-Way and with the rights and reasonable convenience of property owners who own property that adjoins any of such Public Right-of-Way. In locations where it is not commercially reasonable to install facilities underground, Grantee may attach its Communications Facilities to utility poles in accordance with any pole attachment agreement lawfully entered into between the Grantee and pole owner utility, or place its own utility poles in accordance with City's standard processes for authorization of such construction.
2. The Communication Facilities shall be in the Public Right-of-Way, and all work shall comply with the standard specifications of the City and all other applicable federal, state, and local laws and regulations.
3. The City shall have the ability to reasonably prescribe which Public Right-of-Way will be used and the location within a Public Right-of-Way.
4. No work shall be done by the Grantee without first obtaining the permits required by the City, which may include plan approval, and the payment of any required fees. The City shall not require any term or condition of a permit that conflicts with the express provisions of this franchise.



**B. Restoration of Public Right-of-Way**

1. If during the course of the Grantee's construction, operation, or maintenance of the Communication Facilities there occurs a disturbance of any Public Right-of-Way by the Grantee, Grantee shall replace and restore such Public Right-of-Way to a condition reasonably comparable to the condition of the Public Right-of-Way as it existed immediately prior to such disturbance. In the event Grantee fails to restore the Public Right-of-Way to a condition reasonably comparable to the condition existing immediately prior to such disturbance, the City may restore, or cause to restore, such Public Right-of-Way at the expense of Grantee; provided, that the City provides Grantee with reasonable notice to restore, and Grantee fails to restore such Public Right-of-Way within the time period given by the City.

**C. Relocation at Request of the City**

1. Upon its receipt of reasonable advance written notice, to be not less than thirty (30) business days or such other reasonable time frame requested by Grantee given the scope of the requested relocation work, the Grantee, at its own expense, shall protect, support, temporarily disconnect, relocate in or remove from the Public Right-of-Way, any property of the Grantee when lawfully required by the City by reason of traffic conditions, public safety, street abandonment, freeway and street construction, change or establishment of street grade, installation of sewers, drains, gas or water pipes, or any other type of structures or improvements by the City which are not used to compete with the Grantee's services. The Grantee shall in all cases have the right of abandonment of its property.

**D. Relocation for a Third Party**

1. The Grantee shall, on the request of any Person holding a lawful permit issued by the City, protect, support, raise, lower, temporarily disconnect, relocate in or remove from the Public Right-of-Way as necessary any property of Grantee, provided:
  - a. The expense of the change shall be paid by the Person benefiting from the relocation, including, if required by the Grantee, making such payment in advance.
  - b. The Grantee shall be given reasonable advance written notice to prepare for such changes. For purposes of this Section 3(D), "reasonable advance written notice" shall be no less than thirty (30) business days in the event of a temporary relocation, and no less than 120 days for a permanent relocation.

**E. Trimming of Trees and Shrubbery**

1. The Grantee shall have the authority to trim trees or other natural growth within the Public Right-of-Way in order to access and maintain the Communication Facilities.

**F. Safety Requirements**

1. Construction, operation, and maintenance of the Communication Facilities shall be performed in an orderly and workmanlike manner. All such work shall be performed

in substantial accordance with generally applicable federal, state, and local regulations and the National Electric Safety Code. The Communication Facilities shall not endanger or unreasonably interfere with the safety of Persons or property in the Service Area.

**G. System Standards**

1. The Communication Facilities shall meet or exceed all applicable technical and performance standards of the FCC.

**SECTION 4: Regulation by the City**

**A. Franchise Fee**

1. The Grantee shall pay to the City a franchise fee equal to \$6.00 per lineal foot of conduit (presently 2,230 feet). See addendum A. The franchise fee payment shall be paid annually, by August 1st of each year. The City represents and warrants that the rights provided to and the fees charged to Grantee shall be consistent with the requirements of 47 U.S.C. Section 253 (a/k/a the 1996 Telecommunications Act).
2. With each franchise fee payment, the Grantee shall furnish a statement setting forth the method of calculation and the amount of the payment.
3. The payment of the franchise fee shall not be credited toward the payment of property taxes or payments in lieu thereof, nor any tax adopted by the City, nor credited toward any permit fees required by the Harrisburg code.
4. Limitation on franchise fee actions - The period of limitation for recovery of any franchise fee payable hereunder shall be four (4) years from the date on which payment by the Grantee is due.

**B. Transfer of Franchise**

1. The Grantee's right, title, or interest in the franchise shall not be sold, transferred, assigned, or otherwise encumbered, other than to an entity directly or indirectly controlling, controlled by, or under common control with the Grantee, without the prior consent of the City, such consent not to be unreasonably withheld. Upon completion by Grantee of such assignment, the assignee shall be deemed the Grantee for purposes of this franchise agreement. No such consent shall be required, however, for a transfer in trust, by mortgage, by other hypothecation, or by assignment of any rights, title, or interest of the Grantee in the franchise agreement in order to secure indebtedness. Within thirty (30) days of receiving a request for transfer, the City shall notify the Grantee in writing of any additional information it reasonably requires to determine the legal, financial and technical qualifications of the transferee. If the City has not taken action on the Grantee's request for transfer within one hundred twenty (120) days after receiving such request, consent by the City shall be deemed given, unless the requesting party and City agree to an extension of time.

## **SECTION 5: Books and Records**

Grantee shall maintain "as built" drawings for the Communication Facilities at Grantee's business office, and make them available to the City for inspection during normal business hours upon written request. "As built" drawings shall be updated as changes occur in the Communication Facilities serving the Service Area. Upon written request of the City, Grantee shall provide the City copies of trench maps showing the location of Grantee's lines within the Public Right-of-Way in the Service Area.

## **SECTION 6: Insurance and Indemnification**

### **A. Insurance Requirements**

1. The Grantee shall maintain in full force and effect, at its own cost and expense, during the term of the franchise agreement, Commercial General Liability Insurance in the amount of \$1,000,000 combined single limit for bodily injury and property damage. The City shall be designated as an additional insured. Such insurance shall be non-cancellable except upon thirty (30) days prior written notice to the City. Upon written request, the Grantee shall provide a Certificate of Insurance showing evidence of the coverage required.

### **B. Indemnification**

1. The Grantee agrees to indemnify, save and hold harmless, and defend the City, its officers, boards and employees, from and against any liability for damages and for any liability or claims resulting from property damage or bodily injury (including accidental death), which arise out of Grantee's construction, operation, or maintenance of its Communication Facilities, provided that the City shall give Grantee written notice of its obligation to indemnify the City within ten (10) days of receipt of a claim or action pursuant to this Section 6.B. Grantee shall have control over the defense and resolution of such claims, and all indemnified parties shall reasonably and diligently cooperate with Grantee. Notwithstanding the foregoing, Grantee shall not indemnify the City for any damages, liability, or claims resulting from the willful misconduct or negligence of the City.

### **C. Bonds and Other Surety**

1. No bond or other surety shall be required of Grantee at the inception of the franchise agreement. In the event Grantee is required by the City to obtain a bond or other surety in the future, the City agrees to give Grantee at least 60 days advance written notice thereof stating the specific reasons for such requirement. Such reasons must demonstrate a change in Grantee's legal, financial or technical qualifications that would materially prohibit or impair Grantee's ability to comply with the terms and conditions of this franchise agreement.

## **SECTION 7: Enforcement and Termination of Franchise**

### **A. Notice of Violation**

1. In the event that the City believes that the Grantee has not complied with the terms of the franchise agreement, the City shall informally discuss the matter with Grantee. If these discussions do not lead to resolution of the problem, the City shall notify the Grantee in writing of the exact nature of the alleged noncompliance.

### **B. The Grantee's Right to Cure or Respond**

1. The Grantee shall have thirty (30) days from receipt of the notice described in Section 7(A) to either: (1) to respond to the City, contesting the assertion of noncompliance, or (2) to cure such default, or (3) in the event that, by the nature of default, such default cannot be cured within the thirty (30) day period, initiate reasonable steps to remedy such default and notify the City of the steps being taken and the projected date that they will be completed.

### **C. Public Hearing**

1. In the event that the Grantee fails to respond to the notice described in Section 7(A) pursuant to the procedures set forth in Section 7(B), or in the event that the alleged default is not remedied within thirty (30) days or the date projected pursuant to 7(B)(3) above, if it intends to continue its investigation into the default, then the City shall schedule a public hearing. The City shall provide the Grantee at least ten (10) business days prior written notice of such hearing, which specifies the time, place and purpose of such hearing, and provide Grantee the opportunity to be heard.

### **D. Enforcement**

1. Subject to applicable federal and state law, in the event the City, after the hearing set forth in Section 7(C), determines that the Grantee is in default of any provision of the franchise agreement, the City may:
  - a. Seek specific performance of any provision, which reasonably lends itself to such remedy, as an alternative to damages; or,
  - b. Commence an action at law for monetary damages or seek other equitable relief; or,
  - c. In the case of a substantial default of a material provision of the franchise agreement, seek to revoke the franchise agreement in accordance with Section 7(E).

### **E. Revocation**

1. Should the City seek to revoke the franchise agreement after following the procedures set forth in Section 7(A)-7(D) above, the City shall give written notice to the Grantee of its intent. The notice shall set forth the exact nature of the noncompliance. The Grantee shall have ninety (90) days from such notice to object in writing and to state its reasons for such objection. In the event the City has not

received a satisfactory response from the Grantee, it may then seek termination of the franchise agreement at a public hearing. The City shall cause to be served upon the Grantee, at least thirty (30) days prior to such public hearing, a written notice specifying the time and place of such hearing and stating its intent to revoke the franchise agreement.

Following the hearing, the City shall determine whether or not the franchise agreement shall be revoked. If the City determines that the franchise agreement shall be revoked, Grantee may appeal such determination to an appropriate court, which shall have the power to review the decision of the City de novo. Grantee shall be entitled to such relief as the court finds appropriate. Such appeal to the appropriate court must be taken within sixty (60) days of the issuance of the determination of the City.

The City may, at its sole discretion, take any lawful action which it deems appropriate to enforce the City's rights under the franchise agreement in lieu of revocation of the franchise agreement.

**F. Force Majeure**

1. The Grantee shall not be held in default under, or in noncompliance with, the provisions of the franchise agreement, nor suffer any enforcement or penalty relating to noncompliance or default, where such noncompliance or alleged defaults occurred or were caused by circumstances reasonably beyond the ability of the Grantee to anticipate and control.

**SECTION 8: Miscellaneous Provisions**

**A. Actions of Parties**

1. In any action by the City or the Grantee that is mandated or permitted under the terms hereof, such party shall act in a reasonable, expeditious, and timely manner. Furthermore, in any instance where approval or consent is required under the terms hereof, such approval or consent shall not be unreasonably withheld.

**B. Entire Agreement**

1. This franchise agreement constitutes the entire agreement between the Grantee and the City. Amendments to the franchise agreement shall be mutually agreed to in writing by the parties.

**C. Notice**

1. Unless expressly otherwise agreed between the parties, every notice or response required by this franchise agreement to be served upon the City or the Grantee shall be in writing, and shall be deemed to have been duly given to the required party when placed in a properly sealed and correctly addressed envelope:
  - a. upon receipt when hand delivered with receipt/acknowledgment; or,

- b. upon receipt when sent certified, registered mail; or,
- c. within five (5) business days after having been posted in the regular mail.

The notices or responses to the City shall be addressed as follows:

**City of Harrisburg  
City Administrator  
PO Box 378  
Harrisburg, OR 97446  
Fax: (541) 995-9244**

The notices or responses to the Grantee shall be addressed as follows:

**MCImetro Access Transmission Services Corp. d/b/a Verizon  
Access Transmission Services  
Attn: Franchise Manager HQE02E102  
600 Hidden Ridge  
Irving, TX 75038**

With Copy to (except for invoices):

Verizon Business Services, Inc.  
1320 N. Courthouse Road, Suite 900  
Arlington, VA 22201  
Attn: Vice President and Deputy General Counsel

Invoices:

Verizon Accounts Payable  
Attn: Contract Admn  
6929 N. Lakewood Ave. MD 5.3-4009  
Tulsa, OK. 74117

The City and the Grantee may designate such other address or addresses from time to time by giving notice to the other in the manner provided for in this Section 8(C).

**D. Descriptive Headings**

1. The captions to sections contained herein are intended solely to facilitate the reading thereof. Such captions shall not affect the meaning or interpretation of the text herein.

**E. Severability**

1. If any section, sentence, paragraph, term, or provision hereof is determined to be illegal, invalid, or unconstitutional, by any court of competent jurisdiction or by any



state or federal regulatory authority having jurisdiction thereof, such determination shall have no effect on the validity of any other section, sentence, paragraph, term or provision hereof, all of which will remain in full force and effect for the term of the franchise agreement.

**F. State and Federal Compliance**

1. Grantee does not waive or otherwise release its right to institute a legal proceeding to seek relief from any provision and/or recovery of any fee paid that Grantee contends does not comply with state or federal law.

**G. Change of Law**

1. If a change of law occurs that alters or invalidates this agreement, or any portion of it, whether the change results from state or federal administrative, legislative or judicial action, the City and Grantee agree to negotiate in good faith an amendment to the franchise agreement that reflects such change of law.

**H. Effective Date**

1. The effective date of this franchise agreement is October 13, 2017, pursuant to the provisions of applicable law. This franchise agreement shall continue per the provisions of Section 2. C unless lawfully terminated in accordance with the terms of this franchise agreement.

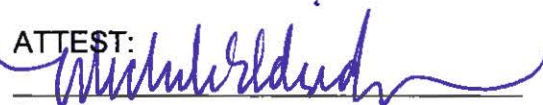
**SECTION 9: Acceptance**

The Grantee shall, within thirty (30) days from the date this ordinance takes effect, file with the City its written unconditional acceptance of this franchise, and if the Grantee fails to do so, this ordinance shall be void.

PASSED by the Common Council this 13<sup>th</sup> day of September, 2017.

Signed and approved by the Mayor this 13<sup>th</sup> day of September, 2017.

  
\_\_\_\_\_  
Mayor

ATTEST:   
\_\_\_\_\_  
City Recorder





# **ASSIGNMENT OF FRANCHISE (ORDINANCE NO. 955)**

Effective June \_\_, 2022 (the "Assignment Effective Date"), MCImetro Access Transmission Services LLC, a Delaware limited liability company ("Assignor"), hereby assigns, transfers and sets over unto MCI Communications Services LLC, a Delaware limited liability company and affiliate of Assignor, ("Assignee") all rights, title and interest in and to Ordinance No. 955 granted by the City of Harrisburg ("Ordinance"), and furthermore, that Addendum A to the Ordinance is replaced in its entirety with Addendum A attached hereto.

Assignor warrants that its acts have established acceptance of and commitment to its obligations in and under Ordinance No. 955 and it has authority to assign its rights, duties and obligations subject to the consent of the City of Harrisburg, and Assignor agrees to remain fully liable to the City of Harrisburg for all duties, responsibilities, undertakings, obligations and liabilities that accrued, whether known or unknown, under the terms of said Ordinance prior to the Assignment Effective Date. The City of Harrisburg may rely on the signature of Sofia Musyoki, to bind Assignor.

Dated: 05/25/2022

**MCImetro Access Transmission Services LLC**

By

Title PRINC ENGR - NTRK REG/RE

## **ASSUMPTION**

Assignee accepts said Ordinance (Franchise) obligations, including the revised Addendum A attached hereto, and assumes all duties, responsibilities, undertakings, obligations and liabilities of Assignor both accrued and those yet to accrue, whether known or unknown, under the terms of said Ordinance on and after the Assignment Effective Date. The City may rely on the signature of Dina Dye, to bind Assignee.

Dated: 5/25/2022

**MCI Communications Services LLC**

By

Title Sr Mgr - NTRK Reg/RE

## **CONSENT**

City of Harrisburg hereby consents to the foregoing Assignment and the updated Addendum A.

Dated: \_\_\_\_\_

**City of Harrisburg**

By \_\_\_\_\_

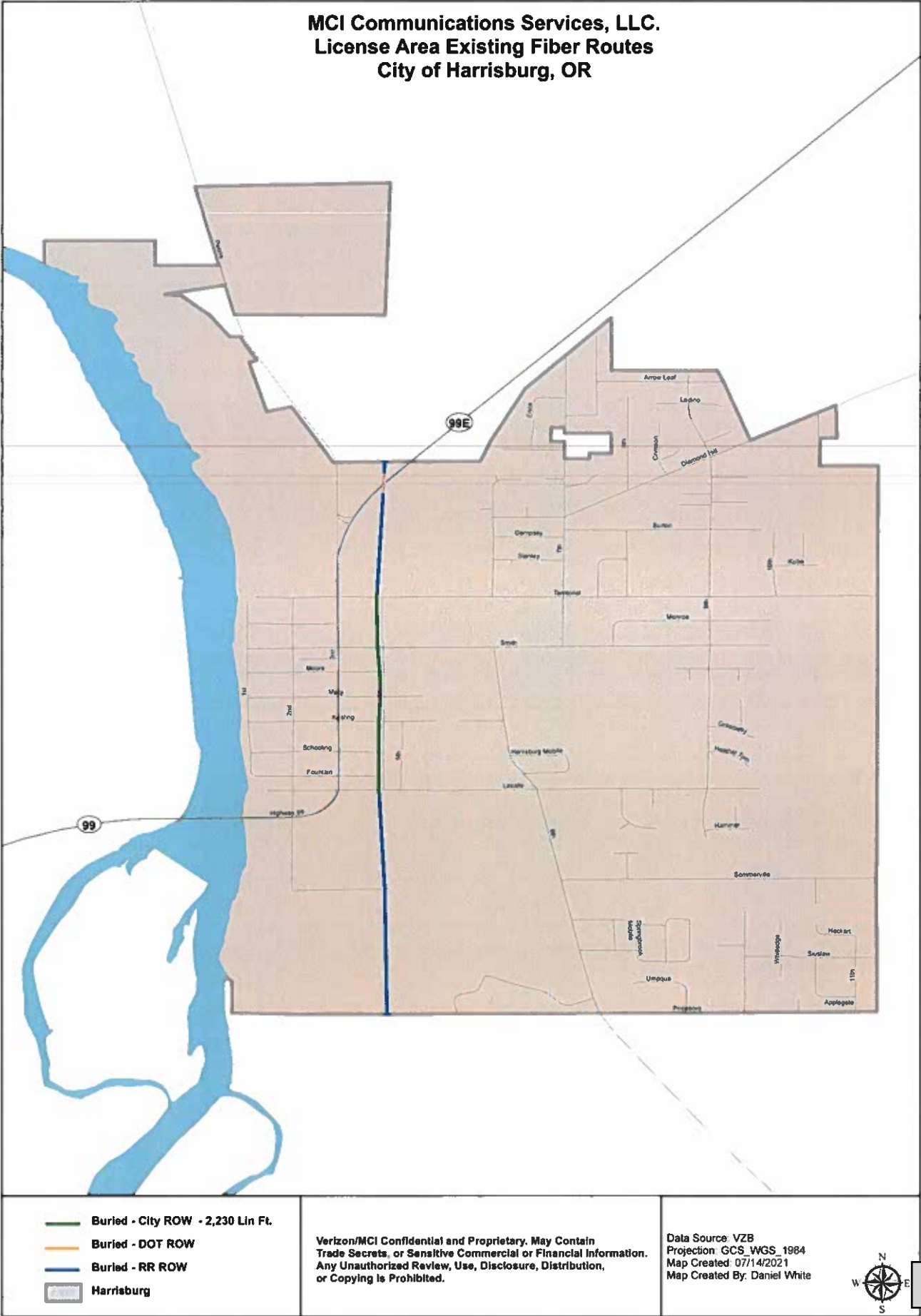
Title \_\_\_\_\_

**ADDENDUM A**

**MCI Communications Services, LLC  
License Area Existing Fiber Routes  
City of Harrisburg, OR**

**[attached]**

ADDENDUM A



# Agenda Bill

## **Harrisburg City Council**

### Harrisburg, Oregon

#### **THE MATTER OF DETERMINING THE CITY'S RESPONSE TO MEASURE 109, THE OREGON PSILOCYBIN SERVICES ACT**

#### **STAFF REPORT:**

Exhibit A: Measure 109; Oregon Psilocybin Services Act

Exhibit B: Referral Measure Packet

**ACTION:** **TBD – Direct Staff in Next Steps**

**THIS AGENDA BILL IS DESTINED FOR:** Agenda – June 14, 2022

<b>BUDGET IMPACT</b>		
<b>COST</b>	<b>BUDGETED?</b>	<b>SOURCE OF FUNDS</b>
N/A	N/A	N/A

#### **STAFF RECOMMENDATION:**

**Staff recommends the Council decide which steps they would like in relation to psilocybin facilities and to direct Staff accordingly.**

#### **BACKGROUND INFORMATION:**

Measure 109; the Oregon Psilocybin Services Act (**Exhibit A**) was referred to Oregon Voters in 2020. The measure passed by 56% of Oregon voters. The State of Oregon is working to establish programs through the Oregon Health Authority, and OLCC. Administrative Rules have been established, but the state is still in the process of refining parts of the program. Psilocybin is a compound of psilocybin mushrooms, that provides a naturally occurring psychoactive and hallucinogenic compound.

Psilocybin is classified as a Federal Schedule I drug, because it has a high potential for misuse, and adverse effects, plus, there is no currently accepted medical use for treatment in the United States. However, Psilocybin studies have indicated beneficial outcomes from psilocybin treatment. The most promising is in the treatment of mental health illness, including treatment for major depression, mood disorders and anxiety.

The new law allows for the manufacture, delivery, and administration of psilocybin at supervised, licensed facilities. It doesn't allow for the sale or delivery of psilocybin products outside of the tightly controlled parameters of the program. Oregon Health Authority (OHA) 'clients', will be allowed to purchase, possess, and consume psilocybin at a psilocybin service center, under the supervision of a psilocybin service facilitator after undergoing a preparation session. Under Measure 109, OHA will determine who

is eligible to be licensed as a facilitator, including qualifications, education, training and when exams are needed, and establishes professional conduct for facilitators.

Linn County voted no on Measure No. 109, with 55.26% of voters opposed. Harrisburg was even higher, at 63% voting against Measure 109. Measure 109 allows cities and counties to prohibit or allow psilocybin-product manufacturers or psilocybin service centers within their jurisdictions. Harrisburg can choose to 'OPT OUT' of allowing psilocybin service centers or product manufacturers in its jurisdiction. This must be done during a general election. The deadline to submit a ballot title for publication to our Local Elections Official (Lori Ross) is August 19. The City Attorney has prepared a draft Resolution, Ordinance, Ballot Title, and Explanatory Statement for the City Council to review. If the City Council decides to refer a ballot Measure to our voters, then the resolution can be brought to the next meeting on June 28 for approval.

If the City Council should decide to allow the facilities to exist in Harrisburg, then the City has some flexibility in regulating those businesses by adopting local time, place and manner (TPM) regulations. The City can control where a psilocybin business can be located, as well as whether certain hours of operation are prohibited. There are three types of facilities that are referenced in the new law: manufacturing, use (service centers) and testing. Manufacturing would be suitable for our industrial zones, while service centers and testing would typically be allowed in a commercial zone. Depending upon what chemicals and processes are used in testing, could require that type of facility to be placed in an industrial zone. If the Council chooses this option, then staff would need to quickly define those TPM parameters so they could be included in the upcoming zoning and development codes.

The psilocybin 'industry' is more controlled than marijuana. There are no retail sales allowed in psilocybin, nor would personal crops be allowed. There will be a fifteen percent point of sales tax based on the sales of psilocybin at a treatment service center, which is used as a source of funding for administration of the program by the Oregon Health Authority. Tax collection and enforcement is provided by the Oregon Department of Revenue and administration of a psilocybin tracking system will be provided by the Oregon Liquor Control Commission. Further arguments, both pro and con, can be found in **Exhibit A**.

Council should discuss the ramifications of allowing psilocybin facilities and decide if they would like to allow facilities to be placed in Harrisburg with regulations defining where they would be allowed. The other option is to ban the facilities, which can only be done through the referral of the proposed ballot measure to Harrisburg voters. A 3<sup>rd</sup> option is do nothing, which would then allow facilities to be placed in Harrisburg with no regulatory requirements in relation to time, place and manner. (They would be treated the same as any other similar business coming into Harrisburg). Staff has verified through the City Attorney that the psilocybin act is different enough from marijuana, that there would be no problems if the City were to allow a psilocybin facility while the ban still applied to both medical and recreational marijuana.

REVIEW AND APPROVAL:

*Michele Eldridge*

06.08.22

Michele Eldridge    Date  
City Administrator

**MEASURE 109: Oregon Psilocybin Services Act.**

**OFFICIAL TITLE:** Allows manufacture, delivery, administration of psilocybin at supervised, licensed facilities; imposes 2-year development period.

**INITIATIVE:** This measure is a statutory amendment placed on the ballot by initiative petition with an estimated 132,465 valid signatures.

**FINANCIAL IMPACT:** State revenue and expenditures will be impacted by passage of this measure. Local government expenditures will be impacted. The measure requires the Oregon Health Authority (OHA) to develop, over a two-year period, beginning January 1, 2021, a regulation, licensure, and enforcement program, including fees and fines. According to the Oregon Secretary of State, during the two-year development period, the cost to the General Fund would be an estimated \$7 million.

Once the program is established, ongoing costs are estimated at \$3.1 million annually. Fees and tax assessed under the law are expected to cover these costs. The cost to local governments for conducting required land use compatibility assessments for licensee applicants and adoption of any pertinent ordinances is indeterminate.

**PROBABLE RESULTS OF A “YES” VOTE:** If this measure passes, it would allow the manufacture, delivery, and administration of psilocybin at supervised, licensed facilities, and would impose a 2-year period for developing the policies, procedures, and infrastructure needed for the program to succeed.

**PROBABLE RESULTS OF A “NO” VOTE:** If this measure fails, it would retain current law, which prohibits the manufacture, delivery, and possession of psilocybin and imposes misdemeanor or felony criminal penalties.

**BACKGROUND:** Psilocybin mushrooms include a mixed variety of mushrooms with psychoactive properties. They are considered sacred medicine among indigenous tribes, with a long history of use in religious and spiritual ceremonies in both Europe and Mesoamerica. They must be carefully identified and are generally illegal in the U.S. because of potential adverse effects, including hallucinations, nausea, vomiting, drowsiness, or renal failure.

The Federal government classifies psilocybin mushrooms as a Schedule 1 Controlled Substance with no accepted medical use and high potential for abuse. However, studies conducted nationally and internationally have indicated beneficial outcomes from psilocybin treatment in mental health conditions, including but not limited to addiction, depression, anxiety disorders, and end-of-life psychological distress. In 2019 the cities of Denver, Colorado, and Oakland, California, voted to decriminalize these substances, making them a low priority for law enforcement but not setting up structured systems for assuring any beneficial use.

**PROPOSAL:** This measure legalizes, regulates, and taxes the manufacture, sale, and administration of psilocybin for mental health purposes. The proposed act, which draws on the 1998 Oregon Medical Marijuana Act (OR475B), contains 134 sections that establish an advisory board answerable to the Oregon Health Authority; sets prerequisites and standards for issuing licenses and establishing service centers (such as no criminal record and specified distance from school facilities); and defines treatment protocols. The Oregon Health Authority is given a number of new responsibilities, including the licensing role, testing psilocybin substances for contamination, and disseminating research relating to the safety and efficacy of these substances. In contrast to Oregon’s marijuana program, the psilocybin act would not allow any retail sales or personal crops of psilocybin mushrooms. Section 128 would allow counties and local municipalities to prohibit the siting of psilocybin facilities based on a local vote, although the measure does not provide any financial resources to these entities.

The most prominent and distinguishing feature of Measure 109 is that the administration and consumption of psilocybin will be permitted: (i) only at a licensed “psilocybin service center;” and (ii) only under the supervision of a licensed “psilocybin service facilitator.”

The measure establishes a fifteen percent point of sales tax based on the retail sales of psilocybin as a source of funding for administering the program by the Oregon Health Authority, tax collection and enforcement by the Oregon Department of Revenue, and administration of a psilocybin tracking system by the Oregon Liquor Control Commission

## **ARGUMENTS PRO AND CON:**

### **Yes - For the Measure**

- Oregonians with certain mental health issues, including opioid addictions, may find relief if psilocybin substances are more readily available.
- The program has been designed to protect patients and assure beneficial outcomes by making the substances available under tightly controlled conditions.
- The consumption of psilocybin will take place only in a controlled environment and only under the supervision of licensed and trained personnel.

### **No - Against the Measure**

- Oregon would be in conflict with Federal drug policy, putting the Oregon program at legal risk.
- The U.S. is still learning about the impact of legalizing marijuana and it might be premature to embark on another biochemical experiment.
- The proposal does not go far enough; the use of a natural medicine should be decriminalized.



A RESOLUTION REFERRING TO THE ELECTORS OF THE CITY OF HARRISBURG AN ORDINANCE BANNING PSILOCYBIN MANUFACTURING SITES, AND PSILOCYBIN SERVICE CENTERS WITHIN THE CITY

**WHEREAS**, section 128 of Ballot Measure 109 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of Psilocybin product manufacturers, Psilocybin service center operators, and any combination of the above two entities in the area subject to the jurisdiction of the city;

**WHEREAS**, the CITY OF HARRISBURG city council adopted Ordinance \_\_\_\_\_, which prohibits the establishment of recreational and medical marijuana facilities in the area subject to the jurisdiction of the city;

NOW, THEREFORE, THE CITY OF HARRISBURG RESOLVES AS FOLLOWS:

**MEASURE.** A election is hereby called for the purpose of submitting to the electors of the CITY OF HARRISBURG a measure prohibiting the establishment of Psilocybin product manufacturers and Psilocybin service center operators in the area subject to the jurisdiction of the city, a copy of which is attached hereto as “Exhibit 1,” and incorporated herein by reference.

**ELECTION CONDUCTED BY MAIL.** The measure election shall be held in the CITY OF HARRISBURG on November 8, 2022. As required by ORS 254.465, the measure election shall be conducted by mail by the County Clerk of Linn County, according to the procedures adopted by the Oregon Secretary of State.

**DELEGATION.** The CITY OF HARRISBURG authorizes the City Administrator or the City Administrator’s designee, to act on behalf of the city and to take such further action as is necessary to carry out the intent and purposes set forth herein, in compliance with the applicable provisions of law.

**PREPARATION OF BALLOT TITLE.** The ballot title for the measure set for as Exhibit 2 to this resolution is hereby adopted.

**NOTICE OF BALLOT TITLE AND RIGHT TO APPEAL.** Upon receiving the ballot title for this measure, the {city elections officer} shall publish in the next available edition of a newspaper of general circulation in the city a notice of receipt of the ballot title, including notice that an elector may file a petition for review of the ballot title.

**EXPLANATORY STATEMENT.** The explanatory statement for the measure, which is attached hereto as “Exhibit 3,” and incorporated herein by reference, is hereby approved.

**FILING WITH COUNTY ELECTIONS OFFICE.** The {city elections officer} shall deliver the Notice of Measure Election to the county clerk for Linn County for inclusion on the ballot for the November 8, 2022 election.

**EFFECTIVE DATE.** This resolution is effective upon adoption.

Attachment 1

**EXHIBIT 1**  
**CITY OF HARRISBURG**  
**ORDINANCE \_\_\_\_**

**AN ORDINANCE OF THE CITY OF HARRISBURG DECLARING A BAN ON PSILOCYBIN PRODUCT MANUFACTURING, PSILOCYBIN SERVICE CENTERS; REFERRING ORDINANCE**

**WHEREAS**, Measure 109, which the voters adopted in November 2020, directs the Oregon Health Authority Permit to oversee the license, control, and regulation of the manufacturing of psilocybin products and of the provision of psilocybin services to persons 21 years of age and older;

**WHEREAS**, section 128 of Ballot Measure 109 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of Psilocybin product manufacturers, Psilocybin service center operators, and any combination of Psilocybin product manufacturers, and Psilocybin service center operators in the area subject to the jurisdiction of the city;

**WHEREAS**, the City Council wants to refer the question of whether to prohibit the manufacture and administration of Psilocybin products to the voters of Harrisburg;

**NOW THEREFORE, BASED ON THE FOREGOING, THE CITY OF HARRISBURG ORDAINS AS FOLLOWS:**

**Section 1:** Harrisburg Municipal Code Section 5.50 – Psilocybin Prohibition is added and reads as follows

**5.50.010 – PURPOSE**

The purpose of this chapter is to minimize any adverse public safety and public health impacts that may result from allowing Psilocybin manufacturing facilities or Psilocybin service centers in the city by prohibiting the establishment of certain state-registered and state-licensed Psilocybin businesses within the city of Harrisburg and is intended to further the following objectives:

- A. Prevent the distribution of Psilocybin to persons under 21 years of age;
- B. Prevent revenue from the sale of Psilocybin from going to criminal enterprises, gangs, and cartels;
- C. Prevent the diversion of Psilocybin from this state to other states;
- D. Prevent Psilocybin activity that is legal under state law from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal activity;
- E. Prevent violence and the use of firearms in the cultivation and distribution of Psilocybin;

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## Attachment 1

F. Prevent drugged driving and the exacerbation of other adverse public health consequences associated with the use of Psilocybin.

**5.50.020 DEFINITIONS.**

1. “Manufacture” means the manufacture, planting, cultivation, growing, harvesting, production, preparation, propagation, compounding, conversion or processing of a psilocybin product, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the psilocybin product or labeling or relabeling of its container.
2. “Psilocybin” means psilocybin or psilocin fungi or spores.
3. “Psilocybin products” means:
  - a. Psilocybin-producing fungi and their spores; and
  - b. Mixtures or substances containing a detectable amount of psilocybin.
4. “Psilocybin product manufacturer” means a person that manufactures psilocybin products in this state.
5. “Psilocybin service center” means a licensed establishment under regulations to be promulgated by the Oregon Health Authority:
  - a. At which administration sessions are held; and
  - b. At which other psilocybin services may be provided.
6. “Psilocybin services” means services provided to a person before, during, and after the person’s consumption of a psilocybin product, including:
  - a. A preparation session;
  - b. An administration session; and
  - c. An integration session.

**5.50.030 BAN DECLARED.** As described in section 128 of Measure 109 (approved Nov. 3, 2020), the City of Harrisburg prohibits the establishment of Psilocybin product manufacturer sites and Psilocybin service centers in the area subject to the jurisdiction of the city:

**Section 2:**

This Ordinance is effective upon approval of the voters and certification of the vote.

Attachment 1

## EXHIBIT 2

### Ballot Title

PROHIBITS ESTABLISHMENT OF PSILOCYBIN MANUFACTURING AND SERVICE CENTERS IN HARRISBURG (10/10)

### Question

Should Harrisburg prohibit the establishment of facilities that manufacture, deliver, or administer Psilocybin product within city limits? (17/20)

### Summary

State law allows for the operation of licensed Psilocybin service centers and manufacturing facilities. State law provides that a city council may adopt an ordinance to be referred to the voters to prohibit the establishment of any of those registered or licensed facilities within the area subject to the jurisdiction of the city.

Approval of this measure would prohibit the establishment of facilities that manufacture Psilocybin product or service centers that supervise Psilocybin administration and delivery to clients of the service center within the area subject to the jurisdiction of the city.

If this measure is approved, the city may be ineligible to receive distributions of state Psilocybin tax revenues, should any be created by the State legislature, and will be unable to impose a local tax or fee on the manufacturing or sale of psilocybin products.

(121/175)

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Attachment 1

## EXHIBIT 3

## EXPLANATORY STATEMENT:

Approval of this measure would prohibit the establishment of certain Psilocybin activities and facilities within the city.

Oregon Ballot Measure 109, approved Nov. 3, 2020, effective Dec. 3, 2020, created a state program for administering psilocybin products, such as psilocybin-producing mushrooms and fungi, to individuals aged 21 years or older. The Measure also provides that the Oregon Health Authority will register and license Psilocybin manufacturing sites, Psilocybin service centers, and entities that are any combination of the two. Psilocybin product manufacturers manufacture, grow, and harvest Psilocybin fungi into products intended for human consumption and use. Psilocybin service centers facilitate the transfer and administration of Psilocybin between a licensee or licensee agent and the client of the service center.

The Oregon Health Authority (OHA) will be responsible for establishing the program and creating regulations. OHA has a two-year period to develop the program. An Oregon Psilocybin Advisory Board (OPAB) advise the OHA. Clients would be allowed to purchase, possess, and consume psilocybin at a psilocybin service center and under the supervision of a psilocybin service facilitator after undergoing a preparation session. Under Measure 109, the Oregon Health Authority (OHA) determines who is eligible to be licensed as a facilitator, determine what qualifications, education, training, and exams are needed, and create a code of professional conduct for facilitators. OHA would set psilocybin dosage standards and labeling and packaging rules.

A city council may adopt an ordinance prohibiting the establishment of licensed psilocybin product manufacturers or licensed psilocybin service centers within the city, but the council must refer the ordinance to the voters at a statewide general election. The CITY OF HARRISBURG City Council has adopted an ordinance prohibiting the establishment of licensed psilocybin product manufacturers or licensed psilocybin service centers and, as a result, has referred this measure to the voters. Approval of this measure will prohibit any form of psilocybin service centers or manufacturer facilities within the limits of an incorporated city or town.

Approval of this measure may have revenue impacts. Currently, a state tax of fifteen percent will be added to all transactions relating to Psilocybin. A city may not impose any additional taxes on the sale of Psilocybin items by a Psilocybin product manufacturer or service center in the city.

**Commented [CP1]:** The Department of Revenue will not convene a rulemaking committee on this Measure until August 2022.

329/500

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Agenda Bill  
**Harrisburg City Council**  
Harrisburg, Oregon

6.

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**THE MATTER OF APPROVING THE CONSENT LIST**

**STAFF REPORT:**

Exhibit A: Harrisburg City Council Minutes for March 8, 2022  
Exhibit B: Harrisburg City Council Minutes for April 12, 2022  
Exhibit C: Harrisburg City Council Minutes for April 26, 2022  
Exhibit D: Payment Approval Report for May 2022  
Exhibit E: Appointment of Kristi Prozialeck to Library Board  
Exhibit F: Personnel Committee Minutes February 23, 2022  
Exhibit G: Municipal Court Collections Report May 2022  
Exhibit H: Municipal Court Citation Report May 2022

**ACTION:                MOTION TO APPROVE THE CONSENT LIST**

A motion to approve the consent list will approve the following:

- 1. Harrisburg City Council Minutes for March 8, April 12, and April 26, 2022**
- 2. The Payment Approval Report for May 2022**
- 3. Appointment of Kristi Prozialeck to the Library Board with term ending June 30, 2026**

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**THIS AGENDA BILL IS DESTINED FOR:** Consent Agenda –June 14, 2022

**STAFF RECOMMENDATION:**

**Staff recommends the City Council approve the consent list.**

**Building Permits:**

May 2022:	Submitted: 16
	Issued: 18
New Homes:	1

**Residential Valuation:** \$52,000.00

**Commercial Valuation:** \$42,890.00

**2022 YTD Valuation:** \$703,586.14

*Please note valuation is not added to the City's property tax base until the fall period following when the permit is finalized. As such, the typical timeframe for most construction to show up on our tax base is the following year in November. The valuation figure includes new home*

### **Business Licenses Issued:**

- No new businesses issued in the month of May 2022

### **Liquor License Renewal**

Liquor Licenses are renewed prior to the start of each fiscal year. There have been no incidents this fiscal year from any of the businesses. The following businesses carry liquor licenses:

- American Market
- Casa Torero
- Dari Mart Store #20
- Dollar General Store #17223
- EZ Stop Market & Deli
- Golden Chopstix
- Harrisburg Liquor
- Harrisburg Station & Eagle Market
- The Voo

### **Harrisburg Municipal Court:**

- Collection Report for the month of May is \$5,177.00. **(EXHIBIT G).**
- There were 34 persons cited in the month of May for a total of 53 offenses **(EXHIBIT H).** Two defendants were issued dog citations for Dog as a Public Nuisance and Dog Off Leash. One of these defendants was cited last month also. There were three defendants that were issued criminal citations including Driving While Suspended Misdemeanor, Theft III (Shoplifting), Carrying a Concealed Weapon, and Felony in Possession of a Weapon. These defendants are schedule to appear June 8, 2022.

**Committee Minutes:** *Please note all committee/board minutes are approved by the individual committee, and not by the City Council consent agenda approval.*

#### **Harrisburg and HRA Budget Committee Chairperson: Ruby Bennett**

The Harrisburg and HRA Budget Committee met on May 16, 2022 and those minutes are not yet available.

*Next Scheduled Meeting: TBD*

#### **Library Board: Chairperson: Kristi Prozialeck**

The Library Board last met on May 23, 2022 and those minutes are not yet available.

*Next Scheduled Meeting: July 11, 2022*

#### **Personnel Committee: Chairperson; Kimberly Downey**

The Personnel Committee last met on February 23, 2022 and those minutes are attached.

*Next Scheduled Meeting: TBD*

**Planning Commission: Chairperson; Todd Culver**

The Planning Commission met on May 17, 2022. Those minutes are not yet available.

*Next Scheduled Meeting: June 21, 2022*

6.

REVIEW AND APPROVAL:

*Lori Ross*

06/08/2022

Lori Ross

Date

City Recorder





## City Council Business Meeting Minutes March 08, 2022

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Mayor: Robert Duncan, Presiding  
Council President: Mike Caughey, Present  
Councilors Present: Kimberly Downey, Robert Boese, Adam Keaton, Randy Klemm, and Charlotte Thomas  
Staff Present: City Administrator Michele Eldridge, Public Works Director Chuck Scholz and City Recorder Lori Ross  
Meeting Location: Harrisburg Municipal Center Located at 354 Smith St

**CALL TO ORDER AND ROLL CALL** by Mayor, Robert Duncan at the hour of 6:32pm

**CONCERNED CITIZEN(S) IN THE AUDIENCE.** None present

### **THE MATTER OF DETERMINING THE PRIORITIES FOR THE 2023-2027 STRATEGIC PLAN**

**STAFF REPORT:** Eldridge reminded Council that at last month's meeting, Keaton suggested looking at each section of the strategic plan and for Councilors to indicate which goals are important to them.

- Thomas stated that she would like objective 3 to state housing in general and not just specify low income. She believes that if the City could offer those type of homes, they would sell. Caughey liked the term range of housing. Eldridge said she would change it to create and advocate for a wide range of housing opportunities.
- Keaton and Downey liked objective #3 as it was rewritten.
- Under Great Neighborhood Goals, Mayor Duncan would like to have larger lot sizes to be available for bigger homes and asked if we had a way to control the lot size. Eldridge replied going forward we will have more flexibility with our new model code.
- Downey and Scholz both like objective 7 and Keaton likes 5A.
- Council wants to include objective 11.
- Downey commented that businesses are important to her, and it was decided to keep all of objective 15.
- Scholz stated we need to update capital improvement, objective 22. Keaton asked about objective 23, certifications and Scholz responded that currently we are on track with certifications and as the treatment facility gets built, we will get the necessary certifications required.

March 08, 2022

- Eldridge has the information that she needs and will bring the revised version of the Strategic Plan back to a future meeting.

#### **THE MATTER OF REVIEWING A BID FOR THE READER BOARD REPLACEMENT**

**STAFF REPORT:** Eldridge stated that a formal quote was required due to the price of reader board. ES&A is the only company who submitted a bid, and her recommendation is option 1 (ADDENDUM 1). Option 2 (ADDENDUM 2) has more of a photo look to it and is significantly higher in price. Option 1 meets our criteria and has a five-year warranty. Eldridge pointed out the price quotes on page 25 and stated the price quote is good until March 15<sup>th</sup>. Due to it taking three to five months to receive, she would like to order as soon as possible. Mayor Duncan, Boese and Klemm stated they like option 1.

- Thomas **motioned to authorize the City Administrator to purchase option 1 for the new reader board from ES&A and was seconded by Caughey. The City Council then voted unanimously to authorize the City Administrator to purchase option 1 for the new reader board from ES&A.**

#### **THE MATTER OF APPROVING THE ANNUAL EVALUATION, AMENDMENTS TO THE CITY ADMINISTRATOR JOB DESCRIPTION AND A PROPOSED BONUS FOR THE CITY ADMINISTRATOR**

**STAFF REPORT:** Downey reviewed the results from the Personnel Committee meeting and commented that one evaluation came afterwards and was not included in the score. Downey stated that Eldridge appreciates all comments and wants to continue to be better in her role as City Administrator. Caughey tallied the 11 evaluations for a score of 3.48 out of 4. The Committee spoke with Eldridge about her salary, and it was decided to keep her salary at her current amount, but they would like to offer her a \$3,000 bonus.

- Mayor Duncan commented that he is thrilled. His only concern was the amount of hours she was working and that she wasn't getting enough family time.
- Downey commented that was discussed at the meeting as well.
- Eldridge commented that she appreciates Council offering her the position. It's been a privilege and she appreciate the support.
- Caughey **motioned to approve the annual evaluation for the City Administrator, Michele Eldridge at a score of 3.48 out of 4 and approve the issuance of a \$3,000 bonus to the City Administrator if the budget allows and was seconded by Boese. The City Council then voted unanimously to approve the annual evaluation for the City Administrator, Michele Eldridge at a score of 3.48 out of 4 and approve the issuance of a \$3,000 bonus to the City Administrator if the budget allows.**

#### **THE MATTER OF THE MAYOR APPOINTING A BUDGET COMMITTEE MEMBER TO A TERM ENDING DECEMBER 31, 2023**

##### **STAFF REPORT:**

- Mayor Duncan **appointed William Percell to serve on the Budget Committee for a term set to expire on December 31, 2023.**

#### **THE MATTER OF APPOINTING JOE NEELY TO THE PLANNING COMMISSION FOR A TERM ENDING DECEMBER 31, 2023**

**STAFF REPORT:** Thomas asked if there were any other applicants for the Planning Commission position and Ross replied there were no other applicants.

March 08, 2022

- Thomas **motioned to appoint Joe Neely to the Planning Commission for a term ending December 31, 2023 and was seconded** by Klemm. **The City Council then voted unanimously to appoint Joe Neely to the Planning Commission for a term ending December 31, 2023.**

#### **THE MATTER OF APPROVING THE CONSENT LIST**

- Downey **motioned to approve the consent list and was seconded** by Thomas. **The City Council then voted unanimously to approve the consent list. The motion to approve the consent list approved the following:**
  - Harrisburg City Council Minutes for December 14, 2021
  - The Payment Approval Report for February 2022

#### **CITY ADMINISTRATORS VERBAL:**

- Ross informed Council that the library would like to send out a fundraising letter (ADDENDUM 3) to raise money for the mural. Downey thought the money should be collected as a pledge but is excited about the mural. Thomas thinks the fundraising would be more successful if people could see a drawing of the mural that was included with the letter and Klemm agreed. Caughey commented that he liked the mural design but thinks it's premature until the design is accepted.

#### **OTHER ITEMS**

- Mayor Duncan asked if the City has an extra flag to replace the one at Or-Cal. Scholz replied that the City has no flags that size.
- Mayor Duncan mentioned the Fireman Awards are this weekend and wanted to know if anyone was attending as he will be unavailable.
- Thomas asked Council to keep the family of Sue Harris in their prayers as they deal with the loss of their son.
- Caughey asked hypothetically if someone has 100 acres and eight are designated wetlands, could they split and continue to use usable portions as agriculture or change the zoning to residential at some point and move the water infested area. Scholz replied that there are lots of options, it wouldn't be cheap, but it could be done. Eldridge commented that the Cascade West Regional Consortium is trying to get the state to change their policy and it makes it hard to advocate for developing.
- Keaton informed Council of last week's Oregon Transportation meeting. There was a Safe Routes to Schools presentation, stating that additional funding of \$26 million would be available in 2022/2023. Keaton has been asked to serve on Albany Millersburg's Economic Development Corp, after the retirement of Andy Olson.
- Scholz informed Council that we will be going out to bid again at the end of the month for the water treatment facility and he is hopeful. The City is also going out to bid for Monroe St which will widen the street by 1 ½ feet and will include curb, gutter, and sidewalk. It's a designated boat route and is partially funded by the \$100,000 Small City Allotment Grant.
- Scholz handed out ADDENDUM 4 which is the Engineers Memorandum for 7<sup>th</sup> and Diamond Hill Rd and referred to the last page which is the summary of improvement options. Scholz commented that he has ordered a flashing curve sign, that we should receive in about a week, and four radar activated speed signs for Diamond Hill, Territorial St, Priceboro and Coburg Rd. Klemm asked about a speed bumps and Scholz replied that it would have to be exactly 90 degrees perpendicular to the traffic and reminded Council that this is a truck route.

March 08, 2022

- Eldridge informed Council that the Library will get their own Facebook page with strict limitations and a policy in place.
- Eldridge asked for letters of support for the Safe Routes to School Grant (SRTS) for the 9<sup>th</sup> St Improvement Project. The City needs support from local residents to have a chance of receiving the grant. Thomas suggested Eldridge reach out to the residents on 9<sup>th</sup> Street and Klemm suggested the PTO for the School District.
- Eldridge informed Council that City Staff will be meeting again with BNSF on the 25<sup>th</sup> of March at 9am. Both City Attorney, Jim Brewer and City Engineer, Damian Gilbert will be in attendance. Klemm asked Eldridge if she was going to try and get ahold of Peter DeFazio. Eldridge replied she keeps getting directed back to the website when calling. Klemm said he had contact information and will forward it to Eldridge.
- Eldridge stated that masks are no longer a requirement after Friday and wanted to know if Council is comfortable with having two at a table again. It was thought best to leave it up to the individual.

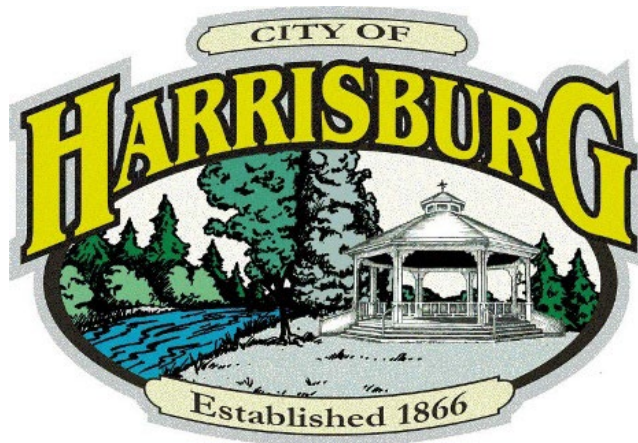
**ADJOURN at the hour of 8:56pm**

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**Mayor**

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**City Recorder**



## City Council Business Meeting Minutes

April 12, 2022

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Mayor: Robert Duncan, Presiding  
Council President: Mike Caughey, Present  
Councilors Present: Kimberly Downey, Robert Boese, Adam Keaton, Randy Klemm and Charlotte Thomas  
Staff Present: City Administrator Michele Eldridge, Public Works Director Chuck Scholz, Finance Officer Cathy Nelson, and City Recorder Lori Ross  
Meeting Location: Harrisburg Municipal Center Located at 354 Smith St

**CALL TO ORDER AND ROLL CALL** by Mayor, Robert Duncan at the hour of 6:30pm

**CONCERNED CITIZEN(S) IN THE AUDIENCE.** All present were there for items on the agenda

### **THE MATTER OF APPROVING A MURAL FOR THE LIBRARY**

**STAFF REPORT:** Ross read the highlights of the staff report and pointed out Exhibit B, the proposed mural to be painted by Jerry Dame and his daughter Hannah which was approved at the last Library Board meeting. The cost of the mural is estimated at \$2,000, however, the Library would like to pay around \$3,000 for this project to properly compensate the artist. Library Staff and volunteer, Quinton Sheridan have been raising money for the mural by placing donation jars around the City and would like to get donation letters out in the mail soon. As of today, they have raised \$368.57. Ross stated the Library would like to use between \$1,000 and \$1,500 from the Professional Improvement Fund, as there are no plans to use those funds this fiscal year. Ross pointed out ADDENDUM 1, a letter of support from Quinton Sheridan.

- Caughey suggested changing the word payment to donation on the back of the fundraising letter. He asked Scholz if the wall was needing to be painted in the near future and Scholz replied he doesn't foresee the need to or any problems with having a mural painted over it. Klemm asked about a clear coat over the mural and Ross replied that will be written into the contract with the artist like it was with the inside mural.
- Librarian Cheryl Spangler commented that she feels citizens still don't know where the Library is located, and the Mural will give the Library personality.

April 12, 2022

- Librarian Amanda Pelkey thought it would bring participation and community pride to the Library.
- Sheridan stated they are wanting to incorporate the names of all donors into the mural. Thomas commented she likes the idea, but to make sure permission is given from the donors.
- Caughey asked if the mural was still going to wrap around to the front of the building as his concern was tying the two walls together. Spangler answered yes.
  - Downey **motioned to approve a mural for the Harrisburg Public Library to be painted by Jerry Dame Jr and Hannah Dame as shown in Exhibit B with a contract and was seconded by Klemm. City Council then voted unanimously to approve a mural for the Harrisburg Public Library to be painted by Jerry Dame Jr and Hannah Dame as shown in Exhibit B with a contract.**

#### **THE MATTER OF APPROVING THE ADOPTION OF THE 2022-2027 STRATEGIC PLAN REPORT**

**STAFF REPORT:** With no questions, a motion was entertained.

- Downey **motioned to approve the 2022-2027 Strategic Plan Report and was seconded by Klemm. The City Council then voted unanimously to approve the 2022-2027 Strategic Plan Report.**

#### **THE MATTER OF AUTHORIZING THE CITY ADMINISTRATOR TO APPROVE A PUBLIC EVENT PERMIT AND TEMPORARY SPECIAL EVENT LIQUOR LICENSE FOR THE TASTE OF TRI-COUNTY AND BUSINESS EXPO EVENT WITH CONDITIONS OF APPROVAL**

**STAFF REPORT:** Eldridge stated that the City did not receive any responses to the Public Event Notice. She commented this is a business expo event to that will include business's, a representative from RAIN, wine, and food trucks. Eldridge addressed the parking; the liability insurance coverage and the special liquor license permit from OLCC.

- Klemm asked if the public health situation takes a turn, is there anything that would prevent the event from happening and should that be a condition. Eldridge replied that the Chamber will follow state guidelines and comply.
  - Caughey **motioned to approve the Public Event Permit and Temporary Special Event Liquor License, for the Taste of Tri-County and Business Expo Event with conditions of approval as presented and was seconded by Thomas. The City Council then voted unanimously to approve the Public Event Permit and Temporary Special Event Liquor License, for the Taste of Tri-County and Business Expo Event with conditions of approval as presented**

#### **THE MATTER OF THE MAYOR PROCLAIMING APRIL AS CHILD ABUSE PREVENTION AND AWARENESS MONTH**

**STAFF REPORT:** Council President, Caughey, read the proclamation for Mayor Robert Duncan at his request.

April 12, 2022

**THE MATTER OF APPROVING THE CONSENT LIST****STAFF REPORT:** With no questions, a motioned was entertained.

- Thomas **motioned to approve the consent list and was seconded** by Caughey. **The City Council then voted unanimously to approve the consent list. Motion to approve the consent list approved the following:**
  - **Harrisburg City Council Minutes for January 11 and January 25, 2022**
  - **The Payment Approval Report for March 2022**

**CITY ADMINISTRATORS VERBAL REPORT**

- 1. SRTS Grant (Safe Routes to School):** Eldridge stated that ODOT has acknowledged they have received our application. We are 64<sup>th</sup> out of 96 participants. We don't rank as high because we are not worse off in our community compared to other cities. She asks that everyone submit a letter of support for the grant. If we could get about 50 letters, that could make an impact.
  - Mayor Duncan asked if we could ask Community Leaders to write letters. Eldridge stated that those type of letters will get us more points.
  - Thomas suggested, Jason Carothers, the School Board President who is also business owner.
  - Eldridge commented that this project is \$866,000 and will include sidewalk, curb, and gutter on the west side of N 9<sup>th</sup> Street between Diamond Hill and Territorial St.
- 2. Housing Code Audit:** Eldridge stated the code audit analysis came back and they reviewed our new Housing and Development Code. Legal review came back from Scott Seagal and DLCD (Department of Land Conservation Department) and there were no suggestions for changes. She hopes to bring it to Planning in May and City Council in June or July.
- 3. BN Grant and Status:** Eldridge stated the City has had two meetings now with BNSF and she is cautiously optimistic, however, there figures were far less than ours for repairing the road. They will be sending out their engineers and Damian will send them what we have. City Attorney Jim Brewer reminded BNSF they are covering the inner curb as well as asphalt. As we get into our new Franchise Agreement, there will be stipulations to protect the City. Brewer is working on a 6-month franchise extension of our current agreement. The long-term agreement won't take place until our conditions are met. Peter DeFazio's office did send a list of grants that are applicable to our situation. Eldridge met with a representative of BNSF, Rohan, and was informed of a CRISI (Consolidated Rail Infrastructure and Safety Improvement) grant which he felt we would be highly placed due to our situation. She did let them know that the City would not have the funds to match any grant and that would be expected to be picked up by BNSF. Another meeting will be set up in the future. We are trying to get our project on the STIP (States Transportation Improvement Plan) with ODOT which puts it on the states program as a project we want to get funded.
  - Keaton stated that the STIP is currently planning the 2028-2032 funding, so it would be a long way out.
  - Mayor Duncan gave a shout out to Brewer, as he is very pleased with his participation.

April 12, 2022

- Klemm asked who would have the final say that the BNSF has completed the work to our satisfaction. Eldridge replied, that will also be listed in our agreement.

**OTHERS:**

- Eldridge will have the new rates for LCSO and Coburg at the May meeting. She gave a reminder of the Crime Forum Meeting, this Thursday, where they will be raffling off a security camera. Mike Mattingly and both Chief Larson and LCSO will be attending.
- Nelson stated in order to prevent a significant utility rate increase down the road, she suggested having an increase of 1% this year and 2.5% the next few years. Downey said she would rather just increase to 2% now. Nelson will budget for 2% rate increase.
- Nelson also stated the Oregon Short Term Funds, went from 6.2% to 0.45% last budget year and is slowly increasing again. Because of this, she has projected a .6% low.
- Scholz stated the treatments plans are out to bid again and tomorrow he has a walk through with nine different contractors. That bid closes the end of the month and he will present bids to Council in May. Also, out to bid, is the Monroe St, 1<sup>st</sup> to 2<sup>nd</sup> project and Council should see that at the next meeting.
- Scholz referred to the memo from Damian Gilbert with Branch, that was handed out at the last meeting regarding N 7<sup>th</sup> and Diamond Hill. There were a couple things he was not comfortable with, the rumble strips, due to noise and the bidirectional markers, which don't stay in place. The City could also add another light at a cost of \$4,000 plus monthly utility charges. So far, the City has placed reflected chevron, added a speed sign, opened up signage better, a warning light at the intersection and added a to Hwy 99 sign with an arrow.
  - Thomas didn't think anyone would be happy with the rumble strips.
  - Keaton thought it made more sense to have the rumble strips coming into town, by the 25mph sign. Scholz replied we have no control over outside City limits.
  - Thomas stated she was impressed with what Scholz has done so far. Downey and Caughey agreed.
  - Scholz thinks an ultimate goal for the transportation plan would be to have Riley Way attach back to N 7<sup>th</sup> St which would give us opportunities put in bollards on Dempsey St to clean up the intersection.
  - Scholz recommendation is to not add anything additional until we see the results from the changes already made.
- Eldridge commented that Shadowood Subdivision will be coming to the Planning Commission again next week and will still be 10-12 dwellings units.
- Eldridge reminded Council that Friday is the deadline to complete your statement of economic interest for the Oregon Government Ethics Committee.
- Keaton mentioned that he has his first meeting as an executive board member for the Cascade West Transportation and he will give feedback at the next meeting.

**ADJOURN** at the hour of 7:51pm

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**Mayor**


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**City Recorder**



Dear City Council,

The Harrisburg Library is planning a mural painting on the outside of the east wall. We decided to go with artist Jerry Dame and his daughters since they are part of the community. The final idea Mr. Dame has for the mural is in the agenda.

Even though we now have a door to the street, the library goes undefined. We want to match the outside to the colorful inside of the library. We want to draw attention to bring in patrons to find what we have to offer.

Even though Jerry has mentioned 2,000.00 to 2,500.00 as an estimate, we would like to offer closer to 3,000.00 for his and his daughter's generosity, patience, and willing to take on a project this big. We have obtained donations and money for the library, but we are asking the council to help us reach our goal.

Cheryl was given a grant by Katherine Stinsen several months ago to help pay for the mural. One of the questions on the grant was if the community would be behind it and help pay for it, so, without thinking of the different steps we needed to go through, it was mentioned on social media. She got about 20 people excited and wanting to donate to the idea, even without seeing a picture.

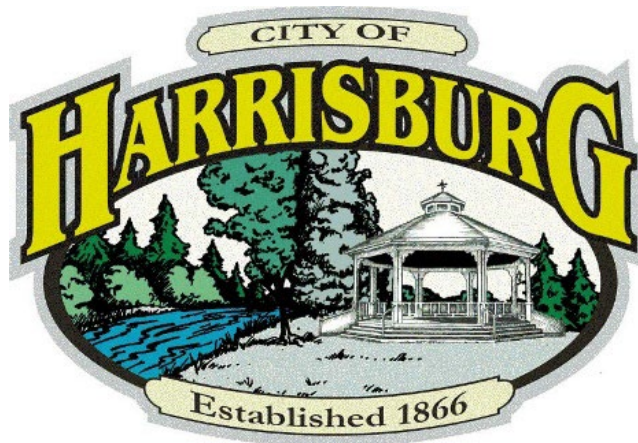
Up to date, I have contacted Gheen, Gridiron, Angie's Salon, Spot Hog, Chop Stix, Harrisburg Liquor Store, Air Thai, American Market, Subway, 99 Grill, Grocery Deals, Eagle Mart, Parker Roofing, The Voo, and Atez. These small businesses have allowed us to put up a donation bucket, and with the money brought in so far with no information or picture we have made almost 400.00! All that is on the jar is a little line saying Harrisburg Library Mural Donation.

Once we have the ok to ask for more donations, our plan is to send the City Council approved letter to the big businesses with the picture showing our vision. We will then be able to put up signs with the buckets for the money showing the community what they have been donating towards even though they have not seen the picture. We will get hold of the newspaper so we can get advertisement on our community support, and show how excited they are about the improvement .

After the picture is approved, we want to make a coloring page to give out to the kids K-2 and make it a coloring contest.

Thank you in advance for approving this project.

Quinton (Jeff) Sheridan



## City Council Work Session Minutes April 26, 2022

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Mayor: Robert Duncan, Presiding  
Council President: Mike Caughey, Present  
Councilors Present: Kimberly Downey, Adam Keaton (via phone), Randy Klemm  
Councilors Absent: Robert Boese and Charlotte Thomas  
Staff Present: City Administrator Michele Eldridge, Public Works Director Chuck Scholz and City Recorder Lori Ross  
Meeting Location: Harrisburg Municipal Center Located at 354 Smith St

**CALL TO ORDER AND ROLL CALL** by Mayor, Robert Duncan at the hour of 6:30pm

**CONCERNED CITIZEN(S) IN THE AUDIENCE.** All present were there for items on the agenda

### **THE MATTER OF MEETING WITH A MEMBER REPRESENTATIVE FROM LCSO IF ONE IS AVAILABLE**

**STAFF REPORT:** Sergeant Frambes summarized the reports for February and March and commented there were a handful of traffic crashes.

- Klemm commented that he was glad to see traffic citations for cell phone violations. Sergeant Frambes stated that during wet weather, they try to enforce more visual violations because you can't rely on electronic radar as much. He informed Council that there are some new faces on patrol due to retirements, moving around and detectives coming back to patrol. Frambes noted there were 10 arrests made in April which included served warrants. He also informed Council that the Huskie complaint, as seen on social media, has been addressed and the owner will be appearing at court in June.
- Downey thanks Sergeant Frambes for his participation in the Crime Prevention Forum meeting held on the 14<sup>th</sup> of April.

### **THE MATTER OF MEETING WITH A MEMBER REPRESENTATIVE FROM THE COBURG POLICE DEPARTMENT IF ONE IS AVAILABLE**

**STAFF REPORT:** Captain Larson summarized his first quarterly report and stated they focused patrols on 8<sup>th</sup> and Diamond Hill Rd and issued 22 speeding violations. Captain Larson commented that he feels there has been an impact on Diamond Hill Rd with the new signage in place.

April 26, 2022

- Downey also thanked Captain Larson for his participation in the Crime Prevention Forum meeting.

**THE MATTER OF REVIEWING THE 1ST QUARTER CRIME RESULTS FOR THE CITY OF HARRISBURG**

**STAFF REPORT:** Eldridge summarized the 1<sup>st</sup> quarter crime report stating there was one more crime than last year at this time. She pointed out page 67 which is comparing us to other cities in our area and noted that all 13 other arrests, on page 65, belong to one person who will be appearing at court next month.

**THE MATTER OF WATERLINE AND STREET IMPROVEMENTS ON MONROE STREET FROM 1ST STREET TO 2ND STREET**

**STAFF REPORT:** Scholz stated this project is part of the Transportation Plan from 2017. The road is a designated boat ramp, and the job will include sidewalks, curb and gutter and will widen the road 18 inches which will allow parking. Scholz pointed out that M.L. Houck Construction is the same company who had the Diamond Hill Rd project.

- Downey **motioned to recommend that the contract be awarded to M.L. Houck Construction in the amount of \$345,392.50 and was seconded by Klemm. The City Council then voted unanimously to recommend that the contract be awarded to M.L. Houck Construction in the amount of \$345,392.50.**

**THE MATTER OF A DISCUSSION IN RELATION TO THE BNSF FRANCHISE AGREEMENT EXTENSION IN EXECUTIVE SESSION UNDER ORS 192.660(1)(2)(H)**

The Mayor declared an Executive Session as per ORS 192.660 (1)(2)(H) at the hour of 6:44pm

The City Council exited the Executive Session at the hour of 7:19pm

At the conclusion of Executive Session and with no others, the City Council Work Session was adjourned at the hour of 7:20pm

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**Mayor**

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**City Recorder**

## Report Criteria:

Detail report.  
Invoices with totals above \$0 included.  
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	GL Account Number
<b>3901</b>						
3901	Amanda Pelkey	0512222	Reimbursement	05/12/2022	25.60	24-60-3050
Total 3901:					25.60	
<b>1206</b>						
1206	Analytical Lab & Consultants	147282	Water Testing	04/07/2022	312.00	52-65-4200
1206	Analytical Lab & Consultants	147510	Water Testing	04/13/2022	229.00	51-65-4200
1206	Analytical Lab & Consultants	147634	Water Testing	04/18/2022	103.00	52-65-4200
1206	Analytical Lab & Consultants	147644	Water Testing	04/19/2022	287.00	52-65-4200
1206	Analytical Lab & Consultants	147899	Water Testing	04/29/2022	76.00	51-65-4200
1206	Analytical Lab & Consultants	148020	Water Testing	04/30/2022	287.00	52-65-4200
Total 1206:					1,294.00	
<b>3068</b>						
3068	BOLI	MONROE	BOLI Prevailing Wage	05/12/2022	345.39	11-60-7975
Total 3068:					345.39	
<b>3693</b>						
3693	Branch Engineering Inc	00017770	Engineering Services	04/28/2022	4,249.46	10-41-4000
3693	Branch Engineering Inc	00017772	Engineering Services	04/28/2022	3,743.08	51-78-8015
3693	Branch Engineering Inc	00017773	Engineering Services	04/22/2022	1,236.25	11-60-7975
3693	Branch Engineering Inc	00017774	Engineering Services	04/22/2022	420.00	10-41-4000
3693	Branch Engineering Inc	00017775	Engineering Services	04/28/2022	450.00	11-60-7975
3693	Branch Engineering Inc	00017776	Engineering Services	04/28/2022	1,082.50	61-70-7500
Total 3693:					11,181.29	
<b>3697</b>						
3697	Brewer and Coulombe, PC	502736	Attorney Fees	05/13/2022	200.00	10-42-2500
3697	Brewer and Coulombe, PC	502737	Attorney Fees	05/13/2022	562.50	10-42-2700
Total 3697:					762.50	
<b>3788</b>						
3788	Cameron McCarthy Landscape	00192	OPRD Grant	03/11/2022	5,704.33	61-70-7500
3788	Cameron McCarthy Landscape	00338	OPRD Grant	05/06/2022	4,044.33	61-70-7500
Total 3788:					9,748.66	
<b>3773</b>						
3773	CenturyLink	APRIL 2022	Phone Bill	04/26/2022	41.61	52-65-3500
3773	CenturyLink	APRIL 2022	Phone Bill	04/26/2022	45.26	52-65-3500
3773	CenturyLink	APRIL 2022	Phone Bill	04/26/2022	43.71	51-65-3500
3773	CenturyLink	APRIL 2022	Phone Bill	04/26/2022	41.42	51-65-3500
3773	CenturyLink	APRIL 2022	Phone Bill	04/26/2022	45.26	52-65-3500
3773	CenturyLink	APRIL 2022	Phone Bill	04/26/2022	40.06	52-65-3500
3773	CenturyLink	APRIL 2022	Phone Bill	04/26/2022	45.26	52-65-3500
3773	CenturyLink	APRIL 2022	Phone Bill	04/26/2022	41.42	10-69-3500
3773	CenturyLink	APRIL 2022	Phone Bill	04/26/2022	41.61	52-65-3500

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	GL Account Number
Total 3773:					385.61	
<b>1016</b>						
1016	Cheryl Spangler	0512221	Reimbursement	05/12/2022	15.99	24-60-3050
Total 1016:					15.99	
<b>2939</b>						
2939	Cobalt Computer Services, Inc.	22932	Computer Service	04/30/2022	243.50	40-65-8015
2939	Cobalt Computer Services, Inc.	23027	Computer Service	04/30/2022	476.16	10-60-2700
2939	Cobalt Computer Services, Inc.	23027	Computer Service	04/30/2022	106.92	51-74-2300
2939	Cobalt Computer Services, Inc.	23027	Computer Service	04/30/2022	106.92	52-74-2300
Total 2939:					933.50	
<b>2720</b>						
2720	Comcast	MAY 2022	Internet Service	05/02/2022	309.67	10-60-2000
2720	Comcast	MAY 2022 LIB	Internet Service	04/23/2022	146.85	24-60-2525
2720	Comcast	MAY 2022 PW	Internet Service	05/01/2022	74.93	51-65-3550
2720	Comcast	MAY 2022 PW	Internet Service	05/01/2022	74.92	52-65-3550
Total 2720:					606.37	
<b>3913</b>						
3913	DataBar Inc	255916	W/S Utility Statements	04/22/2022	344.96	51-74-2200
3913	DataBar Inc	255916	W/S Utility Statements	04/22/2022	344.95	52-74-2200
Total 3913:					689.91	
<b>3966</b>						
3966	DCBS Fiscal Services	APRIL 2022	State Surcharge - Building/Electric	04/30/2022	223.93	26-70-1050
3966	DCBS Fiscal Services	APRIL 2022	State Surcharge - Building/Electric	04/30/2022	31.08	27-70-1050
Total 3966:					255.01	
<b>1000</b>						
1000	DEQ	WQ23WSC-00	Operator Certification	04/22/2022	100.00	52-65-5000
Total 1000:					100.00	
<b>3807</b>						
3807	Equinox Software, Inc	00000533	Library Software	05/04/2022	1,000.00	24-60-2800
Total 3807:					1,000.00	
<b>1946</b>						
1946	Ferguson Waterworks	1071571-2	P/W Misc. Expense	04/29/2022	348.73	51-78-7400
1946	Ferguson Waterworks	1071571-2	P/W Misc. Expense	04/29/2022	348.73	52-78-7400
Total 1946:					697.46	
<b>3743</b>						
3743	Fern Ridge Review	21886	Public Notice	05/02/2022	90.00	10-50-2100
Total 3743:					90.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	GL Account Number
<b>1219</b>						
1219	Hach Company	13002754	P/W Misc Expense	04/25/2022	69.45	51-65-4000
1219	Hach Company	13002754	P/W Misc Expense	04/25/2022	69.45	52-65-4000
1219	Hach Company	13010994	P/W Misc Expense	04/29/2022	249.76	52-65-4200
Total 1219:					388.66	
<b>1220</b>						
1220	Hurd's Custom Machinery, Inc.	33681	Public Works Supplies	04/01/2022	76.17	10-72-4000
1220	Hurd's Custom Machinery, Inc.	33925	Public Works Supplies	04/21/2022	10.85	10-72-4000
Total 1220:					87.02	
<b>1221</b>						
1221	Jerry's Home Improvement	140164/1	Misc Public Works Supplies	04/04/2022	415.82	52-65-4600
Total 1221:					415.82	
<b>3432</b>						
3432	John Deere Financial	3436930	Misc P/W Exp	04/04/2022	5.76	10-72-6700
3432	John Deere Financial	5017173	Misc P/W Exp	04/30/2022	2,102.87	10-72-6700
Total 3432:					2,108.63	
<b>3968</b>						
3968	Junction City	APRIL 2022	Building/Electrical Permit Fees	04/30/2022	168.35	27-70-1000
3968	Junction City	APRIL 2022	Building/Electrical Permit Fees	04/30/2022	1,778.07	26-70-1000
Total 3968:					1,946.42	
<b>3990</b>						
3990	Junction City Point S	1002460	Repairs	05/02/2022	175.00	11-43-2100
Total 3990:					175.00	
<b>3683</b>						
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	14.49	10-53-2200
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	258.78	10-63-2200
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	152.09	10-63-2200
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	20.99	10-60-2300
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	15.85	24-60-3050
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	34.29	24-60-3050
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	58.00	10-60-2400
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	97.74	24-60-3050
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	218.16	24-60-3050
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	279.90	24-60-3050
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	20.99	24-60-3050
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	720.00	24-60-3050
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	703.35	10-60-2400
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	133.62	24-60-2000
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	33.00	10-53-2200
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	14.08	10-60-2400
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	6.19	10-53-2200
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	115.25	24-60-3050
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	8.28	24-60-3050
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	22.68	52-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	28.56	52-65-4600

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	GL Account Number
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	32.31	11-45-3000
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	4.29	51-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	4.28	52-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	58.03	51-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	58.02	52-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	74.85	51-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	74.85	52-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	351.00	51-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	351.00	52-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	206.46	51-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	206.45	52-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	98.08	52-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	98.08	51-65-4600
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	20.00	11-60-7975
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	175.00	10-63-2100
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	25.49	10-53-2200
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	106.78	10-53-2200
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	83.40	10-53-2200
3683	Keybank N.A.	APRIL 2022	Misc Credit Card Charges	04/20/2022	2.50	10-60-2600
Total 3683:					4,716.66	
<b>3883</b>						
3883	Knox Ag Irrigaion, Inc	2239	Misc P/W Exp	04/25/2022	143.58	52-65-4600
Total 3883:					143.58	
<b>1253</b>						
1253	Linn County Sheriff's Office	4TH QRT 2022	Law Enforcement Contract	05/03/2022	62,295.75	10-66-3000
Total 1253:					62,295.75	
<b>3819</b>						
3819	Linn County Treasurer	MARCH 2022	Court Revenue Payout	03/31/2022	337.17	10-42-2200
Total 3819:					337.17	
<b>2489</b>						
2489	Lori Ross	512223	Reimbursement	05/12/2022	45.56	10-53-2200
Total 2489:					45.56	
<b>1227</b>						
1227	McKinley Printing Company	3199	Business Cards	05/12/2022	125.00	10-53-2200
Total 1227:					125.00	
<b>3894</b>						
3894	Mitel	39859598	Phone Bill	05/01/2022	115.89	10-69-3500
3894	Mitel	39859598	Phone Bill	05/01/2022	25.21	24-60-2500
3894	Mitel	39859598	Phone Bill	05/01/2022	115.88	51-65-3500
3894	Mitel	39859598	Phone Bill	05/01/2022	115.88	52-65-3500
Total 3894:					372.86	
<b>3989</b>						
3989	Moore Iacofano Goltsman, Inc.	0074926	Consulting Fees	05/05/2022	1,650.00	10-41-2600

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	GL Account Number
Total 3989:					1,650.00	
<b>3873</b>						
3873	NAPA Auto Parts	817-653627	Misc P/W Exp	04/12/2022	21.14	11-45-3000
Total 3873:					21.14	
<b>2644</b>						
2644	Net Assets	54-202204	Lien Searches	05/02/2022	75.00	10-53-2250
Total 2644:					75.00	
<b>1102</b>						
1102	NW Natural Gas Co.	MAY 2022	Utilities	05/10/2022	38.26	10-69-2000
1102	NW Natural Gas Co.	MAY 2022 P/W	Utilities	05/10/2022	152.97	51-65-2700
1102	NW Natural Gas Co.	MAY 2022 PU	Utilities	05/11/2022	48.70	52-65-2700
Total 1102:					239.93	
<b>1245</b>						
1245	One Call Concepts, Inc.	2040393	Locates	04/30/2022	19.20	51-65-4600
1245	One Call Concepts, Inc.	2040393	Locates	04/30/2022	19.20	52-65-4600
Total 1245:					38.40	
<b>1033</b>						
1033	Oregon Department of Revenue	MARCH 2022	Court Revenue Payout	03/31/2022	1,002.01	10-42-2200
Total 1033:					1,002.01	
<b>1862</b>						
1862	Oregon DMV	L0033803491	Record Inquiry	04/29/2022	6.25	10-42-2800
Total 1862:					6.25	
<b>1814</b>						
1814	Peterson CAT	SW290076494	Public Works Supplies	05/12/2022	325.00	51-65-2500
1814	Peterson CAT	SW290076494	Public Works Supplies	05/12/2022	325.00	52-65-2500
1814	Peterson CAT	SW290076496	Public Works Supplies	05/12/2022	325.00	51-65-2500
1814	Peterson CAT	SW290076496	Public Works Supplies	05/12/2022	325.00	52-65-2500
1814	Peterson CAT	SW290076497	Public Works Supplies	05/12/2022	417.50	51-65-2500
1814	Peterson CAT	SW290076497	Public Works Supplies	05/12/2022	417.50	52-65-2500
Total 1814:					2,135.00	
<b>3777</b>						
3777	Rodda Paint Company	25042332	Paint	04/27/2022	110.68	11-43-3000
3777	Rodda Paint Company	25042341	Paint	04/27/2022	10.74	11-43-3000
Total 3777:					121.42	
<b>3582</b>						
3582	Sierra Springs	21792976	Bottled Water	04/15/2022	46.15	10-53-2200
Total 3582:					46.15	



Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	GL Account Number
<b>2927</b>						
2927	Staples Business Advantage	3505722005	Office Supplies	04/21/2022	80.36	10-60-2300
2927	Staples Business Advantage	3505722005	Office Supplies	04/21/2022	80.33	51-74-2400
2927	Staples Business Advantage	3505722005	Office Supplies	04/21/2022	80.33	52-74-2400
2927	Staples Business Advantage	3505788867	Office Supplies	04/22/2022	19.80-	10-60-2300
2927	Staples Business Advantage	3505788867	Office Supplies	04/22/2022	19.79-	51-74-2400
2927	Staples Business Advantage	3505788867	Office Supplies	04/22/2022	19.80-	52-74-2400
Total 2927:					181.63	
<b>2052</b>						
2052	Tri-County	104331	CWEDD Grant	04/28/2022	5,000.00	10-37-2100
Total 2052:					5,000.00	
<b>2994</b>						
2994	United Industrial Equipment	74994	Misc P/W Equipment	05/03/2022	34.98	11-45-3000
Total 2994:					34.98	
<b>1287</b>						
1287	US Bank	1972374	Loan Payment	04/06/2022	37,049.91	52-85-8100
1287	US Bank	1972374	Loan Payment	04/06/2022	45,000.00	52-85-8000
1287	US Bank	1973390	Loan Payment	04/07/2022	45,000.00	30-51-8400
1287	US Bank	1973390	Loan Payment	04/07/2022	150,281.09	30-59-8400
1287	US Bank	1976780	Loan Payment	04/11/2022	35,000.00	30-51-8200
1287	US Bank	1976780	Loan Payment	04/11/2022	14,799.98	30-59-8200
Total 1287:					327,130.98	
<b>3826</b>						
3826	Valley Argonomics LLC	74026161	Misc P/W Exp	05/10/2022	2,190.60	25-65-2000
Total 3826:					2,190.60	
<b>3663</b>						
3663	Water & Sewer Deposit Refund	#145.11	Utility Billing Overpayment	05/02/2022	23.84	01-1075
3663	Water & Sewer Deposit Refund	#867.11	Utility Billing Overpayment	05/12/2022	46.08	01-1075
3663	Water & Sewer Deposit Refund	#925.03	Utility Billing Overpayment	05/05/2022	96.00	01-1075
Total 3663:					165.92	
<b>1239</b>						
1239	WECO	CP-00193505	PW Gas Exp	04/30/2022	717.76	11-45-2000
1239	WECO	CP-00193505	PW Gas Exp	04/30/2022	837.39	51-73-2000
1239	WECO	CP-00193505	PW Gas Exp	04/30/2022	837.39	52-73-2000
Total 1239:					2,392.54	
Grand Totals:					443,721.37	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	GL Account Number
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Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

Payment Approval Report  
Expense Account Key

City Council: \_\_\_\_\_

	Fund Number	G.L. Number Acct
General Fund	10	10-XX- XXXX
Street Fund	11	11-XX- XXXX
CED Fund	23	23-XX- XXXX
Library Fund	24	24-XX- XXXX
Storm Fund	25	25-XX- XXXX
Building Permit Fund	26	26-XX- XXXX
Electrical Permit Fund	27	27-XX- XXXX
Debt Services Fund	30	30-XX- XXXX
Office Equip. Fund	40	40-XX- XXXX
Equipment Fund	41	41-XX- XXXX
Water Fund	51	51-XX- XXXX
Sewer Fund	52	52-XX- XXXX
Sewer Resv Fund	56	56-XX- XXXX

City Recorder: \_\_\_\_\_

City Treasurer: \_\_\_\_\_

## Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Agenda Bill

**Harrisburg City Council**

Harrisburg, Oregon

THE MATTER OF FILLING A VACANCY ON THE LIBRARY BOARD

STAFF REPORT:

Exhibit A: Candidate Application for Kristi Prozialeck

**ACTION:** The approval of the consent list will approve the Mayoral appointment and the City Council confirming vote for the appointment Kristi Prozialeck to the Library Board with a term ending June 30, 2026.

**THIS AGENDA BILL IS DESTINED FOR:** Consent Agenda – June 14, 2022

BUDGET IMPACT		
COST	BUDGETED?	SOURCE OF FUNDS
n/a	n/a	n/a

STAFF RECOMMENDATION:

**Staff recommends the Mayor appoint and the City Council give its confirming vote of the appointment of Kristi Prozialeck to the Library Board with a term ending June 30, 2026.**

LIBRARY BOARD RECOMMENDATION:

The Library Board met on May 23<sup>rd</sup>, 2022 and voted to recommend that the Mayor of Harrisburg re-appoint Kristi Prozialeck to the Library Board with a term ending June 30, 2026.

BACKGROUND INFORMATION:

As per the Library Board bylaws and HMC Chapter 2.20, the Library Board consists of five members. Kristi Prozialeck has been a board member since September 9, 2021 and currently serves as the Boards Chairperson. She is heavily involved as a Library volunteer and is in charge of running the Crafting Club program.

The City Council has been provided with the candidate application in **Exhibit A**. The Mayor appoints all Library Board positions with a confirmation vote by the City Council.

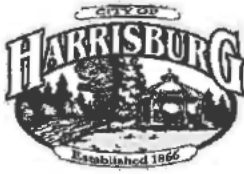
REVIEW AND APPROVAL:

05/26/2022

Lori Ross

Date

City Recorder



City of Harrisburg  
120 Smith Street  
Harrisburg, OR 97446  
Phone (541) 995-6655  
[www.ci.harrisburg.or.us](http://www.ci.harrisburg.or.us)

## **BOARD & COMMITTEE APPLICATION FORM**

Planning Commission, Budget Committee, and Library Board

Name: Kristi Prozialeck

Address: [REDACTED] St Harrisburg, OR 97446

Phone Number: 541-[REDACTED]

Email: [REDACTED]@com

Are you a Harrisburg resident?

Yes ☒

No ☐

Employment:

[REDACTED]

In which position are you interested?\*

Library Board Member

Tell us why you would like to be included on the Board or Committee of your choice and what you will contribute:

I have enjoyed being on the board and want to continue with my appointment. I enjoy the library and the programs we are developing to bring our community together. I would love to continue to serve on the library board.

Please list any schooling, hobbies, prior experience or any other information that would indicate how you would contribute to the Board or Committee.

I have my Masters in Public Administration. I love to work with any type of fiber and enjoy teaching my craft to others. I work as an instructional designer and corporate trainer.

Please list a personal/professional reference that we may contact:

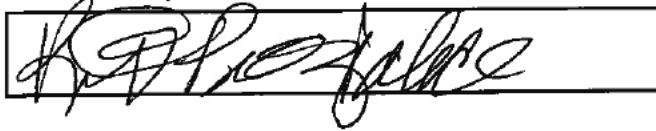
Name: [REDACTED] Moore

Address: [REDACTED]

Phone Number: 541-9 [REDACTED]

Relation to you: Friend

By providing your signature below, you acknowledge that you are the applicant for the committee position and authorize the City to contact your references.



\*Please be aware that candidates for Planning Commission are subject to State Ethic Law Requirements. For further information on ethics laws and what the requirements are, please ask for Lori Ross, City Recorder.

\*\*Please submit completed applications to PO Box 378, Harrisburg, Oregon 97446 or in person at 354 Smith St or by emailing to [lross@ci.harrisburg.or.us](mailto:lross@ci.harrisburg.or.us).



Personnel Committee Meeting Minutes  
February 23, 2022  
6:30 PM

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Chairperson: Kimberly Downey, Present  
Committee Members: Mike Caughey and Rob Boese, Present  
Staff Present: City Administrator, Michele Eldridge and City Recorder, Lori Ross  
Meeting Location: Harrisburg Municipal Center Located at 354 Smith St

**CALL TO ORDER AND ROLL CALL at the hour of 6:33pm by Chairperson Kim Downey**

**CONCERNED CITIZEN(S) IN THE AUDIENCE.** None present.

**APPROVAL OF MINUTES**

- Caughey motioned to approve the minutes for May 4, 2021 and was seconded by Boese. The Personnel Committee then voted unanimously to approve the minutes for May 4, 2021

**THE MATTER OF THE ANNUAL EVALUATION OF THE HARRISBURG CITY ADMINISTRATOR STAFF REPORT:** Downey referred to the memorandum provide by Eldridge (**ADDENDUM 1**), listing her accomplishments in her first year as the City Administrator. Downey then opened and read aloud the performance evaluations for the City Administrator which included a total of 11 from City Staff, Council and Commissioners.

- Boese commented that he didn't like the 1-4 scale on the evaluation form as there was no option between satisfactory and outstanding and liked the 1-5 scale better. Downey replied that we can adjust the scale for next year.
- Downey commented that she would like to see Eldridge be more vocal when dealing with difficult decisions and to see her step in more at City Council meetings. Downey stated that overall, she was pleased, and Eldridge was doing a better job than expected.
- Eldridge commented how much she appreciated everyone giving her the chance to become the City Administrator and she was very pleased to have received this type of review.
- Caughey stated that 3.48 was her composite score and commented that he is more than satisfied with the job Eldridge has been doing and his only concern was the amount of hours she was working.

February 23, 2022

- Downey and Boese agreed with Caughey about the amount of hours she was working and suggested she delegate when possible.
- Boese commented that Eldridge has met his expectations this year and he is excited to see her get better and better.
- Downey, Caughey and Boese agreed on a \$3000 bonus recommendation for Eldridge.
- Downey asked if there were any changes to the City Administrator Job Description and Eldridge replied only updated job titles for staff.
  - Downey **motioned to recommend to City Council a \$3,000 bonus for the City Administrator if the budget allows and was seconded by Caughey. The Personnel Committee then voted unanimously to recommend to the City Council a \$3,000 bonus for the City Administrator if the budget allows.**
- Boese **motioned to give the City Administrator a rating of 3.48 out of 4 and to forward the results of the annual evaluation to the City Council meeting scheduled for March 8, 2022 and was seconded by Caughey. The Personnel Committee then voted unanimously to give the City Administrator a rating of 3.48 out of 4 and to forward the results of the annual evaluation to the City Council meeting scheduled for March 8, 2022.**
- Boese **motioned to recommend to the City Council that they approve the amendments to the City Administrator Job Description and was seconded by Caughey. The Personnel Committee then voted unanimously to recommend to the City Council that they approve the amendments to the City Administrator Job Description.**

#### **THE MATTER OF CONSIDERING A COST-OF-LIVING SCALE FOR CITY EMPLOYEES OUTSIDE OF YEARS WHEN THERE IS NO WAGE ANALYSIS**

**STAFF REPORT:** Eldridge reviewed the Consumer Price Index for 2022 and stated that based on the 12-month average CPI-W, we could start at 4.5% COLI and see if the budget would be able to support it.

- Downey stated that it should at least be an increase in the range of 3% to 4.5%.
- Caughey stated the last wage analysis showed our salaries were too low and we could fall behind again if we don't keep up with the COLI. Boese agreed.
- Caughey asked where we are with hiring new personnel and Eldridge responded that we are not looking right now. The City has budgeted for a part-time office person and public works won't hire again until after this summer.
- The Personnel Committee would recommend a COLI between 3 and 4.5% and Eldridge stated she would have Nelson propose a budget with both percentages. Eldridge commented that she hopes to have the new insurance rates by tomorrow.

**ADJOURN at the hour of 8:07pm**

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Chairperson

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City Recorder



## MEMORANDUM

FROM THE OFFICE OF THE CITY ADMINISTRATOR

TO: PERSONNEL COMMITTEE

FROM: MICHELE ELDRIDGE, CITY ADMINISTRATOR – HARRISBURG

SUBJECT: PERFORMANCE REVIEW

DATE: FEBRUARY 21, 2022

Thank you for taking the time to evaluate my work performance over the last 12 months. I appreciate the feedback and will continue to strive to continually improve my performance, and to be pro-active with the decisions that I make on behalf of the City of Harrisburg.

Amongst many other tasks, the City Administrator is responsible for carrying out the Strategic Plan Priorities that are defined by the City Council on an annual basis. In this last year, I have dealt with many different kinds of challenges; including dealing with the ongoing pandemic and coronavirus, regulatory requirements, staff shortages due to quarantines, and how the pandemic has affected the City as well as our citizens and businesses.

**Advocate for City Businesses and for Home Rule:** Within two months of becoming the City Administrator, the City Council tasked me with working with three of our councilors on the letter the City sent to Governor Brown which ultimately reminded her that Cities should be allowed Home Rule. It stated support and advocacy for our businesses. The letter from Harrisburg was grass roots advocacy at its best, as we shared it with citizens as well as businesses, and asked them to send in a letter as well. While there weren't as many businesses needing assistance this year, the 2<sup>nd</sup> ARPA (American Rescue Plan Act) emergency funds set up for businesses in 2021 had 3 applicants. Unfortunately, the ARPA wasn't enough for one applicant to keep her business afloat, but ironically, the business she went to work for was the other recipient of grant funds. The business closed was immediately sold to a new owner and re-opened the following week.

**Grant Funding Achieved:**

**OPRD Grant: \$65,000** (\$40,000 and \$25,000 City Match) Rewriting the Parks Master Plan, Inventory and Classify current parks, obtain public feedback on the use of the parks, and a better plan on how to develop the 132-acre park, and Tadpole Park. In addition to the Parks Master Plan, this grant will allow the City to rework our Parks Capital Improvement Plan, and Parks SDC's. This fulfills Objective No. 4 and No. 13 on the Strategic Plan. (I wrote 2/3rds of the OPRD Grant, with John overseeing the project.)

**TGM Grant: \$185,000** (\$162,8000 and \$22,200 City Match) Rewriting the Transportation System Plan, which is 22 years old. (The Addendum was only 18 years old.) This work will allow the City to continue to meet Objective No. 5, 6 and No. 7 on the Strategic Plan, allowing the City to rework the Street Capital Improvement Plan, as well as Street SDC's.

**Total Grants achieved in my first year as City Administrator: \$255,000 (Includes CWEDD Grant)**



**Pending Grant: SRTS** (Safe Routes to School) \$866,200 grant. Part one is due by March 18, and application is due in May/June 2022

**Other Projects, including Business & Development:**

**CWEDD Grant: \$5,000.** This grant was used to help fund the Taste of Tri-County and Business Expo event which will be held in May 2022. The City is acting as a fiduciary for this grant.

- Main Street Revitalization Grant: Successfully closed out to state specifications, \$200,000 plus \$50,000 HRA grant for the I.O.O.F. Building.
- \$50,000 HRA Grant for Heidi Kropf at Grocery Deals - New parking lot and \$150,000 private investment
- HRA Grant issued to I.O.O.F. Building for additional windows/door work.
- Working with the MVP as the City of Harrisburg representative. Now working in-depth on re-branding the ten cities as REAL (Rural Economic Alliance), along with other cities, and obtaining a new website. (Objective No. 15a)
- Established (with Council's blessings) the Ad-hoc Law Enforcement committee. The City has talked about the possibilities of running our own police department for twenty or more years, but none of the prior City Administrators have actually done an in-depth review and analysis of the costs involved. I ran a full budget analysis and projection for a city police department. (This work is now being reviewed and used by other cities, unbeknownst to me!) I continue to work with current law enforcement agencies on strategies to reduce crime, as well as communicating more with citizens on law enforcement matters.
- Worked with 3 different Developers/Engineer groups on 3 different subdivisions and subsequent development agreements over this last year. Butterfly Garden Subdivision almost finalized.
- 11 Land Use Cases, including 2 historic reviews, 2 minor partitions, 2 site plans, 1 parking lot site plan, 2 variances, and 2 subdivisions. Worked with two consultants as needed.
- Gave the green light to the City Engineer & Public Works Director to complete the engineering needed for the S. 9<sup>th</sup> St. Extension, and worked with landowner to obtain a donation of 4,230 square feet of property that will enable S. 9<sup>th</sup> St. to be extended at the full width needed for completion to Sommerville Loop. This is the next street/property on the Capital Improvement Plan that is scheduled for completion. This extension will decrease congestion on Sommerville Loop due to 2 new subdivisions projected for completion. If Woodhill Crossing is completed, it will allow the extension of S. 9<sup>th</sup> St. from Diamond Hill Rd to Priceboro Rd. This significantly contributes towards Objectives No. 6, and 7 on the current (and past) Strategic Plan priorities.
- The 2<sup>nd</sup> St., Smith St. and Macy St. Improvement Project was completed. (Thank you Public Works Team!)
- Completed agreement & renewal with State OBCD/Accela State Permitting program. Data conversions and training of staff as we converted from Linn County to Junction City, including creating new databases, fees, and new applications. Several months of intensive work until Go Live with new system in August 2021. Establishing a work relationship with our new Building Official and closing out Linn County program. (Objective No. 14 & 20b)
- Completed Compensation/Wage analysis for 2021/2022 budget year. (Objective No. 23)
- Renegotiated AT&T Franchise Agreement and Qwest/Century Link/Lumen Franchise Agreement. In process of renewing Comcast and MCI/Verizon.

- BNRR Franchise Agreement/Meetings (Objective No. 8): Found city right-of-way ownership for all of 4<sup>th</sup> St. and established legal opinion/determination of such. One meeting completed, 2<sup>nd</sup> meeting pending.
- Zoning, Development & Land Partition Code Project (Objective 1.a.): Finalized review of all development code with our consultant. This included my own extensive rewrite of the overlay zones, including the new model code flood zone management ordinances, plus wetlands, historical resource and alterations, and Willamette Greenway ordinance rewrites. (Objective No. 17)

#### Water Project:

- Worked with Project Managers at Branch Engineering to complete Conditional Use Permit with Linn County for the north water plant, including Well No. 9, reservoir, and water filtration plant. (Objective No. 11)
- 6<sup>th</sup> Place & Diamond Hill Rd. Water Line Replacements completed. (Thank you, Public Works Director!)(Objective No. 11)

#### Sanitary Sewer:

- Sanitary Sewer Overflow Improvement Project: Partially completed project. (Thank you, Public Works Director!)(Objective No. 12)

Code	Description	Count	Amount	GL Account
<b>Court Costs</b>				
AF	ATTORNEY FEE	3	23.33	
CF	COLLECTION FEE	7	31.68-	
COSTS	COURT COSTS	11	356.97	
COURT FEE	CF	4	168.75	
DEF-ADJUD	DEF ADJUDICATION	2	280.00	
LPF	LATE PAYMENT FEE	4	18.64	
PA	PAYMENT ARRANGEMENT- FEE	4	7.92	
SCF	SHOW CAUSE FEE	13	332.79	
SUSP	SUSPENSION FEE	6	36.94	
WF	WARRANT FEE	12	182.49	
Total Court Costs:		66	1,376.15	
<b>Fines</b>				
FINE	FINE ASSESSED	3	56.59	
GBD	GUILTY BY DEFAULT	6	803.00	
GUILTY	FOUND GUILTY	25	2,284.54	
GUILTY NT	FOUND GUILTY	2	366.42-	
Total Fines:		36	2,777.71	
<b>Surcharges</b>				
COUNTY	COUNTY ASSESSMENT	17	222.47	
DIV STATE	STATE ASSESSMENT	1	35.00	
STATE	STATE ASSESSMENT	23	765.67	
Total Surcharges:		41	1,023.14	
Grand Totals:		143	5,177.00	

## Report Criteria:

Case.Violation date = 05/01/2022-05/31/2022

Agency	Case Number	Citation Numbers	Violation Date	Primary Offense	Location
LCSO	22-T-0107	216754	05/01/2022	ILLEGAL STOPPING, STANDING OR PARKING	565 LASALLE ST
LCSO	22-T-0108	216755	05/01/2022	DRIVING WHILE UNINSURED; EXPIRED REGISTRATION	799 DIAMOND HILL DR/N 8TH ST
LCSO	22-T-0109	216757	05/02/2022	DRIVE WHILE SUSPENDED/REVOKED; DRIVING UNINSURED	349 N 3RD ST/PEORIA RD
LCS	22-C-0001	216766	05/03/2022	DOGS AS PUBLIC NUISANCES; DOG OFF LEASH	125 N. 2ND ST
LCS	22-T-0117	216793	05/05/2022	DRIVE WHILE SUSPENDED/REVOKED; FTC PROOF INS	366 TERRITORIAL ST
COBURG PD	22-T-0119	1321	05/06/2022	FAILURE TO OBEY TRAFFIC CONTROL DEVICE-SIGN	S. 6TH & LASALLE ST
LCS	22-T-0118	216798	05/06/2022	FTR VEHICLE; DRIVING UNINSURED; FTI IID	230 N 3RD ST
LCS	22-M-0023	216799	05/06/2022	DRIVE WHILE SUSPENDED - MISD	230 N 3RD ST
LCSO	22-C-0002	216809	05/06/2022	DOGS AS PUBLIC NUISANCES	299 N 3RD & TERRITORIAL ST
LCS	22-M-0024	216840	05/09/2022	THEFT III	340 N 3RD ST
LCSO	22-T-0123	216854	05/10/2022	DRIVE WHILE SUSPENDED/REVOKED	499 LASALLE ST/S 5TH ST
COBURG PD	22-T-0120	190140	05/11/2022	OPERATE VEHICLE WHILE USING CELL PHONE	DIAMOND HILL & N. 8TH ST
COBURG PD	22-T-0121	190141	05/11/2022	VIOLATING DESIGNATED SPEED 11-20 MPH OVER OVER 65 MPH	DIAMOND HILL & N. 8TH ST
COBURG PD	22-T-0122	190142	05/11/2022	VIOLATING DESIGNATED SPEED 11-20 MPH OVER OVER 65 MPH	6TH ST & SOMMERVILLE LOOP
LCSO	22-T-0124	216887	05/13/2022	FTC PROOF INS; EXP VEHICLE REGISTRATION	699 TERRITORIAL ST/N 7TH ST
LCSO	22-T-0125	216888	05/14/2022	DWS; DRIVING UNINSURED; ALTERED PLATES; FTR VEHICLE	400 PEORIA RD/N 3RD ST
COBURG PD	22-T-0131	C6532	05/17/2022	PERMIT OPER UNREG VEHICLE	6TH ST & SOMMERVILLE LP
LCSO	22-T-0126	216945	05/18/2022	DRIVING WHILE UNINSURED; DWS	349 N 3RD ST/PEORIA RD
LCSO	22-T-0127	216958	05/19/2022	DRIVE WHILE SUSPENDED/REVOKED	799 DIAMOND HILL DR/N 8TH ST
LCSO	22-T-0128	216962	05/19/2022	DRIVE WHILE SUSPENDED/REVOKED	699 S 3RD ST/LASALLE ST
LCSO	22-T-0129	216964	05/20/2022	DRIVING WHILE UNINSURED	349 N 3RD ST/PEORIA RD
LCSO	22-T-0130	217007	05/23/2022	FAIL TO CARRY PROOF OF INSURANCE	399 S 3RD ST/KESLING ST
LCSO	22-T-0136	217026	05/24/2022	FAIL TO CARRY PROOF OF INSURANCE	248 S 3RD ST
LCSO	22-T-0137	217027	05/24/2022	ILLEGAL STOPPING, STANDING OR PARKING (ON SIDEWALK)	262 SMITH ST
LCSO	22-T-0138	217028	05/24/2022	DRIVE WHILE SUSPENDED/REVOKED	299 N 3RD ST/TERRITORIAL ST
LCS	22-C-0003	217029	05/24/2022	PROHIBITED PARKING/ STANDING (VEHICLE FOR SALE STREET)	299 LASALLE ST/ 3RD ST
COBURG PD	22-T-0135	C5561	05/25/2022	VIOLATING DESIGNATED SPEED 11-20 MPH OVER OVER 65 MPH	6TH ST & SOMMERVILLE LP
COBURG PD	22-T-0134	C5562	05/25/2022	VIOLATING DESIGNATED SPEED 11-20 MPH OVER OVER 65 MPH	6TH ST & SOMMERVILLE LP
COBURG PD	22-T-0132	C5563	05/27/2022	VIOLATING DESIGNATED SPEED 11-20 MPH OVER OVER 65 MPH	DIAMOND HILL RD & N. 8TH ST
COBURG PD	22-T-0133	C5564	05/27/2022	EXPIRED VEHICLE REGISTRATION	6TH ST & SOMMERVILLE LP
LCSO	22-T-0139	217069	05/28/2022	DWS; DRIVING UNINSURED; IMPROPER PLATES; FTR VEHICLE	100 S 4TH ST/SMITH ST
LCSO	22-T-0140	217070	05/28/2022	DWS; DRIVING UNINSURED; IMPROPER PLATES; FTR VEHICLE	100 S 4TH ST/SMITH ST
LCS	22-M-0025	217071	05/28/2022	CARRYING CONCEALED WEAPON; FELONY POSS OF WEAPON	100 S 4TH ST & SMITH ST
LCSO	22-T-0141	217072	05/29/2022	IMPROPER PARALLEL PARKING (TOO FAR FROM CURB)	167 SMITH ST

Grand Totals:

34 PERSONS CITED FOR A TOTAL OF 53 OFFENSES