



Agenda

CITY OF MILLERSBURG City Council Regular Meeting & PUBLIC HEARING

Electronic Meeting
August 11, 2020 @ 6:30 PM

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

This meeting will be held remotely. Instructions for joining the meeting by computer or phone are attached to this agenda. If you do not have access to a phone or computer, or need additional support, please contact City Hall prior to 5:00 p.m. on Monday, July 13.

Meeting link to join via computer:

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

Phone number to join meeting: 503-212-9900

Meeting ID: 116 171 7173

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

CHANGES AND ADDITIONS TO THE AGENDA

CONSENT AGENDA

- [1\)](#) Approval of July 14, 2020 City Council Meeting Minutes
- [2\)](#) Acceptance of Report on City Accounts Payable
- [3\)](#) Extending Workers' Compensation Coverage to Volunteers - Resolution 2020-16
- [4\)](#) Millersburg Citizen Commissions / Committees Member & Staff Manual

GUEST PRESENTATIONS

- [5\)](#) Linn County Sheriff's Office Report

PUBLIC COMMENT

The public has the opportunity to address the Council during "Public Comment." While in the virtual meeting via a computer, virtually signal by raising a hand. You will be unmuted and called upon to speak. After comments by those who have joined via computer, all lines will be unmuted, and those wishing to speak will be asked to identify themselves by name and city of residence. Each speaker will be acknowledged and given the opportunity to speak. Or if the public prefers, they may send written comments by email to cityclerk@cityofmillersburg.org. Please limit comments to one page and include your name

and address. Emails must be received before 5:00 p.m. on the day of the meeting to be included and read into the record for comments by the Council.

PUBLIC HEARING @ 7:00 p.m.

Persons wanting to address the Council during public hearings have two options.

1- To testify virtually during the public hearing via computer, virtually signal by raising a hand. You will be unmuted and called upon to speak. After comments by those who have joined via a computer, all lines will be unmuted, and those wishing to speak will be asked to identify themselves by name and address. Each speaker will be acknowledged and given the opportunity to speak. Testimony should only include new information not already previously submitted.

2- Email your comments to cityclerk@cityofmillersburg.org. Please include your name, address, and subject of the public hearing. Comments must be received before 5:00 p.m. on August 11, 2020 to be included in the record.

[6\)](#) Sale of City Property

COUNCIL MEMBER AND STAFF COMMENTS

CITY MANAGER'S REPORT

[7\)](#) Project Updates

CITY ATTORNEY'S REPORT

UNFINISHED BUSINESS

NEW BUSINESS

[8\)](#) Sale of City Property - Resolution 2020-17

[9\)](#) Professional Services Agreement - ECONorthwest

[10\)](#) Donation of Land Parcels - Millersburg Land & Development

CLOSING PUBLIC COMMENT

CLOSING COUNCIL COMMENT

ADJOURNMENT

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

Upcoming Meetings & Events:

August 25, 2020 @ 4:00 p.m. – City Council Work Session (tentative)

August 27, 2020 @ 6:00 p.m. – Planning Commission Public Hearing

September 2, 2020 @ 6:00 p.m. – Planning Commission Public Hearing (Development Code)

September 8, 2020 @ 6:30 p.m. – City Council Regular Meeting

Rules of Conduct for Public Hearings

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

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



**CITY OF MILLERSBURG
CITY COUNCIL MEETING MINUTES**

July 14, 2020 @ 6:30 p.m.

- A. CALL TO ORDER Mayor Lepin called the meeting to order at 6:30 p.m.
- B. ROLL CALL
 Councilors Present: Mayor Jim Lepin, Councilors Scott Cowan, Dave Harms, Scott McPhee, John Sullivan
 Councilors Absent: None. Councilor Harms departed briefly due to technical issues.
 Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Forrest Reid, City Attorney; Kimberly Wollenburg, City Recorder; Matt Straite, City Planner
 Presenters: Linn County Sheriff's Office – Lieutenant Brandon Fountain
 Albany Fire Department – Fire Chief Shane Wooten
 John Pascone, President, Albany-Millersburg Economic Development Corporation
- C. CHANGES AND ADDITIONS TO THE AGENDA
 None
- D. CONSENT AGENDA
 1) Approval of June 9, 2020 City Council Meeting Minutes
 2) Approval of June 10, 2020 Special City Council Public Hearing
 3) Acceptance of Report on City Accounts Payable
 Action: **Motion to Accept Consent Agenda as Revised During the Meeting, made by Councilor Scott Cowan; seconded by Councilor Dave Harms.**
Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor John Sullivan: Aye
 Motion PASSED: 5/0
- E. PRESENTATIONS
 1) Linn County Sheriff's Office Report
 Lieutenant Brandon Fountain provided the monthly report for June 2020. He noted a few early fireworks complaints. He also spoke briefly about the marijuana bust that happened in June.
- 2) Albany Fire Department Quarterly Report
 Albany Fire Chief Shane Wooten gave the quarterly report for April 2020 through June 2020. He reviewed the various types of incidents, noting that lift assists were the most requested. He also went over information regarding the response times. Mayor Lepin asked for feedback from the Council. The Council

shared their appreciation for the Albany Fire Department's support and efforts within the City of Millersburg. Mayor Lepin thanked Councilor Cowan for his efforts over the years. Councilor McPhee asked about status of the ASA transfer. City Manager Kreitman said he and City Attorney Reid continue to work on this and noted that as a result of conversations with the ASA committee and a Linn County Commissioner, City Manager Kreitman and City Attorney Reid need to have follow up discussions. City Manager Kreitman noted the plan is to address more in the fall.

F. PUBLIC COMMENT

The public has the opportunity to address the Council during "Public Comment" while in the virtual meeting by virtually signaling by unmuting first then those who call in will be acknowledged, or if the public prefers, may send written comments by email to cityclerk@cityofmillersburg.org. Please limit comments to one page and include your name and address. Emails received before 5:00 p.m. on the day of the meeting will be included and read into the record for comments by the Council.

None

G. COUNCIL MEMBER AND STAFF COMMENTS

1) Connection Charges – Mayor Lepin

Councilor McPhee shared his concerns regarding the application of connection charges. City Manager Kreitman said they'd recently explored some other options for timing of fee collection. Assistant City Manager/City Engineer Booth explained that the City's connection charges were modeled after Albany's. She had recent conversations with Albany regarding their program and asked if they ever allowed deferrals of fees. Albany shared that they did not allow deferral of fees. The question of a using a lien process to allow deferral of fee payment was evaluated by City Attorney Reid who asked if the City wants to assume some risk by not having the money up front or consider the option of creating a deferral program. City Attorney Reid spoke about the challenges of developing a lien program and what would be required. After a lengthy discussion, the Council asked for staff to consider this further and provide options to review at a later work session.

2) Rail crossing Millersburg Dr. – Mayor Lepin

Mayor Lepin provided a brief background regarding this issue and the request from Millersburg resident Doug Iverson for Council to support this project. Mr. Iverson spoke about who would ultimately provide the major share of funding for the project. After lengthy discussion, the Council noted that although they support the project, they would prefer there be an evaluation of the impacts of the intermodal project to traffic on Old Salem Road prior to allocation of funding to this project. The Council noted they support and appreciate Mr. Iverson's efforts.

3) AMEDC update – Mayor Lepin

Mayor Lepin provided an update on AMEDC's progress and the potential of a change. Linn County would pay 100% of the costs for AMEDC if Linn County provided board members. This change would ultimately mean that Linn County controlled AMEDC. Mayor Lepin shared his thoughts as to why this would be a good thing and that the board would be voting on this on July 15.

H. CITY MANAGER'S REPORT

1) Project Updates

City Manager Kreitman spoke about the buildable land inventory and housing needs analysis related to expansion of the urban growth boundary. The Council supported City Manager Kreitman moving forward with contracting with Eco Northwest.

Assistant City Manager/City Engineer Booth provided updates regarding current projects.

Councilor Cowan provided an update regarding the fire station project and shared the proposed floor plan for the new station.

I. CITY ATTORNEY'S REPORT

1) Oregon Legislative Impacts on Land Use Reviews

City Attorney Reid and City Planner Straite provided some background regarding recent impacts on land use matters and how those are changing how land use matters are handled, including changes to state law which now limit in some cases, staff's ability to forward some decisions to the planning commission vs. a staff level decision.

2) Payment of Fee in Lieu of Gathering Signatures – November 2020 Elections – Ordinance 175-20

City Attorney Reid and City Manager Kreitman reviewed background information regarding the proposed Ordinance to allow a temporary change to the Charter to allow a \$10.00 fee in lieu of gathering signatures for the November 3, 2020 election only.

Action: **Motion to Adopt Ordinance Finding that Due to the Current COVID 19 Pandemic, it is Necessary for the Conduct of Municipal Affairs to Allow Payment of a \$10 Fee as an Additional Method of Nomination for Councilors made by Councilor Scott Cowan; seconded by Councilor John Sullivan.**

Ordinance 175-20

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

Motion PASSED: 4/0

J. UNFINISHED BUSINESS

1) Fuel Tax

The Council had a lengthy discussion on the timing of submitting a fuel tax for the November 2020 election. City Manager Kreitman shared that from comments from an economic development side that the City has been known as a great place for new business, and with the recent increases in sewer rates and systems development charges, and with the current impacts of COVID-19, is now the appropriate time to move forward with a fuel tax, and should consideration be given to how it may be perceived in a negative light. There was a lengthy discussion regarding limitations to communication of information to residents given the current COVID-19 distancing requirements and the desire of the Council to ensure residents and businesses are provided the opportunity to communicate with Council. In addition, as the majority of the work cannot

be done by staff, the Council would have to create and disseminate communication.

Action: **Motion to Approve Resolution 2020-17 Calling for an Election on the Establishment of a Motor Vehicle Fuel Tax made by Councilor Scott McPhee; seconded by Councilor Scott Cowan.** Resolution 2020-17

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Scott McPhee: Aye
Councilor John Sullivan: Nay

Motion PASSED: 4/0

After passage of the motion and further discussion regarding providing information regarding the fuel tax and the limitations to sharing information and the difficulties associated with COVID-19, Mayor Lepin asked to reconsider the original motion of approval.

Mayor Lepin made a motion to rescind the original motion which was seconded by Scott McPhee. Staff recommended the Mayor and Councilor McPhee withdraw their motion and second, and recommended they consider a motion to reconsider the motion approving Resolution 2020-17. Mayor Lepin withdrew his initial motion; second withdrawn by Councilor Scott McPhee.

Action: **Motion to Reconsider the Motion to Approve Resolution 2020-17 Calling for an Election on the Establishment of a Motor Vehicle Fuel Tax made by Mayor Jim Lepin; seconded by Councilor Scott McPhee.**

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

Motion PASSED: 5/0

Action: **Motion to Rescind Approval of Resolution 2020-17 Calling for an Election on the Establishment of a Motor Vehicle Fuel Tax made by Councilor Scott McPhee; seconded by Councilor John Sullivan**

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

Motion PASSED: 5/0

K. NEW BUSINESS

1) ATI Enterprise Zone Application – Resolutions 2020-09 and 2020-10

John Pascone provided background regarding ATI's request for enterprise zone benefits and their request to waive the 10% employment increase due to the size of their investment. Some discussion followed regarding ATI's investment list. City Manager Kreitman shared the investments would increase capacity and modernize equipment and systems.

Action: **Motion to Approve Resolutions 2020-09 and 2020-10, Enterprise Zone Request for ATI Specialty Products made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.** Resolutions 2020-09 & 2020-10

- Mayor Jim Lepin: Aye
- Councilor Scott Cowan: Aye
- Councilor Scott McPhee: Aye
- Councilor John Sullivan: Aye

Motion PASSED: 4/0

2) **Appointment of New Planning Commission Members and Establishment of Parks Commission and Appointment of Members – Resolutions 2020-11, 12**

City Manager Kreitman provided information regarding the current vacancies on the Planning Commission to fill positions vacated by Jimmie Kirkendall and Dennis Gunner. The appointments will fill out their remaining terms until December 2020 then the City Council can reconsider them for reappointment.

Action: **Motion to Approve Resolution 2020-11 Appointing Planning Commission Members with Monty Ayers to Position 6 and Caryl Thomas to Position 7 made by Councilor Scott McPhee; seconded by Councilor Dave Harms.**

Resolution 2020-11

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

Motion PASSED: 4/0

Motion for Approval of Resolution 2020-12 for the Creation of a City of Millersburg Parks Commission and Appointing Members

Assistant City Manager/City Engineer Booth reviewed the background leading to the establishment of the Parks Commission and shared the results of the recruitment. She reviewed the provided information from the staff report noting that the Parks Commission, while appointed now, would not have the members meeting until after January 2021 due to COVID-19 requirements and that the budget for FY 20-21 already approved upcoming parks projects. Mayor Lepin brought up the potential need for a change to allow volunteers to serve on two commissions. The current guide does not permit a member serving simultaneously on multiple committees/commissions. After lengthy discussion, the City Council directed City Manager Kreitman to make the change in the Millersburg Commission and Committees Manual to allow members to be on multiple commissions/committees.

Action: **Motion to Approve Resolution 2020-12 Appointing Don Dixon, Allison Haley, Jaime Oakeson-Hotrum, Connie Lepin, and Talley Richardson to the Parks Commission made by Councilor Scott McPhee; seconded by Councilor Dave Harms.** Resolution 2020-12

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

Motion PASSED: 3/0/2

- 3) System Development Charges – Resolutions 2020-13, 14, 15
 Assistant City Manager/City Engineer Booth reviewed the staff report. She shared that staff have received no public comment. Additionally, she clarified a recently noted adjustment in the chart displaying the current charges. No changes were made to revised charges or percentages.

Action: **Motion to Approve Resolution 2020-13 Adopting a Methodology for Calculating Systems Development Charges made by Councilor Scott McPhee; seconded by Councilor Dave Harms.** Resolution 2020-13

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

Motion PASSED: 5/0

Action: **Motion to Approve Resolution 2020-14 Adopting Systems Development Charges and the Capital Projects List made by Councilor Scott McPhee; seconded by Councilor Scott Cowan.** Resolution 2020-14

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

Motion PASSED: 5/0

Action: **Motion to Approve Resolution 2020-15 Adopting a Fee Schedule for Systems Development charges made by Councilor Scott McPhee; seconded by Councilor Scott Cowan.** Resolution 2020-15

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

Motion PASSED: 5/0

- 4) Annual Liquor License Renewals

Action: **Motion to Approve Renewal of Annual Liquor Licenses for the Identified Applicants made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

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

Motion PASSED: 5/0

The Council decided this item could be placed on the consent agenda going forward and Council would have the option to remove if there were concerns.

- 5) Alyrica Franchise Agreement – Ordinance 174-20

City Manager Kreitman reviewed the background and request by Alyrica for a franchise agreement as well as briefly noted the terms of the agreement.

Action: **Motion to Adopt Ordinance 174-20 Granting a Non-Exclusive Franchise to Alyrica Networks, LLC and Authorize the City Manager to Sign the Franchise Agreement made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

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

Motion PASSED: 5/0

L. CLOSING PUBLIC COMMENT

No public present.

M. CLOSING COUNCIL COMMENT

- 1) Mayor Lepin on vacation starting 7/15. Council President Scott Cowan will sign ordinances and resolutions approved during this meeting in Mayor Lepin's absence.

N. ADJOURNMENT

Meeting adjourned at 10:18 p.m.

Respectfully submitted:

Reviewed by:

Kimberly Wollenburg
City Recorder

Kevin Kreitman
City Manager

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

Upcoming Meetings & Events:

July 21, 2020 @ 6:00 p.m. – Planning Commission Meeting (tentative)

July 28, 2020 @ 4:00 p.m. – City Council Work Session (tentative)

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

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

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

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
43	Aflac, 1932 Wynnton Road, Columbus, GA,										
614943			07/12/20	AFLAC through July 2020	08/01/20	\$49.08	\$49.08	01-9210	Payroll Taxes Payable	\$0.00	(\$12,996.64)
							\$49.08				
539	Barrett Business Services Inc., 421 Water Avenue NE, Albany, OR, 97321										
3153986			07/10/20	Barrett Business Services - Week ending 7/5/2020 - Astrid Hesberg	08/10/20	\$117.00	\$117.00	01-1332	CONTRACTED SERVIC	\$81,440.00	\$79,527.30
3153986			07/10/20	Barrett Business Services - Week ending 7/5/2020 - Nicholas Bohanan	08/10/20	\$667.55	\$667.55	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$77,327.58
							\$784.55				
904	Betiel Yohannes, , , ,										
07072020			07/17/20	Betiel Yohannes - Mileage Reimbursement	07/17/20	\$7.48	\$7.48	01-1351	MILEAGE	\$1,600.00	\$1,600.00
							\$7.48				
659	David Evans & Associates, Inc., Dept LA 24340, Pasadena, CA, 91185-4340										
469250			07/13/20	David Evans & Associates - PCPI through June 2020	08/13/20	\$1,855.56	\$1,855.56	02-1303	PCPI EXPENSE	\$10,000.00	\$10,000.00
469250			07/13/20	David Evans & Associates - PCPI through June 2020	08/13/20	\$1,546.30	\$1,546.30	03-1303	PCPI	\$10,000.00	\$10,000.00
469250			07/13/20	David Evans & Associates - PCPI through June 2020	08/13/20	\$1,237.04	\$1,237.04	04-1303	SEWER PCPI	\$6,000.00	\$6,000.00
469250			07/13/20	David Evans & Associates - PCPI through June 2020	08/13/20	\$927.77	\$927.77	05-1303	PCPI EXPENSE	\$6,000.00	\$6,000.00
							\$5,566.67				
528	Dianna Plotts										
2019-2020			07/17/20	Dianna Plotts - Parks and Rec Reimbursement	07/17/20	\$200.00	\$200.00	01-2301	PARKS & RECREATION	\$15,000.00	\$15,000.00
							\$200.00				
242	Dick Welker Construction Inc., PO Box 1032, Albany, OR, 97321										
3524			07/13/20	Dick Welker Construction - TV and Clean Lines	08/13/20	\$13,050.00	\$13,050.00	04-1305	O&M COLLECTION SYS	\$223,000.00	\$221,548.00
							\$13,050.00				
51	Eric Park										
NVP68961			07/17/20	Eric Park - Parks and Rec Reimbursement	07/17/20	\$200.00	\$200.00	01-2301	PARKS & RECREATION	\$15,000.00	\$15,000.00
							\$200.00				
312	Lauren Heese										
1279724.003			07/17/20	Lauren Heese - Parks and Rec Reimbursement	07/17/20	\$75.20	\$75.20	01-2301	PARKS & RECREATION	\$15,000.00	\$15,000.00
							\$75.20				
836	LS Networks, 921 SW Washington ST Suite 370, Portland, OR, 97205-2824										
INV49689			07/01/20	LS Network - Monlthy Bill	07/31/20	\$704.74	\$704.74	01-1317	CITY HALL UTILITIES	\$20,000.00	\$19,037.92
							\$704.74				
101	Michele Ferguson										

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

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
		09/25/2019	07/17/20	Michele Ferguson - Parks and Rec Reimbursement	07/17/20	\$142.40	\$142.40	01-2301	PARKS & RECREATION	\$15,000.00	\$15,000.00
							\$142.40				
903	Municode, PO Box 2235, Tallahassee, FL, 32316-2235										
00346038		07/13/20		Municode - meetings subscription	08/13/20	\$1,200.00	\$1,200.00	01-1332	CONTRACTED SERVIC	\$81,440.00	\$79,527.30
							\$1,200.00				
614	Peter Spencer										
112537472		07/17/20		Peter Spencer - Parks and Rec Reimbursement	07/17/20	\$200.00	\$200.00	01-2301	PARKS & RECREATION	\$15,000.00	\$15,000.00
							\$200.00				
41	Providence Health Plan, PO Box 4167, Portland, OR, 97208-4167										
08/01/2020		07/10/20		Providence Health Plan - through July 2020	08/01/20	\$7,346.90	\$7,346.90	01-1211	MEDICAL INSURANCE	\$91,062.00	\$91,062.00
							\$7,346.90				
860	Talley Richardson										
12/28/2019		07/17/20		Talley Richardson - Parks and Rec Reimbursement	07/17/20	\$60.00	\$60.00	01-2301	PARKS & RECREATION	\$15,000.00	\$15,000.00
							\$60.00				
							\$29,587.02				
				Total Bills To Pay:							

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

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance	
905 Linn County Circuit Court, 300 SW 4th Ave, Albany, OR, 97321		Case# 20CV25483	07/27/20	Linn County Circuit Court - Case # 20CV25483, Millersburg vs. Eddings	07/27/20	\$330,000.00	\$330,000.00	01-3302	SDC - I	\$350,000.00	\$350,000.00	
							<u>\$330,000.00</u>					
Total Bills To Pay:							<u>\$330,000.00</u>					

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

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
539	Barrett Business Services Inc., 421 Water Avenue NE, Albany, OR, 97321										
3154429		07/17/20	Barrett Business Services - Week ending 7/12/20 - Nicholas Bohanan	08/17/20	\$777.40	\$777.40	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$76,660.03	
3154993		07/24/20	Barrett Business Services - Week ending 7/19/20 - Nicholas Bohanan	08/24/20	\$591.50	\$591.50	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$76,660.03	
3154429		07/17/20	Barrett Business Services - Week ending 7/12/20 - Mark Yeager	08/17/20	\$390.00	\$390.00	03-1312	MUNICIPAL SEPARATE	\$30,000.00	\$30,000.00	
3154432		07/05/20	Barrett Business Services - Week ending 7/05/20 - Mark Yeager	08/05/20	\$260.00	\$260.00	03-1312	MUNICIPAL SEPARATE	\$30,000.00	\$30,000.00	
3154993		07/24/20	Barrett Business Services - Week ending 7/19/20 - Mark Yeager	08/24/20	\$520.00	\$520.00	03-1312	MUNICIPAL SEPARATE	\$30,000.00	\$30,000.00	
						\$2,538.90					
904	Betiel Yohannes, , , ,										
7/29/2020		07/29/20	Betiele Yohannes - Mileage Reimbursement	07/29/20	\$12.08	\$12.08	01-1351	MILEAGE	\$1,600.00	\$1,592.52	
						\$12.08					
607	Business Connections, Inc., P.O. Box 566, Salem, OR, 97308-0566										
072207232020		07/23/20	Business Connections through July 2020	08/10/20	\$58.55	\$58.55	01-1317	CITY HALL UTILITIES	\$20,000.00	\$18,333.18	
						\$58.55					
762	Code Publishing Co, 9410 Roosevelt Way NE, Seattle, WA, 98115-2844										
67255		07/24/20	Code Publishing through July 2020	08/23/20	\$1,500.80	\$1,500.80	01-1332	CONTRACTED SERVIC	\$81,440.00	\$78,210.30	
						\$1,500.80					
765	Handy Hands Landscape C&M LLC, 31410 HWY 34, Tangent, OR, 97389										
June 2020 2		07/29/20	Handy Hands Landscape - City Hall Landscape through June 2020	07/29/20	\$1,280.00	\$1,280.00	01-1332	CONTRACTED SERVIC	\$81,440.00	\$78,210.30	
June 2020		07/29/20	Handy Hands Landscape - City House Landscape through June 2020	07/29/20	\$480.00	\$480.00	01-1357	RENTAL PROPERTY	\$12,000.00	\$11,986.85	
						\$1,760.00					
906	Irene Herbert										
Park 2020		07/29/20	Irene Herbert - park shelter reservation refund	07/29/20	\$50.00	\$50.00	01-2102	PARK SHELTER USER	\$3,000.00	\$3,000.00	
						\$50.00					
449	Mary Messersmith										
0.9111R		07/29/20	Mary Messersmith - Parks and Rec Reimbursement	07/29/20	\$25.60	\$25.60	01-2301	PARKS & RECREATION	\$15,000.00	\$14,122.40	
						\$25.60					
585	MorganCPS Group, 1308 Marigold Street NE, Keizer, OR, 97303-3553										
8813		07/20/20	MorganCPS Group - planning through June 2020	08/20/20	\$7,360.00	\$7,360.00	01-1353	CONSULTANTS - PLAN	\$111,000.00	\$111,000.00	
						\$7,360.00					
53	Oregon Cascades West COG, 1400 Queen Ave. SE Suite 201, Albany, OR, 97322										

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

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
		Qtr4 2020	07/29/20	Oregon Cascade West COG - New Computers, Docking Stations, and Adoby	07/29/20	\$4,814.82	\$4,814.82	01-1331	MAINT: OFFICE EQUIP	\$22,040.00	\$22,040.00
		Qtr4 2020	07/29/20	Oregon Cascade West COG - Q4 IT Support	07/29/20	\$903.26	\$903.26	01-1332	CONTRACTED SERVIC	\$81,440.00	\$78,210.30
							\$5,718.08				
907	Pave Northwest, Inc, 92678 Marcola Road, Marcola, OR, 97454										
1600			07/29/20	Pave Northwest - 2019-019 Surface treatment Sweetwater and Morningstar Subdivisions	07/29/20	\$96,390.00	\$96,390.00	02-1322	STREET & ROAD REPAI	\$148,000.00	\$148,000.00
							\$96,390.00				
84	Ultrex, 110 SW 9th Avenue, Albany, OR, 97321										
INV85972			06/26/20	Ultrex - last payment - Printer through June 2020	07/26/20	\$149.06	\$149.06	01-1332	CONTRACTED SERVIC	\$81,440.00	\$78,210.30
							\$149.06				
							\$115,563.07				
				Total Bills To Pay:							

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

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
714	Cable Huston LLP, 1455 SW Broadway, Suite 1500, Portland, OR, 97201	100961	07/30/20	Cable Huston - MS4 Permit from 4/1/20 to 6/30/20	08/30/20	\$4,986.36	\$4,986.36	03-1312	MUNICIPAL SEPARATE	\$30,000.00	\$28,830.00
							\$4,986.36				
167	City County Insurance Services, PO Box 6836, Portland, OR, 97228-6836	PO-MIL-W2020-00	07/08/20	City County Insurance - Annual Renewal - Workers Comp	08/15/20	\$1,919.58	\$1,919.58	01-1212	DISABILITY INSURANC	\$8,000.00	\$8,150.00
PO-MIL-W2020-00	07/08/20	City County Insurance - Annual Renewal - Workers Comp	10/01/20	\$1,919.58	\$1,919.58	01-1212	DISABILITY INSURANC	\$8,000.00	\$8,150.00		
PO-MIL-W2020-00	07/08/20	City County Insurance - Annual Renewal - Workers Comp	01/01/21	\$1,919.58	\$1,919.58	01-1212	DISABILITY INSURANC	\$8,000.00	\$8,150.00		
PO-MIL-W2020-00	07/08/20	City County Insurance - Annual Renewal - Workers Comp	04/01/21	\$1,919.58	\$1,919.58	01-1212	DISABILITY INSURANC	\$8,000.00	\$8,150.00		
PO-MIL-I2020-00	07/08/20	City County Insurance - Annual Renewal Property / Liability	08/15/20	\$31,989.97	\$31,989.97	01-1308	BONDING & INSURANC	\$34,000.00	\$34,000.00		
							\$39,668.29				
251	Dustin Patton	08012020	08/01/20	Dustin Patton - Cell Phone Reimbursement	08/01/20	\$35.00	\$35.00	01-1317	CITY HALL UTILITIES	\$20,000.00	\$18,274.63
							\$35.00				
16	Forrest Reid, PO Box 329, Tangent, OR, 97389	July 2020	08/01/20	Forrest Reid - legal support through July 2020	08/30/20	\$17,725.00	\$17,725.00	01-1339	LEGAL SERVICES	\$190,000.00	\$190,000.00
							\$17,725.00				
908	Hughes Fire Equipment Inc., 910 Shelley Street, Springfield, OR, 97477	552552	07/09/20	Huges Fire Equipment	08/08/20	\$481.38	\$481.38	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
							\$481.38				
566	Jake Gabell	08012020	08/03/20	Jake Gabell - Cell Phone Reimbursement	08/03/20	\$35.00	\$35.00	01-1317	CITY HALL UTILITIES	\$20,000.00	\$18,274.63
							\$35.00				
27	Metereaders, LLC., PO Box 1902, Lake Oswego, OR, 97035	9397	07/29/20	Metereaders through July 2020	08/28/20	\$1,077.30	\$1,077.30	05-1304	O&M TRANSMISSION LI	\$119,000.00	\$119,000.00
							\$1,077.30				
842	PAC/WEST, 8600 SW St. Helens Drive, Wilisonville, OR, 97070	6492	07/31/20	PAC/WESTthrough July 2020	08/29/20	\$3,500.00	\$3,500.00	01-1338	ECONOMIC DEVELOPM	\$42,000.00	\$42,000.00
							\$3,500.00				
23	Pacific Power, PO Box 26000, Portland, OR, 97256-0001	08132020	07/28/20	Pacific Power through July 2020	08/13/20	\$611.20	\$611.20	01-1317	CITY HALL UTILITIES	\$20,000.00	\$18,274.63
08132020	07/28/20	Pacific Power through July 2020	08/13/20	\$56.53	\$56.53	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$75,000.00		
08132020	07/28/20	Pacific Power through July 2020	08/13/20	\$351.93	\$351.93	01-4303	UTILITIES - FIRE STATI	\$8,000.00	\$7,000.00		

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

Vendor									
InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
08132020	07/28/20	Pacific Power through July 2020	08/13/20	\$3,303.19	\$3,303.19	02-1323	STREET LIGHTS POWE	\$42,000.00	\$38,669.57
08132020	07/28/20	Pacific Power through July 2020	08/13/20	\$1,148.31	\$1,148.31	04-1328	SEWER MISCELLANEO	\$10,000.00	\$8,813.35
					\$5,471.16				
207	Smith Glass Service, Inc., 133 N. Lyon Street, Albany, OR, 97321								
11053526	07/28/20	Smith Glass - sliding window project	08/28/20	\$1,150.00	\$1,150.00	01-1401	CITY HALL IMPROVEM	\$0.00	\$0.00
					\$1,150.00				
902	Soderstrom Architects, Ltd, 1200 NW Naito Parkway, Suite Number 410, Portland, OR, 97209								
8110	08/03/20	Soderstrom Architects through July 2020	08/03/20	\$8,586.60	\$8,586.60	01-4404	Permanent Fire Station D	\$315,000.00	\$291,876.60
					\$8,586.60				
36	US Bank, PO Box 790408, St. Louis, MO, 63179-0408								
07202020	07/20/20	Verizon Wireless, Emergency phone	08/20/20	\$36.14	\$36.14	01-1317	CITY HALL UTILITIES	\$20,000.00	\$18,274.63
07202020	07/20/20	Garten, monthly mailings	08/20/20	\$808.71	\$808.71	01-1327	POSTAGE AND SHIPPI	\$6,000.00	\$6,000.00
07202020	07/20/20	Touch of Mink, office supplies, Sanatizer - COVID	08/20/20	\$101.98	\$101.98	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
07202020	07/20/20	Amazon Office Supplies, Hand Soap	08/20/20	\$24.32	\$24.32	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
07202020	07/20/20	Amazon, trash grabbers	08/20/20	\$89.97	\$89.97	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
07202020	07/20/20	Site 5, Website Hosting, monthly fee	08/20/20	\$15.95	\$15.95	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
07202020	07/20/20	Office Depot, Office Supplies, Laptop Bag	08/20/20	\$35.99	\$35.99	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
07202020	07/20/20	Office Depot, office supplies, file folders	08/20/20	\$26.14	\$26.14	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
07202020	07/20/20	Greens Bridge, office supplies, accidental charge will reimburse	08/20/20	\$21.46	\$21.46	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
07202020	07/20/20	Coastal Farm and Ranch Supply, safety equipment	08/20/20	\$64.48	\$64.48	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
07202020	07/20/20	Amazon, Office Supplies, Hand soap	08/20/20	\$11.88	\$11.88	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
07202020	07/20/20	Touch of Mink, office supplies, Sanatizer - COVID	08/20/20	\$309.13	\$309.13	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
07202020	07/20/20	Earth2O, Water in July	08/20/20	\$76.16	\$76.16	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
07202020	07/20/20	Staples, rubber bands, office supplies	08/20/20	\$7.58	\$7.58	01-1330	MATERIALS & SUPPLIE	\$25,000.00	\$24,555.31
07202020	07/20/20	Adobe Pro - basic plan	08/20/20	\$20.99	\$20.99	01-1331	MAINT: OFFICE EQUIP	\$22,040.00	\$17,225.18
07202020	07/20/20	N'Reener's, Lunch Meeting with City of Albany	08/20/20	\$64.40	\$64.40	01-1335	MEETINGS & TRAINING	\$13,000.00	\$13,000.00
07202020	07/20/20	Dog Waste Depot, park supplies	08/20/20	\$210.16	\$210.16	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$75,291.13
07202020	07/20/20	Republic Services, Park trash pickup	08/20/20	\$1,237.39	\$1,237.39	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$75,291.13
07202020	07/20/20	Verizon Wireless, Parks iPad	08/20/20	\$40.01	\$40.01	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$75,291.13
07202020	07/20/20	Home Depot, epoxy, park supplies	08/20/20	\$5.63	\$5.63	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$75,291.13
07202020	07/20/20	Home Depot, park supplies COVID	08/20/20	\$16.55	\$16.55	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$75,291.13
07202020	07/20/20	Firehouse Corner, benadryl, park supplies	08/20/20	\$2.28	\$2.28	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$75,291.13
07202020	07/20/20	Fastnel, safety equipment	08/20/20	\$90.86	\$90.86	02-1311	MISCELLANEOUS	\$2,000.00	\$2,000.00
					\$3,318.16				
328	Valley Merchant Police, Inc, PO Box 14, Albany, OR, 97321								
1142	07/31/20	Valley Merchant Police through July 2020	08/30/20	\$292.50	\$292.50	01-2302	PARK SUPPLIES & MAI	\$82,000.00	\$75,291.13

City of Millersburg
Council Approval Report
 (Council Approval Report)

Vendor		InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance	
							<u>\$292.50</u>					
223	Wallace W. Lien, P.C., P.O. Box 5730, Salem, OR, 97304											
07/25/2020	07/25/20	Wallace W Lien, land use legal support through July 2020			08/25/20	\$8,435.00	\$8,435.00	01-1339	LEGAL SERVICES	\$190,000.00	\$190,000.00	
							<u>\$8,435.00</u>					
Total Bills To Pay:							<u><u>\$94,761.75</u></u>					



TO: Millersburg City Council
VIA: Kevin Kreitman
FROM: Kimberly Wollenburg
DATE: August 4, 2020, for the August 11, 2020 City Council Meeting
SUBJECT: Extending Workers' Compensation Coverage to Volunteers of the City

Action Requested:

Approval of Resolution 2020-16 Extending Workers' Compensation Coverage to revised list of commissions and committees.

Discussion:

The City Council has historically, since 2001, extended worker's compensation insurance coverage to volunteer commissions and committees and the Council.

With the sunset of the Parks Committee and formation of the Parks Commission, plus the addition of naming the Millersburg Celebration volunteers in the coverage, a new resolution is needed.

Budget Impact:

No additional costs associated with the change from the Parks Committee to coverage for the Parks Commission members.

Recommendation:

Staff recommends approval of the attached Resolution Extending the City of Millersburg's Workers' Compensation Coverage to Volunteers of the City.

Attachment(s):

- Resolution 2020-16 Extending the City of Millersburg's Workers' Compensation Coverage to Volunteers of the City.

RESOLUTION 2020-16

A RESOLUTION EXTENDING THE CITY OF MILLERSBURG'S WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF MILLERSBURG

WHEREAS, the City of Millersburg encourages volunteerism; and,

WHEREAS, the City intends to provide workers' compensation to specific classes of volunteers as follows:

Pursuant to ORS 656.031, workers' compensation coverage will be provided to the classes of volunteer workers listed in this resolution, noted on the CIS payroll schedule, and verified at audit.

1. **Volunteer commissions, committees and Council for the performance of administrative duties.** An aggregate assumed annual wage of \$2,500 will be used per volunteer board, commission, and/or council for the performance of administrative duties. The covered bodies are:
 - a. Budget Committee
 - b. City Council
 - c. Parks Commission
 - d. Planning Commission
2. A roster of active volunteers will be kept monthly for reporting purposes. It is acknowledged that CIS may request copies of these rosters during year-end audit; and
3. Unanticipated volunteer projects or exposure not addressed herein will be added onto the City of Millersburg's coverage agreement (1) by endorsement, (2) with advance notice to CIS, and (3) allowing two weeks for processing. It is hereby acknowledged that coverage of this type cannot be backdated.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Millersburg, that the City of Millersburg will provide workers' compensation insurance coverage as indicated above. This Resolution will be updated as needed for changes to specific classes of volunteers or coverage amount.

ADOPTED this 11th day of August, 2020.

Jim Lepin, Mayor
City of Millersburg

ATTEST:

Kimberly Wollenburg
City Recorder



Citizen Commissions / Committees Member & Staff Manual

Effective October, 2019
Revised August, 2020

This manual provides information and guidelines in the following areas:

	Page
Introduction to Millersburg's Standing and Ad Hoc Advisory Groups.....	3
Millersburg's Form of Government	3
Standing Commissions and Committees.....	4
Ad Hoc Committees	5
Committee Membership	5
Committee Member Responsibilities.....	7
Ethics and Accountability	8
Committee Meeting Requirements	9
Notice of Meetings, Agendas, and Public Records.....	10
Inadvertent Public Meetings.....	12
Parliamentary Procedures.....	13
How to Conduct a Successful Meeting	14
Miscellaneous.....	15
Additional Resources	15
Q & A – Public Meetings, Commissions & Committees (Appendix A).....	16
Public Meetings Checklist (Appendix B).....	21
Guide to Bodies Subject to Public Meetings Law (Appendix C).....	23

INTRODUCTION TO MILLERSBURG'S STANDING AND AD HOC ADVISORY GROUPS

Millersburg community members may choose to participate in city government through serving on one of our standing or ad hoc advisory groups. State law requires that the City maintain certain advisory groups (standing), such as our Planning Commission and Budget Committee. The City Council may also appoint additional standing groups as desired to meet continuing needs of the community. Additionally, special (ad hoc) advisory committees may be created by the Council or the Mayor for a particular purpose to study a certain area of interest or concern.

These advisory groups provide guidance and expertise on important policy issues that affect the City government and the community as a whole. Advisory group members provide an invaluable service to our community by interacting with people of all ages, interests, and backgrounds and providing elected officials and City staff greater understanding of community concerns, values, and perspectives.

This manual is intended to function as both a guideline and a governing framework for the City's standing and ad hoc advisory committees.

To serve, committee members must be residents of the City of Millersburg unless otherwise specified for a given committee.

MILLERSBURG'S FORM OF GOVERNMENT

Council/Manager System: By Charter, the City of Millersburg moved from a council-mayor form of government and adopted a council-manager form of government on October 11, 2016. The Charter provides that the City Manager is the administrative head of the City, and s/he serves at the pleasure of the Council, charged with administering the policies as established by the Council.

Mayor: The Mayor is a member of the Council and is elected by a majority vote of the City Council at the first meeting in January following a general election of the City Council every two (2) years and serves as Mayor for a two (2) year period. The Mayor is the chair of the Council and presides over its deliberations. S/he has a vote on all questions before the Council. S/he may make motions. S/he shall have the authority to preserve order, enforce the rules of the Council, and determine the order of business under the rules of the Council. The Mayor is also the ceremonial head of the City; s/he is frequently asked to preside at ceremonies and events.

City Council: The City Council, Millersburg's legislative body, is composed of five (5) councilors elected at large from the City (including the mayor position). Councilors are elected on a nonpartisan ballot for four year terms, with two (2) members of the five - person Council elected on alternating general elections (every two (2) years) for four year terms (two (2) members on a four-year term, with the remaining three (3) members being voted on for a new four-year term at the next general election). The Council sets City goals, enacts legislation, adopts a budget, develops policy, and

determines the services the City provides.

City Manager: The Council appoints a City Manager who manages the City's staff and departments. The City Manager is responsible for the day-to-day operations of the City and hires staff to assist in providing City services and enforcing City Council policies (Resolutions and Ordinances).

STANDING COMMISSIONS AND COMMITTEES

Budget Committee: Five (5) committee members, each serving a three-year term of office. The City Council serves on the Budget Committee, along with a counterpart member appointed by Council and the Mayor.

This Committee is an advisory group created by Oregon law to take public comment and testimony on the proposed budget and to recommend approval of any changes of the proposed budget to the City Council.

The Committee is normally active in April and May of each year and reviews the proposed budget and citywide budget policies.

Parks Commission: This Commission consists of five (5) members, each serving an offset rotating three-year term, and provides advice to the City Council about major programs, activities, and policies related to parks and recreational activities in the community. In addition, this Commission oversees the implementation of the Parks Master Plan and recommends development of facilities in the City's parks system to the City Council. The Mayor makes recommendations to the Council for confirmation of appointments. (This Commission will be appointed by Council at the conclusion of the Parks Master Plan)

Events (Millersburg Celebration) Planning Committee (Resolution 2019-5): The Committee is established by the Council. Due to the long-range planning nature of this Committee, they are not subject to term limits. However, members of the Committee serve at the pleasure of the Council, and as such may have their appointment ended at any time. The Committee consists of a minimum of eight (8) and a maximum of fourteen (14) members, made up of primarily Millersburg citizens. Business and non-profit owners/representatives who operate within the City of Millersburg may also be considered for appointment to the Events Planning Committee.

Planning Commission: Seven (7) commissioners, each serving a three-year term (with three (3) member rotations). This Commission oversees implementation of the City's Land Use Development Code and the Comprehensive Plan. The Commission reviews and approves or denies applications for various types of land use. In addition, the Commission oversees updates to the City's Comprehensive Plan as part of the State-mandated periodic review process. There are limits on the number of Commissioners engaged in the same form of employment. The Mayor makes recommendations to the Council for confirmation of appointments.

AD HOC COMMITTEES

As authorized by the City Council or Mayor, defined term ad hoc committees may be formed for a particular purpose and/or to study a certain area of interest or concern. The duration of the committee and scope of work may be limited to a specific assignment. Generally, committees with an assigned task or scope, will be disbanded at completion. This manual serves as a functioning guideline for ad hoc committees, but it is not always applicable to them.

Standing and ad hoc committees are not legislative bodies and cannot establish policies or enact law; they serve to make recommendations to the City Council.

The Council can accept, reject, or modify any recommendations of the committee. The Council relies on various committees to increase the variety of viewpoints on City issues. By concentrating on specific areas, ad hoc committee members can expand the level of expertise in which to address an issue and can conduct detailed analyses that the Council itself may not have the time to pursue or wishes to obtain further public input.

Parks Committee: ~~This is an ad hoc advisory committee of five (5) to twelve (12) members, representing four (4) quadrants of the City, providing input on the development of the Parks Master Plan. This Committee will sunset at the completion of Parks Master Plan.~~

COMMITTEE MEMBERSHIP

It is the policy and intent of the City Council that for every committee position, every applicant will be considered on an equal basis without regard to race, ethnicity, color, national origin, religion, gender, age, marital or veteran status, sexual orientation, disability, or other protected status or activity in accordance with state and federal laws.

Recruitment and Appointment: Recruitment for most commissions/committees occur at the end of each calendar year, with new appointments made by the Council in December, for appointments to begin at the commission's/committee's first meeting in the new calendar year. Public notice of all current or anticipated vacancies will be posted by November 1st on the City's website. Applicants may submit an application at any time during the calendar year, but the completed application must be submitted electronically or by hard copy to the City by the posted deadline identified in the November posting, or by special notice provided by the City for new commissions/committees or the filling of a vacancy. The Mayor and Councilors select and make nominations for ratification by the City Council at the December Council meeting and subsequent regular Council meetings, if needed.

Membership Rosters: The City Recorder shall maintain a membership roster for each committee. Rosters shall include all relevant contact information for each member and

staff liaison(s), as well as term of office information for each committee position. A public version of the roster, with redacted private contact information, shall be available upon request. **Members are responsible for notifying the City Manager's office and their staff liaison(s) as soon as possible should any of their contact information change.**

Terms: Term lengths vary depending on each committee; term expirations are staggered to assure adequate membership at any given time.

Number of Meetings: Most committees will meet once per month, with the exception of ad hoc committees which may meet on an as needed basis. Committees may meet more frequently, as needed to conduct their business, but shall comply with Oregon Public Meetings Law notice requirements.

Reappointment: Members on standing committees may be reappointed unless there is a term limit restriction, but incumbents shall submit application materials in the same manner as any new applicant. The City Manager's office notifies members whose terms are expiring in order to provide them an opportunity to apply for reappointment.

Member Eligibility Requirements: It is typically required that committee members reside within the Millersburg city limits. Specific exceptions to the residency requirement or additional specifications may be designated by council policy or state law.

Eligibility of City Employees for Appointment: Current City of Millersburg employees may not serve on City committees. Employees are welcomed and encouraged to attend meetings, observe, and become involved when appropriate as a member of the community.

Serving on Multiple Committees: ~~The same A~~ member may ~~not~~ serve simultaneously on the Budget Committee, [Events Planning Committee](#), Parks Commission~~tee~~, or Planning Commission. Applicants should evaluate carefully whether they can meet the availability requirements and workload of the committee~~s~~ being considered before applying to committees.

Staff Support for a Committee

When assigned to support a committee, City staff will perform administrative and housekeeping functions as necessary to ensure efficiency and effectiveness of the committee in accomplishing City goals.

If staff regularly attends meetings or otherwise supports a standing or ad hoc committee, they remain under the direction of the City Manager, not the committee or committee chair.

Staff's primary responsibilities are to assist the committee in its functions and to represent the City of Millersburg. Other responsibilities **may** include some or all of the following:

- Provide professional assistance and technical advice.

- Provide administrative assistance for the preparation, duplication, and distribution of committee letters, minutes, and reports.
- Assist in the preparation, publication, and distribution of the committee agenda in consultation with the chair.
- Notify committee members and the City Manager's office of upcoming meetings or to place meeting information on the City's website.
- Maintain a current copy of the Commissions / Committees Manual and bring it to the committee meetings.
- Secure meeting rooms for committee meetings.
- Take minutes.

Requests for City staff support to perform specific work, projects, or reports need to be approved by the City Manager or Assistant City Manager to ensure that the resource allocation is in accordance with overall priorities and does not impose an undue hardship on the City's financial resources.

Members' Roles, Relationships, and Communication with Elected Officials

Committees provide communication to the City Council and Mayor through status reports or other materials included in the committee's agenda packets, committee meeting minutes, written findings, or recommendations submitted to Council and occasional presentations at City Council meetings.

Committee Reports and Presentations at Council Meetings: Should a committee wish to submit a report to Council, a memo outlining the status report, findings, or recommendation, along with any supporting documents, needs to be provided to the City Manager's office in advance of the meeting so that it can be included in the meeting agenda packet. The committee chair, or other committee person as approved by the committee, may choose to give a presentation at the meeting, in which case a copy of the presentation should also be provided in advance with supporting materials. The committee needs to contact the City Manager's office at least two (2) weeks in advance of the meeting to inquire about availability and deadlines for submitting materials.

Committee Work Plans: Any standing committee may choose to develop a scheduled work plan outlining specific goals, functions, or projects they aim to accomplish within a specified time period. Committees may submit their work plans to Council to serve as a briefing of the committee's desired direction. Council may receive this information and provide feedback, but it is not a requirement of Council to do so.

Joint Meetings: On rare occasions, it may be appropriate to consider a joint meeting between a committee and the City Council. Requests for joint meetings shall be submitted to the City Manager's office stating the reasons for and anticipated outcomes of such a meeting.

It is expected that committees will provide advice related to their specific spheres of interest. However, the Council's role is to take into consideration the many varied and sometimes conflicting public needs and render its judgment as to what will best serve

the public. The Council must weigh the effect of any given recommendation, not only on the particular area of interest, but on all other City goals, programs, and finances.

COMMITTEE MEMBER RESPONSIBILITIES

Committee Chair: A chair is elected by the committee at the first committee meeting of the calendar year that follows Council approval to fill the majority of vacancies, or at the first meeting of a newly established ad hoc committee (organizational meeting).

The chair performs the following duties:

- Presides at all meetings of the committee.
- Approves the agenda prior to distribution.
- Signs correspondence on behalf of the committee.
- Represents the committee before the City Council with the approval of the committee.
- Performs other duties necessary or customary to the office.

The most important duty of the chair presiding over a meeting is to ensure that the work of the committee is accomplished. To this end, the chair must exert sufficient control to minimize irrelevant, repetitious, or otherwise unproductive discussion. At the same time, the chair must ensure that all viewpoints are heard and are considered in a fair and impartial manner.

Vice Chair: This position is also chosen by the committee at the organizational meeting. The vice chair performs all the functions of the chair in his/her absence.

Temporary Chair: In the event that the chair and vice chair are both absent; the remaining members shall elect one of the present members to act as temporary chair.

Individual Committee Members: Unless authorized by the committee, an individual committee member may not represent the committee before any other committee, outside agency, the media, the general public, or City Council. When an individual committee member is appearing in a private capacity before other committees, outside agencies, the general public, or the City Council, the committee member must clearly indicate that s/he is speaking as a private individual, not as an official representative.

Members are responsible for notifying the City Manager's office and their staff liaison(s) immediately should they no longer meet applicable residency or other membership requirements or if any of their contact information changes.

Each committee member also has the obligation to work cooperatively with other committee members. Committee members should exercise self-discipline and strive always to be objective, fair, and courteous with each other as well as with staff and the public. Respect for the time of other committee members, staff, and the public is of critical importance.

Use of the City logo or City stationery: A committee or committee member shall only use the City logo or City stationery with direct and prior consent of the City Council or as approved by the City Manager or designee.

ETHICS AND ACCOUNTABILITY

Committee members are expected to read and study agenda packet materials prior to each meeting in order to be prepared for discussion.

State law defines a code of ethics, including conflicts of interest, and establishes reporting procedures for statements of economic interest (ORS 244).

Conflict of Interest: Committee members need to provide objective advice to the City Council. All members of committees should be aware of the need to avoid any instance or appearance of conflict of interest. Conflict of interest standards are generally applicable to all committees. In general, committee members should not vote whenever they have any kind of direct or indirect financial benefit in the action or recommendation proposed. State law requires that public officials may not use their position for financial gain. If there exists a concern regarding an actual or potential conflict of interest, please immediately contact the City Manager.

Respectful Environment: Members of all City committees are representatives of the City and are expected to adhere to City policies related to Ethics (HR-100.3 Ethics Policy) and Workplace Respect and Code of Conduct (HR-100.4).

Political Campaigning: Oregon law governing political campaigning by “public employees” includes all public officials who are not elected, whether paid or unpaid, including board, committee, and commission members.

ORS 260.432, Restrictions on Political Campaigning for Public Employees, prohibits public employees from being involved in promoting or opposing any political committee or initiative, referendum or recall petition, measure, or candidate while on the job during working hours. Appointed committee members are acting in official capacity when they are at a meeting of the committee, working on a duty assigned by the committee, working on official publications or written materials of the committee, or when appearing at an event in an official capacity. For more information, see the *Additional Resources* section of this manual.

Absenteeism: It is the City's expectation that all members take an active role in their committees, including regular attendance at meetings. It is a committee member's responsibility to notify the City if they will be absent. This includes notice to the staff liaison, administrative personnel, and the committee chair. Absences will be recorded in minutes as either excused (notified prior to the meeting of one's absence and the reason) or unexcused. **Excessive absences (three (3) or more in a year) may be cause for a member's removal from the commission, or committee, and/or consideration by Council for non-reappointment.**

Resignation Procedure for Committee Members: A committee member wishing to resign, or who no longer meets the residency or other requirements to serve, shall submit a letter of resignation (email notification is satisfactory) to the City Manager's office and their staff liaison(s); verbal notifications are not sufficient.

COMMITTEE MEETING REQUIREMENTS

Open Meetings: Meetings of standing and ad hoc committees of the governing body are open to the public in the State of Oregon. ORS 192.620 establishes Oregon's policy of open decision-making by governing bodies. In addition to the basic requirement that meetings be open to the public, meetings may not be held at a place where discrimination on the basis of race, ethnicity, color, national origin, gender, age, marital or veteran's status, sexual orientation, religion, or disability is practiced. All meeting places must be handicapped accessible. In general, meetings may not be held outside the city limits without the City Attorney's approval.

Quorum: A quorum is established when more than half of the members of a committee are present, without regard to vacancies or absences. A quorum of members must be present to proceed with a meeting. If a quorum is not obtained within fifteen minutes of the scheduled start time, the meeting cannot take place, and the meeting room needs to be vacated. No minutes are to be taken, but it needs to be documented by the minute taker that the scheduled meeting did not take place for lack of a quorum.

General Public: The purpose of committee meetings is to permit open discussion on specific topics in a setting that is more informal than a Council meeting, to hear public expression on issues, and to inform the public of what the committee is doing. Committee members have an obligation to consider the welfare of the entire city; to be fair, objective, courteous, and to afford due process to all.

NOTICE OF MEETINGS, AGENDAS, AND PUBLIC RECORDS

Notice of Meetings: State law requires that the City provide public notice of all meetings. The City Manager's office and/or designated City staff person shall be responsible for providing notice of the meeting and the agenda. City policy and public meetings law requires that committees provide at least 24-hour notice to the news media and interested persons before conducting a meeting. If 24-hour notice cannot be provided, the meeting needs to be rescheduled.

In rare circumstances, committees may hold an emergency meeting without providing 24-hour notice. This may only be done in a genuine emergency and with the knowledge and concurrence of the City Manager. Typically, committee business would not be urgent enough to justify an emergency meeting.

Agendas: Whenever possible, agendas will be made available three (3) days in advance of the meeting and must include, at a minimum:

- The committee name;
- Date, time, and location of the meeting;
- The principle purpose of the meeting; and
- Any items that will be discussed.

Additionally, it is best practice to include supporting documents such as memos, staff reports, or presentations as part of the agenda packet.

Minutes/Public Records: Written minutes of all committee meetings are required by State law, and meetings may be recorded as well. All minutes and audio recordings are considered a public record and must be archived, retained, and lawfully destroyed in accordance with City policy and Oregon State law. Minutes are taken by an assigned City staff person.

While written minutes need not be a verbatim transcript, the record of a meeting, whether preserved in written minutes or audio, video, or digital recording, must provide a “true reflection” of the meeting and must, at a minimum, contain the following information:

- Members present;
- All motions, proposals, orders, and measures proposed and their disposition;
- Results of all votes by name of each member;
- The substance of any discussion on any matter; and
- Any reference (or mention) to any document discussed at the meeting. The committee shall determine whether documents not presented, but on which decisions or recommendations are based, should be attached to the minutes. It is prudent to include such documents in the agenda packet for transparency and to ensure that all members of the committee and the public receive the information.

Discussion and materials distributed during public meetings are public record. **Any materials distributed at a meeting that are not included in the agenda packet must be provided to the minute taker to be preserved for the public record.** For additional, detailed information, please see the Attorney General’s Public Records and Meetings Manual found online at <http://www.doj.state.or.us>.

Minutes must be made available to the public within a “reasonable time” after each meeting. Prior to public posting, minutes should be reviewed and approved by motion by the committee at a regularly scheduled meeting and included in the agenda for reference. Committees may, by motion, make correction(s) to the proposed minutes in order to conform to fact. It shall be noted that “the minutes were approved as amended” and those changes shall be outlined in the minutes of the meeting at which the correction was proposed.

INADVERTENT PUBLIC MEETINGS

Inadvertent Public Meetings: Inadvertent public meetings must be avoided. If committee members willfully violate public meetings law, they can be held personally liable for attorney fees. Inadvertent public meetings may occur when a quorum of the committee meets outside of a public meeting (i.e., for a body of seven, one, two, or three can gather, but four cannot).

Attending meetings of other public bodies: If a quorum of a committee were to attend the meeting of another public body (e.g., another City of Millersburg committee, another city council, or a county governing body), it could give the appearance that the committee is having a public meeting. Therefore, if a quorum of a committee plans to attend the meeting of another governing body, their attendance should be formally noticed.

Social gatherings: A quorum of a committee may participate in social gatherings. However, even when meeting socially, no official business can be discussed lest the social gathering turn into or give the appearance of a public meeting. (*Resolution 2018-19*)

Training sessions and field trips: No deliberation can take place. There is a difference between information gathering and deliberating. For example, a firefighter points out to four committee members that there is mold in the fire station they are visiting. If the committee members just listen, it is information gathering; but if they discuss how to get the mold fixed, it has crossed the line to deliberating.

The Attorney General's (AG) *Guide to Bodies Subject to Public Meetings Law* flowchart (see Appendix A) has more information about training sessions and field trips. However, even though following the AG flowchart may indicate that a training session or field trip would not be a public meeting, the City Attorney may advise that the City provide public notice anyway, because the AG Manual also states: *"Even if a meeting is for the sole purpose of gathering information...an informed public must be aware not only of the decision of government, but also of the information upon which such decisions were made."*

No staff would need to attend nor any minutes be taken at training sessions or field trips. The body must not deliberate in any manner. Therefore, since it could be difficult to verify that there was no discussion taking place, regardless of whether staff attends, **staff needs to consult with the City Manager and City Attorney if a committee wants to have a field trip or training session.**

Email, texting, or IMs: Committee members and staff must take care not to participate in non-contemporaneous communications that could turn into a serial communication. When committee members **"Reply All"** to emails [*responding to all recipients of the original email at once*], the risk exists that the email chain could turn into a serial communication. Staff should be cautious of being an intermediary in a serial communication that taken as a whole turns into deliberation, and thus, a public

meeting.

PARLIAMENTARY PROCEDURES

Call to Order: The committee chair calls the meeting to order. The chair or the minute taker will do roll call and record the names of the members present in the minutes.

Recognition: Committee members will address the chair and await recognition to speak. No persons other than the chair and the person having the floor shall enter into any discussion without the permission of the chair.

Motions: Committee members must clearly and concisely state a motion if it is not reflected in the agenda item language as read by the chair. Motions will die if they do not receive a second. Types of motions include:

- Main motions—Their purpose is to introduce items to the committee for their consideration.
- Subsidiary motions—Their purpose is to change or affect how a main motion is handled and is voted on before a main motion (e.g., to postpone to a certain time or indefinitely or to amend a motion).
- Miscellaneous motions—Their purpose is to bring up items that are urgent about special or important matters unrelated to pending business (e.g., to take a recess, to adjourn) or a means of questioning procedure concerning another motion and must be considered before the other motion (e.g., point of order, suspension of the rules).

Withdrawal of Motions: Any committee member may withdraw his or her motion prior to a second. Once a motion is seconded, the motion may not be withdrawn without consent of the committee member seconding it.

Vote: The chair may ask for a voice vote or a roll call vote for all final decisions. All committee members are expected to vote on each motion unless disqualified for a specific reason. Any committee member may request a roll call vote on any motion or request a vote be changed if the request is made prior to consideration of the next order of business. Any committee member who wants to explain the reasons for his or her vote may do so before or after the vote. The minute taker will record the vote and any abstentions in the minutes.

Proxy Votes: Voting By proxy **is not allowed** for any City of Millersburg boards, commissions, or committees.

Adjournment: The Chair will adjourn the meeting once all business has been considered or postponed.

HOW TO CONDUCT A SUCCESSFUL MEETING

The chairperson reviews the following steps with the membership on an annual basis after new appointments are confirmed (usually February).

Five Steps to a Better Meeting:

1) Plan

- Set the agenda in advance and state the purpose of the meeting.
- The agenda must include the date, time, subject, and estimated length of the meeting.
- List the participants.
- State the goal for each agenda item: Information, Discussion, or Direction.
- Distribute background material in advance.

2) Inform

- Send out the agenda with enough lead time to prepare members for the discussion.
- Make sure the message of each agenda item is clear and concise.

3) Prepare

- Structure the agenda so that the most important issues are covered first and there is adequate time for full discussion.
- Check the agenda at the start of the meeting for additions or deletions and to assure a quorum is met.

4) Structure and Control

- Define the issues and stay focused on them.
- Avoid "spinning your wheels."
- Keep the meeting within reasonable time parameters.

5) Summarize and Record

- Assign follow-through: Who does what and by when.
- Commitments should be stated and recorded in minutes.

Tips for Chairing a Meeting:

- 1) Use *Robert's Rules of Order* as a guide for the conduct of your meetings.
- 2) Follow the agenda and state clearly which item is being considered.
- 3) State the purpose of each agenda item and the time allotted to it.
- 4) Recognize persons to speak in the order in which they have sought recognition.
- 5) Keep participation balanced—discourage domination by one or two committee members.
- 6) Keep participation respectful, stop abusive, belittling, or overly negative communications.
- 7) Solicit input from those who have not spoken on an issue.
- 8) Halt side discussions among one or two members while another person has the floor.
- 9) Summarize, at the conclusion, of each agenda item: What was agreed upon and who shall do what by what date. This is for the benefit of both the membership, to affirm their understanding, and the minute taker.
- 10) Clearly restate what is being voted upon.

- 11) **Outside of the meeting**, confront cases of persistent late arrival, early departure, or absenteeism.

For additional tips on running successful meetings, visit www.robertsrules.com.

MISCELLANEOUS

Training and Travel: Except in the most unusual of circumstances, the City does not provide paid training or cover travel expenses for committee members. Committee members are encouraged to expand their knowledge base and expertise by attending various community events and public meetings and by engaging with City staff, members of other committees, and the general public.

ADDITIONAL RESOURCES

- Please consult the *Guide for Public Officials* and the *Guide for Public Officials 2015 Supplement* posted on the state of Oregon's website at:
https://www.oregon.gov/OGEC/Pages/forms_publications.aspx
- ORS 192 – Records; Public Reports and Meetings:
https://www.oregonlegislature.gov/bills_laws/ors/ors192.html
- ORS 244 – Government Ethics:
https://www.oregonlegislature.gov/bills_laws/ors/ors244.html
- ORS 260.432 – Restrictions on Political Campaigning for Public Employees:
http://sos.oregon.gov/elections/Documents/260.432_quickref.pdf
- ORS 192.650 – Required Elements of Minutes:
<http://www.oregonlaws.org/ors/192.650>
- Roberts Rules of Order: www.robertsrules.com
- Boards, Committees, & Commissions Q & A on Public Meetings (Appendix A).
- City policies related to Ethics (HR-100.3) and Workplace Respect and Code of Conduct (HR-100.3) are available at City Hall.

APPENDIX A

Q & A - Public Meetings, Commissions, & Committees

Overview and ORSs

Oregon's open government laws promote democracy by ensuring that all state, regional, and local governments conduct their business with **transparency**. Oregon citizens have a right to know how their government is spending their tax dollars and exercising the powers granted by the people.

A **Commission** is usually designated by ordinance or state law and governed by specific requirements. A **Committee** is short-term or longer, set up for a specific purpose, and less formal than a commission or board and is usually designated by resolution. The City Attorney has determined that most of the City of Millersburg's boards, commissions, and committees (BCCs) are subject to public meetings laws.

ORS 174.109 "Public body" defined. Subject to ORS 174.108, as used in the statutes of this state "public body" means state government bodies, local government bodies, and special government bodies.

ORS 244.020 Definitions (15) **"Public official"** means...any person who...is serving the State of Oregon or any of its political subdivisions or any other public body as defined in ORS 174.109 as an elected official, appointed official, employee, or agent, irrespective of whether the person is compensated for the services.

ORS 192.610 (5) "Meeting" means a contemporaneous (simultaneous) gathering. **"Quorum,"** unless the quorum is defined by the body, is a majority. A **"decision"** is any topic that could come before the Council for a vote is a decision.

ORS 192.630 (1-2) requires all meetings to be open to the **public** and that a quorum cannot meet in private for the purpose of deciding or deliberating.

Public Meetings

Question: What constitutes a "public meeting"?

Answer: A public meeting is the convening of any governing body for which a quorum (majority) is required in order to make a decision or to deliberate toward a decision on *any matter* (ORS 192.630). Meetings cannot take place in such a way that the public cannot take part, such as by email or social media. An executive session is the exception; for more information, contact the City Recorder or the City Manager's office.

Question: Are commissions and committees (CCs) considered "governing bodies"?

Answer: CCs are under the authority of the City Council. CCs almost always serve in an advisory capacity, whereby they make recommendations to the Council and the Council decides if or how to proceed with the recommendations. Our City Attorney has determined that most of the City of Millersburg's boards, commissions, and committees (BCCs) are subject to public meetings laws.

Question: What is an “inadvertent” public meeting?

Answer: Inadvertent public meetings may occur when a quorum of the governing body meets outside of a public meeting (i.e., for a body of seven, one, two, or three can gather, but four cannot gather). This is an evolving area of the law based on recent court rulings surrounding “inadvertent public meetings” and the interpretations of the ORS regarding the terms “convening,” “quorum,” and “decision.” In a recent case, the judge decided that the serial communications (separate communications, no quorum, in person, and via emails) constituted a “meeting.” While they didn’t violate the letter of the law, they violated the spirit of the law. This case has an impact on several areas in local government. Be sure to follow the City of Millersburg’s protocols to avoid inadvertent public meetings.

Question: What if it is not a “governing body”? Do the public meetings laws still apply?

Answer: If the body is appointed by the City Manager or Assistant City Manager and reports only to the City Manager or Assistant City Manager and if it is so informal that no quorum requirement exists, it is probably not subject to public meeting or records requirements. On the other hand, if it makes a recommendation that is reported back to the Council, it will be deemed a public body subject to these requirements.

Question: Do we have to allow the public to speak since it is a public meeting?

Answer: There is no requirement that the public be allowed to speak, only that they be allowed to attend. However, if you do allow the public to speak, it is advised, although not required, to get each person’s name and address for the minutes; if it is a land-use issue where future notifications may be required, you should get their name and address.

Noticing Meeting

Question: How much notice is required and how is it provided?

Answer: The law says “reasonably calculated” must be provided to inform the public and all interested parties about the time, place, and agenda of public meetings. Generally, reasonable notice is considered 24 hours minimum. As soon as you know there will be a CC meeting, contact the City Manager’s office to have it added to the City’s public meetings calendar, which is posted on the website and emailed to the media. Keep in mind that in Millersburg, the City Attorney has directed staff to err on the side of caution and notify if the notification requirement is questionable.

Question: What is the difference between a public meeting and public hearing? Which governing bodies do public hearings apply to? How is a public hearing noticed?

Answer: A public hearing is a type of public meeting. A public hearing is a scenario where the ORS requires that the public be allowed to speak when there are certain items being considered by the governing body. For example, it applies to the City Council and Planning Commission when they are discussing specific items (i.e., certain land use decisions, budget, local improvement, fee increases, and franchise fees). Contact the City Attorney or the City Recorder if you have questions whether a public hearing is required and how to provide notice.

Question: Do I have to hold the meeting in the city limits?

Answer: Yes. ORS 192.630(4) says that meetings of governing bodies must be held in the local jurisdiction unless it is solely for training.

Question: Does the building have to be ADA compliant?

Answer: Yes. City Hall is ADA compliant. Other requirements for the space include no smoking and that it be at a nondiscriminatory site. A good-faith effort has to be made to provide an interpreter if requested. Your agenda should have information at the bottom about how to contact the City for an interpreter.

Question: Does the meeting have to be in a public building?

Answer: It should be. For example, a joint meeting in a public space such as the Boys & Girls Club is acceptable, whereas a private home, office, or business, even if it is ADA compliant, is not advised. Even if the City owns the building but a private party rents the space, it is not advised.

Question: Is there a statutory requirement to create agendas?

Answer: Robert's Rules say there should be an agenda for every type of meeting.

Quorums for Meetings and Voting

Question: How do I know the quorum requirements for meetings and voting and any other rules that apply?

Answer: Identify voting requirements for your committee in this order:

1. Does the Millersburg Municipal Code specifically address it?
2. Is there a resolution or ordinance that applies? (Refer to the member roster produced by the City Manager's office.)
3. If not, Robert's Rules is the default.

Question: If the meeting is about to begin, but there is less than a quorum, are they allowed to continue with the meeting?

Answer: If there isn't a quorum, the best course is to simply reschedule and adjourn. The only action the body can lawfully take is to reschedule the meeting, adjourn, recess, or find a quorum

Question: If less than a quorum decide to stay and have discussion anyway (but not deliberate), then does staff need to produce formal minutes or take notes?

Answer: The best course of action is to adjourn, and the senior staff facilitating the meeting should encourage adjournment.

If the body continues talking, it is the same as if a group of members (less than a quorum) met at a coffee shop and decided to talk. It is not a meeting of the body, and staff does not need to take minutes. If members of the body allow input from anyone not a member of the body and it is regarding a land use matter, they are having an ex-parte communication, which needs to be noted at future meetings. Note that because such a gathering creates the appearance of impropriety and runs contrary to the policy of the Public Meetings Law, which supports keeping the public informed of the deliberations of governing bodies, it is not advised that the body stays; the meeting should be adjourned. If the senior staff person agrees that City staff should stay to take notes, the document they are creating is not "minutes." The notes they create can either be saved by staff; or if the expectation is that they will need to be easily located at a

later date, they can be attached to an agenda with “no quorum” in the watermark and archived in the place of minutes. No deliberation can take place.

Question: If there was a quorum in order to start the meeting but people have to leave before the meeting is over, which would leave less than a quorum remaining, do they have to stop the meeting?

Answer: They should stop the meeting because without a quorum no business can be transacted. Any business done after that point would be null and void. It is best practice to immediately adjourn the meeting. Make sure your minutes note what time members left.

Question: Do vacancies or absences change the number of a quorum?

Answer: No; a quorum is based on a majority of the whole board, without regard to vacancies or absences. For example, a 9-member body would always need 5 to convene the meeting, and 5 in agreement to take any action, even if there were vacant positions on the board.

Question: If the body is voting on the approval of minutes, do members who did not attend the meeting still vote for the approval of the minutes?

Answer: Yes; a member's absence from the meeting for which minutes are being approved does not prevent the member from participating in their (correction or) approval.

Minutes

Question: What do my minutes have to include?

Answer: Per ORS 192.650, minutes must include at least:

1. All members of the governing body present;
2. All motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition
3. The results of votes;
4. The substance of discussion on any matter; and
5. A reference to any document discussed at the meeting.*

*Items introduced at the meeting that were not part of the original agenda should be referenced in your minutes as “see meeting file” or “see archived file”. Attach those items to the back of the agenda that you send to the City Recorder to be archived.

Question: The body has dissolved; how do I get the minutes approved if they are no longer meeting?

Answer: Contact the City Recorder for instructions.

Archiving

Minutes and Agendas: Send the City Recorder the full agenda, plus any items introduced at the meeting attached, as well as signed, approved minutes. The items can come separately or at the same time. If there was no meeting for lack of a quorum, send an agenda with “No Quorum” in the watermark to the City Recorder so the City can archive it in the place of the minutes.

Conclusion

Briefly, your public meetings include the following elements:

1. Proper notification by posting agendas.
 - a. When you notify the City Manager's office of your meeting, they will include it on the Events Calendar, which is posted in order to meet the public noticing requirement of public meetings laws.

2. Proper meetings that follow the Charter, Municipal Code, and Robert's Rules (in that order); and Oregon public records laws.
 - a. A quorum is required to conduct business.
 - b. The meeting must be held in a public place.
 - c. Public attendance is allowed.

3. Proper archiving for the record.
 - a. Agenda with any "see meeting items" attached, retained permanently by the City Recorder.
 - b. Approved minutes with any "see meeting items" clearly referenced therein, retained permanently by the City Recorder.
 - c. If an audio was taken, retained for one (1) year after minutes are approved by the City.

Appendix B Public Meetings Checklist

The Public Meetings Law applies to all meetings of a quorum of a governing body of a public body for which a quorum is required to make a decision or to deliberate toward a decision on any matter. This checklist is intended to assist governing bodies in complying with the provisions of this law; however, you should consult the appropriate section(s) of this manual for a complete description of the law's requirements.

OPEN TO THE PUBLIC. Unless an executive session is authorized by statute, the meeting must be open to the public.

NOTICE. The governing body must notify the public of the time and place of the meeting, as well as the principal subject to be discussed. Notice should be sent to:

- News media;
- Reader board;
- Notice board at City Hall; and
- Other interested persons who signed up for notices.

The notice for a regular meeting must be reasonably calculated to give "actual" notice of the meeting's time and place. Special meetings require at least 24-hours' notice. Emergency meetings may be called on less than 24-hours' notice, but the minutes must describe the emergency justifying less than 24- hours' notice.

SPACE AND LOCATION

Space. The governing body should consider the probable public attendance and should meet where there is sufficient room for that expected attendance.

Geographic location. Meetings must be held within the geographic boundaries over which the public body has jurisdiction, at its administrative headquarters or at "the other nearest practical location."

Nondiscriminatory site. The governing body may not meet at a place where discrimination on the basis of race, color, creed, sex, sexual orientation, national origin, age or disability is practiced.

Smoking is prohibited.

ACCESSIBILITY TO PERSONS WITH DISABILITIES

Accessibility. Meetings must be held in places accessible to individuals with mobility and other impairments.

Interpreters. The governing body must make a good faith effort to provide an interpreter for hearing-impaired persons.

Americans with Disabilities Act (ADA). The governing body should familiarize itself with

the ADA, which may impose requirements beyond state law.

VOTING. All official actions by governing bodies must be taken by public vote. **Secret ballots are prohibited.**

MINUTES and RECORDKEEPING. Written minutes or a sound, video, or digital recording must be taken at all meetings, including executive sessions. Minutes or another recording must include at least the following:

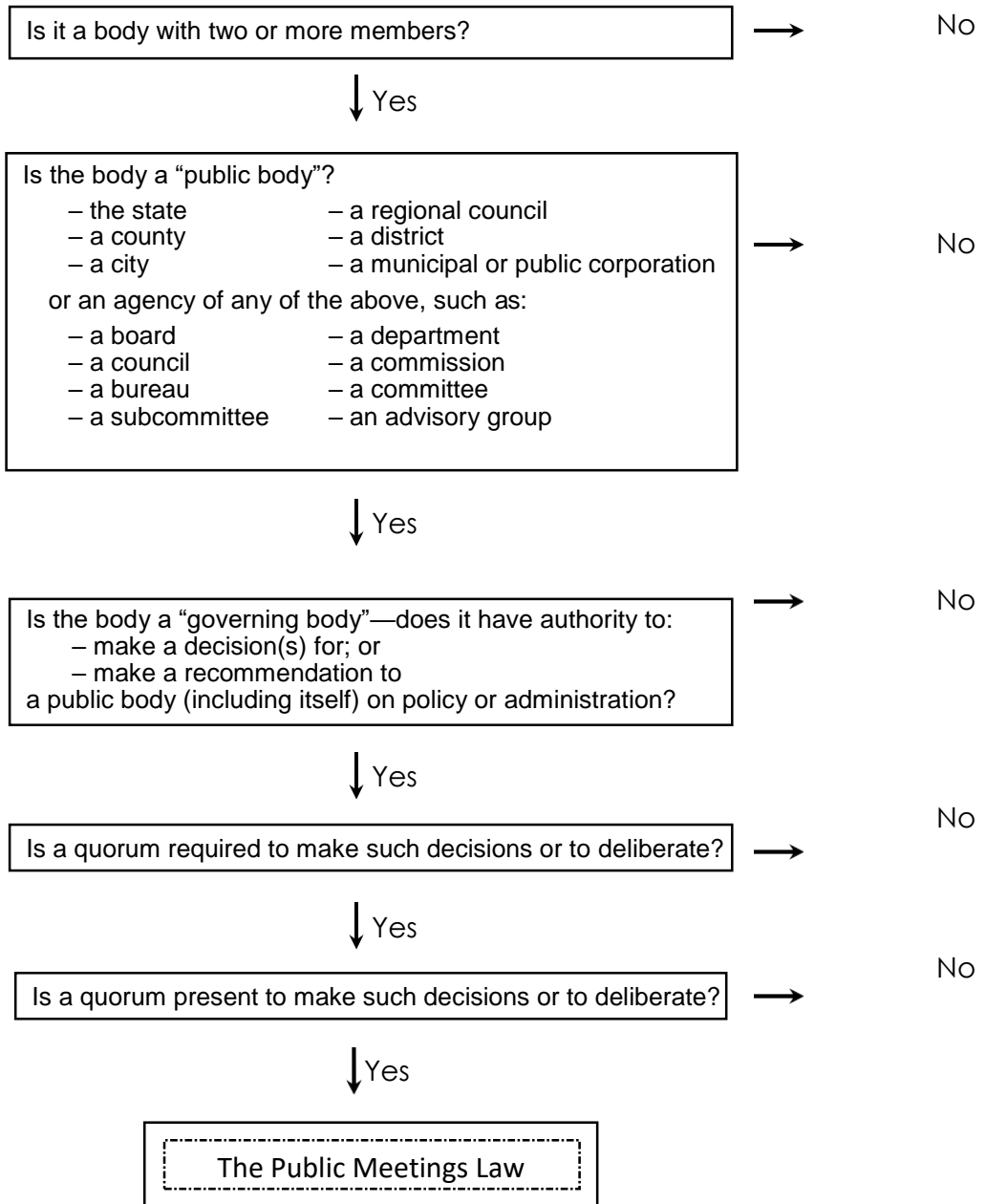
- Members present;
- Motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
- Results of all votes and, except for bodies with more than 25 members unless requested by a member, the vote of each member by name;
- The substance of any discussion on any matter; and
- A reference to any document discussed at the meeting. (Reference to a document exempt from disclosure under the Public Records Law does not affect its exempt status.)

The minutes or alternative recording must be available to the public within a “reasonable time after the meeting.”

For executive sessions, contact the City Attorney for determination. Also see: https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/ii-public-meetings/#_Toc11743475

Appendix C Guide to Bodies Subject to Public Meetings Law

This is a simplified guide to understanding when the meetings of a particular body are subject to the Public Meetings Law. For a discussion of the various elements, refer to the text of this manual.





**MONTHLY BULLETIN OF DISPATCHED
CALLS AND CASES
FOR CONTRACT CITIES**

Item 5)

This Report Encompasses: 7/ 1/20 to 7/31/20

Total Incidents This Month: **147**

Incident Information:	Description
<p>CAD# 2020096642 TIME: 7/1/2020 12:26:39AM CASE# CAD Only MILB CAD CALL COMPLETE</p>	<p>PROWLER Reported at Block of 6200 NE SEDONA RD ALB</p> <hr/> <p>Caller reported someone looked suspicious in the area. Numerous deputies combed the area and could not find the subject.</p>
<p>CAD# 2020096800 TIME: 7/1/2020 9:46:35AM CASE# CAD Only MILB FALSE ALARM POLICE</p>	<p>ALARM LAW ONLY Reported at Block of 1600 NE OLD SALEM RD ALB</p> <hr/> <p>No Public Narrative.</p>
<p>CAD# 2020096841 TIME: 7/1/2020 10:59:51AM CASE# 2002050 MILB REPORT TAKEN</p>	<p>Report Filed. UUV Reported At Block Of 6400 NE OLD SALEM RD Occurred between 1059 hours on 7/1/2020 and 1059 hours on 7/1/2020 . Reported: 7/1/2020 Officer Statement:</p> <hr/> <p>Deputy responded to a stolen semi-trailer which was later determined not to be stolen. Trailer was located in Tucson, Arizona.</p>
<p>CAD# 2020096885 TIME: 7/1/2020 12:17:53PM CASE# CAD Only MILB EXTRA PATROL</p>	<p>EXTRA PATROL Reported at Block of 6400 NE WOODS RD/NE MILLERSBURG DR ALB</p> <hr/> <p>extra patrol</p>
<p>CAD# 2020096905 TIME: 7/1/2020 12:54:07PM CASE# CAD Only MILB CAD CALL COMPLETE</p>	<p>EXTRA PATROL Reported at Block of 38600 NE MORNINGSTAR RD ALB</p> <hr/> <p>No Public Narrative.</p>

Incident Information:

Description

Item 5)

CAD# 2020096941
 TIME: 7/1/2020 1:48:03PM
 CASE# CAD Only
 MILB
 WARNING EQUIPMENT VIOL/

TRAFFIC STOP Reported at Block of 38600 NE MORNINGSTAR RD/NE MILLERSBURG DR ALB

Driver warned for improper securement of heavy equipment and improper licensing and registration for the weight of his heavy equipment.

CAD# 2020097249
 TIME: 7/1/2020 11:56:34PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

ALARM LAW ONLY Reported at Block of 3900 NE WESTERN WAY ALB

The alarm was set off by mistake by custodians.

CAD# 2020097274
 TIME: 7/2/2020 12:48:41AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

EXTRA PATROL Reported at Block of 2900 NE CLEARWATER DR/NE TRASK LN ALB

Extra patrol of a residential area where there is still construction taking place.

CAD# 2020097296
 TIME: 7/2/2020 3:29:20AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

FOOT PATROL Reported at Block of 3100 NE JAUNT AVE ALB

No Public Narrative.

CAD# 2020097538
 TIME: 7/2/2020 1:40:11PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

CIVIL DISPUTE REPORT Reported at Block of 4800 NE WAVERLY DR ALB

Civil dispute, advised to contact an attorney for any legal advice.

CAD# 2020097660
 TIME: 7/2/2020 5:06:08PM
 CASE# 2002077
 MILB
 REPORT TAKEN

Report Filed. OVERDOSE Reported At Block Of 2600 NE OLD SALEM RD Occurred between 1705 hours on 7/2/2020 and 1706 hours on 7/2/2020 . Reported: 7/2/2020 Officer

SUBJECT EXPERIENCING AN OVERDOSE. TRANSPORTED BY ALBANY FIRE TO AGH

Incident Information:

Description

Item 5)

CAD# 2020097741
 TIME: 7/2/2020 7:37:36PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

TRAFFIC COMPLAINT Reported at Block of 3000 NE ALEXANDER LN ALB

The caller reported a motorcycle being driven recklessly on the street. I checked the area but did not locate it. The caller will call back if he sees it again or is able to find out where the operator lives.

CAD# 2020097823
 TIME: 7/2/2020 10:09:27PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

FIREWORK COMPLAINT Reported at Block of 4300 NE KATELYN WAY ALB

I checked the area and did not see or hear any fireworks being set off. I was unable to determine where they were being set off at the time of the call.

CAD# 2020097911
 TIME: 7/3/2020 12:30:03AM
 CASE# 2002080
 MILB
 REPORT TAKEN

Report Filed. WARRANT ARREST (LW ONLY) Reported At Block Of 6400 NE OLD SALEM RD Occurred between 0029 hours on 7/3/2020 and 0030 hours on 7/3/2020 . Reported:

Elizabetta Worthington of California was cited and released on a warrant

CAD# 2020097926
 TIME: 7/3/2020 1:07:36AM
 CASE# CAD Only
 MILB

TRANSFER 911 INFO - LAW CALL Reported at Block of 3600 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020098092
 TIME: 7/3/2020 12:19:34PM
 CASE# CAD Only
 MILB
 WARNING MOVING VIOLATIC

TRAFFIC STOP Reported at Block of 6500 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020098183
 TIME: 7/3/2020 2:49:55PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

TRESPASS Reported at Block of 4800 NE WAVERLY DR ALB

Dispute between landlord and tenant. No crime.

Incident Information:**Description**

Item 5)

CAD# 2020098212
 TIME: 7/3/2020 3:54:37PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

TRESPASS Reported at Block of 4800 NE WAVERLY DR ALB

Ongoing landlord tenant dispute.

CAD# 2020098301
 TIME: 7/3/2020 6:23:48PM
 CASE# CAD Only
 MILB

911 HANG UP CALL Reported at Block of 3100 NE KNOX BUTTE AVE ALB

No Public Narrative.

CAD# 2020098375
 TIME: 7/3/2020 8:41:26PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

FIREWORK COMPLAINT Reported at Block of 2800 NE ALEXANDER LN ALB

I came into the area and did not see or hear any illegal fireworks going off. I checked at 3820 Alexander and they advised it was not them and they hear them come from behind their residence to the SW. I drove the area and was UTL

CAD# 2020098482
 TIME: 7/3/2020 11:28:14PM
 CASE# CAD Only
 MILB

DISTURBANCE Reported at Block of 900 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020098941
 TIME: 7/4/2020 7:01:33PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

TRAFFIC COMPLAINT Reported at Block of 3200 NE ALEXANDER LN/NE TERRI LN ALB

A black El Camino was reported to have been doing burnouts in Millersburg, Deputies searched the area and were unable to locate the suspect vehicle.

CAD# 2020099062
 TIME: 7/4/2020 9:25:13PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

FIREWORK COMPLAINT Reported at Block of 5800 NE OLD SALEM RD ALB

warned

Incident Information:**Description**

Item 5)

CAD# 2020099092
TIME: 7/4/2020 9:39:20PM
CASE# CAD Only
MILB
CAD CALL COMPLETE

FIREWORK COMPLAINT Reported at Block of 4100 NE WAVERLY DR/NE CONSER RD
ALB

watched activity for several minutes. appears to be legal fireworks.

CAD# 2020099130
TIME: 7/4/2020 9:55:16PM
CASE# CAD Only
MILB
CAD CALL COMPLETE

FIREWORK COMPLAINT Reported at Block of 5100 NE OLD SALEM RD ALB

millersburg- area of aerial fireworks, residence were advised what was legal

CAD# 2020099155
TIME: 7/4/2020 10:05:01PM
CASE# CAD Only
MILB
CAD CALL COMPLETE

FIREWORK COMPLAINT Reported at Block of 3000 NE 54TH AVE/NE NESTUCCA AVE
ALB

millersburg- remenants of aerial box in road no one around

CAD# 2020099178
TIME: 7/4/2020 10:16:16PM
CASE# CAD Only
MILB
CAD CALL COMPLETE

FIREWORK COMPLAINT Reported at Block of 3300 NE ALEXANDER LN ALB

millersburg- spoke to residents regarding aerial fireworks. none left- warn

CAD# 2020099186
TIME: 7/4/2020 10:20:46PM
CASE# CAD Only
MILB
CAD CALL COMPLETE

FIREWORK COMPLAINT Reported at Block of 5400 NE UMPQUA LN ALB

millersburg- several people in area of aerial fireworks. no one claimed ownership of remnants
no additional unlit aerials were in view

CAD# 2020099213
TIME: 7/4/2020 10:37:15PM
CASE# CAD Only
MILB
CAD CALL COMPLETE

FIREWORK COMPLAINT Reported at Block of 2900 NE MILLERSBURG DR ALB

millersburg- neighbors indicated aerial being launched from address. subject contacted and
said he has no more and going to bed

Incident Information:

Description

Item 5)

CAD# 2020099235
 TIME: 7/4/2020 10:48:24PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

FIREWORK COMPLAINT Reported at Block of 5800 NE CHANDRA CT ALB

Millersburg- several people gathered around location where i observed aerial fireworks. parties were warned about lighting any more

CAD# 2020099634
 TIME: 7/5/2020 2:13:55PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

DISTURBANCE Reported at Block of 6400 NE OLD SALEM RD ALB

domestic disturbance between married male and female, who are both long haul truck drivers for Swift. no crimes, parties agreed to go separate ways for the day.

CAD# 2020100306
 TIME: 7/6/2020 4:21:09PM
 CASE# CAD Only
 MILB

LOST PROPERTY Reported at Block of 900 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020100368
 TIME: 7/6/2020 6:20:00PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

ANIMAL COMPLAINT Reported at Block of 6400 NE OLD SALEM RD ALB

Subject travelling through and humanely correcting his dog

CAD# 2020100584
 TIME: 7/7/2020 3:48:34AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

TRESPASS Reported at Block of 6400 NE OLD SALEM RD ALB

Trespassing male was given courtesy ride to Albany

CAD# 2020100693
 TIME: 7/7/2020 10:18:40AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

FIREWORK COMPLAINT Reported at Block of 2000 NE EVERGREEN AVE ALB

Dennis had concerns about how to deal with illegal fireworks in the future. Dennis had his neighbor setting off large mortars which caused debris to fall around his house . Dennis was primarily worried about fires being started.

Incident Information:**Description**

Item 5)

CAD# 2020100751
TIME: 7/7/2020 12:11:33PM
CASE# CAD Only
MILB
EXTRA PATROL

EXTRA PATROL Reported at Block of 3000 NE CLEARWATER DR ALB

Extra patrol, all smiles and waves.

CAD# 2020101392
TIME: 7/8/2020 12:58:57PM
CASE# CAD Only
MILB

SUSPICIOUS VEHICLE Reported at Block of 2700 NE SONORA DR ALB

No Public Narrative.

CAD# 2020101489
TIME: 7/8/2020 3:37:15PM
CASE# CAD Only
MILB
WARNING SPEEDING VIOLAT

TRAFFIC STOP Reported at Block of 1200 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020101530
TIME: 7/8/2020 4:19:43PM
CASE# CAD Only
MILB
CAD CALL COMPLETE

SUSPICIOUS CIRCUMSTANCE Reported at Block of 2400 NE EVERGREEN AVE/NE WOODS RD ALB

No Public Narrative.

CAD# 2020101775
TIME: 7/8/2020 11:54:51PM
CASE# CAD Only
MILB
FALSE ALARM POLICE

ALARM LAW ONLY Reported at Block of 3900 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020101784
TIME: 7/9/2020 12:14:32AM
CASE# CAD Only
MILB
EXTRA PATROL

EXTRA PATROL Reported at Block of 4100 NE OLD SALEM RD/NE CONSER RD ALB

No Public Narrative.

Incident Information:**Description**

Item 5)

CAD# 2020101817
TIME: 7/9/2020 2:09:31AM
CASE# CAD Only
MILB
CAD CALL COMPLETE

ASSIST OTHER AGENCY Reported at Block of 6400 NE OLD SALEM RD ALB

Deputies assisted OSP and APD with a rolling shots fired call . OSP took the investigation.

CAD# 2020101840
TIME: 7/9/2020 4:04:29AM
CASE# CAD Only
MILB
UTL GOA

TRAFFIC COMPLAINT Reported at Block of 6400 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020102063
TIME: 7/9/2020 12:19:52PM
CASE# CAD Only
MILB
CAD CALL COMPLETE

EXTRA PATROL Reported at Block of 4900 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020102527
TIME: 7/10/2020 4:39:24AM
CASE# CAD Only
MILB
CAD CALL COMPLETE

SUSPICIOUS PERSON Reported at Block of 2900 NE KINDSEY LN ALB

Caller reported seeing someone on his camera system in the night.

CAD# 2020102576
TIME: 7/10/2020 9:04:38AM
CASE# CAD Only
MILB

POCKET DIAL LCSO AND CRCC Reported at Block of 3000 NE KATHRYN ST ALB

CAD# 2020102599
TIME: 7/10/2020 9:37:23AM
CASE# CAD Only
MILB
UTL GOA

DISTURBANCE Reported at Block of 6400 NE OLD SALEM RD ALB

The caller told me "Terrance" was parked in a no parking zone. Terrance was asked to move his semi-truck and refused to leave. Terrance was yelling at the Love's employees but never touched anyone. The caller told me Terrance left and he is not welcome back to the truck stop.

Incident Information:**Description**

Item 5)

CAD# 2020102954
 TIME: 7/10/2020 7:35:32PM
 CASE# CAD Only
 MILB

TRANSFER 911 INFO - LAW CALL Reported at Block of 2500 NE TUSCAN LN ALB

No Public Narrative.

CAD# 2020103111
 TIME: 7/11/2020 12:53:40AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SECURITY CHECK Reported at Block of 4400 NE OLD SALEM RD ALB

Security check of a residence. All was secure.

CAD# 2020103209
 TIME: 7/11/2020 9:34:07AM
 CASE# CAD Only
 MILB
 EXTRA PATROL

EXTRA PATROL Reported at Block of 3200 NE CONSER RD ALB

Extra patrol and t-stop

CAD# 2020103223
 TIME: 7/11/2020 10:09:35AM
 CASE# CAD Only
 MILB
 WARNING MOVING VIOLATIC

TRAFFIC STOP Reported at Block of 2500 NE MILLERSBURG DR/NE WOODS RD ALB

Warned for flr to obey tcd and seatbelt.

CAD# 2020103439
 TIME: 7/11/2020 4:20:34PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

ALARM LAW ONLY Reported at Block of 3800 NE STEELHEAD RUN DR ALB

All building doors secure. Open pump house door. Could not secure the door. No sign of forced entry nor criminal activity.

CAD# 2020103679
 TIME: 7/12/2020 7:55:27AM
 CASE# CAD Only
 MILB
 EXTRA PATROL

EXTRA PATROL Reported at Block of 6400 NE OLD SALEM RD ALB

No stolen cars located.

Incident Information:

Description

Item 5)

CAD# 2020103685
 TIME: 7/12/2020 8:09:05AM
 CASE# CAD Only
 MILB
 EXTRA PATROL

EXTRA PATROL Reported at Block of 6400 NE OLD SALEM RD ALB

Extra patrol

CAD# 2020104018
 TIME: 7/12/2020 7:20:03PM
 CASE# 2002220
 MILB
 REPORT TAKEN

REPORT PENDING. Original Call Type: FRAUD Reported At Block Of 4200 NE BAIN ST
 Occurred between 1920 hours on 7/12/2020 and 1920 hours on 7/12/2020 . Reported:

Caller reported someone had opened a phone plan in his name.

CAD# 2020104104
 TIME: 7/12/2020 10:35:33PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

EXTRA PATROL Reported at Block of 6200 NE ELENA ST ALB

Streets checked for curbside parking before road work

CAD# 2020104108
 TIME: 7/12/2020 10:46:30PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

EXTRA PATROL Reported at Block of 5400 NE LUCKIAMUTE CT ALB

Most vehicles have been moved from street parking, remainder appear o be commuter vehicles

CAD# 2020104224
 TIME: 7/13/2020 7:41:42AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SUSPICIOUS VEHICLE Reported at Block of 3300 NE MARY KAY AVE/NE ELENA ST ALB

The city of Millersburg has a contractor applying a slurry seal on the roadway. The Ford pickup is in the way of the machinery to apply the seal. The contractor told me they can work with the owner of the vehicle and return in the morning. I will contact the property owner on the morning of 07/14/20 at 0700 hours to confirm the Ford pickup has been removed.

CAD# 2020104449
 TIME: 7/13/2020 2:34:45PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

TRESPASS Reported at Block of 6400 NE OLD SALEM RD ALB

Male and female traveling through the area, waiting for a ride. Had a miscommunication with one manager when another told them something different about staying at the location . No crimes.

Incident Information:**Description**

Item 5)

CAD# 2020104567
 TIME: 7/13/2020 5:32:46PM
 CASE# 2002236
 MILB
 REPORT TAKEN

Report Filed. INFO-OTHER DOCUMENTATION Reported At Block Of 6400 NE OLD SALEM RD Occurred between 1731 hours on 7/13/2020 and 1732 hours on 7/13/2020 . Reported:

Deputies assisted the Springfield Police Department in recovering a stolen vehicle from the Millersburg area.

CAD# 2020104825
 TIME: 7/14/2020 6:50:04AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

ASSIST OTHER AGENCY Reported at Block of 3300 NE MARY KAY AVE ALB

No Public Narrative.

CAD# 2020105012
 TIME: 7/14/2020 1:13:59PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

EXTRA PATROL Reported at Block of 38600 NE MORNINGSTAR RD ALB

No Public Narrative.

CAD# 2020105108
 TIME: 7/14/2020 3:44:30PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

EXTRA PATROL Reported at Block of 3000 NE ALEXANDER LN ALB

CAD# 2020105398
 TIME: 7/15/2020 4:14:51AM
 CASE# 2002251
 MILB
 REPORT TAKEN

Report Filed. HARASSMENT PHYSICAL CONTACT/SIMPLE ASSAULT Reported At Block Of 3200 NE SALEM AVE Occurred between 0413 hours on 7/15/2020 and 0414 hours on

No Public Narrative.

CAD# 2020105408
 TIME: 7/15/2020 5:16:23AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

ABANDON VEHICLE Reported at Block of 2500 NE OLD SALEM RD ALB

Vehicle removed prior to tow.

Incident Information:**Description**

Item 5)

CAD# 2020105411
TIME: 7/15/2020 5:32:33AM
CASE# CAD Only
MILB
EXTRA PATROL

EXTRA PATROL Reported at Block of 6200 NE SEDONA RD ALB

Extra patrol through neighborhood, all appeared great.

CAD# 2020105412
TIME: 7/15/2020 5:38:15AM
CASE# CAD Only
MILB
EXTRA PATROL

EXTRA PATROL Reported at Block of 2900 NE TRASK LN ALB

Extra patrol. All appeared good

CAD# 2020105424
TIME: 7/15/2020 6:23:46AM
CASE# CAD Only
MILB

POCKET DIAL LCSO AND CRCC Reported at Block of 3700 NE PALM HARBOR DR ALB

No Public Narrative.

CAD# 2020105493
TIME: 7/15/2020 9:30:38AM
CASE# CAD Only
MILB
EXTRA PATROL

EXTRA PATROL Reported at Block of 5400 NE NESTUCCA AVE ALB

Neighborhood extra patrol, people are obeying the law.

CAD# 2020105927
TIME: 7/15/2020 11:14:08PM
CASE# CAD Only
MILB
CAD CALL COMPLETE

ALARM LAW ONLY Reported at Block of 2700 NE SONORA DR ALB

This was a false alarm. The home owner was home and everything was fine.

CAD# 2020105984
TIME: 7/16/2020 4:06:49AM
CASE# CAD Only
MILB
CAD CALL COMPLETE

ALARM LAW ONLY Reported at Block of 2600 NE OLD SALEM RD ALB

This was a false alarm, the building was secure and nothing suspicious was seen.

Incident Information:**Description**

Item 5)

CAD# 2020105995
 TIME: 7/16/2020 4:55:55AM
 CASE# CAD Only
 MILB

ALARM LAW ONLY Reported at Block of 6200 NE MESA CT ALB

CAD# 2020105996
 TIME: 7/16/2020 4:57:51AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

ALARM LAW ONLY Reported at Block of 6200 NE MESA CT ALB

This appears to be a false alarm, the residence was secure.

CAD# 2020106454
 TIME: 7/16/2020 6:53:49PM
 CASE# CAD Only
 MILB

POCKET DIAL LCSO AND CRCC Reported at Block of 2100 NE BARKER CT ALB

CAD# 2020106564
 TIME: 7/16/2020 11:00:17PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

MENTAL HEALTH Reported at Block of 6400 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020106654
 TIME: 7/17/2020 6:50:37AM
 CASE# CAD Only
 MILB
 CALL HANDLED BY DISPATCH

POCKET DIAL LCSO AND CRCC Reported at Block of 6400 NE SEDONA RD ALB

No Public Narrative.

CAD# 2020106774
 TIME: 7/17/2020 11:17:21AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SUSPICIOUS VEHICLE Reported at Block of 4300 NE CASTILLO DR ALB

Caller reported abandoned vehicle. Deputies investigated and determined the vehicle was not abandoned.

Incident Information:

Description

Item 5)

CAD# 2020107014
 TIME: 7/17/2020 5:47:07PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SUSPICIOUS CIRCUMSTANCE Reported at Block of 3500 NE OLD SALEM RD ALB

Deputies noticed a gate open to the location. Checked the area and saw no disruptions to the buildings or area. The gate was secured upon leaving.

CAD# 2020107034
 TIME: 7/17/2020 6:21:09PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SUSPICIOUS VEHICLE Reported at Block of 4200 NE OLD SALEM RD ALB

Cleaning crew called in to report a suspicious vehicle. Deputies contacted the vehicle and learned the person was selling an item online. They choose this as a safe location to meet.

CAD# 2020107298
 TIME: 7/18/2020 3:00:35AM
 CASE# CAD Only
 MILB
 CITE EQUIPMENT VIOLATION

TRAFFIC STOP Reported at Block of 4200 NE OLD SALEM RD ALB

Citation issued to driver for operating a motor vehicle with non-standard lighting.

CAD# 2020107304
 TIME: 7/18/2020 3:38:02AM
 CASE# 2002292
 MILB
 REPORT TAKEN

Report Filed. ASSAULT 2 Reported At Block Of 1400 NE OLD SALEM RD Occurred between 0337 hours on 7/18/2020 and 0338 hours on 7/18/2020 . Reported: 7/18/2020

Deputies responded to a report of an assault. 30 year old Millersburg resident was assaulted by known assailant who fled the scene. Male was treated at AGH for non life threatening injuries. Under investigation.

CAD# 2020107382
 TIME: 7/18/2020 10:33:14AM
 CASE# CAD Only
 MILB
 WARNING SPEEDING VIOLAT

TRAFFIC STOP Reported at Block of 1900 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020107458
 TIME: 7/18/2020 1:46:49PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

INTOXICATED SUBJECT Reported at Block of 6400 NE OLD SALEM RD ALB

Intoxicated male escorted off the property.

Incident Information:**Description**

Item 5)

CAD# 2020107482
TIME: 7/18/2020 2:26:52PM
CASE# CAD Only
MILB

911 HANG UP CALL Reported at Block of 900 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020107707
TIME: 7/18/2020 8:31:37PM
CASE# CAD Only
MILB
FOLLOW UP COMPLETE

FOLLOW UP Reported at Block of 1400 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020107753
TIME: 7/18/2020 9:42:41PM
CASE# CAD Only
MILB
FOLLOW UP COMPLETE

FOLLOW UP Reported at Block of 1400 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020107903
TIME: 7/19/2020 2:43:08AM
CASE# CAD Only
MILB
CAD CALL COMPLETE

ASSIST OTHER AGENCY Reported at Block of 6400 NE OLD SALEM RD ALB

We assisted Clackamas County Detectives by providing a uniformed presence while they conducted an investigation.

CAD# 2020108051
TIME: 7/19/2020 12:06:09PM
CASE# CAD Only
MILB

POCKET DIAL LCSO AND CRCC Reported at Block of 3000 NE KATHRYN ST ALB

No Public Narrative.

CAD# 2020108117
TIME: 7/19/2020 1:46:52PM
CASE# CAD Only
MILB
CAD CALL COMPLETE

SUSPICIOUS CIRCUMSTANCE Reported at Block of 3400 NE OLD SALEM RD ALB

Gate opened on old mill property, nobody around. gate secured.

Incident Information:

Description

Item 5)

CAD# 2020108246
 TIME: 7/19/2020 5:26:41PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SUSPICIOUS VEHICLE Reported at Block of 6400 NE OLD SALEM RD ALB

 Vehicle with illegal alteration of the license plate . Vehicle was parked and not occupied.

CAD# 2020108327
 TIME: 7/19/2020 7:51:27PM
 CASE# CAD Only
 MILB

POCKET DIAL LCSO AND CRCC Reported at Block of 3000 NE KATHRYN ST ALB

CAD# 2020108394
 TIME: 7/19/2020 10:29:26PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

ASSIST OTHER AGENCY Reported at Block of 4500 NE WOODS RD ALB

 No Public Narrative.

CAD# 2020108511
 TIME: 7/20/2020 7:35:14AM
 CASE# CAD Only
 MILB
 EXTRA PATROL

EXTRA PATROL Reported at Block of 6400 NE WOODS RD/NE MILLERSBURG DR ALB

 Extra patrol in the Millersburg area

CAD# 2020108568
 TIME: 7/20/2020 9:43:15AM
 CASE# 2002323
 MILB
 REPORT TAKEN

Report Filed. THEFT 2 - FROM BUILDING Reported At Block Of 2600 NE RIVERSTONE LOOP Occurred between 0417 hours on 7/15/2020 and 1700 hours on 7/19/2020 . Reported:

 Approx \$350 worth of decor were stolen off a front porch , ongoing investigation.

CAD# 2020108682
 TIME: 7/20/2020 12:39:17PM
 CASE# CAD Only
 MILB

POCKET DIAL LCSO AND CRCC Reported at Block of 3200 NE KNOX BUTTE AVE ALB

 No Public Narrative.

Incident Information:

Description

Item 5)

CAD# 2020109010
 TIME: 7/21/2020 12:19:29AM
 CASE# 2002335
 MILB
 REPORT TAKEN

Report Filed. DUII - BAC TEST REFUSED Reported At Block Of 6400 NE OLD SALEM RD
 Occurred between 0019 hours on 7/21/2020 and 0019 hours on 7/21/2020 . Reported:

Cecil Carl Cooke (64), a Washington resident was taken into custody for DUII , Reckless Driving and Resisting arrest. This transpired after he was seen driving poorly on I5 and crashing into the flower beds at Loves Truck Stop .

CAD# 2020109538
 TIME: 7/21/2020 10:43:45PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

WELFARE CHECK Reported at Block of 4100 NE OLD SALEM RD/NE CONSER RD ALB

Subject travelling through toward California moved to a more secluded area for the evening

CAD# 2020109563
 TIME: 7/21/2020 11:44:51PM
 CASE# CAD Only
 MILB
 FOCUSED PATROL

EXTRA PATROL Reported at Block of 3000 NE MILLERSBURG DR/NE SAUNTER ST ALB

Extra patrol of a new subdivision.

CAD# 2020109621
 TIME: 7/22/2020 3:38:18AM
 CASE# CAD Only
 MILB
 EXTRA PATROL

EXTRA PATROL Reported at Block of 2500 NE SONORA DR ALB

Conducted extra patrol throughout the area. All appeared good.

CAD# 2020109622
 TIME: 7/22/2020 3:43:00AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SUSPICIOUS VEHICLE Reported at Block of 3000 NE CLEARWATER DR ALB

Located vehicle parked on side of street with male occupying it. Contacted the male and advised him to move along.

CAD# 2020109708
 TIME: 7/22/2020 8:49:44AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

FOLLOW UP Reported at Block of 1400 NE OLD SALEM RD ALB

No Public Narrative.

Incident Information:**Description**

Item 5)

CAD# 2020110129
 TIME: 7/22/2020 8:35:21PM
 CASE# 2002360
 MILB
 REPORT TAKEN

REPORT PENDING. Original Call Type: HIT AND RUN Reported At Block Of 6400 NE OLD SALEM RD Occurred between 2035 hours on 7/22/2020 and 2035 hours on 7/22/2020 .

CAD# 2020110144
 TIME: 7/22/2020 9:00:47PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

FOLLOW UP Reported at Block of 1400 NE OLD SALEM RD ALB
 No Public Narrative.

CAD# 2020110280
 TIME: 7/23/2020 4:14:56AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

FOLLOW UP Reported at Block of 6400 NE OLD SALEM RD ALB

CAD# 2020110530
 TIME: 7/23/2020 1:59:07PM
 CASE# CAD Only
 MILB
 CALL TRANSFERRED TO OTI

TRANSFER 911 INFO - LAW CALL Reported at Block of 3200 NE SALEM AVE ALB

CAD# 2020110531
 TIME: 7/23/2020 1:59:29PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

DISTURBANCE Reported at Block of 3200 NE SALEM AVE ALB

Deputy responded to a verbal disturbance. No crime.

CAD# 2020110550
 TIME: 7/23/2020 2:35:44PM
 CASE# CAD Only
 MILB

911 HANG UP CALL Reported at Block of 3000 NE KATHRYN ST ALB

No Public Narrative.

Incident Information:**Description**

Item 5)

CAD# 2020110680
 TIME: 7/23/2020 5:46:37PM
 CASE# 2002370
 MILB
 REPORT TAKEN

Report Filed. CRIMINAL MISCHIEF 2 - VANDALISM Reported At Block Of 6400 NE OLD SALEM RD Occurred between 1745 hours on 7/23/2020 and 1746 hours on 7/23/2020 .

Criminal Mischief

CAD# 2020110717
 TIME: 7/23/2020 7:06:20PM
 CASE# CAD Only
 MILB

POCKET DIAL LCSO AND CRCC Reported at Block of 3000 NE KATHRYN ST ALB

No Public Narrative.

CAD# 2020110860
 TIME: 7/23/2020 11:50:04PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

IDENTITY THEFT Reported at Block of 900 NE OLD SALEM RD ALB

Caller reported a fake ID presented.

CAD# 2020110991
 TIME: 7/24/2020 9:21:11AM
 CASE# 2002386
 MILB
 REPORT TAKEN

REPORT PENDING. Original Call Type: THEFT Reported At Block Of 3500 NE STEELHEAD RUN DR Occurred between 0921 hours on 7/24/2020 and 0921 hours on

I contacted the complainant by cell phone. He told me he wanted to report the Theft of a large 750 gallon tank used for water and foam suppression systems on fire tankers used in Forest Fire suppression.

CAD# 2020111052
 TIME: 7/24/2020 10:49:29AM
 CASE# CAD Only
 MILB

POCKET DIAL LCSO AND CRCC Reported at Block of 1100 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020111102
 TIME: 7/24/2020 11:56:55AM
 CASE# CAD Only
 MILB

FRAUD Reported at Block of 3200 NE SALEM AVE ALB

Incident Information:**Description**

Item 5)

CAD# 2020111121
 TIME: 7/24/2020 12:27:18PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SUSPICIOUS CIRCUMSTANCE Reported at Block of 3200 NE SALEM AVE ALB

Deputies spoke with an individual about suspicious circumstances. No crimes.

CAD# 2020112051
 TIME: 7/26/2020 12:30:02AM
 CASE# 2002417
 MILB
 REPORT TAKEN

Report Filed. WARRANT ARREST (LW ONLY) Reported At Block Of 6400 NE OLD SALEM RD Occurred between 0029 hours on 7/26/2020 and 0030 hours on 7/26/2020 . Reported:

Joshua Vanhook (28 year old male from Milwaukie, OR) was arrested and lodged at Linn County Jail for an outstanding Parole Board warrant.

CAD# 2020112425
 TIME: 7/26/2020 5:22:24PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

911 HANG UP CALL Reported at Block of 3200 NE SALEM AVE ALB

I spoke with a handful of tenants. Nobody reported calling 911 nor hearing a disturbance. NFA / UTL

CAD# 2020112492
 TIME: 7/26/2020 7:47:46PM
 CASE# CAD Only
 MILB

HARASSMENT Reported at Block of 6200 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020112578
 TIME: 7/26/2020 11:04:26PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

ALARM LAW ONLY Reported at Block of 800 NE OLD SALEM RD ALB

Building secure, unknown reason for activation

CAD# 2020112643
 TIME: 7/27/2020 3:25:53AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SECURITY CHECK Reported at Block of 6200 NE PLANTER ST ALB

Garage door was left open.

Incident Information:

Description

Item 5)

CAD# 2020113125
 TIME: 7/27/2020 8:28:22PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

MVC NON INJURY Reported at Block of 6400 NE OLD SALEM RD ALB

Caller reported a crash on private property with no injuries, drivers exchanged information.

CAD# 2020113429
 TIME: 7/28/2020 10:38:16AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SUSPICIOUS VEHICLE Reported at Block of 6400 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020113456
 TIME: 7/28/2020 11:12:34AM
 CASE# CAD Only
 MILB
 WARNING SPEEDING VIOLAT

TRAFFIC STOP Reported at Block of 1500 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020113831
 TIME: 7/28/2020 10:08:24PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

ALARM LAW ONLY Reported at Block of 6400 NE OLD SALEM RD ALB

Motion alarm, appeared to be a false alarm, unknown cause. No indications of criminal activity. There is an on-site resident and he did not observe anything.

CAD# 2020114021
 TIME: 7/29/2020 9:29:24AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

PARKING COMPLAINT Reported at Block of 3000 NE CLEARWATER DR ALB

Parking complaint about construction vehicles blocking residence access, no vehicles were blocking access when deputy drove through.

CAD# 2020114124
 TIME: 7/29/2020 12:27:53PM
 CASE# CAD Only
 MILB
 UTL GOA

911 HANG UP CALL Reported at Block of 6500 NE OLD SALEM RD ALB

911 hangup at truck stop.

Incident Information:**Description**

Item 5)

CAD# 2020114130
 TIME: 7/29/2020 12:36:40PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

FOLLOW UP Reported at Block of 3000 NE CLEARWATER DR ALB

Parking complaint on private driveway.

CAD# 2020114200
 TIME: 7/29/2020 2:12:47PM
 CASE# 2002477
 MILB
 REPORT TAKEN

Report Filed. CANCELLED REPORT Reported At Block Of 600 NE FIR ST/NE KNOX BUTTE AVE Occurred between 1411 hours on 7/29/2020 and 1412 hours on 7/29/2020 .

This case # was issued in error. An abandoned vehicle was about to be towed because the registered owner could not be contacted. When the tow truck arrived, a neighbor advised the van was purchased by her brother, who was at work. I talked to him on the phone and he advised he has not had time to re-register the vehicle. He also promised to move the vehicle

CAD# 2020114201
 TIME: 7/29/2020 2:13:16PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

ABANDON VEHICLE Reported at Block of 3300 NE MARY KAY AVE ALB

Vehicle LCSO received complaints on was moved, previously disabled.

CAD# 2020114204
 TIME: 7/29/2020 2:21:56PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

PARKING COMPLAINT Reported at Block of 3300 NE MARY KAY AVE ALB

Complaint of trailer, not hazard with slide-outs extended

CAD# 2020114269
 TIME: 7/29/2020 4:35:03PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

HIT AND RUN Reported at Block of 5900 NE TRASK LN ALB

White Mercedes backed into another parked vehicle.

CAD# 2020114361
 TIME: 7/29/2020 7:53:38PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

EXTRA PATROL Reported at Block of 3000 NE JAUNT AVE ALB

Open garage door was secured by deputy.

Incident Information:

Description

Item 5)

CAD# 2020114395
 TIME: 7/29/2020 9:14:55PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SUSPICIOUS VEHICLE Reported at Block of 3900 NE OLD SALEM RD ALB

Deputies contacted a suspicious vehicle. No crimes.

CAD# 2020114472
 TIME: 7/30/2020 1:24:31AM
 CASE# CAD Only
 MILB
 WARNING MOVING VIOLATIC

TRAFFIC STOP Reported at Block of 3300 NE MARY KAY AVE/NE ELENA ST ALB

Warned for failing to signal

CAD# 2020114541
 TIME: 7/30/2020 8:19:06AM
 CASE# CAD Only
 MILB
 WARNING ISSUED

DOG COMPLAINT Reported at Block of 5400 NE NESTUCCA AVE ALB

issued warnings to both parties for different violations. Complainant for FTL their dog, other party for allowing their dog to RAL/Trespass. Both parties told me they would rectify the situations promptly

CAD# 2020114769
 TIME: 7/30/2020 1:42:24PM
 CASE# CAD Only
 MILB

CAT COMPLAINT Reported at Block of 3200 NE SALEM AVE ALB

No Public Narrative.

CAD# 2020114864
 TIME: 7/30/2020 3:35:27PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

ANIMAL COMPLAINT Reported at Block of 3200 NE OLD SALEM RD ALB

transported stray cat to Albany Animal Hospital

CAD# 2020115076
 TIME: 7/30/2020 9:28:24PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SUSPICIOUS PERSON Reported at Block of 4200 NE OLD SALEM RD ALB

Caller reported a suspicious person outside City Hall. Deputy responded and found the person to just be travelling through the area on his way to the Coast. Deputy gave the person a ride to Corvallis.

Incident Information:

Description

Item 5)

CAD# 2020115122
 TIME: 7/30/2020 11:18:57PM
 CASE# CAD Only
 MILB
 CITE NO INSURANCE

TRAFFIC STOP Reported at Block of 3300 NE CLEARWATER DR ALB

 Citation issued to driver for driving while suspended and driving uninsured.

CAD# 2020115128
 TIME: 7/30/2020 11:29:56PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SUSPICIOUS CIRCUMSTANCE Reported at Block of 3300 NE CLEARWATER DR ALB

 Informed residents of open garage door. They closed it.

CAD# 2020115130
 TIME: 7/30/2020 11:32:23PM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

SECURITY CHECK Reported at Block of 3300 NE SIUSLAW AVE ALB

 Informed homeowners of open garage door. They closed it.

CAD# 2020115166
 TIME: 7/31/2020 1:54:24AM
 CASE# CAD Only
 MILB
 CALL HANDLED BY DISPATCH

TRANSFER 911 INFO - LAW CALL Reported at Block of 3300 NE OLD SALEM RD/NE ARNOLD LN ALB

 No Public Narrative.

CAD# 2020115213
 TIME: 7/31/2020 5:47:05AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

MVC NON INJURY Reported at Block of 6400 NE OLD SALEM RD ALB

 non injury non criminal accident in parking lot. insurance information exchanged.

CAD# 2020115280
 TIME: 7/31/2020 8:58:31AM
 CASE# CAD Only
 MILB
 CAD CALL COMPLETE

TRESPASS Reported at Block of 2700 NE TONI ST ALB

I learned it is not possible for for the suspect to have Trespassed on the callers property as suggested. The suspect was present in Thurston with over 60 other people since last weekend. Unfounded

Incident Information:**Description**

Item 5)

CAD# 2020115303
TIME: 7/31/2020 9:46:34AM
CASE# CAD Only
MILB

ALARM LAW ONLY Reported at Block of 1600 NE OLD SALEM RD ALB

No Public Narrative.

CAD# 2020115475
TIME: 7/31/2020 1:57:35PM
CASE# CAD Only
MILB

CAD CALL COMPLETE

ANIMAL COMPLAINT Reported at Block of 2700 NE TONI ST ALB

Report of a horse being hit at the listed location. Unfounded

CAD# 2020115555
TIME: 7/31/2020 3:32:11PM
CASE# CAD Only
MILB

CAD CALL COMPLETE

SUSPICIOUS CIRCUMSTANCE Reported at Block of 3000 NE CLEARWATER DR ALB

No Public Narrative.

CAD# 2020115799
TIME: 7/31/2020 11:27:42PM
CASE# CAD Only
MILB

CAD CALL COMPLETE

SUSPICIOUS CIRCUMSTANCE Reported at Block of 3000 NE KATHRYN ST ALB

I found a man door left open on the west end of the south warehouse. The door is self locking and had no signs of forced entry. No indications of criminal activity and appears the door just did not get properly closed. I checked the warehouse and secured the door upon leaving.

**Notice of Public Hearing Concerning
Proposed Sale of Millersburg, Oregon, City-Owned Real Property**

Pursuant to ORS 221.725, notice is hereby given regarding a public hearing occurring Tuesday, August 11, 2020, 7:00 PM, which can be publicly accessed via video live-stream or telephonically. Access procedures are found at the City of Millersburg website or by phoning the Millersburg City Hall at (458) 233-6300. The purpose of the public hearing concerns the sale to Gordon Moore and Shirley Moore of approximately 0.15 acres of City of Millersburg-owned real property known as 10S03W29-00-00200. The location of this real property provides no value to the City; it is no longer needed by the City, and it is therefore surplus.

This property is located in General Industrial (GI) zoning.



TO: Millersburg City Council

VIA: Kevin Kreitman, City Manager

FROM: City Staff

DATE: August 4 2020 for Council Meeting August 11, 2020

SUBJECT: Project Updates Memo

Monthly Update on Projects:

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

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

Fire Station Project:

Design and engineering for the station is continuing to move forward; the floor plan has been selected with some minor modifications still occurring. The proposed selected floor plan is attached, and renderings of the building will be presented for discussion during the Council meeting. Any initial comments from Council on the exterior appearance will be shared with the architect, the renderings will be updated, and drawings/renderings will be prepared to share for Council and community feedback.

Seismic and geological surveys have been completed onsite and the draft geotechnical report indicates the site could be subject to liquefaction settlement during a seismic event of up to 4" to 6." The data and recommendations will be further reviewed prior to proceeding with foundation design, but the project may require a foundation system that will mitigate potential seismic settlement. Design of the roads and associated infrastructure required for the fire station site and the industrial park is also moving forward.

Slurry Seal Project:

This project has been completed by Pave Northwest, Inc. of Marcola, OR. We realize it was an inconvenience for a few days and appreciated everyone's patience during the street closures. As was shared previously with Council, the purpose of the project was to perform pavement preservation, specifically slurry sealing, on streets within the Morningstar and Sweetwater subdivisions. Slurry sealing is a preventative maintenance treatment that is used to prolong the life of the street by sealing the whole street surface.

Based on comments and questions we received regarding the project, we provided some additional information (below) online on what a slurry seal is, what you can expect it to look like, and how it should perform over time.

Q: This is not what I expected to see. Why doesn't it look like new asphalt?

A: While a slurry seal does cover the entire road surface with a dark material, it is not a brand new asphalt road. It goes down as a liquid "slurry" mixture and cannot be rolled and compacted like asphalt. Although its color is similar, it will not look the same as new asphalt paving because it has very different material properties.

Q: I see lines, bumps, and imperfections. Is this the result of bad workmanship, or a bad product?

A: A slurry seal will not provide a completely smooth surface. It will have imperfections; there will be joint lines where the material overlapped and lines where it was spread. In cul-de-sacs and intersections these can be particularly visible. This is very typical and is not an indication of bad workmanship or a bad product.

Q: If we are not getting a new road surface, then why spend the money on it?

A: This is a street preservation project, not street resurfacing and is an important part of Millersburg's street preservation program. The application of slurry seal will significantly extend the life of existing pavements by protecting the undersurface from the effects of aging and the environment. This cost effective maintenance treatment extends the life of streets already in good condition. By investing money in this type of preservation project, much costlier road resurfacing and reconstruction projects are required less frequently.

Q: Our streets were smoother before this project. Now they are rougher and there are lines and tire tracks. What can we expect over time?

A: This product is relatively soft immediately after application, and takes some time before it fully hardens. The presence of tire tracks indicates compaction where vehicles have driven. The good news is that the imperfections, joint lines, and tire tracks will fade over time with continued traffic and weather. Over the next several months, City staff will continue to monitor these streets to confirm they are performing as expected. If you observe areas where the surface material is coming off, or where the bare pavement beneath is exposed, please let us know.

Thermoplastics Project:

This project to place thermoplastic stop bars, bike lane symbols, and turn arrows on City streets was completed by Hicks Striping and Curbing of Brooks, OR. Prior to this project, the majority of these symbols were painted, with a few of the bike symbols in thermoplastic. Painted markings typically need to be refreshed every one to two years. Thermoplastic markings can be expected to last three to six years, however they can have a longer or shorter lifespan depending on traffic and environmental factors.



*Thermoplastic Bike Lane symbol
Millersburg Drive, 12 years old*



*Painted Bike Lane symbol
Alexander Lane, possibly 9 years old*



New Thermoplastic Bike Lane symbol

Park Activities:

Boys and Girls Club camps in Millersburg City Park ran for four weeks in July. They were able to serve 40 youth (almost all from Millersburg) and felt that the camps were a great success! The organizers expressed their thanks to the City, particularly our maintenance staff for the support. They have also approached the City with a request to use the baseball fields in the fall for their kindergarten through 2nd grade baseball program.

Junior Baseball Organization (JBO) was been able to conduct a truncated season for some of their teams. They held games and practices in the park through July. The JBO organizer and parents have expressed their appreciation and gratitude to the City of Millersburg for the opportunity to use the fields this year.

Woods Road Project

The paving of Woods Road from Alexander Lane to Riverstone Loop has been awarded to K&E Paving, Inc. dba H&H Paving. This project is anticipated to be complete by the end of October. Contract documents are being completed, and details of the construction schedule will be shared soon. This project will require temporary road closures at times during construction, which will be communicated to residents, as well as Mill Rite Farms.

Corona Virus Relief Fund:

The State has finalized the amount of funds eligible for distribution as a pass through to cities from the Federal Coronavirus Relief Fund (CARES Act). Based on the formula established by State, the City of Millersburg is eligible for up to \$86,285.36 in reimbursements, which qualify under the CARES act. Since these are pass through funds, the grants to cities are through the State Department of Administrative Services (DAS), and expenditures of funds have to meet State and Federal requirements/restrictions on how the funds can be utilized; they are NOT eligible for the offset of lost revenues.

As you will recall this funding source was discussed previously and has been utilized for the upgrades to City Hall for our air handling systems, the sneeze guard at the

front counter, and the walk up window which has been installed, as well as additional equipment improvements for our virtual meeting capabilities and COVID-19 signage. These funds have also been utilized for the costs associated with enhanced cleaning/decontamination work required related to COVID-19, in addition to safety equipment and cleaning supplies we have purchased.

ID	Task Mode	Task Name	Duration	Start	Finish	Resource Names	Gantt Chart (1/21 to 8/26)																											
1	?	Millersburg Tasks																																
2	?																																	
3	?	Charter and Council	261 days	Thu 1/2/20	Thu 12/31/20																													
4	?	Update of charter	261 days	Thu 1/2/20	Thu 12/31/20	Kevin,Forrest																												
5	?																																	
6	?	Ordinances and Code	390 days	Thu 1/2/20	Wed 6/30/21																													
7	?	Update code/resolutions for current billing cycle	127 days	Mon 1/20/20	Tue 7/14/20																													
8	?	Update streets and traffic section of code	136 days	Mon 3/9/20	Mon 9/14/20	Janelle																												
9	?	Update building section of code	92 days	Mon 8/3/20	Tue 12/8/20																													
10	✓	Update parks section of code	0 days	Tue 2/11/20	Tue 2/11/20	Janelle																												
11	?	Comprehensive Plan Update	390 days	Thu 1/2/20	Wed 6/30/21	Matt,John																												
12	?																																	
13	?	Policies, Procedures, and Standards	260 days	Thu 1/2/20	Wed 12/30/20																													
14	?	Fleet policy and best practices for vehicles				Kevin,Janelle																												
15	?	Computer/electronics use policy				Kevin,Janelle																												
16	?	Equipment use policy				Kevin,Janelle																												
17	?	Billing policies				Kim																												
18	?																																	
19	?	Safety procedures and training	261 days	Thu 1/2/20	Thu 12/31/20																													
20	?	Safety manual				Kevin,Janelle																												
21	?	Staff training plans	261 days	Thu 1/2/20	Thu 12/31/20	Kevin,Janelle																												
22	?	Ergo evaluations	261 days	Thu 1/2/20	Thu 12/31/20	Kevin,Janelle																												
23	?																																	
24	?	Budget		Tue 1/23/18																														
25	?	2020-2021 Budget	112 days	Mon 1/27/20	Tue 6/30/20	Jake,Kevin,Janelle																												
26	✓	Develop proposed budget	67 days	Mon 1/27/20	Tue 4/28/20																													
27	✓	Adopt budget	31 days	Tue 4/28/20	Tue 6/9/20																													
28	?	CIP update	70 days	Wed 2/5/20	Tue 5/12/20	Janelle																												
29	?																																	
30	?	Equipment life/replacement costs tracking	260 days	Thu 1/2/20	Wed 12/30/20																													
31	?	City Hall Equipment																																
32	?	Parks/Maintenance Equipment																																
33	?	Fire Station																																
34	?																																	
35	?	City Hall work	260 days	Thu 1/2/20	Wed 12/30/20																													
36	✓	East Conference Room reorganization	260 days	Thu 1/2/20	Wed 12/30/20	Kevin,Kim																												
37	✓	Upgrade phone system	22 days	Thu 1/2/20	Fri 1/31/20	Janelle,Kevin,Kim																												
38	?	Parking lot and sidewalk around north end of City Hall	192 days	Thu 1/2/20	Fri 9/25/20	Janelle																												
39	?	Cabinets in conference rooms	261 days	Wed 7/1/20	Wed 6/30/21																													
40	?	Emergency generator	261 days	Wed 7/1/20	Wed 6/30/21																													
41	?																																	
42	?	Planning, Building, and Development	260 days	Thu 1/2/20	Wed 12/30/20																													
43	?	Complete Land Use Development Code Revision	194.25 day	Thu 1/2/20	Wed 9/30/20	John Morgan																												
44	?	Consider UGB expansion	261 days	Thu 1/2/20	Thu 12/31/20	John,Kevin,Janelle																												
45	?	Buildable Lands Inventory	239 days	Mon 2/3/20	Thu 12/31/20																													
46	?	Housing Needs Analysis	239 days	Mon 2/3/20	Thu 12/31/20																													
47	?	Implementation of Caselle community development mod	126 days	Mon 6/8/20	Mon 11/30/20	Kevin,Janelle																												
48	?																																	
49	?	Economic Development	261 days	Thu 1/2/20	Thu 12/31/20																													
50	?	Consider business registration				Kevin																												
51	?	Consider fuel tax	349 days	Thu 7/1/21	Tue 11/1/22	Kevin																												
52	?	Consider transient room tax				Kevin																												
53	?	City property conceptual layout/Industrial Park	261 days	Thu 1/2/20	Thu 12/31/20	Kevin,Janelle																												
54	?	Design of utilities and access to city property west of tract	239 days	Mon 2/3/20	Thu 12/31/20	Janelle																												
55	✓	Wetland delineation for city owned property	110 days	Mon 1/27/20	Fri 6/26/20	Janelle																												
56	?																																	
57	?	Fire Station	651 days	Thu 1/2/20	Thu 6/30/22																													
58	✓	Develop RFQ to select design firm	12 days	Thu 1/2/20	Fri 1/17/20	Kevin,Janelle																												

Project: Task List
Date: Thu 8/6/20

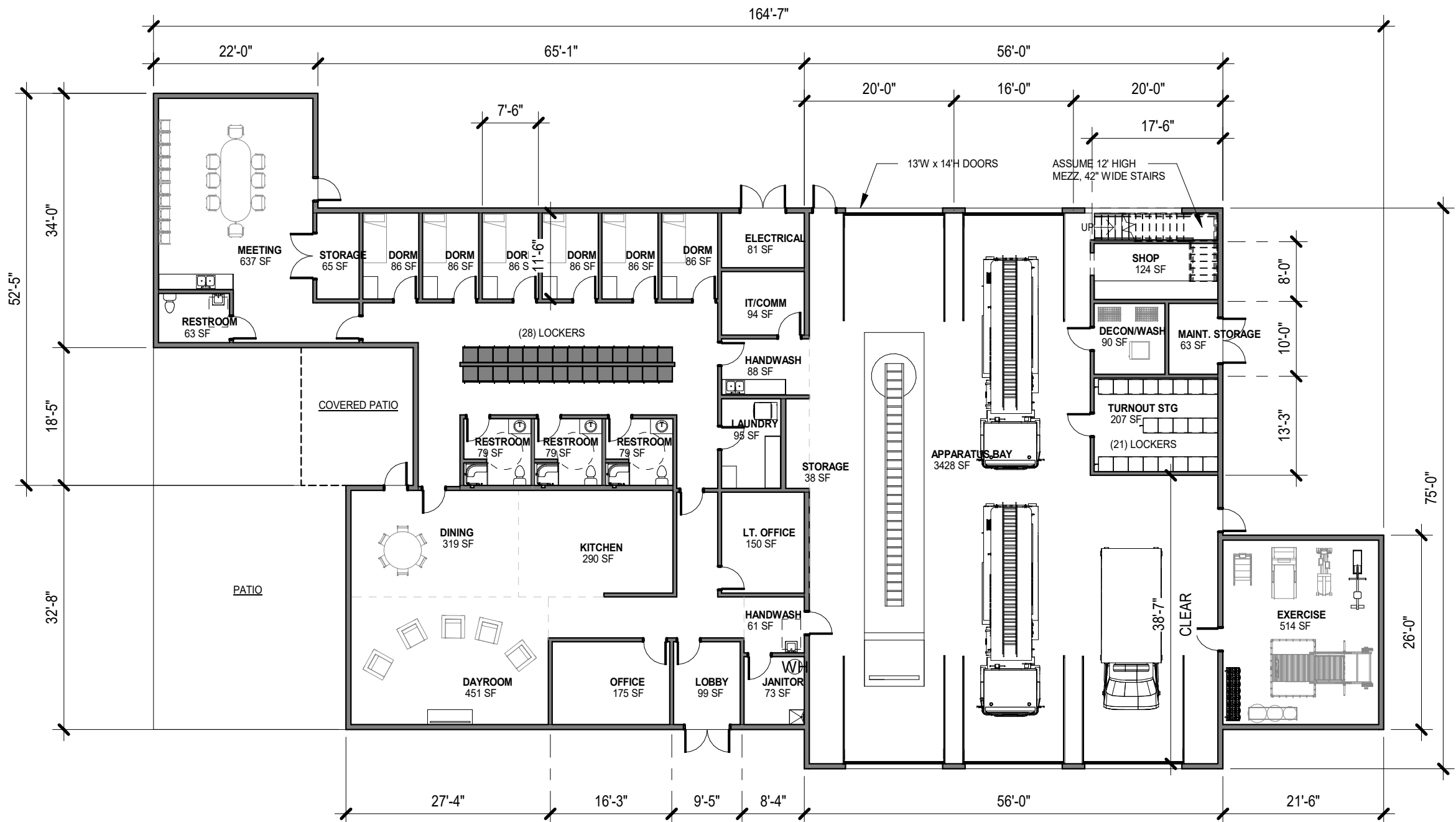
Task	Summary	Inactive Milestone	Duration-only	Start-only	External Milestone	Manual Progress
Split	Project Summary	Inactive Summary	Manual Summary Rollup	Finish-only	Deadline	
Milestone	Inactive Task	Manual Task	Manual Summary	External Tasks	Progress	

ID	Task Mode	Task Name	Duration	Start	Finish	Resource Names	Gantt Chart (1/21 to 8/26)																											
59	✓	Select design firm and negotiate contract	63 days	Fri 1/17/20	Tue 4/14/20	Kevin,Janelle	[Gantt bar from 1/17/20 to 4/14/20]																											
60	✓	Site Survey	17 days	Fri 5/8/20	Mon 6/1/20	Janelle	[Gantt bar from 5/8/20 to 6/1/20]																											
61	✗	Design	207 days	Thu 4/30/20	Fri 2/12/21	Kevin,Janelle	[Gantt bar from 4/30/20 to 2/12/21]																											
62	✗	Construction	266 days	Mon 3/15/21	Mon 3/21/22	Kevin,Janelle	[Gantt bar from 3/15/21 to 3/21/22]																											
63																																		
64		Parks	261 days	Thu 1/2/20	Thu 12/31/20		[Gantt bar from 1/2/20 to 12/31/20]																											
65	✓	Parks Master Plan	74 days	Thu 1/2/20	Tue 4/14/20	Janelle	[Gantt bar from 1/2/20 to 4/14/20]																											
66	?	Consider coating of walls and floors in restrooms			Wed 9/30/20	Sean	[Gantt bar from 9/30/20 to 9/30/20]																											
67	?																																	
68	✗	Utilities	260 days	Thu 1/2/20	Wed 12/30/20	Kevin,Janelle,consultant	[Gantt bar from 1/2/20 to 12/30/20]																											
69	✗	Implementation of new utility billing system	217 days	Thu 1/2/20	Fri 10/30/20	Kim	[Gantt bar from 1/2/20 to 10/30/20]																											
70	✗	Rate analysis and update	238 days	Thu 1/2/20	Mon 11/30/20	Janelle	[Gantt bar from 1/2/20 to 11/30/20]																											
71		Water	224 days	Thu 1/2/20	Tue 11/10/20		[Gantt bar from 1/2/20 to 11/10/20]																											
72		Sewer	224 days	Thu 1/2/20	Tue 11/10/20		[Gantt bar from 1/2/20 to 11/10/20]																											
73		Stormwater?	152 days	Fri 5/1/20	Mon 11/30/20		[Gantt bar from 5/1/20 to 11/30/20]																											
74	✗	SDC analysis and update	129 days	Thu 1/2/20	Tue 6/30/20	Janelle	[Gantt bar from 1/2/20 to 6/30/20]																											
75	✓	Water	139 days	Thu 1/2/20	Tue 7/14/20		[Gantt bar from 1/2/20 to 7/14/20]																											
76	✓	Sewer	139 days	Thu 1/2/20	Tue 7/14/20		[Gantt bar from 1/2/20 to 7/14/20]																											
77	✓	Streets	139 days	Thu 1/2/20	Tue 7/14/20		[Gantt bar from 1/2/20 to 7/14/20]																											
78	✓	Stormwater	139 days	Thu 1/2/20	Tue 7/14/20		[Gantt bar from 1/2/20 to 7/14/20]																											
79		Parks	150 days	Mon 4/6/20	Fri 10/30/20		[Gantt bar from 4/6/20 to 10/30/20]																											
80	?																																	
81		Transportation/Streets	260 days	Thu 1/2/20	Wed 12/30/20		[Gantt bar from 1/2/20 to 12/30/20]																											
82	✓	Manhole Surface Repair	64 days	Thu 1/2/20	Tue 3/31/20		[Gantt bar from 1/2/20 to 3/31/20]																											
83		Kathryn Lane Repair	261 days	Thu 1/2/20	Thu 12/31/20		[Gantt bar from 1/2/20 to 12/31/20]																											
84		Woods Road Repair and Overlay	217 days	Thu 1/2/20	Fri 10/30/20		[Gantt bar from 1/2/20 to 10/30/20]																											
85	✓	Surface Treatment - Sweetwater and Morningstar Subdivisions	211 days	Fri 1/10/20	Fri 10/30/20		[Gantt bar from 1/10/20 to 10/30/20]																											
86		Crack Sealing - SE Area	155 days	Mon 3/30/20	Fri 10/30/20		[Gantt bar from 3/30/20 to 10/30/20]																											
87	✓	Thermoplastic Stop Bars and Legends	172 days	Thu 1/2/20	Fri 8/28/20		[Gantt bar from 1/2/20 to 8/28/20]																											
88		Beauty Strips Along Woods Road North	159 days	Mon 5/25/20	Thu 12/31/20		[Gantt bar from 5/25/20 to 12/31/20]																											
89	?																																	
90		Stormwater	260 days	Thu 1/2/20	Wed 12/30/20		[Gantt bar from 1/2/20 to 12/30/20]																											
91		Crooks Creek north trib project	295 days	Mon 7/27/20	Fri 9/10/21		[Gantt bar from 7/27/20 to 9/10/21]																											
92	✗	Have Millersburg storm drain facilities added to Albany GIS system through IGA	172 days	Thu 1/2/20	Fri 8/28/20	Janelle	[Gantt bar from 1/2/20 to 8/28/20]																											
93	✗	Becker Ridge Detention Ponds Modifications	135 days	Mon 4/27/20	Fri 10/30/20	Janelle	[Gantt bar from 4/27/20 to 10/30/20]																											
94	✗	Erosion Control Permit Program	195 days	Thu 1/2/20	Wed 9/30/20	Janelle	[Gantt bar from 1/2/20 to 9/30/20]																											
95	✗	Develop inspection and maintenance program	195 days	Thu 1/2/20	Wed 9/30/20	Janelle	[Gantt bar from 1/2/20 to 9/30/20]																											
96	?																																	
97		Water	261 days	Thu 1/2/20	Thu 12/31/20		[Gantt bar from 1/2/20 to 12/31/20]																											
98	✗	Look into requirements for becoming a certified distribution system operator and performing DRC duties	153 days	Mon 3/2/20	Wed 9/30/20	Janelle	[Gantt bar from 3/2/20 to 9/30/20]																											
99	✗	Water master plan - submit finance component	195 days	Thu 1/2/20	Wed 9/30/20	Janelle	[Gantt bar from 1/2/20 to 9/30/20]																											
100	?																																	
101		Sewer	261 days	Thu 1/2/20	Thu 12/31/20		[Gantt bar from 1/2/20 to 12/31/20]																											
102	✓	Manhole grouting	112 days	Mon 1/27/20	Tue 6/30/20	Janelle	[Gantt bar from 1/27/20 to 6/30/20]																											
103		Burkhart Lift Station pumps replacement	173 days	Mon 2/3/20	Wed 9/30/20		[Gantt bar from 2/3/20 to 9/30/20]																											
104		Crooks Creek Lift Station evaluation	195 days	Thu 1/2/20	Wed 9/30/20		[Gantt bar from 1/2/20 to 9/30/20]																											
105																																		
106		Miscellaneous	261 days	Thu 1/2/20	Thu 12/31/20		[Gantt bar from 1/2/20 to 12/31/20]																											
107	✗	New website	172 days	Thu 1/2/20	Fri 8/28/20	Kim	[Gantt bar from 1/2/20 to 8/28/20]																											
108	✗	Post utility rate and SDC info to website once changes are adopted	111 days	Fri 5/29/20	Fri 10/30/20	Janelle, Kim	[Gantt bar from 5/29/20 to 10/30/20]																											
109	✗	Change city name for addressing	217 days	Thu 1/2/20	Fri 10/30/20	Kevin	[Gantt bar from 1/2/20 to 10/30/20]																											
110																																		
111		HR	29 days	Thu 1/2/20	Tue 2/11/20		[Gantt bar from 1/2/20 to 2/11/20]																											
112	✗	Update employee manual	159 days	Thu 1/2/20	Tue 8/11/20	Kevin, Forrest	[Gantt bar from 1/2/20 to 8/11/20]																											

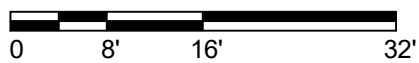
Project: Task List
Date: Thu 8/6/20

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

ADMIN: 1,325 SF
 FIRE APPRATUS /SUPPORT: 4,670 SF
 LIVING QUARTERS: 3,700 SF



TOTAL AREA: 9,690 SF



Schematic Floor Plan - Stairs at Mezz North

SD-01a



Station 15
 Millersburg Fire

7/28/20
Soderstrom Architects

Forrest Reid

Attorney at Law

Item 8)

July 1, 2020

Gordon and Shirley Moore
PO Box 22
Crabtree, OR 97335

Mailed via USPS Certified Mail, Return Receipt

Re: Map #10S03W29-00-00200
2400 NE Conser Rd.
Albany, OR 97321

Mr. Gordon Moore and Mrs. Shirley Moore:

Thank you for speaking with me about a resolution of the issue regarding the 0.15 acres of City-owned real property which abuts your property known as #10S03W20-00-00600. I understand that you agree to purchase the City's 0.15 acres for \$19,602 cash at closing and that you will also pay all of the closing costs and sign an agreement releasing and indemnifying the City from any existing or future liability pertaining to that property.

The City must now provide notice of the sale of this property and conduct a public hearing on August 11, 2020. It is not necessary for you to attend that public hearing, but you may do so if you desire.

Find enclosed:

- 1) A copy of the Notice of public hearing;
- 2) The Resolution that the Council will consider after the public hearing;
- 3) The Agreement to Release, Indemnify, Defend, Hold-Harmless, and Accept Sole and Complete Liability for Any and All Existing and Future Causes of Action;
- 4) The Statutory Warranty Deed.

Please be advised that I prepared all of these documents on behalf of the City of Millersburg, Oregon. I am the City Attorney for Millersburg, Oregon; I am not your attorney and am not providing you with any legal advice. You are encouraged to discuss this transaction with your own attorney.

Unless I hear otherwise from you, I will proceed with the hearing as scheduled on August 11, 2020. I anticipate we'll be able to close this transaction at First American Title in Albany, Oregon, hopefully by the end of August 2020.

Regards,


Forrest Reid
Millersburg City Attorney

PO Box 329
Tangent, OR 97389

forrest@reidlawfirm.com
(541) 979.3838

Enclosures:

- 1) A copy of the Notice of public hearing
- 2) The Resolution that the Council will consider after the public hearing
- 3) The Agreement to Release, Indemnify, Defend, Hold-Harmless, and Accept Sole and Complete Liability for Any and All Existing and Future Causes of Action
- 4) The Statutory Warranty Deed

Copy via email:

Jim Lepin, Mayor, City of Millersburg
Kevin Kreitman, Millersburg City Manager
Janelle Booth, Millersburg Assistant City Manager/City Engineer
Kimberly Wollenburg, Millersburg City Recorder

**AGREEMENT TO RELEASE, INDEMNIFY, DEFEND,
HOLD-HARMLESS, AND ACCEPT SOLE AND COMPLETE LIABILITY FOR ANY
AND ALL EXISTING AND FUTURE CIVIL AND CRIMINAL CAUSES OF ACTION
PERTAINING TO THAT 0.15 ACRES OF REAL PROPERTY
KNOWN AS 10S03W29-00-00200**

For valuable consideration from the City of Millersburg, Oregon, receipt of which is hereby acknowledged, which is the sale of that parcel of 0.15 acres of real property known as 10S03W29-00-00200 to Gordon and Shirley Moore, Gordon and Shirley Moore, their heirs, assigns, and purchasers of this real property, individually and jointly agree to forever release, indemnify, defend, and hold-harmless the City of Millersburg, its agents, and employees, and further accept sole and complete liability for any and all existing and future civil and criminal causes of action wholly or partly pertaining to that parcel of 0.15 acres of real property known as 10S03W29-00-00200. This Agreement and all of its terms run with, and are attached to, this land.

IN WITNESS WHEREOF, the Gordon Moore has executed this instrument on _____, 2020.

Gordon Moore

STATE OF OREGON, COUNTY OF LINN) ss.

This instrument was acknowledged before me on _____, 2020, by Gordon Moore.

Notary Public for Oregon
My commission expires: _____

IN WITNESS WHEREOF, the Shirley Moore has executed this instrument on _____, 2020.

Shirley Moore

STATE OF OREGON, COUNTY OF LINN) ss.

This instrument was acknowledged before me on _____, 2020, by Shirley Moore.

Notary Public for Oregon
My commission expires: _____

RESOLUTION 2020-17

A RESOLUTION AUTHORIZING THE SALE OF APPROXIMATELY 0.15 ACRES OF THE CITY OF MILLERSBURG, OREGON, REAL PROPERTY, KNOWN AS 10S03W29-00-00200, TO GORDON AND SHIRLEY MOORE, AND FURTHER AUTHORIZING CITY MANAGER KEVIN KREITMAN TO SIGN ALL DOCUMENTS ON BEHALF OF THE CITY OF MILLERSBURG NECESSARY TO TRANSFER THE CITY’S INTEREST TO GORDON AND SHIRLEY MOORE

WHEREAS, the City of Millersburg owns approximately 0.15 acres of real property known as 10S03W29-00-00200 located south of Conser Road and east of the Burlington Northern railway in Millersburg, Oregon; and,

WHEREAS, Gordon and Shirley Moore own 10S03W20-00-00600 which abuts 10S03W29-00-00200; and,

WHEREAS, personal property from the Moore’s business at 10S03W20-00-00600 has accumulated onto 10S03W29-00-00200 without permission of the City; and,

WHEREAS, the City does not want to incur the expense of cleaning 10S03W29-00-00200, and Gordon and Shirley Moore desire to purchase 10S03W29-00-00200; and,

WHEREAS, the City of Millersburg believes it is in the best interest of the City to sell 10S03W29-00-00200 to Gordon and Shirley Moore for \$19,602 cash at closing, while Gordon and Shirley Moore also accept responsibility for all closing costs and signing of appropriate assumption of liability and hold-harmless agreements: and,

WHEREAS, Millersburg City Manager Kevin Kreitman is tasked with day to day operations of running the City of Millersburg; and,

WHEREAS, the Millersburg City Council desires to sell 10S03W29-00-00200 pursuant to the terms listed above and to close in a timely manner;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILLERSBURG, OREGON, the City of Millersburg agrees to sell 10S03W29-00-00200 for \$19,602 cash at closing, and Gordon and Shirley Moore are responsible for all closing costs and signing of appropriate assumption of liability and hold-harmless agreements; and,

FURTHERMORE, that Millersburg City Manager Kevin Kreitman is authorized to sign all documents on behalf of the City of Millersburg necessary to transfer the City’s interest in 10S03W29-00-00200 to Gordon and Shirley Moore pursuant to the terms set out above.

*
*
*
*

*
*
*
*
*
*
*
*
*

Effective Date: This Resolution shall be effective upon its adoption.

Duly Adopted by the City Council this 11th day of August, 2020.

Jim Lepin, Mayor
City of Millersburg, Oregon

ATTEST:

Kimberly Wollenburg
City Recorder

**COVER SHEET
STATUTORY WARRANTY DEED**

GRANTOR:

City of Millersburg, Oregon
4222 NE Old Salem Road
Albany, OR 97321

GRANTEE:

Gordon and Shirley Moore
PO Box 22
Crabtree, OR 97335

AFTER RECORDING RETURN TO:

City of Millersburg, Oregon
4222 NE Old Salem Road
Albany, OR 97321

Gordon and Shirley Moore
PO Box 22
Crabtree, OR 97335

**UNTIL A CHANGE IS REQUIRED
ALL TAX STATEMENTS SHALL BE
SENT TO THE FOLLOWING ADDRESS:**

Gordon and Shirley Moore
PO Box 22
Crabtree, OR 97335

TRUE AND ACTUAL CONSIDERATION:

The true and actual consideration paid for this conveyance is \$19,602.

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that the City of Millersburg, Oregon, hereinafter known as "Grantor," for the consideration hereinafter stated, does hereby convey and warrant to Gordon Moore and Shirley Moore, as tenants by the entirety, the real property located in Linn County, Oregon ("Property"), legally described in attached Exhibit A.

Grantor covenants that Grantor is seized of an indefeasible estate in the Property in fee simple, that Grantor has good right to convey the Property, that the Property is free from encumbrances, except those which are a matter of public record, and that Grantor warrants and will defend the title to the Property against all persons who claim the same, except that Grantor shall not be required to make any payment arising out of the forgoing in excess of the proceeds of any available policies of title insurance. It is the intention of Grantor to preserve, to the greatest extent possible, all existing title insurance coverage. The true and actual consideration paid for this conveyance is \$19,602.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the Grantor has executed this instrument on _____, 2020.

Grantor: City of Millersburg, Oregon

Kevin Kreitman
 Manager
 City of Millersburg, Oregon

STATE OF OREGON, COUNTY OF LINN) ss.

This instrument was acknowledged before me on _____, 2020, by Kevin Kreitman as representative of City of Millersburg, Oregon, Grantor.

Notary Public for Oregon
My commission expires: _____



TO: Millersburg City Council

FROM: Kevin Kreitman

DATE: July 28, 2020, for the August 11, 2020 City Council Meeting

SUBJECT: Professional Services Agreement with ECONorthwest

Action Requested:

Approval to enter into a Professional Services Agreement with ECONorthwest to provide consultant services for the development of a Housing Needs Analysis and a Buildable Lands Inventory.

Discussion:

In March of 2019 staff shared the need for Council to consider completing a Housing Needs Analysis and a Buildable Lands Inventory. This was prompted by a number of considerations. The first was the update of our Land Use Development Code, and the required associated updates to our Comprehensive Plan. As shared at time the City currently has previously annexed all properties within our Urban Growth Boundary. With the City passing the 2,500 population mark we are also now required to maintain a 20-year buildable housing supply.

Based on our current conditions in Millersburg, it is likely we do not presently have a 20-year supply of land for housing based on properties which are currently and proposed to be zoned as Residential. With this in mind Council directed staff to budget funds for the completion of the required studies recommended by planning staff for Council review and consideration of a possible expansion of our Urban Growth Boundary (UGB), or other changes, to ensure compliance with State Land Use Planning Law.

Staff budgeted \$20,000.00 for the completion of the studies, and our Planning Director, John Morgan, approached the firm who just completed the same studies for the City of Albany for a cost proposal to complete the Millersburg studies. That estimate came in significantly higher than our estimate. John then reached out to ECONorthwest, another well-known Oregon based firm who also specializes in this area of work.

They have provided the attached proposed Professional Service Agreement with a not to exceed cost of \$22,000, with the potential addition of \$1,500 in costs if any in person meetings are requested. However, our Planning Director feels that based on his experience additional expense will not be required and that he can handle and respond to any requests for in person meetings.

Even though the not to exceed cost is \$2,000 over our budgeted funds, we have sufficient resources within the budget to cover the proposed costs.

Staff and the City Attorney have reviewed the proposal, and staff recommends award of the Professional Services Agreement with ECONorthwest. If approved, ECONorthwest will be prepared to begin work on the projects upon the

completion of the revisions to our zoning ordinance, zoning map, and Comprehensive Plan. Planning staff will be available to answer any additional questions on the proposal and the need for completion of these two studies.

Budget Impact:

This proposal is \$2,000 over the budgeted amount; however sufficient funds are available to cover the anticipated costs.

Recommendation:

Staff recommends Council authorize the City Manager to enter into the attached Professional Services Agreement with ECONorthwest for the completion of a Housing Needs Analysis and Buildable Lands Inventory for the City of Millersburg.

Attachment(s):

- Professional Services Agreement with ECONorthwest

ECONorthwest

ECONOMICS • FINANCE • PLANNING

Phone | 503-222-6060
econw.com

KOIN Center
Suite 1600
222 SW Columbia
Portland, Oregon 97201-6616

Other Offices
Seattle | 206-823-3060
Eugene | 541-687-0051
Boise | 208-918-0617

July 2, 2020

Kevin Kreitman, City Manager
CC: John Morgan
City of Millersburg
4222 NE Old Salem Road
Albany OR 97321

RECEIVED
JUL 07 2020

BY: *[Signature]*

Dear Mr. Kreitman,

Per on our email conversations with John Morgan, we have enclosed the proposed scope of work for the Millersburg Housing Needs Analysis (HNA) along with our standard contract form.

Please let us know if you need anything else from us at this time.

Sincerely,

Beth Goodman, Project Director
goodman@econw.com
(541) 505-7203

Margaret Raimann, Technical Manager
raimann@econw.com
(503) 200-5097

Professional Services Agreement

This Professional Services Agreement (the "**Agreement**"), effective as of July 1, 2020 (the "**Effective Date**"), is by and between Economic Consultants Oregon, Ltd., dba ECONorthwest ("**ECONW**"), and City of Millersburg ("**Client**"). ECONW and Client will be referred to individually as a "**Party**" and collectively as the "**Parties**."

WHEREAS, ECONW is engaged in the business of providing consultations on economic analysis; and
WHEREAS, Client wishes to retain ECONW to provide the services described in this Agreement and from time to time in separately executed statements of work, and ECONW is willing to provide the same to Client, each on the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, terms, and conditions set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Services. ECONW will provide to Client the services (the "**Services**") set out in one or more statements of work to be agreed to in writing by the Parties (each, a "**Statement of Work**"). The initial accepted Statement of Work is attached to this Agreement as Exhibit A. Any additions or changes to the scope of the Services will be detailed in additional Statements of Work and will be deemed issued and accepted only if signed by an ECONW authorized signer and the Client Contract Manager, appointed pursuant to Section 2.1(a) and Section 3.1, respectively. The details of the method and manner for performance of the Services by ECONW are specified in the Statement(s) of Work and will be under its own control, Client being interested only in the results thereof.

2. ECONW Obligations. ECONW will:

2.1 Designate employees that it determines, in its sole discretion, to be capable of filling the following positions:

(a) Cindy O'Connell is the primary contact to act as ECONW's authorized representative with respect to all matters pertaining to this Agreement and will serve as liaison for ECONW authorized signer(s).

(b) A number of employees or contractors that it deems sufficient to perform the Services set out in each Statement of Work.

2.2 Maintain complete and accurate records relating to the provision of the Services under this Agreement, including records of the time spent, expenses incurred, and materials used by ECONW in providing the Services.

3. Client Obligations. Client will:

3.1 Designate one of its employees to serve as its primary contact with respect to this Agreement and to act as its authorized representative with respect to matters pertaining to this Agreement (the "**Client Contract Manager**"), with such designation to remain in force unless and until a successor Client Contract Manager is appointed.

3.2 Require that the Client Contract Manager respond promptly to any reasonable requests from ECONW for instructions, information, or approvals required by ECONW to provide the Services.

statement. ECONW may stop work at any time if Client does not make the additional deposit within ten (10) days of the date it is requested.

4.8 The balance in the account at the time of ECONW's final statement in this matter will be withdrawn by ECONW and applied to any balance due or past due including any finance charge. If after applying the balance in the deposit account there is still a balance due ECONW, Client will pay it per paragraph A above. However, if after applying the deposit balance to the final statement, there is still a balance in the deposit account ECONW will promptly return said balance to Client.

5. Limited Warranty and Limitation of Liability.

5.1 ECONW warrants that it will perform the Services:

- (a) In accordance with the terms and subject to the conditions set out in the respective Statement of Work and this Agreement.
- (b) In a timely, workmanlike, and professional manner in accordance with generally recognized industry standards for similar services.

5.2 ECONW's sole and exclusive liability and Client's sole and exclusive remedy for breach of this warranty will be as follows:

- (a) ECONW will use reasonable commercial efforts to promptly cure any such breach; provided, that if ECONW cannot cure such breach within a reasonable time (but no more than thirty (30) days) after Client's written notice of such breach, Client may, at its option, terminate the Agreement by serving written notice of termination in accordance with Section 8.2.
- (b) The foregoing remedy will not be available unless Client provides written notice of such breach within thirty (30) days of such breach.

5.3 EXCEPT FOR THE EXPRESS WARRANTIES SET FORTH IN SECTION 5.1, ALL SERVICES ARE PROVIDED "AS IS" AND ECONW HEREBY DISCLAIMS ALL WARRANTIES, WHETHER EXPRESS, IMPLIED, STATUTORY, OR OTHER, AND ECONW SPECIFICALLY DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE, AND NON-INFRINGEMENT, AND ALL WARRANTIES ARISING FROM COURSE OF DEALING, USAGE, OR TRADE PRACTICE.

6. Intellectual Property.

6.1 All data or materials that are proprietary to Client must be designated and clearly marked as such ("**Customer Materials**"). Client retains sole ownership of, and copyright in, the Customer Materials, but will grant to ECONW a nonexclusive license to use the same solely for the matter that is the subject of the analysis or report.

6.2 All intellectual property rights, including copyrights, patents, patent disclosures and inventions (whether patentable or not), trademarks, service marks, trade secrets, know-how and other confidential information, trade dress, trade names, logos, corporate names and domain names, together with all of the goodwill associated therewith, derivative works and all other rights (collectively, "**Intellectual Property Rights**") in and to all documents, work product, and other materials that are delivered to Client under this Agreement or prepared by or on behalf of the ECONW in the course of performing the Services, including any items identified as such in the

the completion of the Services under all Statements of Work, unless sooner terminated pursuant to Section 8.2 or Section 8.3.

8.2 Either Party may terminate this Agreement and/or any Statement of Work upon written notice, effective immediately, if: (a) a petition under any bankruptcy law is filed by or against the other Party; (b) a receiver is appointed for the other Party's assets; (c) the other Party becomes insolvent or takes advantage of any insolvency or any similar statute; or (d) the other Party is in material breach of this Agreement or such Statement of Work, and such breach remains uncured for thirty (30) days after written notice of the breach.

8.3 Notwithstanding anything to the contrary in Section 8.2, ECONW may terminate this Agreement before the expiration date of the Term on written notice if Client fails to pay any amount when due hereunder: (a) and such failure continues for thirty (30) days after Client's receipt of written notice of nonpayment; or (b) more than once in any twelve (12) month period.

8.4 Notwithstanding anything to the contrary in Sections 8.2 and 8.3, either Party may terminate the Agreement by giving at least thirty (30) days written notice of intent to terminate, specifying the reason, and effective termination date.

8.5 If this Agreement is terminated pursuant to Sections 8.2, 8.3, or 8.4, ECONW will receive compensation as specified in Section 4 for all work completed up to the effective date of the termination.

8.6 The rights and obligations of the parties set forth in this Section 8 and in Sections 5.3, 6, 7, 9, 10, 11, and any right or obligation of the parties in this Agreement which, by its nature, should survive termination or expiration of this Agreement, will survive any such termination or expiration of this Agreement.

9. Limitation of Liability.

9.1 IN NO EVENT WILL ECONW BE LIABLE TO CLIENT OR TO ANY THIRD PARTY FOR ANY LOSS OF USE, REVENUE, OR PROFIT, OR FOR ANY CONSEQUENTIAL, INCIDENTAL, INDIRECT, EXEMPLARY, SPECIAL, OR PUNITIVE DAMAGES WHETHER ARISING OUT OF BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE), OR OTHERWISE, REGARDLESS OF WHETHER SUCH DAMAGE WAS FORESEEABLE AND WHETHER OR NOT ECONW HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, AND NOTWITHSTANDING THE FAILURE OF ANY AGREED OR OTHER REMEDY OF ITS ESSENTIAL PURPOSE.

9.2 IN NO EVENT WILL ECONW'S AGGREGATE LIABILITY ARISING OUT OF OR RELATED TO THIS AGREEMENT, WHETHER ARISING OUT OF OR RELATED TO BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE), OR OTHERWISE, EXCEED THE AGGREGATE AMOUNTS PAID OR PAYABLE TO ECONW PURSUANT TO THE APPLICABLE STATEMENT OF WORK GIVING RISE TO THE CLAIM.

10. Employee Protection. Client agrees that it will not directly or indirectly solicit for employment or independent consulting employees of ECONW during the Term of this Agreement and for a period of 6 months after the termination of this Agreement. If Client does improperly recruit or solicit an employee during such period and as a result the employee becomes a direct employee or independent contractor for Client, Client agrees to pay ECONW a sum equal to 100% of that employee's full base annual salary as of the date of the employee's departure from ECONW.

11.6 Assignment. Neither Party may assign or otherwise transfer any of its rights, or delegate or otherwise transfer any of its obligations or performance, under this Agreement, in each case whether voluntarily, involuntarily, by operation of law or otherwise, without the other Party's prior written consent. ECONW may, without Client's consent, assign this Agreement to an Affiliate or as part of a change of control.

11.7 No Third-Party Beneficiaries. This Agreement does not confer any rights or remedies upon any person other than the Parties and their respective successors and permitted assigns.

11.8 Relationship of the Parties. The relationship between the Parties is that of independent contractors. Nothing contained in this Agreement will be construed as creating any agency, partnership, joint venture, or other form of joint enterprise, employment, or fiduciary relationship between the Parties, and neither Party will have authority to contract for or bind the other Party in any manner whatsoever. ECONW retains absolute discretion in the manner and means of carrying out the Services, and Client will have no obligation to direct or control the working conditions of ECONW's employees or subcontractors.

11.9 No Exclusivity. Subject to its obligations under this Agreement, nothing in this Agreement will be interpreted as preventing ECONW from performing services or creating deliverables for third parties even if they are similar to the services provided to Client under this Agreement.

11.10 Choice of Law.

(a) This Agreement and all related documents are governed by, and construed in accordance with, the laws of the State of Oregon, without regard to the conflict of laws provisions thereof to the extent such principles or rules would require or permit the application of the laws of any jurisdiction other than those of the State of Oregon.

(b) Any legal suit, action, or proceeding arising out of this Agreement or the licenses granted hereunder will be instituted exclusively in the federal courts of the United States or the courts of the State of Oregon in each case located in the city of Portland and County of Multnomah, and each party irrevocably submits to the exclusive jurisdiction of such courts in any such suit, action or proceeding. Service of process, summons, notice or other document by mail to such party's address set forth herein will be effective service of process for any suit, action, or other proceeding brought in any such court.

11.11 Counterparts. This Agreement may be executed in counterparts, each of which will be deemed an original, but all of which together will be deemed to be one and the same agreement. A signed copy of this Agreement delivered by facsimile, e-mail, or other means of electronic transmission will be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

11.12 Force Majeure. Neither Party will be liable or responsible to the other Party, nor be deemed to have defaulted under or breached this Agreement, for any failure or delay in fulfilling or performing any term of this Agreement, when and to the extent such failure or delay is caused by acts of God, flood, fire, explosion, war, terrorism, invasion, riot, other civil unrest, embargoes or blockades in effect on or after the date of this Agreement, or national or regional emergency, in each case, provided that such event is outside the reasonable control of the affected Party.

EXHIBIT A

INITIAL STATEMENT OF WORK

1. Services. See attached Scope of Work on the next page.
2. Schedule. This work is to be completed by June 2021.
3. Fees.
 - a. Cost Estimate: ECONW will bill CLIENT on a time-and-expenses basis for labor as detailed in the rate table below. ECONW will bill CLIENT for direct expenses at cost, including but not limited to, postage, telephone, photocopies, reports, data, computer search, travel, and meals. The total of time and expenses will not exceed \$23,500 (twenty-three thousand and five hundred dollars) without written authorization.
 - b. Rate Table: The hourly labor rates for performing the Services are as follows:

i. Senior Project Director	\$240 - 275/hr
ii. Project Director	\$165 - 250/hr
iii. Project Manager	\$140 - 190/hr
iv. Technical Manager	\$135 - 165/hr
v. Associate	\$120 - 140/hr
vi. Senior Analyst	\$95 - \$105/hr
vii. Analyst	\$85/hr
viii. Administrative	\$55/hr
 - c. ECONW reserves the right to increase the hourly labor rates for staff annually.
 - d. The preceding budget estimate provided to Client by ECONW is based on the information available to ECONW at the time the estimate is prepared. Such information includes, but is not limited to, Client's initial description of the required analysis, Client's representations concerning the availability of necessary supporting material or information, Client's proposed schedule for making information available to ECONW, and the deadlines initially proposed by Client for ECONW's report. Variation or change in any of these factors will materially impact ECONW's actual time and expenditures. The actual time and expenditures spent on the work by ECONW may be less than or greater than the figures in ECONW's estimate. Client acknowledges that ECONW's budget estimate is not a commitment or a bid to perform the work for the amount of the estimate.

We will work with City staff to develop the key assumptions necessary for the housing needs analysis. Where possible and appropriate, we recommend consideration of “safe harbor” assumptions described in OAR 660-024.

Our approach to developing the HNA will be to gather demographic, socioeconomic, and housing data from sources such as: the U.S. Census and American Community Survey, existing plans and studies, and City data about recent development (e.g., building permit data). The study will include a review of recent development activity that focuses on housing types, as well as any housing projects in the development pipeline.

We will “ground-truth” the analysis with City staff, focusing on issues such as recent trends in demographics, housing development, housing affordability, and housing density and mix.

Task 2 Consultant Deliverables:

- Draft housing needs analysis, as part of the housing needs analysis report

Task 3: Buildable Lands Inventory (BLI)

This task will result in a comprehensive inventory of residential buildable lands. We will coordinate with City staff to obtain the required GIS data coverages, and the general structure of the buildable land inventory (supply) will be based on the DLCD workbook, *Planning for Residential Growth – A Workbook for Oregon’s Urban Areas*, which specifically addresses residential lands. We will also consider the definitions and requirements in OAR 660-008, and OAR 660-024 that pertain to buildable lands inventory, and will work with the City to determine which Goal 14 “safe harbors” are applicable and whether the City wants to use them.

Figure 1 shows a conceptual framework for constraint and classification in a typical buildable land inventory. The framework has two dimensions: development status (indicated by the presence or absence of improvements) and constraining conditions. Lands with constraints can be prohibitively constrained by commitment to a specific use (e.g., streets or parks) or protected (e.g., wetlands) or partially constrained. Lands with prohibitive constraints have no development capacity; those that are partially constrained have partial development capacity.

Figure 1. Framework for land and constraint classification in a buildable land inventory.

			Presence of Improvements	
			Developable	Developed
Constraining Conditions	Prohibitively constrained	Committed	No Capacity	
		Protected	No Capacity	
	Partially Constrained		Partial Capacity	Potential Infill/ Redevelopment Capacity
	Unconstrained		Full Capacity	

Cost Estimate and Proposed Schedule

The product of the project is a Housing Needs Analysis for the Millersburg UGB that is compliant with Goal 10 and OAR 660-008, and OAR 660-024.

The cost estimate for completing the work is \$22,000.

This estimate does not include any in-person meetings. If needed, meetings with decision makers would add about \$1,500 for preparation, attending the meeting, and follow up.

We estimate that the project would take about nine months to complete. We recommend starting the project when it is clear that Millersburg's revisions to its zoning ordinance, zoning map, and Comprehensive Plan map will be adopted by the City Council. It is essential that we begin work on the project with the updated Comprehensive Plan and zoning maps.



TO: Millersburg City Council

FROM: Kevin Kreitman

DATE: July 28, 2020, for the August 11, 2020 City Council Meeting

SUBJECT: Request from Millersburg Land & Development

Action Requested:

The City has received the attached request from Mike Agee with Millersburg Land & Development asking if the City of Millersburg would be interested in the donation of land parcels in Sweetwater Phases III/IV and Becker Ridge Phase IV.

Discussion:

In December of 2017, the City accepted a land donation from J. Conser and Sons LLC of approximately 11.7 acres of property, which was primarily wetlands and riparian area associated with Crooks Creek, containing the largest concentration of trees in the City. This parcel was associated with above mentioned developments and is presently designated as open space.

At a minimum, staff recommends Council accept the proposed donation of Sweetwater Phase III tracts A & B which were held by the developer at the time the City accepted the land donation from J. Conser for the construction of the extension of Clearwater Drive. With the completion and acceptance of the street, it makes sense to accept the two remaining small parcels of tracts A & B, which abut to the street and City property acquired with the previous land donation.

Tract D also abuts the previous acquired land donation from J. Conser, and it would also make sense to accept if Council is so inclined.

As mentioned in Mr. Agee's letter, the City at the time of acceptance of the original donation of open space from Conser Development, expressed a willingness to accept tract C from Conser Development upon completion of Sweetwater Phases III/IV by Millersburg Land & Development.

If Council is still in agreement to accept tract C from J. Conser and Sons LLC when offered, it would make sense to consider the acceptance tract E from Millersburg Land & Development as it would provide continuity of ownership of the open space, which is a continuation of the riparian area originally accepted by the City in 2017.

Finally, staff supports the transfer of tract F to the Henschel Family with the proposed sewer easement to ensure City access to existing storm drainage infrastructure.

Acceptance of the tracts offered for donation as was discussed at the time of the 2017 land donation, could provide additional ability for the City at some point in the future to develop nature trails and/or paths to connect the northern and southern portions of the City within the open space, if so inclined.

Budget Impact:

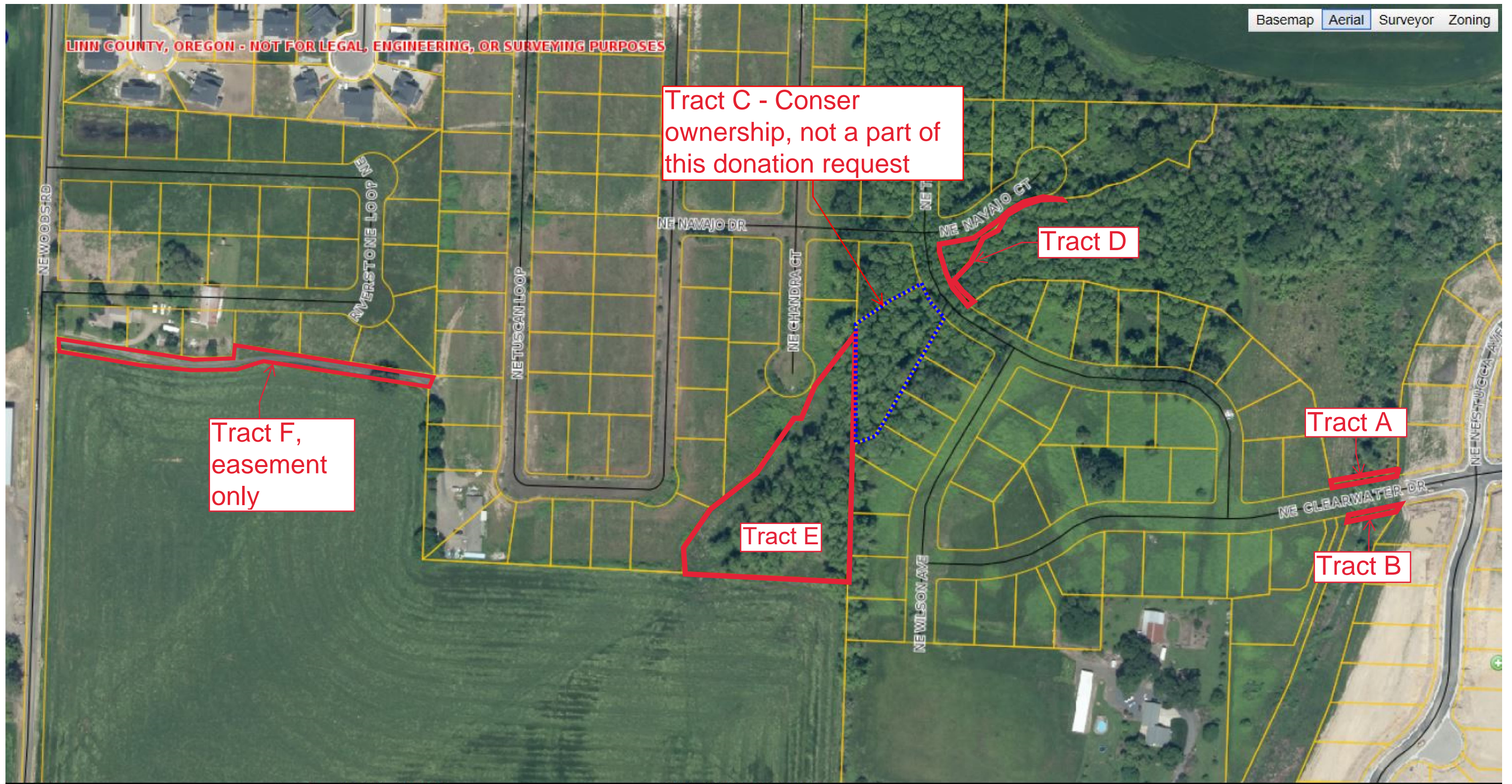
No costs associated with acquiring the property as proposed for donation. The City would likely experience some cost associated with the maintenance of trees and vegetation along the right-of-way, and neighboring properties, and costs associated with any future trail and/or path development should the City so desire.

Recommendation:

If Council would like to consider accepting any or all of the tracts offered, we would request direction to work with the City Attorney and Millersburg Land & Development to draft the required documents for the donation of the land to the City of Millersburg.

Attachment(s):

- Property Figure
- Millersburg Land & Development Property Donation Offer



To The City of Millersburg

Attention Janelle:

We would like to take to the City Council the open tracks of land in Sweetwater Phase III and Becker Ridge Phase IV.

Sweetwater Phase III: Millersburg Land & Development has title to Tracts A, B & D. Tract C has been deeded to Conser Development as agreed when we purchased the land. They are in the process of donating to the City of Millersburg Tract C.

Millersburg Land & Development would like to donate and deed Tracts A & B which border Clearwater Dr and where held to get road through open tract the City already owns from Sweetwater Phase II. Tract D also adjoins the open tract The City owns from Phase II and was left over land from the creation of Sweetwater Phase III. It was noted that The City would be interested in us donating this to add to the already existing Open Tract they currently own.

Becker Ridge Phase IV: Millersburg Land & Development has title to Tracts E & F. Millersburg Land & Development would like to donate Tract E, approximately 2.01 acres of greenspace that adjoins and would create a continuation of Greenspace The City of Millersburg will receive from Conser Development in Sweetwater Phase III. Tract F has a sewer easement and public utility easement running in the open tract. Millersburg Land & Development has agreed to transfer Tracts to the Henschel Family which the Tract adjoins their existing property and will transfer Tract with approved language The City would like for the sewer easement which Janelle has provided. Millersburg Land & Development will get approval of language added to make sure The City has what they need prior to transfer of deed.

Please let us know if we can create deeds and obtain approval for all parcels as detailed above & shown on attached maps for each project to give and/or donate these lands to The City of Millersburg.

Sincerely,



Mike Agee

Millersburg Land & Development LLC

C.S. 26660

**SWEETWATER ESTATES
3RD. ADDITION PHASE 3**

A REPLAT OF PARCEL 3, PARTITION PLAT 2017-74
LOCATED IN THE
SARAH FARLOW D.L.C. No. 59
IN THE
NW 1/4 SEC. 21, T. 10 S., R. 03 W., W.M.
IN THE
CITY OF MILLERSBURG, LINN COUNTY, OREGON

DECEMBER 7, 2018

CITY OF MILLERSBURG CASE No. 05-002

REGISTERED
PROFESSIONAL
LAND SURVEYOR
J. J. GOTA
JULY 9, 2002
JOE 58561 STA
RENEWAL: 12/31/19

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

JOE J. GOTA P.L.S. 58561

RECORD REFERENCE LIST:

- (A) C.S. 26274, "SWEETWATER ESTATES 3RD ADDITION PHASE 2"
- (B) DITTMER TRACT DEED REFERENCE MT. V. 1304, PG. 266.
- (C) C.S. 24562, "SWEETWATER ESTATES 3RD ADDITION"
- (D) C.S. 26285
- (E) C.S. 1312
- (F) C.S. 19816
- (G) C.S. 26395, "PARTITION PLAT 2017-74"
- (H) C.S. 26463, "BECKER RIDGE PHASE 4"
- (X) SURVEY UNKNOWN

LEGEND:

- FOUND MONUMENT, AS NOTED;
- SEE "FOUND MONUMENT LIST"
- SET 5/8" X 30" ROD W/TPC MARKED; "H-D ENGR. L5 58561"
- SET 5/8" X 30" ROD W/ALUMINUM CAP MARKED; "H-D ENGR. L5 58561"
- FOUND 5/8" IR. (A), W/TPC MARKED; "H-D ENGR. L5 58561"
- FOUND 5/8" IR. (C), W/TPC MARKED; "H-D ENGR. L5 58561"
- () RECORD DATA PER (A)
- { } SAME AS MEASURED, UNLESS NOTED.
- { } RECORD DATA PER (C)
- { } SAME AS MEASURED, UNLESS NOTED.
- IR. IRON ROD
- IP. IRON PIPE (INSIDE DIAMETER)
- TPC TOWN PLASTIC CAP
- C.S. COUNTY SURVEY
- PLU FRANCHISE UTILITY EASEMENT
- PP. PARTITION PLAT
- S.F. SQUARE FEET
- q CENTERLINE
- (A) FOUND MONUMENT REFERENCE; SEE "FOUND MONUMENT LIST"
- (B) RECORD SURVEY REFERENCE; SEE "RECORD REFERENCE LIST"
- (C) CURVE DATA; SEE "CURVE DATA TABLE"
- (1) CENTERLINE CURVE DATA; SEE "CENTERLINE CURVE DATA TABLE"
- (L20) LINE REFERENCE; SEE "LINE DATA TABLE"
- (E1) PROPOSED EASEMENT REFERENCE
- (E2) SEE "PROPOSED EASEMENT LIST"

FOUND MONUMENT REFERENCE; SEE "FOUND MONUMENT LIST"

RECORD SURVEY REFERENCE; SEE "RECORD REFERENCE LIST"

CURVE DATA; SEE "CURVE DATA TABLE"

CENTERLINE CURVE DATA; SEE "CENTERLINE CURVE DATA TABLE"

LINE REFERENCE; SEE "LINE DATA TABLE"

PROPOSED EASEMENT REFERENCE

SEE "PROPOSED EASEMENT LIST"

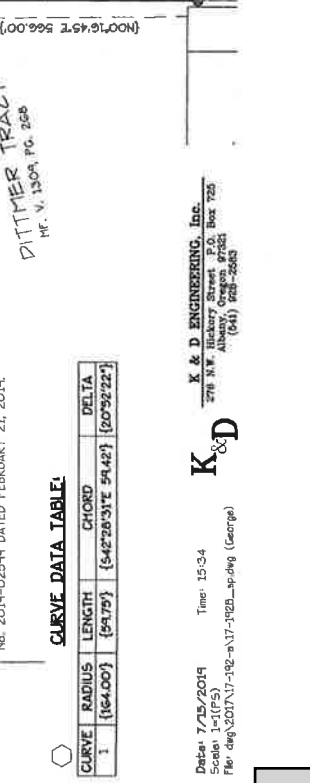
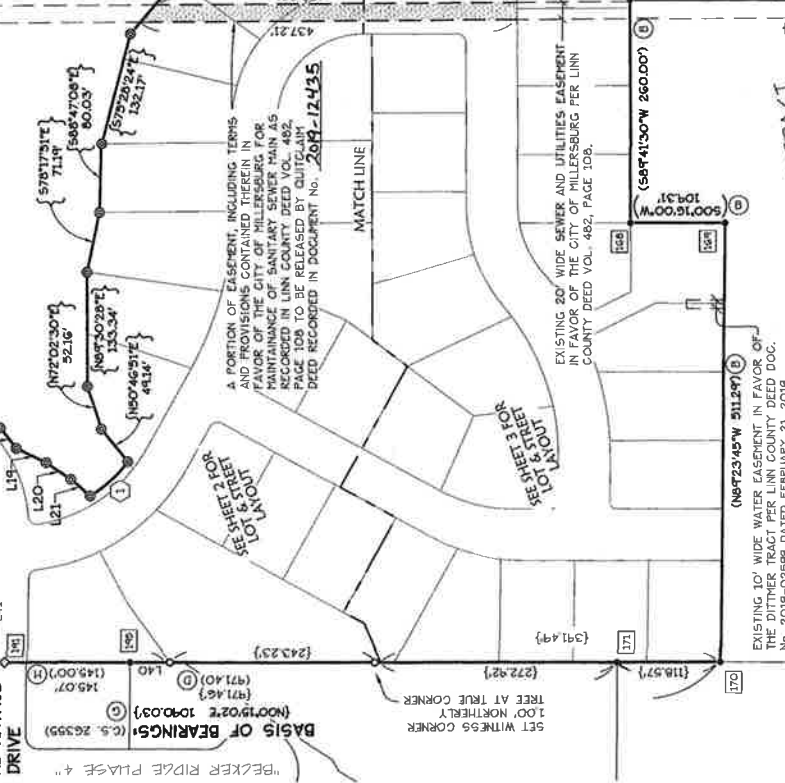
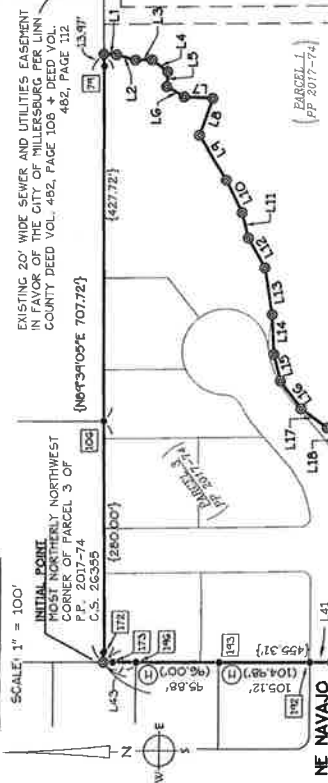
RECORD LINE DATA TABLE:

MEASURED SAME AS RECORD PER (C)

No.	DIRECTION	LENGTH
L1	{502°49'36"W}	{14.93}
L2	{58°42'29"W}	{22.80}
L3	{500°33'03"E}	{19.63}
L4	{50°37'59"W}	{22.87}
L5	{86°55'32"W}	{17.84}
L6	{530°24'46"W}	{23.96}
L7	{503°19'28"W}	{53.31}
L8	{70°02'26"W}	{48.63}
L9	{588°24'53"W}	{61.94}
L10	{564°00'13"W}	{42.32}
L11	{576°10'17"W}	{30.30}
L12	{560°55'59"W}	{40.22}
L13	{580°57'36"W}	{53.08}
L14	{587°09'08"W}	{46.40}
L15	{576°13'26"W}	{32.12}
L16	{585°52'22"W}	{40.28}
L17	{586°28'23"W}	{37.62}
L18	{592°04'50"W}	{30.12}
L19	{525°58'10"W}	{38.62}
L20	{535°02'30"W}	{34.68}
L21	{540°47'30"W}	{24.62}

LINE DATA TABLE:

No.	DIRECTION	LENGTH
L40	N00°19'02"E	46.06'
L41	N00°19'02"E	24.98'
L43	N00°04'30"E	(25.00) (H)
L43	N00°19'02"E	36.22'
L43	(N00°04'30"E)	(37.72) (H)



CURVE DATA TABLE:

CURVE	RADIUS	LENGTH	CHORD	DELTA
1	{164.00'}	{59.75'}	{542°28'31"E 59.42'}	{20°32'22"}

K & D ENGINEERING, Inc.
278 N.E. Alameda Street
Astoria, Oregon 97103
(503) 325-2663

Date: 7/15/2019 Time: 15:34
Scale: 1"=100'
File: deg2017-12-a-17-102-wp.dwg (George)

C.S. **26660**
SWEETWATER ESTATES
3RD. ADDITION PHASE 3
 A REPLAT OF PARCEL 3, PARTITION PLAT 2017-74
 LOCATED IN THE
 SARAH FARLOW D.L.C. No. 59
 IN THE
 NW 1/4 SEC. 21, T. 10 S., R. 03 W., WM.
 CITY OF MILLERSBURG, LINN COUNTY, OREGON

DECEMBER 7, 2018
 CITY OF MILLERSBURG CASE NO. 05-002

LINE DATA TABLE:

No.	DIRECTION	LENGTH
L22	N50°46'51"E	10.28'
L23	[N48°56'32"E]	[45.00']
L24	S62°39'47"E	37.20'
L25	S48°56'32"W	7.74'
L36	S40°09'44"W	12.00'
L37	S47°00'16"E	40.91'
L38	S06°52'22"E	24.27'
L39	S36°09'31"W	88.16'

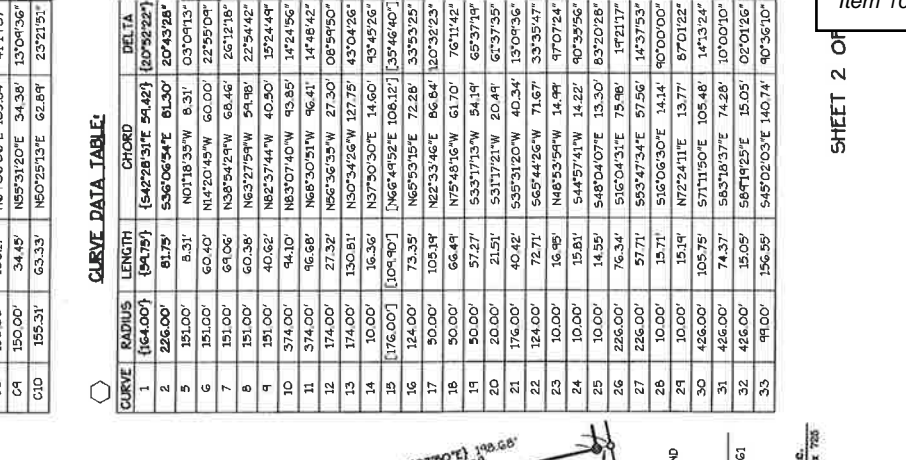
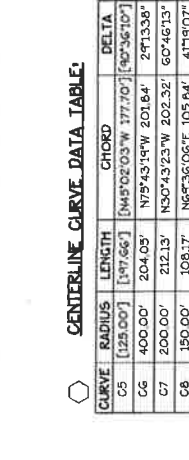
LEGEND:
 SEE SHEET 1 OF THIS PLAT
 EXISTING 20" WIDE SEWER AND UTILITIES EASEMENT AS SHOWN ON THE MILLERSBURG PER LINN COUNTY DEED VOL. 482, PAGE 106.

CENTERLINE CURVE DATA TABLE:

CURVE	RADIUS	LENGTH	CHORD	DELTA
C5	[129.000']	[197.66']	[N49°02'03"W 377.70']	[60°36'10"]
C6	400.00'	204.05'	N79°43'19"W 201.64'	297°13'38"
C7	200.00'	212.13'	N30°43'23"W 202.32'	60°46'13"
C8	150.00'	108.17'	N67°36'06"E 105.64'	47°19'07"
C4	150.00'	34.45'	N85°31'20"E 34.38'	13°09'36"
C10	155.31'	63.33'	N60°25'13"E 62.89'	23°21'51"

CURVE DATA TABLE:

CURVE	RADIUS	LENGTH	CHORD	DELTA
1	[164.000']	[94.75']	[S42°28'51"E 94.42']	[20°43'22"]
2	226.00'	81.79'	S36°06'54"E 81.30'	20°43'28"
5	151.00'	5.31'	N01°18'35"W 5.31'	03°09'13"
6	151.00'	60.40'	N47°20'45"W 60.00'	22°59'04"
7	151.00'	69.06'	N38°54'29"W 66.46'	26°12'18"
8	151.00'	60.36'	N63°27'59"W 59.98'	22°54'42"
9	151.00'	40.62'	N82°37'44"W 40.50'	15°24'49"
10	374.00'	94.10'	N83°07'40"W 93.95'	14°24'56"
11	374.00'	96.88'	N68°30'91"W 96.41'	14°48'42"
12	174.00'	27.32'	N66°36'35"W 27.30'	08°59'50"
13	174.00'	130.81'	N30°34'26"W 127.75'	43°04'26"
14	10.00'	16.36'	N37°50'30"E 14.60'	93°45'26"
15	[176.000']	[109.90']	[N66°49'32"E 106.12']	[35°46'40"]
16	124.00'	73.35'	N65°53'15"E 72.28'	33°53'25"
17	90.00'	105.19'	N22°33'46"E 86.84'	120°32'23"
18	50.00'	66.49'	N75°48'16"W 61.70'	76°11'42"
19	50.00'	57.27'	S33°17'13"W 54.19'	65°37'49"
20	20.00'	21.51'	S31°17'21"W 20.49'	61°37'35"
21	176.00'	40.42'	S35°31'20"W 40.34'	13°09'36"
22	124.00'	78.71'	S65°44'26"W 71.67'	33°39'47"
23	10.00'	16.95'	N46°53'59"W 14.99'	97°07'24"
24	10.00'	15.81'	S44°57'41"W 14.22'	90°39'56"
25	226.00'	76.34'	S16°04'31"E 75.98'	18°21'17"
26	226.00'	57.71'	S55°47'34"E 57.56'	14°37'53"
28	10.00'	15.71'	N72°06'30"E 14.14'	90°00'00"
29	10.00'	15.19'	N72°24'11"E 13.77'	87°01'22"
30	426.00'	105.75'	S71°15'0"E 103.48'	14°33'24"
31	426.00'	74.37'	S58°18'37"E 74.28'	10°00'10"
32	426.00'	15.05'	S68°19'25"E 15.05'	02°01'26"
33	98.00'	156.89'	S45°02'03"E 140.74'	90°36'10"



FLOOD PLAN NOTE:
 A SMALL PORTION OF LOT 155 IS LOCATED IN AN "AE ZONE" SPECIAL FLOOD HAZARD AREA PER THE FEMA FIRM MAP 41043C0204G DATED SEPT. 29, 2010 AND REVISED PER APPROVED LORR (CASE # 11-10-0824P) EFFECTIVE DATE OCT. 12, 2011. THE SPECIAL FLOOD HAZARD AREA AFFECTING LOT 155 IS SHOWN ON THE SPECIAL FLOOD HAZARD EXHIBIT MAP "N" OF THE 2010 FIRM MAP 41043C0204G. NO STRUCTURE OR FILL MAY BE PLACED IN THE SPECIAL FLOOD HAZARD AREA WITHOUT FIRST OBTAINING PERMITS FROM THE CITY OF MILLERSBURG.

PROPOSED EASEMENT LIST:
 E1 VARIABLE WIDTH PUBLIC SANITARY SEWER EASEMENT (SEE DECLARATION)
 E2 T-PIPE PRIVATE SANITARY SEWER STORAGE TANK EASEMENT (SEE DECLARATION)
 E3 T-PIPE PRIVATE STORAGE TANK EASEMENT (SEE DECLARATION)

REGISTERED PROFESSIONAL LAND SURVEYOR
 JOE J. COTA
 P.L.S. 58561
 Renewal: 12/31/19

LINE DATA TABLE:

No.	DIRECTION	LENGTH
L41	N00°15'02"E	24.96'
L42	N00°04'30"E	125.00' (H)
L43	N00°15'02"E	21.62'
L43	N00°15'02"E	38.22'
L43	N00°04'30"E	(37.72') (H)

LINE DATA TABLE:

No.	DIRECTION	LENGTH
L15	[S76°13'26"W]	[32.12]
L16	[S53°52'22"W]	[40.28]
L17	[S36°28'23"W]	[37.62]
L18	[S92°04'50"W]	[30.12]
L19	[S25°59'10"W]	[36.62]
L20	[S35°02'30"W]	[34.68]
L21	[S40°47'30"W]	[24.62]

LINE DATA TABLE:

No.	DIRECTION	LENGTH
L1	[S02°49'38"W]	[14.43]
L2	[S19°42'24"W]	[22.80]
L3	[S00°33'03"E]	[19.63]
L4	[S37°37'59"W]	[22.57]
L5	[N66°25'32"W]	[17.54]
L6	[S30°24'46"W]	[33.56]
L7	[S37°46'26"W]	[33.33]

DATE: 7/15/2019
SCALE: 1"=100'
FILE: dwg 201717-192-a17-1923-ep.dwg (George)

PLS. 58561

Item 10

SHEET 2 OF

60 120 FT.
SCALE: 1" = 60'

PROPOSED EASEMENT (L151)
E1 VARIABLE WIDTH PUBLIC EASEMENT FOR UTILITY EASEMENT (SEE DECLARATION)
E3 7-1/2' WIDE PRIVATE STORM DRAIN EASEMENT (SEE DECLARATION)

CENTERLINE CURVE DATA TABLE:

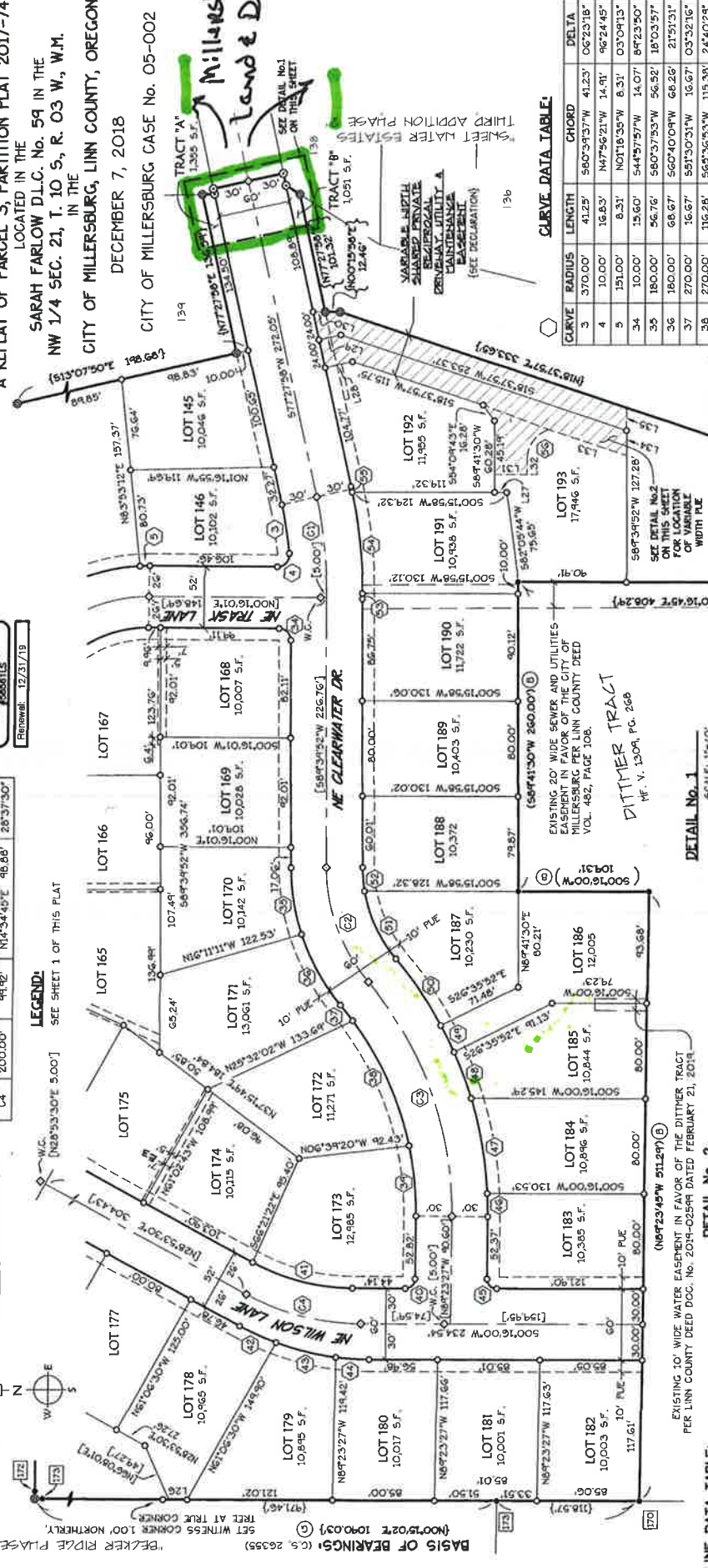
CURVE	RADIUS	LENGTH	CHORD	DELTA
C1	400.00'	83.16'	583.3335' W 85.00'	121°11'54"
C2	150.00'	104.52'	56°42'08" W 102.42'	3°45'22"
C3	300.00'	213.94'	57°10'28" W 204.48'	4°52'10"
C4	200.00'	98.92'	N14°34'40" E 98.88'	28°37'30"

REGISTERED PROFESSIONAL LAND SURVEYOR
JOE J. GOTA
OREGON
NO. 10001
RENEWAL: 12/31/19

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.
JOE J. GOTA
PL.S. 98561

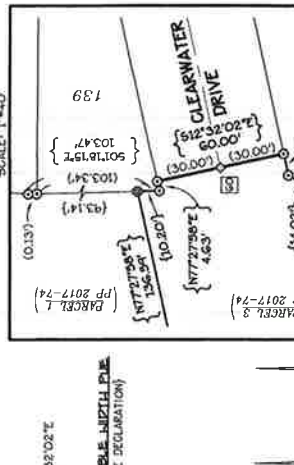
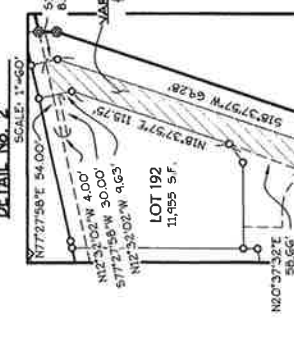
C.S. **26660**
SWEETWATER ESTATES
3RD. ADDITION PHASE 3

A REPLAT OF PARCEL 3, PARTITION PLAT 2017-74
LOCATED IN THE
SARAH FARLOW D.L.C. No. 59 IN THE
NW 1/4 SEC. 21, T. 10 S., R. 03 W., W.M.
IN THE
CITY OF MILLERSBURG, LINN COUNTY, OREGON
DECEMBER 7, 2018
CITY OF MILLERSBURG CASE No. 05-002



LINE DATA TABLE:

No.	DIRECTION	LENGTH
L26	N00°15'02"E	15.40'
L27	S00°15'59"W	10.00'
L28	S12°32'02"E	23.63'
L29	S12°32'02"E	18.73'
L30	S00°15'59"E	10.25'
L31	S00°15'59"E	27.00'
L32	N6°41'30"E	12.40'
L33	S18°37'57"W	64.28'
L34	N6°41'30"E	15.40'
L35	N6°41'30"E	19.03'



Date: 7/18/2019 Time: 15:54
Scale: 1"=60'
File: d:\2017\17-192-n17-192a-80.dwg (Gota)
K & D ENGINEERING, Inc.
276 N.W. Albany, Oregon 97102
(503) 828-8888

CURVE DATA TABLE:

CURVE	RADIUS	LENGTH	CHORD	DELTA
3	370.00'	41.25'	S60°39'37"W 41.23'	06°23'18"
4	10.00'	16.83'	N47°56'21"W 14.91'	96°24'45"
5	151.00'	8.31'	N01°18'35"W 8.31'	03°09'13"
34	10.00'	15.60'	S44°57'57"W 14.07'	87°23'50"
35	180.00'	56.76'	S60°37'53"W 56.52'	18°03'57"
36	180.00'	68.67'	S60°40'09"W 68.26'	21°51'31"
37	270.00'	16.67'	S61°30'31"W 16.67'	03°32'16"
38	270.00'	116.28'	S63°56'55"W 115.38'	24°40'24"
39	270.00'	59.65'	S64°46'50"W 59.52'	12°39'26"
40	8.00'	12.92'	N44°33'43"W 11.28'	86°39'27"
41	174.00'	86.93'	N44°34'45"E 86.03'	28°37'50"
42	226.00'	33.34'	S24°34'55"W 33.31'	08°27'10"
43	226.00'	51.49'	S13°54'45"W 51.37'	13°03'10"
44	226.00'	28.08'	S03°49'35"W 28.06'	07°07'10"
45	8.00'	12.61'	N45°26'17"E 11.35'	40°20'53"
46	330.00'	19.59'	N68°54'20"E 19.59'	03°24'06"
47	330.00'	61.47'	N60°08'05"E 61.27'	14°08'45"
48	330.00'	41.56'	N67°27'55"E 41.53'	07°12'55"
49	330.00'	25.01'	N63°40'30"E 25.00'	04°20'30"
50	330.00'	67.76'	N65°37'20"E 67.64'	11°48'54"
51	120.00'	63.64'	N64°56'00"E 62.40'	30°23'14"
52	120.00'	14.98'	N64°55'45"E 14.95'	0°43'21"
53	430.00'	3.38'	N8°26'22"E 3.38'	0°02'6"
54	430.00'	65.61'	N63°30'39"E 65.47'	11°24'27"
55	430.00'	2.56'	N77°38'32"E 2.56'	0°20'28"
56	26.00'	33.06'	S53°52'57"E 30.88'	72°51'05"

SHEET 3 OF 3
Item 10

NARRATIVE:

PURPOSE:

THE PURPOSE OF THIS SURVEY IS TO COMPLETE A LAND PARTITION APPROVED BY THE CITY OF MILLERSBURG ON DECEMBER 26, 2017.

BOUNDARY DETERMINATION:

EXISTING MONUMENTS OF RECORD AND SET MONUMENTS WERE HELD TO ESTABLISH THE BOUNDARY.

SURVEYOR'S CERTIFICATE:

I, JOE J. COTA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HAVE CORRECTLY SURVEYED THE LANDS AS SHOWN ON THE ATTACHED MAP AND HAVE ACCURATELY DESCRIBED THE TRACT OF LAND AND AS FOLLOWS:

PARCEL 3 OF PARTITION PLAT 2017-74, A PARTITION RECORDED IN LINN COUNTY, OREGON RECORDS

REGISTERED PROFESSIONAL LAND SURVEYOR
Joe J. Cota
OREGON
JULY 9, 2002
JOB# 565613
Renewal: 12/31/19
P.L.S. 56561

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

JOE J. COTA

TITLE REPORT / EASEMENT NOTES:

A TITLE REPORT WAS PROVIDED BY FIRST AMERICAN TITLE COMPANY, ORDER No. 70991-3218781, DATED APRIL 12, 2014.

- THE FOLLOWING EASEMENTS BY TITLE REPORT LINE ITEM ARE NOT LOCATED ON SUBJECT PROPERTY:
4) ELECTRICAL TRANSMISSION AND DISTRIBUTION LINE EASEMENT IN FAVOR OF PACIFIC POWER & LIGHT COMPANY AS RECORDED IN VOLUME 347, PAGE 175 DATED MARCH 14, 1970.
5) ROADWAY IN FAVOR OF ADJOINING PROPERTY OWNERS AS RECORDED IN VOLUME 32, PAGE 150 DATED JANUARY 20, 1912.
6) ROADWAY IN FAVOR OF ADJOINING PROPERTY OWNERS AS RECORDED IN VOLUME 192, PAGE 912 DATED MARCH 2, 1976.
9) ROADWAY AND UTILITY AND PRIVATE UTILITY IN FAVOR OF CITY OF MILLERSBURG AS RECORDED IN VOLUME 1587, PAGE 442 DATED JUNE 3, 2004.

PRIVATE EASEMENT STATEMENT:

THE PRIVATE EASEMENTS BEING CREATED BY THIS PLAT ARE FOR THE PURPOSE AND BENEFIT AS EXPRESSED IN THE DECLARATION SHOWN HEREON. THESE PRIVATE EASEMENTS SHALL RUN WITH THE LOT UPON WHICH THEY ARE LOCATED. THE OWNERS OF THE LOT BENEFITING FROM THE EASEMENTS SHALL MAINTAIN ALL IMPROVEMENTS ASSOCIATED WITH SAID EASEMENTS PROVIDED THAT ANY DISTURBANCE TO THE EASEMENTS SHALL BE CORRECTED AND THE LAND RESTORED AS NEAR AS PRACTICAL TO ITS CONDITION PRIOR TO SAID MAINTENANCE. THE BENEFITING OWNERS OF THE SAID PRIVATE EASEMENTS SHALL BE ENTIRELY RESPONSIBLE FOR THE MAINTENANCE COST ASSOCIATED WITH THAT SPECIFIC EASEMENT.

PUBLIC EASEMENT STATEMENT:

A PERPETUAL EASEMENT IS RESERVED FOR PUBLIC UTILITY PURPOSES AS INDICATED IN THE DECLARATION AND SHOWN ON THE PLAT. THE PUBLIC UTILITY EASEMENT SHALL BE FOR THE INSTALLATION, AND FOR MAINTENANCE AND REPLACEMENT OVER AND UNDER THE GROUND. THIS INSTALLATION SHALL INCLUDE THE RIGHT OF INGRESS AND EGRESS FROM ANY AND ALL PUBLIC UTILITIES NECESSARY UNDER THE PURPOSE OF CONSTRUCTION, MAINTENANCE OR REPAIR OF UTILITY PROVIDED UNDER THE EASEMENT SHALL RESTORE THE PROPERTY AS NEAR AS PRACTICAL TO ITS CONDITION PRIOR TO SAID INSTALLATION OR MAINTENANCE.

FRANCHISE UTILITY EASEMENT STATEMENT:

A PERPETUAL EASEMENT IS RESERVED FOR FRANCHISE UTILITY PURPOSES AS INDICATED IN THE DECLARATION AND SHOWN ON THE MAP FOR PURPOSES OF THIS STATEMENT. FRANCHISE UTILITIES THAT HAVE FRANCHISE AGREEMENTS WITH THE CITY OR COUNTY: THE FRANCHISE COVER AND UNDER THE EASEMENT SHALL BE FOR THE INSTALLATION, AND FOR MAINTENANCE AND REPLACEMENT OVER AND UNDER THE GROUND. THIS INSTALLATION SHALL INCLUDE THE RIGHT OF INGRESS AND EGRESS FROM ANY AND ALL FRANCHISE UTILITY EASEMENTS IN ANY MANNER NECESSARY FOR THE PURPOSE OF CONSTRUCTION, MAINTENANCE OR REMOVAL OF THE FRANCHISE UTILITY PROVIDED THAT UNDER THE TERMS OF THE FRANCHISE AGREEMENT, THE UTILITY SERVICE USING THIS EASEMENT SHALL RESTORE THE PROPERTY AS NEAR AS PRACTICAL TO ITS CONDITION PRIOR TO SAID INSTALLATION OR MAINTENANCE.

DECLARATION:

LET ALL PERSONS BY THESE PRESENTS KNOW THAT MILLERSBURG LAND AND DEVELOPMENT, LLC, AN OREGON LIMITED LIABILITY COMPANY IS THE OWNER AND DEVELOPER OF THE ATTACHED PLAT DEDICATED AS SWEETWATER ESTATES 3RD ADDITION PHASE 3 AND DESCRIBED BY SAID SURVEYOR'S CERTIFICATE, AND HAS CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED AND PLATTED INTO LOTS, TRACTS AND STREETS, AS SHOWN ON THE ATTACHED MAP AND TO BE DEDICATED IN ACCORDANCE WITH OREGON REVISED STATUTES, CHAPTER 92.

A. THE FOLLOWING LANDS ARE BEING DEDICATED TO THE PUBLIC WITHOUT RESERVATIONS OR RESTRICTIONS WHATSOEVER FOR THE FOLLOWING PURPOSES:
1) **STREETS:** IDENTIFIED AS NE CLEARWATER DRIVE, NE WILSON LANE, NE TRASK LANE, AND NE NAVAJO COURT.

B. THE FOLLOWING **PUBLIC UTILITY EASEMENTS** FOR FRANCHISE UTILITIES IS BEING DEDICATED TO THE PUBLIC. THIS EASEMENT IS SUBJECT TO THE TERMS OF THE FRANCHISE UTILITY EASEMENT¹ SHOWN ON THIS SHEET.

- 1.) A 10' WIDE PUBLIC UTILITY EASEMENT ALONG STREET RIGHT-OF-WAYS AS SHOWN ON SHEETS 2 + 3 OF THIS PLAT.
- 2.) A VARIABLE WIDTH PUBLIC UTILITY EASEMENT LOCATED OVER LOTS 192 AND 193 AS SHOWN ON SHEET 3 AND DETAIL No. 2 OF THIS PLAT.

C. THE FOLLOWING **PRIVATE EASEMENTS** ARE BEING GRANTED FOR THE FOLLOWING PURPOSES AND ARE SUBJECT TO THE "PRIVATE EASEMENT STATEMENT" SHOWN ON THIS SHEET.

- 1.) A 7' WIDE STORM DRAIN AND SANITARY SEWER EASEMENT LOCATED OVER LOTS 164, 165 + 175 AS SHOWN ON SHEET 2 OF THIS PLAT. THE PURPOSE OF THIS EASEMENT IS FOR CONSTRUCTION AND MAINTENANCE OF A PRIVATE STORM DRAIN AND SEWER PIPING. THIS EASEMENT IS FOR THE BENEFIT LOT 171.
- 2.) A 7' WIDE STORM DRAIN AND SANITARY SEWER EASEMENT LOCATED OVER LOTS 167 AND 168 AS SHOWN ON SHEET 2 OF THIS PLAT. THE PURPOSE OF THIS EASEMENT IS FOR CONSTRUCTION AND MAINTENANCE OF A PRIVATE STORM DRAIN AND SEWER PIPING. THIS EASEMENT IS FOR THE BENEFIT LOT 164.
- 3.) A 7' WIDE STORM DRAIN EASEMENT LOCATED OVER LOTS 174 AND 175 AS SHOWN ON SHEET 3 OF THIS PLAT. THE PURPOSE OF THIS EASEMENT IS FOR CONSTRUCTION AND MAINTENANCE OF A PRIVATE STORM DRAIN PIPING. THIS EASEMENT IS FOR THE BENEFIT LOT 172.
- 4.) A VARIABLE WIDTH SHARED PRIVATE RECIPROCAL DRIVEWAY UTILITY + MAINTENANCE EASEMENT LOCATED OVER LOTS 143 AND 144 AS SHOWN ON SHEET 3 OF THIS PLAT. THE PURPOSE OF THIS EASEMENT IS FOR CONSTRUCTION AND MAINTENANCE OF A PRIVATE DRIVEWAY, WATER SERVICE AND RAIN DRAIN PIPES AND MAINTENANCE OF A DRAINAGE DITCH. THIS EASEMENT IS FOR THE BENEFIT OF LOTS 193 AND 194.
- D. THE FOLLOWING PUBLIC EASEMENT IS BEING GRANTED FOR THE FOLLOWING PURPOSES AND ARE SUBJECT TO THE PUBLIC EASEMENT STATEMENT SHOWN ON THIS SHEET:
3.) A VARIABLE WIDTH PUBLIC SANITARY SEWER AND ACCESS EASEMENT OVER LOTS 146 AND 149 AS SHOWN ON SHEET 2 OF THIS PLAT. THE PURPOSE OF THIS EASEMENT IS FOR CONSTRUCTION, MAINTENANCE, AND ACCESS TO SEWER MAINS AND MANHOLES.

BY: *William B. Busse*

WILLIAM B. BUSSE (MEMBER)
MILLERSBURG LAND AND DEVELOPMENT, LLC,
AN OREGON LIMITED LIABILITY COMPANY

CONDITIONS, COVENANTS AND RESTRICTIONS

THE LOTS ARE SUBJECT TO THE TERMS OF THE DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS OF "SWEETWATER ESTATES 3RD ADDITION PHASE 3" AS RECORDED IN DOCUMENT NUMBER 2019-12436

ACKNOWLEDGMENT:

STATE OF OREGON } S.S.
COUNTY OF Benton }

THIS IS TO CERTIFY THAT ON THIS 16th DAY OF July 2019, BEFORE ME, A NOTARY PUBLIC FOR AND IN SAID STATE AND COUNTY, PERSONALLY APPEARED THE WITHIN NAMED WILLIAM B. BUSSE, AS (MEMBER) OF MILLERSBURG LAND AND DEVELOPMENT, LLC, AN OREGON LIMITED LIABILITY COMPANY, WHO, BEING DULY SWORN, DID SAY THAT HE IS THE PERSON NAMED IN THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED SAID INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED.

BY: *Lois A. Stutzman*
NOTARY PUBLIC FOR OREGON (SHA#2019)

BY: *Lois A. Stutzman*
NOTARY PUBLIC FOR OREGON (PRINTED)

MY COMMISSION EXPIRES: January 18, 2020

MY COMMISSION No.: 946249

C.S. 26660
SWEETWATER ESTATES
3RD ADDITION PHASE 3
A REPLAT OF PARCEL 3, PARTITION PLAT 2017-74
LOCATED IN THE
IN THE
SARAH FARLOW D.L.C. No. 59
NW 1/4 SEC. 21, T. 10 S., R. 03 W., WM.
CITY OF MILLERSBURG, LINN COUNTY, OREGON

DECEMBER 7, 2018

CITY OF MILLERSBURG CASE NO. 05-002

APPROVALS:

Thomas J. Coney 7/25/2019
LINN COUNTY SURVEYOR DATE

Joseph Booth 7/23/19
CITY OF MILLERSBURG ENGINEER DATE

Jim Letin
CITY OF MILLERSBURG
DATE

Steve Spalding 7/23/19
LINN COUNTY COMMISSIONER, CHAIRPERSON DATE

Ann 7-24-2019
LINN COUNTY COMMISSIONER DATE

Wesley 7/19/2019
LINN COUNTY COMMISSIONER DATE

ASSESSOR/TAX COLLECTOR STATEMENT:

I HEREBY CERTIFY THAT ALL TAXES ON THE WITHIN DESCRIBED PROPERTY ARE PAID AS OF THIS 25th DAY OF JULY 2019.

Christal Bann DEARY
LINN COUNTY ASSESSOR/TAX COLLECTOR

RECORDER'S STATEMENT:

STATE OF OREGON } S.S.
COUNTY OF LINN }

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN THE LINN COUNTY RECORD BOOK OF PLATS IN VOLUME No. 25, PAGE 19, ON THIS 29th DAY OF July 2019, AT 11:02 O'CLOCK A.M. TARGET SHEET RECORDED IN DOCUMENT NUMBER 2019-12436

STATE OF OREGON
RECORDER: *Janine R. Deary*
LINN COUNTY CLERK

K & D
K & D ENGINEERING, Inc.
270 N.W. Hickory Street, P.O. Box 702
Albany, Oregon 97146
(503) 885-2000

Date: 7/25/2019
Scale: 1"=40'
File: dwg\2017\7-192-a\7-192B-pp.dwg (George)

Item 10)

BECKER RIDGE PHASE 4

A REPLAT OF PARCELS 2 AND 3, PARTITION PLAT 1990-02
 IN THE SE 1/4 SEC. 17, SW 1/4 SEC. 16, NE 1/4 SEC. 20, & NW 1/4 SEC. 21, T. 10 S., R. 3 W., W.M.
 CITY OF MILLERSBURG, LINN COUNTY, OREGON

BY:
 MULTI/TECH ENGINEERING SERVICES, INC.
 1155 13TH ST. S.E. SALEM, OREGON 97302
 503-363-9227

REGISTERED PROFESSIONAL LAND SURVEYOR
 JULY 13, 2004
 ROBERT D. HAMMAN
 64202LS
 EXPIRES: 6-30-2019

NOTES:
 1. ALL MONUMENTS FOUND IN GOOD CONDITION AND WITHIN 1/2" OF THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.
 LEGEND:
 CS = COUNTY SURVEY
 W/C = WITNESS CORNER
 OFF = OFFSET
 LDC = PUBLIC UTILITY EASEMENT
 LDC = RECORD AND MEASUREMENT PER SURVEY NOTED
 () = RECORD DATA PER SURVEY NOTED
 ● = FOUND MONUMENT PER CS 19816, UNLESS OTHERWISE NOTED
 ○ = SET 5/8" x 30" IRON ROD WITH RED PLASTIC CAP SCRIBED "NORTHEAST SURVEYING" PER CS 25969
 ○ = SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG."
 □ = SET 5/8" x 30" IRON ROD WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG."
 REFERENCE SURVEYS:
 1. CS 19816 - PARTITION PLAT 1990-02
 2. CS 25969 - BECKER RIDGE PHASE 3
 3. CS 26355 - PARTITION PLAT 2017-74

CURVE DATA

CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C1	400.00'	0°27'30"	3.20'	N0°13'53"W	3.20'
C2	50.00'	24°29'41"	21.36'	N12°19'21"E	21.21'
C3	50.00'	12°01'05"	10.48'	S18°33'38"W	10.47'
C4	50.00'	54°04'42"	47.19'	S14°23'15"E	45.46'
C5	50.00'	41°14'38"	35.99'	S62°08'55"E	35.22'
C6	50.00'	31°38'56"	27.62'	N81°24'18"E	27.27'
C7	50.00'	24°29'41"	21.36'	S77°49'40"W	21.21'
C8	50.00'	24°29'41"	21.36'	N77°40'40"W	21.21'
C9	50.00'	89°53'05"	78.53'	N89°34'38"E	70.70'
C10	50.00'	49°00'17"	42.76'	N0°04'58"E	41.47'
C11	50.00'	24°29'41"	21.36'	S12°10'20"E	21.21'
C12	15.00'	90°00'00"	23.56'	S45°04'30"W	21.21'
C13	15.00'	90°00'00"	23.56'	N44°55'30"W	21.21'
C14	5.00'	56°56'39"	4.97'	N28°32'50"E	4.77'
C15	50.00'	94°23'05"	82.37'	S9°49'37"W	73.36'
C16	50.00'	108°03'33"	94.30'	N88°36'18"E	80.93'
C17	50.00'	91°26'41"	79.80'	N1°08'48"W	71.60'
C18	5.00'	56°56'39"	4.97'	S28°23'50"E	4.77'
C19	15.00'	90°00'00"	23.56'	S45°04'30"W	21.21'
C20	15.00'	90°00'00"	23.56'	S44°55'30"E	21.21'
C21	450.00'	1°55'19"	15.09'	S0°57'28"E	15.09'
C22	15.00'	90°00'00"	23.56'	N45°04'30"E	21.21'
C23	15.00'	90°00'00"	23.56'	S44°55'30"E	21.21'
C24	15.00'	90°00'00"	23.56'	N45°04'30"E	21.21'
C25	15.00'	90°00'00"	23.56'	S44°55'30"E	21.21'
C26	450.00'	1°02'39"	8.20'	S0°31'30"E	8.20'
C27	40.00'	90°00'00"	62.83'	S44°55'30"E	56.57'
C28	40.00'	90°00'00"	62.83'	N45°04'30"E	56.57'

BECKER RIDGE PHASE 4

A REPLAT OF PARCELS 2 AND 3, PARTITION PLAT 1990-02
 IN THE SE 1/4 SEC. 17, SW 1/4 SEC. 16, NE 1/4 SEC. 20, & NW 1/4 SEC. 21, T. 10 S., R. 3 W., W.M.
 CITY OF MILLERSBURG, LINN COUNTY, OREGON

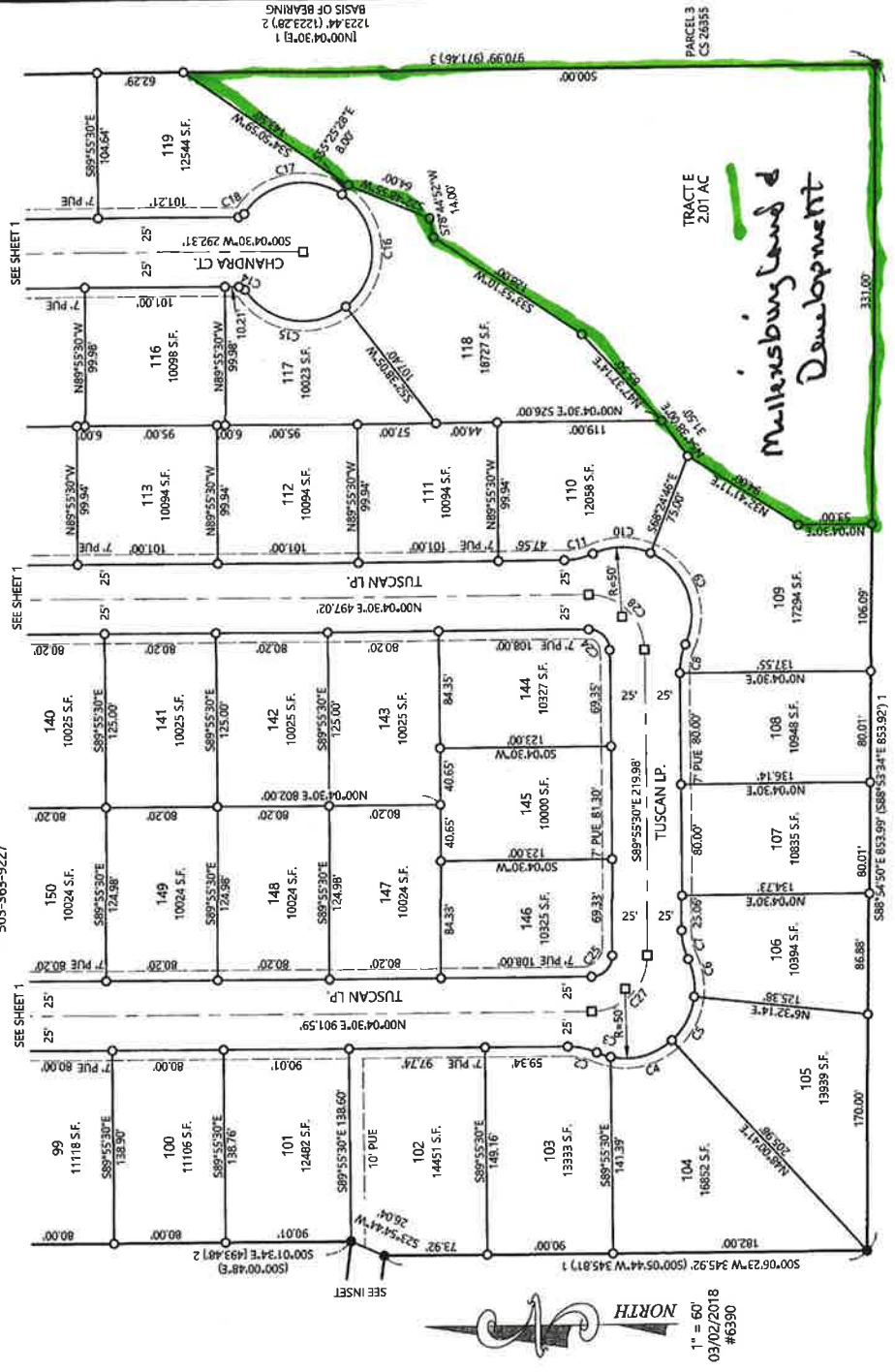
- NOTES:**
 1. ALL MONUMENTS FOUND IN GOOD CONDITION AND
 WITHIN 10' OF THE SURFACE OF THE GROUND UNLESS
 OTHERWISE NOTED.
- LEGEND:**
 CS = COUNTY SURVEY
 WC = WITNESS CORNER
 OFF = OFFSET
 PUE = PUBLIC UTILITY EASEMENT
 () = RECORD DATA PER SURVEY NOTED
 () = RECORD DATA PER SURVEY NOTED
 () = RECORD DATA PER SURVEY NOTED
 ● = FOUND 5/8" IRON ROD PER CS 19816, UNLESS
 OTHERWISE NOTED
 ■ = FOUND 5/8" IRON ROD WITH RED PLASTIC CAP
 ■ = FOUND 5/8" IRON ROD WITH RED PLASTIC CAP
 ■ = FOUND 5/8" IRON ROD WITH RED PLASTIC CAP
 ○ = SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC
 CAP SCRIBED "MULTI/TECH ENG."
 □ = SET 5/8" x 30" IRON ROD WITH ALUMINUM CAP
 SCRIBED "MULTI/TECH ENG."
 REFERENCE TO OTHER PLATS:
 1. CS 19816 - PARTITION PLAT 1990-02
 2. CS 25969 - BECKER RIDGE PHASE 3
 3. CS 26355 - PARTITION PLAT 2017-74

C.S.

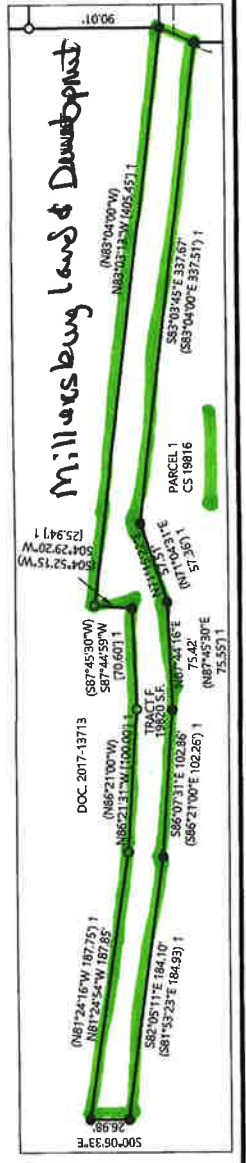
I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT
 COPY OF THE ORIGINAL PLAT

ROBERT D. HAMMAN

MULTI/TECH ENGINEERING SERVICES, INC.
 1155 13TH ST. S.E. SALEM, OREGON 97302
 503-363-9227



1" = 60'
 03/02/2018
 #6390



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 OREGON
 JULY 13, 2004
 ROBERT D. HAMMAN
 64202LS
 EXPIRES: 6-30-2019

SHEET 7

BECKER RIDGE PHASE 4

A REPLAT OF PARCELS 2 AND 3, PARTITION PLAT 1990-02
IN THE SE 1/4 SEC. 17, SW 1/4 SEC. 16, NE 1/4 SEC. 20, & NW 1/4 SEC. 21, T. 10 S., R. 3 W., W.M.
CITY OF MILLERSBURG, LINN COUNTY, OREGON

BY:
MULTITECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

C.S. _____
I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT
COPY OF THE ORIGINAL PLAT

ROBERT D. HAMMAN

SURVEYOR'S CERTIFICATE:
I, ROBERT D. HAMMAN, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND SHOWN HEREON AS WOODS ESTATES, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD AT THE SOUTHWEST CORNER OF LOT 79, BECKER RIDGE PHASE 3 AS RECORDED IN VOLUME 24, PAGE 44, LINN COUNTY PLAT RECORDS IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 10 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, CITY OF MILLERSBURG, LINN COUNTY, OREGON; THENCE ALONG THE EAST LINE OF LOTS 80, 92, AND 91 SOUTH 00°01'17" WEST 236.53 FEET TO A 5/8" IRON ROD AT THE SOUTHEAST CORNER OF LOT 91; THENCE ALONG THE WEST LINE OF PARCEL 2, PARTITION PLAT 1990-02, LINN COUNTY PARTITION THE TRACED SOUTH 00°01'34" EAST 463.48 FEET TO A 5/8" IRON ROD AT THE SOUTHEAST CORNER OF PARCEL 2; THENCE ALONG THE SOUTH LINE OF PARCEL 2, PARTITION PLAT 1990-02, LINN COUNTY DEED RECORDS; THENCE ALONG THE SOUTH LINE OF PARCEL 2, PARTITION PLAT 1990-02, LINN COUNTY DEED RECORDS; THENCE WEST 70.60 FEET TO A 5/8" IRON ROD; SOUTH 04°29'20" WEST 26.94 FEET TO A 5/8" IRON ROD; SOUTH 81°24'54" WEST 187.85 FEET TO A 5/8" IRON ROD; THENCE SOUTH 00°06'33" EAST 26.98 FEET TO A 5/8" IRON ROD ON THE NORTH LINE OF PARCEL 1, PARTITION PLAT 1990-02; THENCE ALONG THE NORTH LINE OF SAID PARCEL, THE FOLLOWING FIVE CALLS: SOUTH 82°05'11" EAST 184.10 FEET TO A 5/8" IRON ROD; SOUTH 86°08'31" EAST 102.86 FEET TO A 5/8" IRON ROD; NORTH 87°44'16" EAST 75.42 FEET TO A 5/8" IRON ROD; NORTH 71°15'22" EAST 57.51 FEET; SOUTH 83°03'45" EAST 337.67 FEET TO A 5/8" IRON ROD AT THE MOST NORTHERLY NORTHEAST CORNER OF PARCEL 1; THENCE ALONG THE MOST NORTHERLY EAST LINE OF SAID PARCEL 1, SOUTH 00°06'23" WEST 345.92 FEET TO A 5/8" IRON ROD; THENCE SOUTHWEST CORNER OF PARCEL 1; THENCE SOUTH 88°54'39" EAST 853.99 FEET TO A 5/8" IRON ROD; THENCE ALONG THE NORTH LINE OF PARCEL 1, THENCE NORTH 00°04'30" EAST 1233.44 FEET TO A 5/8" IRON ROD AT THE SOUTHWEST CORNER OF SAID BECKER RIDGE PHASE 3; THENCE ALONG THE SOUTH LINE OF BECKER RIDGE PHASE 3, THE FOLLOWING ELEVEN CALLS: SOUTH 89°57'13" WEST 104.94 FEET TO A 5/8" IRON ROD; SOUTH 15°09' FEET ALONG A 450.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS SOUTH 00°57'28" EAST 15.09 FEET) TO A 5/8" IRON ROD; SOUTH 00°03'43" WEST 82.86 FEET TO A 5/8" IRON ROD; NORTH 54°04'34" WEST 61.70 FEET TO A 5/8" IRON ROD; SOUTH 89°59'48" WEST 250.07 FEET TO A 5/8" IRON ROD; 8.20 FEET ALONG A 450.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS SOUTH 00°31'30" EAST 8.20 FEET) TO A 5/8" IRON ROD; THENCE SOUTH 89°59'26" WEST 50.00 FEET TO A 5/8" IRON ROD; 3.20 FEET ALONG A 400.00 FOOT RADIUS CURVE TO THE LEFT (THE CHORD OF WHICH BEARS SOUTH 00°13'30" WEST 3.20 FEET) TO A 5/8" IRON ROD; SOUTH 89°59'25" WEST 139.67 FEET TO A 5/8" IRON ROD AT THE TRUE POINT OF BEGINNING AND CONTAINING 22.25 ACRES, MORE OR LESS.

APPROVALS AND ACCEPTANCE CITY OF MILLERSBURG PLANNING CASE NO. 06-010

CITY ADMINISTRATOR/RECORDER, CITY OF MILLERSBURG

CHAIRPERSON
LINN COUNTY COMMISSIONER

LINN COUNTY COMMISSIONER

LINN COUNTY COMMISSIONER

LINN COUNTY SURVEYOR

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert D. Hamman

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2019

ROBERT D. HAMMAN PLS 64202LS

NARRATIVE:
THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE INTO LOTS AND STREETS THE LAND DESCRIBED IN DOCUMENT 2017-23112, LINN COUNTY DEED RECORDS, AS ALLOWED BY THE CITY OF MILLERSBURG PLANNING COMMISSION CASE NO. 06-010.

ALL FOUND EXTERIOR MONUMENTS WERE HEED, AND MONUMENTS WERE REPLACED ALONG TRACT E USING RECORD DISTANCE AND GEOMETRY WHERE NECESSARY. THE BASIS OF BEARING IS ALONG THE EAST LINE FROM COUNTY SURVEY 1981S.

DECLARATION:

KNOW ALL MEN BY THESE PRESENTS THAT MILLERSBURG LAND & DEVELOPMENT LLC, AN OREGON LIMITED LIABILITY CORPORATION, IS THE OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON, AND DESIRING TO DISPOSE OF THE SAME INTO LOTS AND HEREBY, HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS BECKER RIDGE PHASE 4, I HEREBY, ROBERT D. HAMMAN, SURVEYOR, DO HEREBY CERTIFY TO THE PUBLIC THE STREETS, RIGHT OF WAY, AND GRANT THE BASEMENTS SHOWN HEREON.

WILLIAM B. BUSSE, MEMBER
MILLERSBURG LAND & DEVELOPMENT LLC, AN OREGON LIMITED LIABILITY COMPANY

ACKNOWLEDGEMENT:

STATE OF OREGON }
COUNTY OF LINN } S.S.

ON THIS _____ DAY OF _____, 2018, BEFORE ME A NOTARY PUBLIC FOR THE STATE OF OREGON, DID PERSONALLY APPEAR WILLIAM B. BUSSE, MEMBER OF MILLERSBURG LAND & DEVELOPMENT, LLC WHO BEING DULY SWORN EXECUTED THE ABOVE DECLARATION FREELY AND VOLUNTARILY.

SIGNATURE OF NOTARY _____

NOTARY PUBLIC - STATE OF OREGON _____

COMMISSION NO. _____

MY COMMISSION EXPIRES: _____

STATE OF OREGON }
COUNTY OF LINN } S.S.

I DO HEREBY CERTIFY THAT THE ATTACHED SUBDIVISION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN THE LINN COUNTY BOOK OF PLATS IN VOLUME _____ PAGE _____ ON THIS _____ DAY OF _____, 2018 AT _____ O'CLOCK _____ M. TARGET SHEET RECORDED IN DOCUMENT NUMBER _____

BY _____
STEVE DRUCKENMILLER, LINN COUNTY CLERK