

UNION CITY COUNCIL MEETING
Monday, December 14, 2015 – 7:00 P.M.

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LEONARD ALMQUIST COUNCIL CHAMBERS, UNION CITY HALL

- 1. Call to Order, Pledge of Allegiance, & Roll Call:** Mayor Ken McCormack
- 2. Consent Agenda:**
 - a. Minutes from November 9, 2015 –City Council Work Session, pg 3-4
 - b. Minutes from November 9, 2015 – Regular Council Meeting, pg 5-9
 - c. Minutes from November 24, 2015 –City Council Work Session, pg 10-12
- 3. Mayor Comment**
- 4. Public Comment**
- 5. Informational Items**
 - a. Sheriff's Office Report
 - b. Union Carnegie Public Report, pg 13
 - c. Office Manager Report, pg 14
 - d. Code Enforcement Officer
 - e. School Board Report
 - f. EMS Report
- 6. Administrator/Recorder Report**
 - a. Workforce partnership with school
 - b. DLCD Planning assistance grant
 - c. Community Block Grant update
- 7. Public Works Director Report – Rod McKee, pg 15-17**
- 8. Correspondence**
 - a. OLCC Land Use Compatibility Statement, pg 18-22
 - b. FAQs Recreational Marijuana in Oregon, pg 23-30
 - c. Grande Tour State Scenic Bike Way letter, pg 31-33
- 9. Action Items – Old Business**
 - a. Second reading of Ordinance 548 an ordinance regulating loud and raucous,
 - b. Tabled November 9, 2015. First reading of Ordinance 550 an ordinance vacating Twelfth Street in West Catherine Meadows Subdivision City of Union, Oregon, pg 40-42
 - c. Resolution 2015-18 A resolution authorizing the city administrator to close Umpqua bank account and transfer funds to existing account, pg 43
 - d. Resolution 2015-19 A resolution extending workers compensation coverage to volunteers of city of Union, in which city of Union elects the following, pg 44
 - e. Resolution 2015-20, A resolution by the city of Union to conduct an income survey, pg 46
- 10. Action Items – New Business**
 - a. City of Union Rules of Procedure for public meetings, pg 49
 - b. Limiting public comment to 3 minutes
 - c. Union County Sheriff's contract, pg 50-58

p. 211. Public Comments

12. Council Concerns

13. Adjournment

If you have a disability that requires any special materials, services, or assistance, please contact us at 562-5197 so we may arrange appropriate accommodations. Copies of ordinances, resolutions, and all information included on the agenda are available prior to the meeting at City Hall, or at the meeting.

CITY COUNCIL WORK SESSION MEETING MINUTES
Monday November 9, 2015 at 6 pm
LEONARD ALMQUIST COUNCIL CHAMBERS, UNION CITY HALL

1. **Called to order** by Mayor McCormack at 6 pm with Councilors Randy Knop, Doug Osburn, Matt Later and Coy Wilde. Both Sue Briggs and Student Liaison Teara Howard were excused.
2. Ordinance 548 an ordinance regulating loud and raucous noise. Changes were made as requested and Council found the code ready for adoption.
3. Marijuana topic
Town Hall meeting scheduled for November 17th at 7 pm Union City Hall. A student from Eastern Oregon University will be attending that has studied Measure 91.

Patterson -asked if there was going to be a need for a larger meeting site? Council thought the Chambers was due-able.

Later- was concerned about commercial grow sites and the proper zoning.

O'Conner – getting a larger location is a good idea and if you don't use it then you're ok.

Middleton- wants to know what the ORS for marijuana are. Patterson offered her OLCC booklet of rules. It was asked to put the OLCC link on the website.

Rodmen -asked Council to consider property devaluation when making regulations. When it is grown outside it smells bad, can you make them grow inside their house.

Osburn- clarified it is a criminal offence to be seen from public right of way.

Wilde- confirmed it is already a law.

Later- he is concerned about the commercial and the retail sales.

Middleton- shared he will hold city liable if city approves it, he will sue city.

Later- shared it is already available, that is not the conversation here.

Patterson confirmed the State will not allow a retail, processor or wholesale in the residential zone. It is up to the city to enforce additional laws on these businesses if city wants. The State has to have permission from the city before granting a license for one of these establishments. So if we have additional rules they have to follow those before we sign off and before the State will issue the permit. Patterson read the LOCC regulations.

Later- are we dealing with two different type of grows? Recreation grow and medical grow.

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Osburn- explained a grower can grow for up to 6 licenses, meaning 6 plants for each license. This is a lot of plants in a residential zone. Can a city limit what a house can grow?

Graham asked, shouldn't the answers be in the LOCC document? Why haven't you guys read the LOCC document?

Knop said we will be asking a lot of questions next week.

4. Employment Handbook
Need to have a meeting just for this handbook.

5. Any other topics that might come up.
None.

6. ADJOURNMENT 6:49pm

Approved:

Attest:

Ken McCormack, Council President

Sandra Patterson, Administrator/Recorder

UNION CITY COUNCIL MEETING

Monday, November 9, 2015 – 7:00 P.M.

LEONARD ALMQUIST COUNCIL CHAMBERS, UNION CITY HALL

1. **Call to Order, Pledge of Allegiance, & Roll Call:** Mayor Ken McCormack called the meeting to order at 7:00 p.m. Present were: Randy Knop, Doug Osburn, Mayor Ken McCormack, Matthew Later and Coy Wilde. Sue Briggs was excused. Student Liaison, Teara Howard was also excused. One council seat remained open.
2. **Consent Agenda:**
 - a. Minutes from October 12, 2015 –City Council Work Session, pg 3-4
 - b. Minutes from October 12, 2015 – Regular Council Meeting, pg 5-9
 - c. Minutes from October 16, 2015 –Special City Council meeting, pg 10 Later said on the last line, he did not ask McCormack to resign but asked that he have 60 days leave.
 - d. Minutes from October 28, 2015 –Special City Council meeting, pg 11
 - e. Minutes from October 28, 2015 –City Council Work Session, pg 12-13

Motion by Later to accept the consent agenda as corrected. (2nd by Wilde) The motion passed unanimously.

3. Interview candidates for City Council position

Two candidates applied:

Skye Mitch, 208 Century St. Has a deep love for the city and area and would like to contribute. She enjoys political conversation and procedures and functions. She would like to learn more about it, like being involved in the community. She was an executive with Oregon...MESA, Hells Canyon preservation council. Osburn asked "what do you perceive as the three most important issues facing the Union City Council?" Her answers were: 1. Economic Development, 2. maintaining a strong connection, festivals, fostering community spirit. 3. Getting Main Street lit up. Later asked "Do you qualify to sit on the council by living for at least one year in the city?" Her answer was: Absolutely.

Maria Davis Williams, 354 E Electric. She feels she would be a great addition to the council. She has worked with a City Council Mental Health Advisory Board and she would like to be able to focus on mental health and chemical dependency. There are great programs she would like to implement for homeless, safe surroundings to get help needed for people and work with the local clinic here. She believes in welcoming people home. Osburn asked "What do you perceive as the three most important issues facing the Union City Council?" Her answer was 1. Mental Health, 2. Chemical dependency 3. Reducing drug activity in the area to make a safer community. Later asked "Do you qualify to sit on council by living for at least one year in the city?" Her answer was "Yes, I have been here a year."

Council tallied the vote and Skye Mitch was voted in three to one. Sandra Patterson swore Mitch into the city council. Mitch took her seat on the council.

4. Mayor Comment

- a. *"If I Were Mayor, I Would..." League of Oregon Cities asked if council would like to go to schools and have students write an essay entitled "If I were Mayor, I would..."*

- b. *Mayor stated that we are going to discuss the 12th Street subdivision and no further testimony can be taken. Patterson said the mayor can reopen the hearing if he wants but has to allow everyone to give testimony that wants to. Knop asked if it could be extended to a future date. Council has already voted, so only testimony can be taken on the subject matter already accepted. McCormack said the council has accepted the application.*
- c. *There will be a Public meeting on Tues. Nov 17th at 7:00 p.m. It will be a Town Hall Meeting on marijuana located in the council chambers.*

5. Public Comment

Dick Middleton – Asked the new council member to please read all information and do her homework without letting anyone sway her. He also said as memory serves him, that council has already passed the 12th Street Subdivision. But there are other alternatives. Council could let the people use it and be happy they are taking care of it or lease it for \$1 a year. He doesn't see the use of vacating the street.

Lavone Baremore 726 N. 11th. She lives on 11th Street and there is only a 40-foot road. When you go by on Tenth Street, you will see how little room there is. There was a fire once and a fire truck and ambulance were stuck there. They can't go out Bryan because it is privately owned and the property owner told her they aren't ever going to open it up. When they bought their house, there was no 11th Street and no one is going to get in and out without it.

Linda Boettcher 1650 S Brasher. She wants to address the changes being proposed on Ordinance 549. As chairman of the Union Planning Commission, the Commission is totally against these changes. It would degrade the city rather than enhance it. The city has spent money seeking to improve our town and encourage people to live here. The changes will allow the town to be an eyesore if we allow people to stockpile their property with unwanted and unused items. Exemptions say they must hide everything behind a 6-foot high secured fence. People aren't going to put up fences. There will be problems between neighbors and loss of property values. This change would not benefit the town or its' people. The Planning Commission discussed this and objects to the changes being made to Ordinance 549. Has the city attorney seen the changes and removing the liability of the city protecting the children?

Mike Lowery 975 S 4th St. He wants to address the dogs running loose. He has lived in his house for 39 years and the dog piles are getting worse in his front yard. He cleans his yard every two days and keeps his leaves cleaned up as a good citizen and neighbor. He had nine piles of crap last Saturday and it is getting worse. Would like to see something done about the dogs running loose. He doesn't know who the dog catcher or ordinance officer is, but something needs to be done.

Tessie Tarter Murray, S. Third St. Is concerned about the image of Union. Union Drug Store is currently selling T shirts that have on the front "12 Reasons Why Handguns Are Better Than Women". She is offended by it. She thinks it is crude, sexist and demeaning to women. Our town is trying to promote and encourage tourism. This is not what Union should be known for.

Mike O'Connor Arch Street. Is a new contract being considered for the Sheriff Department? Council needs to be more assertive about the contract. It is heavily weighted for the sheriff department.

Gary Graham 464 N. Main. The 12th St vacation was voted on. He was here.

6. Informational Items

- a. Sheriff's Office Report, pg16-18. Sheriff Deputy gave the report as written in the council packet.
- b. Union Carnegie Public Report, pg 19
- c. Office Manager Report, pg 20
- d. Code Enforcement Officer – nothing has been sent this month. There are some violations that need to be taken care of.
- e. School Board Report
- f. EMS Report. Keith Montgomery, Fire Chief gave the report. There was 1 fire call on Delta. Two possible illegal burns reported via 911. Three ambulance calls and all were transports. Breathing apparatus' have been tested. There was an Observer article about train crude oil that is coming through. He went to the meeting and contacted Union Pacific. They are sending three of their people for training. He will be going to it with Union Pacific paying for his expenses. The training is 60% hands on and 40% classes.

7. Administrator/Recorder Report

- a. Council training. Council should be contacted by City County Insurance for training with two classes that are required. Classes are on page 23 of the practice reviews. The first one is only offered every three to five years and is not offered on this side of the state, so it is difficult to get a two hour class. Patterson asked Council to see her if they had any problems with the classes.
- b. Enforcement Officer- Interviews were held with a three panel interview committee. One was selected and that person starts tomorrow. He is also opening a business in Union.
- c. Code Book Update. The code books are being updated and returned as they are updated. If you have questions or concerns let Patterson know.
- d. Union County Sheriff Contract. Negotiations to start in January. Does council want to do this as a committee, staff, and council as a group? Need to be decided. June 30 is when the contract deadline is up. No response.
- e. UNION Contract negotiations start in January. No response.
- f. Website and face book page. Packets are available online now if residents want to download them. Patterson is keeping up to date information on both media sites, she asked council what they thought. No response.

8. Public Works Director Report – Sandra Patterson gave the report. There was a gigantic North College water leak with property damage. One leak on Dewey Lane and Main Line leak. Some drainage issues cleaned up on North College and were finally able to get it done. Property owner had not been cooperative before. Working on sewer project and public works helping with the reader board at the school. Rod is doing engineering pro bono for school, Patterson gave him kudos for his generosity.

9. Correspondence

- a. City County Insurance provider fiscal year numbers, pg. 21-24. Osburn asked to see what city cost is over the last 5 years, Patterson said she can add this to the 5 year fiscal plan.

10. Action Items – Old Business

- a. First reading of Ordinance 548 an ordinance regulating loud and raucous noise. Later read the Ordinance. Wilde said on Page 41, N should read "residential zone" instead of "residential property" because it affects the business and they are supposed to be exempt. Patterson said any substantial changes means it has to be read again. Council consented that this is not considered a substantial change.
- b. Second reading of Ordinance 549 an ordinance regulating solid and other wastes and odor, Pg 36-42. The second reading of Ordinance 549 was read by title. Motion by Osburn to adopt (2nd by Later) Ordinance 549. Later stated for the audience that there is currently NO ordinance in effect now. The motion passed unanimously.
- c. Tabled October 12, 2015. First reading of Ordinance 550 an ordinance vacating Twelfth Street in West Catherine Meadows Subdivision City of Union, Oregon, pg 43-44. Patterson said the council needs to decide what to do with the land if council chooses to proceed with this ordinance. Mayor asked if council wants to proceed with the ordinance. Later doesn't see how we cannot do anything when we already voted to do something. Is that even an option? Mayor asked "are you happy with the way the ordinance is written?" Later - we don't have a consensus on a, b, c or d. He would feel strange in choosing and imposing that on the property owners involved. Is that just the process? Osburn – the city does not have a policy of how vacated property is to be compensated for. He would like to see a policy established. This particular vacation happened prior to the policy being established so this would not be applicable. But in the future there needs to be a policy. The intent was to vacate when the vote was taken. There was never a mention of compensations during those proceedings. Council has learned from this. This should not have a qualifier on it since there was not a policy. Mayor – would like to table it again to the Dec. 14 council meeting. Mayor tabled the matter. Later asked how is that going to improve the situation? Mayor said he needs more discussion with the administrator. He was not here for the meeting and needs to learn more.

11. Action Items – New Business

- a. Public Hearing on final plat approval for a minor partition by Sherry Schubert and Craig Droke, attached. Patterson- this item is removed from the agenda as it is not ready for a public hearing.
- b. Auditor's recommendation to move bank reconciliation's duties. Patterson – The auditors comments said since she makes adjustments, someone else should do the reconciliation's. Staff can do the reconciliation as long as they don't do the deposits or sign checks. Tanya doesn't do either of those and could do it or we could go outside of the city. Osburn – this should be the job of the administrator to assign the duty. Council should direct her to do that. Knop – is it a part of her job description. May require modifications of the job description and possibly contact with labor negotiations. Patterson – she is a part time employee and is not part of the Union.

12. Public Comments

Mike Lowery, How much are we paying UC Sheriff? Patterson answered around \$83,000. He thought the budget said over \$100,000. Patterson said that includes the Ordinance Officer job and car maintenance. What are you considering regulating wastes and solids and what are the odors? Is barn yards in this odor section? Patterson said it can be. What about staying open on Friday? Why aren't we open on Friday? There are enough people in the office that you could

open Friday and get the jobs done. The city is on our backs with raising water and sewer and it has to come to a stop.

Dick Middleton – Don't think these people should be charged for the property being vacated. He doesn't agree with the vacation but if it is going to go through, they shouldn't be charged.

Lavone Baremore. A lot of deer are in her yard and are tearing it up. Patterson said we are trying to get a meeting set up with ODFW. They weren't willing until we could prove the residents wanted something to done about the deer. Baremore said don't land lock the land off 12th, 13th and Delta Street because there is only one street going in right now.

Tessie 868 S Third St. The reason we have deer here is because people feed them. They carry disease. People can't have gardens anymore. There were no deer here years ago because they didn't feed the deer and people shot them. Until you deal with the people feeding them, it will be a problem. Patterson said to report it to city hall if you see people feeding them. There is an ordinance regarding that.

Brenda Yonker 1023 W Birch. In the September meeting a motion was made and voted on and approved 3-1. In the October meeting, Later read the minutes and it was saying that the motion was to accept the petition to vacate. There was discussion and the motion was to vacate 12th St. Someone was going to go back and listen to the tape, so what was the conclusion? Patterson said she did and it couldn't be heard. Graham and Middleton were here and they all said it passed. Do we have to go back to reinvent the horse? The vote was done and passed. You can do an amendment on how to dispose of the land. No progress has been made in this arena.

Patterson tried to explain the only way to do a right of way vacate is to follow State Law which is by ordinance. The city is just following state law. Yonker said she didn't care about a little piece of paper. Laura Hafer said last month and said that the land owners would be more than willing to buy the property. She will be here until a decision is made. The property is not landlocked. It is not a problem.

Dick Middleton – Has this ever gone to the Planning Commission? Hafer said it was brought before the Planning Commission.

13.Council Concerns

Wilde – He has a vision to decorate the whole town for Christmas. He volunteered to help.

Osburn – We need a sign about Public comment being limited to 3 minutes. Any longer comments should be presented in writing. Asked if council decided on office hours for city hall; he asked to have office hours on the next agenda we need something official.

14.Adjournment

Adjourned at 8:42 p.m.

Approved: _____ Attest: _____

Mayor, Ken McCormack

Administrator/Recorder, Sandra Patterson

CITY MEETING WORK SESSION MINUTES

Tuesday 24, 2015 at 6pm

LEONARD ALMQUIST COUNCIL CHAMBERS, UNION CITY HALL

1. **Called to order** by Mayor McCormack with Councilors Randy Knop, Doug Osburn, Matt Later and Coy Wilde. Sue Briggs was excused and Sky Mitsch was absent. Doug Osburn excused himself at 6:45 pm to attend another meeting in the County.
2. **Street Funding**
Public Works Director Rod McKee reported the current street fund this year operates on approximately \$200,000. This does not include capital improvement cost. It is his understanding funding from the general fund to the street fund may diminish in the next or coming years, he referred to Patterson for more details.

Currently there will be a \$11,000 short fall. If general funds money goes away there will be \$86,000 short fall. McKee explained a new roadway treatment and the cost savings for the city.

McKee suggested the following ideas for street funding.

Street user fee. City has 1,000 accounts. At \$5 = \$60,000, \$8 = \$96,000.

Tax on fuel would generate \$35,000 to \$65,000

Serial levy. Calculate cost of local repairs and ask votes to fund.

Vehicle tax.

Knop asked McKee if he knew about the OrGo program and other alternative tax programs through State and Federal programs.

Wilde suggested turning streets back to gravel to cut back on maintenance cost, save citizens money.

McCormack asked to form a committee to work on different ideas and bring back to the council.

Osburn wants local citizens on the committee since they are the ones that will be paying for the expense.

Knop shared the number of committees at the state and federal level already work on this exact thing.

Patterson shared the library levy comes to an end next year, EMS which is mostly supported by ambulance is losing funds due to Medicare paying less each year, park department has been neglected for several years and is now needing some repairs and lastly the Sheriff's contract is up for renewal and more and likely cost are going up. The general fund sends \$75,000 to street fund, we may need to hold these funds back to help fund expenses in the general fund. Patterson said this has been an ongoing issue for the last couple of councils.

Osburn wants to let the citizens of Union decided what is funded in the General Fund. Send it out to the citizens for a vote what departments are funded. Let the citizens

decide if the streets lights will be on, if we have a planning department, municipal judge and if the city has police services.

Knop shared the citizens don't get a tax credit but the commercial use does get a tax credit.

Patterson was asked if she still has information from prior council meetings. Mayor asked to provide that information.

3. Marijuana regulations

Wilde asked several questions and stated several statements.

What will the city tax money be used for?

It won't eliminate the black market?

Will it pay for police/ambulance?

Is there a better location than Main Street for a business to locate?

Are we really going to get money?

Recreational concentrates (brownies, gummy bears) is what the main concern is.

Later commented the effect on the city will be little. Recreational is here and whatever is decided on retail won't change anything. He interested in zoning regulations to protect all property owners.

Osburn shared first week sales in Oregon were 11.5 million. City will only get a small amount from the State. Store sales, clean, private, guarantee. State and city funds will go into the general fund. He supports a store front.

Knop supports economic development, understands social impact of the subject, but our job is to regulate maybe have 1 or 2 meetings to go over citizen concerns and decide.

Osburn was excused. 6:45 pm

McCormack visited Eagle Cap Dispensary in La Grande. Oregon Health Authority has the ability to use their security cameras and see what they are doing. La Pine sales tax on Medical marijuana and they are in trouble.

Knop shared law enforcement lobbied for 10% of marijuana tax funds. He would like to know what Boyd Rasmussen is anticipating for an increase in his department. He wants to hear more from the citizens about their concerns.

McCormack read a letter opposing marijuana from Mr. and Mrs. McBride, Mr. and Mrs. Decker and Mr. and Mrs. Smith.

Donnie Dunn West Lincoln is opposed to marijuana and asked council to talk to other professions including law enforcement for additional information on the topic.

Mike Howard HWY 203 shared the stigma people have put with those that would come to a retail store is wrong. It won't be potheads and druggies, it will be middle to upper class people the like to smoke to use once in a while. These people have money and will spend it on other things while they are in town. Other business will prosper from such activities.

Linda Bond Cove HWY shared she is a teacher her in Union, retired. There is nothing positive seeing marijuana in this town. It is not good for the youth.

Becky Platts N. First Street. She read a letter from Earl Graham. He has lived in Union for 63 years and he is sickened that council would allow marijuana to be sold in Union. He wants Council know people will not come to Union. He asked council not to approve marijuana sales.

Becky Platts N. First Street. Asked Council if that is what we want for our kids?

Dick Middleton N. Tenth. He is against it. Union will going get \$1,000 in tax revenue, which isn't much money. You can have plants at home and out of sight. There are a lot of questions that still need answers. Everything will increase.

4. City Hall Hours

Mayor asked Council if they remembered what had happened with this topic. Patterson asked for their attention as she was the one that made the decision. Patterson reported it was discussed in a work session to be open 12-5pm Monday to Friday. The busiest part of the day is at 10:30 am when the mail is picked up. She didn't feel this would please the majority of customers. City hall use to operate with 4 full time employees, we currently only have 2.5 people running the front office. We have operated with the front doors closed on Fridays since 2008. The telephone is answered until noon on Fridays.

McKee's observation is most of walk-in customers are paying their water and sewer bill and he has not heard anyone complain of city hall not be open on Friday.

5. Any other topics that might come up.

Dick Middleton wants to know about what happen to the \$10's the citizens pay to the EMS fund. He also said the ordinance was changed to over personnel cost and etc. Mayor confirmed it was never changed.

6. ADJOURNMENT at 7:41 pm.

Approved: _____ Attest: _____
Mayor, Ken McCormack Administrator/Recorder, Sandra Patterson

**October 2015 Report
 Union Carnegie Public Library
 Union, Oregon**

STATISTICS

Patron Count.....	1236
Circulation Count.....	1904
Adult.....	1203
Children.....	701
Audios.....	95
Videos.....	474
Music CD's.....	24
Materials Added to the Collection.....	181
Materials Discarded from the Collection.....	0
Reference Questions	23
Volunteer Hours.....	110.5
Programs for Children &/or Adults.....	24
Participants.....	113
Computer usage.....	502.0 hrs.
New Patrons.....	8
ILL Requests.....	123

Events and Additions

- **Estimated wireless computer use for this month: 1387.0 hours.**
- **Arlene Weible from the State Library visited with information and a tutorial about the Statewide Database Licensing Program.**
- **Cataloging.**
- **Tuesday-storytime.**
- **Proctoring.**
- **Focus on Children and Young Adults Institute survey completed and submitted.**
- **Reports.**

Coming in November

- **Proctoring.**
- **Veteran's Day and Thanksgiving.**
- **Work on RTRG report.**
- **Tuesday-storytime.**

“This nation will remain the land of the free only so long as it is the home of the brave.” – Elmer Davis, news reporter (1890 – 1958)

Office Manager
Water/Sewer Monthly Report
October 2015

- For the month of September we had a total of 10 new accounts set up.
- All of these new accounts with a set up fee @ \$50.00 each = \$500.00
- There was 8 regular turn off(s), @ \$16.00 charge = \$128.00
- There was 5 regular turn on(s), @ \$16.00 charge = \$80.00
- We had a total of 22 delinquent notices delivered @ \$10.00 = \$220.00
- Of those notices we had 2 delinquent turn off(s) @ \$16.00 = \$32.00
- Of the delinquent turn off(s) we had 2 turned on @ \$16.00 = \$32.00
- We had a total of 95 accounts received a \$25.00 late charge = \$2375.00
- There was no billing for septic dumping for October
- There was no billing for Lab's for October

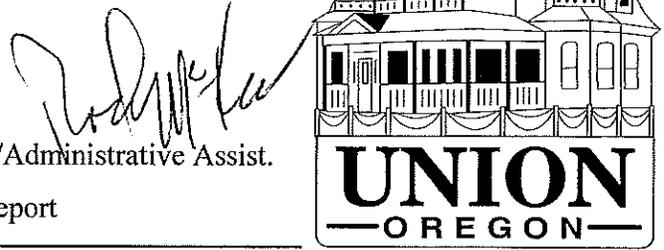
Municipal Court Report

- A total of \$108.45 was paid on citations in October
- A total of 3 citations issued; 0 City Citation, 3 County Citations

The next court date will be March 3rd, 2016 at 11:30am

City of Union

Date: December 2, 2015
To: Honorable Mayor and City Council
From: Rod McKee, P.E., Public Works Director/Administrative Assist.
Subject: October/November 2015 Public Works Report



The public works activities are slowly changing to the late fall/early winter routines. Mowing the City Park and Ranger Station grass is over for the year. Winterization of sprinkler systems was completed this month. Several water leaks required early crew call outs and working beyond the scheduled quitting time.

We will be assisting the Union School District with the installation of the new reader sign. In November the existing footing foundation was exposed to evaluate its condition and size for the new sign. The excavation exposing the footing was backfilled with concrete. Initial indications are that the existing footing and structure will be sufficient to support the new reader board sign. We will be preparing an engineering evaluation of the existing sign structure that the school district can use to secure all permits.

STREET

Drainage along North College Street along Craig Beverage's property has historically been an issue when the groundwater levels rise in the late winter and spring. There has been no place for the surface water to drain off of the gravel road surface. This weakens the street subgrade, leading to soft road conditions, rutting, and unsatisfactory drivability.

Each past winter crews would add base rock to this stretch of North College Street in order to keep it passable. With the improved drainage, it is expected the road base will remain more stable and require less maintenance. Will report on the results of this improvement throughout the winter.

WATER

Daily, weekly, and monthly scheduled and unscheduled work takes approximately one-third of the available time for the water department staff. Examples of these activities include, but are not limited to, recording daily information at the wells and reservoir; sampling the water system for compliance with State and Federal rules; performing water turn-offs and water turn-ons; utility locates; reading water meters; hanging delinquent payment shut-off notices; and checking the intake on Catherine Creek to make sure water is available to the stock tanks along the water line route; exercising mainline valves; and flushing hydrants.

Routine water samples from the water system which were tested this month continue to show no coliform bacteria present. The City water system and supply continues to be in compliance with Safe Drinking Water Rules.

In October, the new services installed with the Fulton Street Water Line project were connected to the three (3) residences served by the old water line that was replaced. The existing water line that is being replaced has been turned off at Dearborn Street. Once we are certain there are no other services connected to this line, the line will be abandoned.

All of the new radio read meters have been installed on the 3/4-inch water services in the City. Paul Phillips read all the water meters on September 23 within a four (4) hour time period. When the meters were

WATER (con't)

manually read by an individual on foot, the task would take around 40 hours. Time saving is also being realized in the water billing department as meter reads do not now need to be manually input for the monthly water bills.

SEWER

The grass along the plant entrance, west of the plant, and behind the recycle shed is mowed about every two to three weeks during the spring and summer. We are now done with mowing at the plant for this year. Robin is reporting to the plant each Monday to perform wash downs and other maintenance work which takes her the better part of the day. We have discontinued providing lab testing for the City of Cove and the City of North Powder, however Ralph still continues to perform some of the routine sampling for the plant. Routine maintenance work includes sampling; daily reads; monitoring golf course storage pond levels; checking oil and greasing; sludge wasting; sludge dewatering; sludge bed mixing; hauling sludge; and wash downs. We discontinued sending water to the golf course storage pond and began discharging to Catherine Creek November 25 because the pond level was reaching capacity. The flow in Catherine Creek has been consistently running above 17 cubic feet per second which is the minimum flow where discharge to the creek is allowed by NPDES discharge permit.

Application for funding the upcoming Wastewater Treatment System Improvement Project continues to move forward. The first town hall meeting was held at 7:00 p.m. in the Leonard Almquist Council Chambers, Union City Hall on September 22, 2015 to explain the project need, the project, and potential cost impacts. One (1) more town hall meeting is planned to be held in February 2016 regarding the project, cost, and rate impacts. The second town hall meeting was held during the day at 1:00 p.m., October 21, 2015 in the Leonard Almquist Council Chambers, Union City Hall. This meeting was very well attended.

A pre application phone conference with the Oregon Water Resources Department (OWRD) occurred the week of November 23. Paul Stevens of Anderson Perry and Associates, Inc. and I held a teleconference with Jon Unger, OWRD Program Manager to discuss the City's application strategies for funding that is available through the OWRD. These funds would in the form of a grant with a 25% local match required.

The smoke and fire alarm system installation is nearing completion for buildings at the plant. Flow meters were verified for accuracy this month. John Russell worked on the plant control system the week of November 23. Square D will serviced the standby generator in October.

The City of La Grande brought their sewer vacuum equipment to Union November 10 and vacuumed the debris from the plant grease trap, cleaned approximately 900 feet of the gravity sewer line upstream from the plant headworks, vacuumed debris from the Oregon Street lift station, and cleaned several catch basins around town.

One of the pumps in the Oregon Street lift station became plugged in October. The pump was disassembled, the clog removed, reassembled, a new drive belt added, and returned to operation.

SEWER (con't)

The fiberglass cover on the Oregon Street Lift Station which is over 20 years old has warped from exposure to the elements and will be replaced in December. The ill-fitting covers have large gaps that let cold air into the pump and control space. This space is kept heated during cold weather with a milking parlor heater. The air gaps in the covers have been temporarily blocked with foam to prevent the entry of cold air.

PARKS

Mowing of the City Park is finished for the year. The irrigation system has been evacuated and the system winterized. In September the Cycle Oregon support team drove heavy trucks on the park lawn along Main Street which caused considerable rutting. We are not sure yet how we will deal with that. Each day the restrooms are checked first thing in the morning, cleaned and restocked as required, and the park trash cans checked, and emptied when required.

Plans for the gazebo include decorative lighting and a tree for the holiday season.

RANGER STATION

This past summer/fall, the watering schedule we tried to maintain was to irrigate with just enough water to keep the grass green. This can prove to be a challenge using only hoses to irrigate this big area. We been attempted to keep the area along the highway green, but this is resulted high water consumption for the complex. If the City Council desires to keep this gateway area green in the future, we would recommend installing a simple, zoned underground sprinkler system with control timer so we can irrigate at night for much shorter periods of time thereby reducing water use.

One of the rentals experienced a sewer line blockage again in November. We were unable to clear the blockage with the tools we had and were required to employ the services of a plumber. The sewer line support system under the house was inadequate which caused sags and high points in the line allowing solids to accumulate, ultimately blocking the line.



OREGON LIQUOR CONTROL COMMISSION REQUEST Land Use Compatibility Statement

CITY/COUNTY USE ONLY	
Date delivered by license applicant:	
Received by (print):	
Initial:	

What is a land use compatibility statement (LUCS)? The LUCS is a form used by a state agency and local government to determine whether a land use proposal is consistent with local government's comprehensive plan and land use regulations.

Why is a LUCS required? OLCC and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and to have a process for determining consistency. Section 34(4)(a) of 2015 Oregon Laws, Chapter 614, requires OLCC to request and obtain the LUCS and have a positive LUCS prior to issuing a license.

When is a LUCS required? A LUCS is required for all proposed marijuana facilities before an OLCC license can be obtained.

How to complete a LUCS:

- **Step 1: Applicant** completes Section 1 of this form and submits it to the appropriate city or county planning office. Applicant verifies with local jurisdiction whether additional forms, applications, or permits are required.
- **Step 2: Local jurisdiction** completes Section 2 of this form indicating whether the proposed use is compatible with the acknowledged comprehensive plan and land use regulations and returns signed and dated form to the applicant.
 - Applicant completes payment to local jurisdiction for processing application.
 - Local jurisdictions are **NOT required** to begin processing LUCS forms until **January 4, 2016 at 8:30 AM.**
- **Step 3: Applicant** submits this date-stamped form and any supporting information provided by the city or county to the OLCC with the license application. This form may be submitted while Section 2 is in process with the local governing body.

Section 1 – To be Completed by Applicant
**Sections marked with an asterisk should be verified with the local planning department prior to submitting this form.*

Applicant Name:	Phone:
Mailing Address:	Rm/Ste:
City:	State: ZIP:

Site plan of the subject property and proposed development attached? *(required)*

Proposed Premises Address:	Rm/Ste:
City:	County: ZIP:
Tax Lot #*:	Range/Section* Latitude:
Township*:	Map* Longitude:

Proposed use/permit type sought *(A separate LUCS may be necessary for each proposed use even if it is on the same property):*

Producer <small>Note indoor or outdoor below</small>	Wholesaler	Processor <small>List endorsements below</small>	Retailer	Laboratory	Research Certificate
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Details of proposed use (note any attachments):

Site Location:

Inside city limits

Inside UGB

Outside UGB

Name of Jurisdiction:

Property Zoning of
Proposed Premises:

The proposed land use has been reviewed and **is prohibited.**

The proposed land use has been reviewed and **is not prohibited.**

If the proposed land use is allowable only as a conditional use, permits are required as noted below.

Comments:

Name of Reviewing Local Official (print):

Title:

Date:

Email:

Phone:

Signature:

Check this box if there are attachments to this form:

**REMINDER: Local jurisdictions are NOT required to begin processing
LUCS forms until January 4, 2016 at 8:30 AM**

Life of a License Application

Submitted

Applicant submits marijuana license application in online licensing system and paid application fee.

Received

OLCC License Investigator receives application and begins review.

Local Government

Land Use Compatibility Statement and local opt-out reviewed for prohibited use.

Prohibited Use

House Bill 3400 prohibits the OLCC from issuing a recreational marijuana license if the proposed use is prohibited by the local governing body.

Completeness Review

License Investigator and Applicant collect all additional necessary information.

Possible Denial

The OLCC must review for compliance with administrative rules and Oregon law. In some cases, a potential denial may be overcome if the applicant can correct the issue or otherwise show good cause to overcome the denial basis.

Application Review

License Investigator reviews application to determine if submitted information meets requirements.

Non-Compliant

Premises Inspection

OLCC Inspector visits site to determine compliance with physical requirements: Security, operations, etc.

Non-Compliant

Possible Denial

A failed inspection means that a premises does not meet security, operational, or other requirements. An opportunity is provided to correct any compliance issues, but failure to do so or a second failed inspection may result in application denial.

Approved

Applicant has met all requirements of application and premises inspection.

License Fee Due

Applicant pays the licensing fee in the online system.

All Fees Paid

License Issued

The license is issued and can be printed by the applicant. It must be displayed prominently at the location.



OREGON LIQUOR CONTROL COMMISSION

Record of Cities/Counties Prohibiting Licensed Recreational Marijuana Facilities

The following cities or counties have prohibited the establishment of Licensed Recreational Marijuana producers, processors, wholesalers, and/or retailers.

The cities or counties listed below have:

- Provided the OLCC with a copy of their ordinance, per House Bill 3400
- Signed and returned the official "Local Option Opt-Out" form which can be found at www.marijuana.oregon.gov

Affected City/County	Producer Prohibited (Y/N)	Processor Prohibited (Y/N)	Wholesale Prohibited (Y/N)	Retail Prohibited (Y/N)	To Be Put On General Election (Y/N)
Douglas County	Y	Y	Y	Y	Y
City of Ontario	Y	Y	Y	Y	N
City of Brownsville	Y	Y	Y	Y	Y
City of Vale	Y	Y	Y	Y	N
City of Nyssa	Y	Y	Y	Y	N
City of Sandy	Y	Y	Y	Y	Y
Island City	Y	Y	Y	Y	N
Umatilla County	Y	Y	Y	Y	N
Harney County	Y	Y	Y	Y	N
Malheur County	Y	Y	Y	Y	N
City of Sutherlin	Y	Y	Y	Y	Y
Junction City	Y	Y	Y	Y	Y
City of Jordan Valley	Y	Y	Y	Y	N
City of John Day	Y	Y	Y	Y	N
City of Creswell	Y	Y	Y	Y	Y
Crook County	Y	Y	Y	Y	N
City of Sweet Home	Y	Y	Y	Y	Y
City of Manzanita	Y	Y	Y	Y	Y
City of Adrian	Y	Y	Y	Y	N
City of Elgin	Y	Y	Y	Y	N
Wheeler County	Y	Y	Y	Y	N
Baker City	Y	Y	Y	Y	N

City of Umatilla	Y	Y	Y	Y	N
Canyon City	Y	Y	Y	Y	N
City of Lone	Y	Y	Y	Y	N
City of Grants Pass	Y	Y	Y	Y	Y
City of Klamath Falls	Y	Y	Y	Y	N
Klamath County	Y	Y	Y	Y	N
City of Dayville	Y	Y	Y	Y	N
City of Burns	Y	Y	Y	Y	N
Marion County	Y	Y	Y	Y	Y
Morrow County	Y	Y	Y	Y	N
City of Shaniko	Y	Y	Y	Y	Y
City of Lebanon	Y	Y	Y	Y	Y
Baker County	Y	Y	Y	Y	N
City of Coburg	Y	Y	Y	Y	Y
City of Myrtle Point	Y	Y	Y	Y	Y
City of Fairview	Y	Y	Y	Y	Y
City of Richland	Y	Y	Y	Y	N
City of Ukiah	Y	Y	Y	Y	N
City of Halsey	Y	Y	Y	Y	Y
City of Spray	Y	Y	Y	Y	N
City of Eagle Point	Y	Y	Y	Y	Y
City of Millersburg	Y	Y	Y	Y	Y
City of Gervais	Y	Y	Y	Y	Y
City of Lexington	Y	Y	Y	Y	N
City of Gladstone	Y	Y	Y	Y	Y
City of Grass Valley	Y	Y	Y	Y	N
City of LaGrande	Y	Y	Y	Y	N
City of Wallowa	Y	Y	Y	Y	N
Linn County	Y	Y	Y	Y	Y
City of Damascus	Y	Y	Y	Y	Y
Jefferson County	Y	Y	Y	Y	Y
City of Mount Vernon	Y	Y	Y	Y	N
Oregon City	Y	Y	Y	Y	Y
City of Heppner	Y	Y	Y	Y	N
Union County	Y	Y	Y	Y	N
City of Hubbard	Y	Y	Y	Y	N*
Prairie City	Y	Y	Y	Y	N
City of Irrigon	Y	Y	Y	Y	N

Please contact the individual city or county for a copy of their local ordinance.

**The City of Hubbard's provided ordinance is temporary and will expire on August 1, 2016, or when the city adopts zoning and other regulations for marijuana facilities, whichever comes first.*

FAQs



Recreational Marijuana in Oregon

RECREATIONAL MARIJUANA IN GENERAL

Q: What is the purpose of legalizing recreational marijuana?

A: As stated in Measure 91, the purpose of the Act is to:

- Eliminate the problems caused by the prohibition and uncontrolled manufacture, delivery, and possession of marijuana within this state;
- Protect the safety, welfare, health, and peace of the people of this state by prioritizing the state's limited law enforcement resources in the most effective, consistent, and rational way;
- Permit persons licensed, controlled, regulated, and taxed by this state to legally manufacture and sell marijuana to persons 21 years of age and older, subject to the provisions of this Act;
- Ensure that the State Department of Agriculture issues industrial hemp licenses and agricultural hemp seed production permits in accordance with existing state law;
- Establish a comprehensive regulatory framework concerning marijuana under existing state law.

Q: What does Measure 91 do?

A: Measure 91 allows Oregonians to grow limited amounts of marijuana on their property and to possess personal limited amounts of recreational marijuana for personal use beginning July 1, 2015 under Oregon law. The measure also gives OLCC authority to tax, license and regulate recreational marijuana grown, sold, or processed for commercial purposes. The OLCC does not regulate the home grow/personal possession provisions of the law. The sale of small amounts of recreational marijuana through medical marijuana dispensaries beginning October 1 is regulated by the Oregon Health Authority. The OLCC will begin accepting applications for growers, wholesalers, processors and retail outlets on January 4, 2016.

Q. When did Measure 91 go into effect?

A. The home grow/personal possession provisions of the measure started on July 1, 2015. Sales of small amounts of recreational marijuana through medical marijuana dispensaries will begin October 1. Visit the Oregon Health Authority's website to locate participating dispensaries. The OLCC will begin issuing commercial recreational marijuana licenses to growers, wholesalers, processors and retail outlets in 2016.

Q. Who will implement the initiative?

A. The initiative designates the Oregon Liquor Control Commission as the state agency that will

regulate the commercial growing and selling of recreational marijuana. It also gives the OLCC authority to license and regulate commercial recreational marijuana operations. The OLCC has no authority to regulate or enforce the home grow/personal possession provisions of the law. Sales of small amounts of recreational marijuana through medical marijuana dispensaries are regulated through the Oregon Health Authority.

Q: How can I get a job with OLCC in the new marijuana program?

A: OLCC posts job opportunities at www.oregonjobs.org. You can also sign up for email alerts through our website to receive notices about OLCC job opportunities.

Q: Has Measure 91 been changed from what voters approved?

A: Yes. The 2015 session of the Oregon Legislature made technical changes to Measure 91. It also authorized the sale of small amounts of recreational marijuana through Oregon Health Authority medical marijuana dispensaries, beginning October 1. The Legislature also changed the way recreational marijuana is taxed. Instead of the OLCC imposing the tax at the grower level, it will now be imposed at the retail level and collected by the Department of Revenue.

Q: Where can I get more information?

A: As updates occur and information is available, we will share that information with you on this website. Subscribe through www.marijuana.oregon.gov.

Q: What if I have additional questions?

A: Please email additional questions to marijuana@oregon.gov.

MEDICAL MARIJUANA

Q. What impact does the new recreational marijuana law have on the current Medical Marijuana Program?

A. Beginning in October 2015, participating medical dispensaries can sell a one quarter ounce of marijuana flower to any adult over the age of 21. This provision sunsets on December 31, 2016. Beginning in 2016 medical marijuana growers may apply for an OLCC license to sell their excess product into the recreational market.

Q. Should I get a new OMMP card or renew my existing Card?

A. Only you as an individual can determine answer that question. The OLCC cannot advise you about how to make that determination. Contact Oregon Health Authority OMMP-related information.

Q: What is the difference between recreational marijuana and medical marijuana?

A: Medical marijuana is for patients with qualifying medical conditions. Recreational marijuana, whether grown at a residence, obtained free from an acquaintance, or purchased

legally is for personal use for adults 21 years of age or older. For more information on medical marijuana see www.mmj.oregon.gov.

PERSONAL USE

Q: When can I smoke/use recreational marijuana?

A: As of July 1, 2015, Oregonians are allowed to grow up to four plants on their property, possess up to eight ounces of usable marijuana in their homes and up to one ounce on their person. Recreational marijuana cannot be sold or smoked in public. For more information go to www.whatslegaloregon.com.

Q: Where and when can I buy marijuana?

A: Limited amounts of recreational marijuana will be available for purchase through participating medical marijuana dispensaries starting October 1, 2015. Retail stores licensed by the OLCC will open sometime in the second half of 2016.

Q: Where and when can I buy edibles and extracts?

A: Edibles will eventually be available at retail outlets licensed by the OLCC, hopefully at the same time that the stores open in the second half of 2016.

Q: How much marijuana can I have?

A: As of July 1, 2015, recreational marijuana users can possess up to eight ounces of useable marijuana and four plants per residence in Oregon. An individual can carry up to one ounce in public.

Q: What is meant by “useable” marijuana?

A: Useable marijuana refers to dried marijuana flowers or leaves. In other words, marijuana that is ready to smoke.

Q: Can I grow marijuana at home and when?

A: Yes, with limits. As of July 1, 2015, Oregonians can home grow of up to four plants per residence, regardless of how many people live in the residence. Four adults in one residence does not mean 16 plants. The limit is four per residence.

Q: Where can I obtain marijuana seeds or starts after July 1, 2015?

A: The OLCC can provide no guidance on that issue.

Q: Is synthetic marijuana legal?

A: No, the Oregon Board of Pharmacy has voted to ban sale and possession of synthetic marijuana. Synthetic marijuana is comprised of a number of different chemicals, none of which are derived from the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae. The chemicals

contained in synthetic marijuana have been added to the Oregon Board of Pharmacy's list of controlled substances.

Q. Can a landlord tell tenants not to grow recreational marijuana or smoke it rental units?

A. Measure 91 does not affect existing landlord/tenant laws.

Q: What if an employer requires drug testing?

A: Measure 91 does not affect existing employment law. Employers who require drug testing can continue to do so.

Q: Can I smoke marijuana in a bar/restaurant?

A: No. Marijuana cannot be smoked or used in a public place. The OLCC considers any establishment with a state liquor license to be public, including patios or decks set aside for smokers. Allowing marijuana use may put an establishment's liquor license in jeopardy.

Q: What is the definition of a public place?

A: Measure 91 defines a public place as "a place to which the general public has access and includes, but is not limited to, hallways, lobbies, and other parts of apartment houses and hotels not constituting rooms or apartments designed for actual residence, and highways, streets, schools, places of amusement, parks, playgrounds and premises used in connection with public passenger transportation."

Q: Who can smoke recreational marijuana? What is the minimum age?

A: As of July 1, 2015, anyone at least 21 years of age can consume recreational marijuana recreational marijuana in Oregon. Marijuana use or possession of recreational marijuana by anyone under 21 years of age is illegal. That includes home consumption.

Q: Who will enforce recreational marijuana laws?

A: Enforcement of the home grow/personal possession provisions of Measure 91 will be at the discretion of local jurisdictions, the state police and possibly other law enforcement agencies. The OLCC is responsible for enforcement actions against businesses that the OLCC licenses to grow, process, wholesale and sell recreational marijuana and related products.

Q: How much will recreational marijuana cost?

A: The retail price of recreational marijuana will be determined through a competitive marketplace.

Q: Can Oregon recreational marijuana be taken to the state of Washington where it is also legal?

A: No. Taking marijuana across state lines is a federal offense.

Q: How will children be protected from recreational marijuana and marijuana products?

A: Measure 91 prohibits the sale of recreational marijuana to anyone under the age of 21. The act also gives OLCC authority to regulate or prohibit advertising. In writing the rules necessary

to implement the new law, the OLCC may also regulate packages and labels to ensure public safety and prevent appeal to minors.

Q: Can I get a DUII while under the influence of marijuana?

A: Yes. Current laws for DUII have not changed. Driving under the influence of intoxicants (DUII) refers to operating a motor vehicle while intoxicated or drugged, including impairment from the use of marijuana. In addition, Measure 91 requires OLCC to examine, research and present a report to the Legislature on driving under the influence of marijuana. The OLCC will do this in conjunction with the Department of Justice Criminal Investigation Division and Oregon State Police.

Q: Can I lose my job for using marijuana?

A: That depends on who you work for and what your employer says about the use of marijuana by employees. Passage of Measure 91 does not change existing employment law in Oregon.

Q: Where will marijuana stores be located?

A: Marijuana retailers may not be located within 1000 feet of a school. All licensed businesses must be located in an area that is appropriately zoned. Also, local jurisdictions have authority to adopt reasonable regulations regarding the location of marijuana businesses, including regulations requiring that the businesses be located no more than 1000 feet from one another. Stay updated by subscribing through www.marijuana.oregon.gov.

Q. What impact does the new recreational marijuana law have on the current Medical Marijuana Program?

A: Beginning in 2016 medical marijuana growers may apply for an OLCC license to sell their excess product into the recreational market. Beginning in October 2015, medical dispensaries can sell a one quarter ounce of marijuana flower to any adult over the age of 21. Visit the Oregon Health Authority website for participating dispensaries. This provision sunsets on December 31, 2016.

Q: Who collects the tax on recreational marijuana?

A: Taxes on recreational marijuana will be collected by the Oregon Department of Revenue at the retail level.

Q: How are Washington's recreational marijuana laws different than Oregon's?

A: See the Oregon/Washington/Colorado Comparison on www.marijuana.

Q: Is it legal to possess or use recreational marijuana on Federal or Tribal land in Oregon?

A: No. It is illegal until either the Federal Government or Tribes take action otherwise.

LICENSING

Q: What licenses will be available?

A: The measure lists four types of recreational marijuana licenses: Producer, Processor, Wholesaler, and Retail. A producer is also known as the grower. A processor is a business that will transform the raw marijuana into another product or extract. Processors are also responsible for packaging and labeling of recreational marijuana. A wholesaler is a business that buys in bulk and sells to resellers rather than to consumers. A retailer is a business that sells directly to consumers. The Oregon Legislature also created a license for the laboratories that test marijuana. The OLCC will issue licenses to labs that are certified by the Oregon Health Authority.

Q: When will the OLCC begin accepting license applications?

A: The OLCC will begin accepting license applications for recreational marijuana on January 4, 2016. It will be an online-only application process.

Q. How will OLCC decide how to grant or deny license applications?

A. Undetermined at this point. The OLCC is in the process of writing the rules necessary to implement Measure 91. The agency has appointed an advisory committee that will write the rules and send its recommendations to the Commission sometime this fall for approval.

Q. If I want to apply for a recreational marijuana license, what should I do now?

A. Be patient. The OLCC won't be accepting applications until January 4, 2016. In the meantime, to keep up-to-date on process, by subscribing to our email notifications. Go to www.marijuana.oregon.gov to subscribe.

Q: How much are the licensing fees?

A: Undetermined at this point. Measure 91 established an annual license fee of \$1,000 plus a non-refundable application fee of \$250 per license application. However, the Oregon Legislature made the determination that license fees need to cover the cost of the recreational marijuana program. That means fees are likely to be higher than what Measure 91 envisioned, but how much higher remains to be seen.

Q: How many licenses can I have?

A: A licensee may hold multiple licenses and multiple license types.

Q: Can an out-of-state resident hold an Oregon recreational marijuana license?

A: There is a two-year state residency requirement for all recreational license applicants. See House Bill 3400 for more information.

Q: Who will be eligible for a marijuana license?

A: Anyone over 21 years of age and older will be eligible for a recreational marijuana license if they meet certain conditions outlined in section 29 of Measure 91. Under those conditions, the OLCC may refuse a license if it believes the applicant:

- Is in the habit of using alcoholic beverages, habit-forming drugs, marijuana, or controlled substances to excess.
- Has made false statements to the commission.
- Is incompetent or physically unable to carry on the management of the establishment proposed to be licensed.
- Has been convicted of violating a general or local law of this state or another state, or of violating a federal law, if the conviction is substantially related to the fitness and ability of the applicant to lawfully carry out activities under the license.
- Has maintained an insanitary establishment.
- Is not of good repute and moral character.
- Did not have a good record of compliance with sections 3 to 70 of this Act or any rule of the commission adopted pursuant thereto.
- Is not the legitimate owner of the business proposed to be licensed, or other persons have ownership interests in the business which have not been disclosed.
- Is not possessed of or has not demonstrated financial responsibility sufficient to adequately meet the requirements of the business proposed to be licensed.
- Is unable to understand the laws of Oregon relating to marijuana or the rules of the commission.

Q: What if my city/county wants to go “dry?”

A: Measure 91 states that local governments may not prohibit licenses in their jurisdiction except with a vote at a general election. Measure 91 allows local governments to adopt reasonable time, place and manner restrictions to regulate public nuisance. The Oregon Legislature created an additional provision that allows certain local governments to opt out of the program depending on how the jurisdiction voted on Measure 91.

Q: What kinds of testing will OLCC require?

A: Undetermined at this point. Under Measure 91, the OLCC has the authority to set testing requirements, but this is a policy question that will be determined during the rule-making process.

RETAIL STORES

Q: When will retail recreational marijuana stores be open?

A: The exact date is up in the air, but the most likely time is during the third quarter of 2016.

Q: Will the OLCC distribute marijuana out of a central warehouse?

A: No. Marijuana will be distributed by those who hold an OLCC recreational marijuana license.

Q: Will there be a quota for how many retail outlets will be allowed?

A: The measure does not specifically address the number of retail outlets allowed. Specifics for licensing retail outlets will be part of the rule-making process that is currently underway.

Q: What will OLCC be doing to get ready for marijuana-related businesses?

A: The OLCC has held listening sessions throughout the state to gain a better understanding of what Oregonians expect in the implementation of Measure 91. In addition to getting legislative approval of the marijuana budget for 2015-17 and preparing to hire staff for the program, the OLCC has also selected a vendor to build the online application process and selecting a second vendor for the traceability (seed-to-sale) system to track recreational marijuana. The OLCC has appointed an advisory committee to help write the rules necessary to implement Measure 91 and several subgroups to address specific issues. The goal is have the rules adopted by October or November of this year, after which the agency will hold seminars around the state to familiarize people with the application process in advance of accepting applications on January 4, 2016.

TAXES

Q: How much are the taxes on recreational marijuana?

A: When recreational marijuana is sold in recreational stores, the taxes will range from 17 to 20 percent. The legislature set the base tax rate at 17 percent, however, they made provisions under certain circumstances for cities and counties to add up to an additional 3 percent tax. The retailer can retain 2 percent of the tax to cover their expenses. The tax will be 25 percent for the limited time that recreational marijuana will be sold in medical dispensaries. Recreational sales in medical dispensaries are slated to start on October 1, 2015, and end on December 31, 2016. The tax will be imposed on sales after January 4, 2016.

Q: How much money will marijuana bring in taxes?

A: The OLCC estimates \$10.7 million in revenue for the 2015-2017 biennium.

Q: Where will the tax money go?

A: Measure 91 provides distribution of revenue after costs to the following:

- 40 percent to Common School Fund
- 20 percent to Mental Health Alcoholism and Drug Services
- 15 percent to State Police
- 10 percent to Cities for enforcement of the measure
- 10 percent to Counties for enforcement of the measure
- 5 percent to Oregon Health Authority for alcohol and drug abuse prevention

December 4, 2015

Thank you for your continued support of the Grande Tour State Scenic Bikeway. New study shows that Bikeways brought in 12.4 million dollars into Oregon economy in 2014! The bikeway helps enhance life for locals and develop a stable local economy for Union and Baker counties in addition to attracting tourists to our area. Below are current activities involving the scenic bikeway and other bicycle related activities:

- Grande Tour Spring Ride enjoyed 30 cyclists this May. This event is held annually the first weekend in May. Cycle Oregon travelled the Grande Tour route in September. Many CO15 cyclists commented that the GT was the best part of their week long cycling adventure.
- Increased Number of Cyclists; Mountain Works Bicycles reported visits at least three times a week, groups of 2-5 persons. The Union County Chamber reported a continued increase in the number visits, seeking information. Each car generally carried multiple bicycles. Baker county Visitor Center reported visits of approximately 10-15 cyclists per week during the summer and a marked increase of cyclist observed on the streets of Baker City.
- Eastern Oregon Visitor's Guide 2015 www.visiteasternoregon.com/visitorsguide.
- Article posted by Travel Oregon, and re-posted on all our Eastern Oregon Visitor Association interactive channels. <http://traveloregon.com/trip-ideas/oregon-stories/eat-and-drink-on-the-grande-tour-scenic-bikeway/>. Great exposure for Northeast Oregon. Check is out, it is great.
- Video by Travel Oregon by, <http://rideoregonride.com/road-routes/grande-tour-scenic-bikeway/>.
- Newly formed Regional Bicycle Tourism proponents group(Baker, Union, and Wallowa County). Their goal is to increase the number of Oregon Bike Friendly Businesses in our region. Additional information available at, industry.traveloregon.com/industry.../bike-friendly-business-program/ . Here are just a few of the current BFB; Mountain Works Bicycles, NE OR Transit, Geiser Grand Hotel, Always Welcome Inn, and Eagles Hot Lake RV. These businesses offer at least three helpful items to the cyclist, and are listed for free on the Travel Oregon web site, <http://rideoregonride.com/road-routes/grande-tour-scenic-bikeway/>.
- The Regional Tourism Group will be creating *regional cycling maps* for Wallowa, Union and Baker counties with consistent signage. All styles of cycling will be targeted; road, trail, gravel.
- Grande Tour informational kiosks have been installed at five locations; Riverside Park La Grande, Union City Park, two in North Power along with *Park N Ride* parking area for use by summer and winters recreationalists and at the Visitor Information Center in Baker City. Park N Ride sites and transit stops were identified to allow flexibility for cyclists when planning their cycling adventure. The buses are equipped with bike racks.
- NEOC(Northeast Oregon Cyclists) continue to support ODOT's effort to create a non-freeway connection between La Grande(Riverside Park) to Spring Creek exit. This project will create a much needed off freeway connection between Pendleton to the Farewell Bend area.

- Work continues on proposed Umatilla Rim Scenic trail and other trail improvements.
- Phillips Lake trail has been designated as a scenic trail thanks for local supportive agencies and the efforts of local volunteers.
- Anthony Lakes Mountain Resort is working to install a downhill single track trail with the purpose of expanding activities to year round and multi-sport. This is the trend among ski areas.
- Additional regional projects include the continued development of MERA (Mount Emily Recreation Area), Joseph Branch Rail with Trail, Two Dragon trail and Wallowa Lake area bike/ped paths.

Thank you again for your continued support of the Grande Tour Scenic Bikeway and other bicycle related projects in Northeast Oregon. If you have any questions or comments, please contact me.

With much appreciation,
Anita Metlen
NEOC Bicycle Committee
541.910.0089

ORDINANCE NO. 548

An Ordinance Regulating Loud and Raucous Noise**Section**

- 1 Purpose
- 2 Findings
- 3 Scope
- 4 Definitions
- 5 General Prohibition
- 6 Noises Prohibited
- 7 Exemptions
- 8 Enforcement
- 9 Penalties
- 10 Severability
- 11 Savings Clause
- 12 Effective Date

Section 1. Purpose. This ordinance is enacted to protect, preserve, and promote the health, safety, welfare, peace, and quiet of the citizens of the City of Union through the reduction, control, and prevention of loud and raucous noise, or any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety; or causes public inconvenience, annoyance or alarm to reasonable persons of ordinary sensitivity.

Section 2. Findings. The City Council of Union finds:

A. Loud and raucous noise degrades the environment of the City of Union to a degree that:

- (1) is harmful to the health, welfare, and safety of its inhabitants and visitors;
- (2) interferes with the comfortable enjoyment of life and property;
- (3) interferes with the wellbeing, tranquility, and privacy of the home; and
- (4) both causes and aggravates health problems.

B. Both the effective control and the elimination of loud and raucous noise are essential to the health and welfare of the City of Union inhabitants and visitors, and to the conduct of the normal pursuits of life, including recreation, work, relaxation and communication.

C. The use of sound amplification equipment creates loud and raucous noise that may, in a particular manner and at a particular time and place, substantially and unreasonably invade the privacy, peace, and freedom of inhabitants of, and visitors to, the City of Union.

D. Certain short-term easing of noise restrictions is essential to allow the construction and maintenance of structures, infrastructure, and other elements necessary for the physical and commercial vitality of the City of Union.

E. The obligation to draft regulations that affect speech in a content-neutral fashion is of paramount importance to protect the freedom of expression guaranteed by Article I, section 8, of the Oregon Constitution and the First Amendment of the United States Constitution. This ordinance enacts narrowly drawn, content-neutral regulations that are to be interpreted as such so as not to infringe upon constitutionally protected rights.

Section 3. Scope. This Ordinance applies to the control of all sound originating within the jurisdictional limits of the City of Union.

Section 4. Definitions.

Emergency means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage demanding immediate attention.

Emergency Work means any work performed for the purpose of preventing or alleviating physical trauma or property damage, whether actually caused or threatened by an emergency, or work by private or public utilities when restoring utility service.

City means the City of Union.

City Administrator means the City Manager of City of Union or the City Administrator's designee.

Noise Sensitive Area includes, but is not limited to, real property normally used for sleeping, or normally used as a school, church, hospital or public library

Person means any individual, firm, association, partnership, joint venture, or corporation.

Plainly audible means any sound that can be detected by a reasonable person of ordinary sensitivities using his or her unaided hearing faculties exceeding 70 db and 50 feet between 7 am and 10 am or 60 db 25 feet 9 pm to 7 pm.

Public right-of-way means any street, avenue, boulevard, highway, sidewalk, alley, or similar place normally accessible to the public which is owned or controlled by a government entity.

Public space means any real property or structures on real property, owned by a government entity and normally accessible to the public, including but not limited to parks and other recreational areas.

Residential area means any real property which contains a structure or building in which one or more persons reside, provided that the structure or building is

Section 5. General Prohibition.

A. No person shall make, continue, or cause to be made or continued:

- (1) any unreasonably loud or raucous noise; or
- (2) any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity, within the jurisdictional limits of the City of Union; or
- (3) any noise which is so harsh, prolonged, unnatural, or unusual in time or place as to occasion unreasonable discomfort to any persons within the neighborhood from which said noises emanate, or as to unreasonably interfere with the peace and comfort of neighbors or their guests, or operators or customers in places of business, or as to detrimentally or adversely affect such residences or places of business.

B. Factors for determining whether a sound is unreasonably loud and raucous include, but are not limited to, the following:

- (1) the proximity of the sound to sleeping facilities, whether residential or commercial;
- (2) the land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;
- (3) the time of day or night the sound occurs;
- (4) the duration of the sound; and
- (5) whether the sound is recurrent, intermittent, or constant.

Section 6. Noises Prohibited. The following acts are declared to be violations of this Ordinance. This enumeration does not constitute an exclusive list:

A. Unreasonable Noises: The unreasonable making of, or knowingly and unreasonably permitting to be made, any unreasonably loud, boisterous or unusual noise, disturbance, commotion or vibration in any boarding facility, dwelling, place of business or other structure, or upon any public street, park, or other place or building. The ordinary and usual sounds, noises, commotion or vibration incidental to the operation of these places when conducted in accordance with the usual standards of practice and in a manner which will not unreasonably disturb the peace and comfort of adjacent residences or which will not detrimentally affect the operators of adjacent places of business are exempted from this provision.

B. Vehicle Horns, Signaling Devices, and Similar Devices: The sounding of any horn, signaling device, or other similar device, on any automobile, motorcycle, or other vehicle on any right-of-way or in any public space of the City of Union, for more than ten consecutive seconds. The sounding of any horn, signaling device, or other similar device, as a danger warning is exempt from this prohibition.

C. Non-Emergency Signaling Devices: Sounding or permitting sounding any amplified signal from any bell, chime, siren, whistle or similar device, intended primarily for non-emergency purposes, from any place for more than ten consecutive seconds in any hourly period. The reasonable sounding of such devices by houses of religious worship, ice cream trucks, permitted seasonal contribution solicitors or by the City of Union for traffic control purposes are exempt from the operation of this provision.

D. Emergency Signaling Devices: The intentional sounding or permitting the sounding outdoors of any emergency signaling device including fire, burglar, civil defense alarm, siren, whistle, or similar emergency signaling device, except in an emergency or except as provided in subsections (1) and (2), below.

(1) Testing of an emergency signaling device shall occur between 7:00 a.m. and 8:00 p.m. Any testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. Testing of the emergency signaling system shall not occur more than once in each calendar month.

(2) Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, shall terminate within fifteen minutes of activation unless an emergency exists. If a false or accidental activation of an alarm occurs more than twice in a calendar month, the owner or person responsible for the alarm shall be in violation of this Ordinance.

E. Radios, Televisions, Boom Boxes, Phonographs, Stereos, Musical Instruments and Similar Devices: The use or operation of a radio, television, boom box, stereo, musical instrument, or similar device that produces or reproduces sound in a manner that is plainly audible to any person other than the player(s) or operator(s) of the device, and those who are voluntarily listening to the sound, and which unreasonably disturbs the peace, quiet, and comfort of neighbors and passers-by, or is plainly audible at a distance of 50 feet from any person in a commercial, industrial area, or public space. The use or operation of a radio, television, boom box, stereo, musical instrument, or similar device that produces or reproduces sound in a manner that is plainly audible to any person other than the player(s) or operator(s) of the device, and those who are voluntarily listening to the sound, and unreasonably disturbs the peace, quiet, and comfort of neighbors in residential or noise sensitive areas, including multi-family or single-family dwellings.

F. Loudspeakers, Amplifiers, Public Address Systems, and Similar Devices: The unreasonably loud and raucous use or operation of a loudspeaker, amplifier, public address system, or other device for producing or reproducing sound between the hours of 10:00 p.m. and 7:00 a.m. on weekdays, and 10:00 p.m. and 10:00 a.m. on weekends and holidays in the following areas:

(1) Within or adjacent to residential or noise-sensitive areas;

(2) Within public space if the sound is plainly audible across the real property line of the public space from which the sound emanates, and is

unreasonably loud and raucous. This shall not apply to any public performance, gathering, or parade for which a permit has been obtained from the City of Union.

G. Yelling, Shouting, and Similar Activities: Yelling, shouting, hooting, whistling, or singing in residential or noise sensitive areas or in public places, between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to unreasonably disturb the quiet, comfort, or repose of reasonable persons of ordinary sensitivities. This section is to be applied only to those situations where the disturbance is not a result of the content of the communication but due to the volume, duration, location, timing or other factors not based on content.

H. Animals and Birds: Unreasonably loud and raucous noise emitted by an animal or bird for which a person is responsible accumulative of 10 minutes out of any one hour.

I. Loading or Unloading Merchandise, Materials, Equipment: The creation of unreasonably loud, raucous, and excessive noise in connection with the loading or unloading of any vehicle at a place of business or residence.

J. Residential Maintenance, and or Repair of Home on Weekends or Afterhours: The maintenance or repair of a residential home on the weekends or afterhours other than between the hours of 8 a.m. to 8 pm on weekends and 8:00 - a.m. and 7:00 p.m. on weekdays. In cases of emergency, maintenance or repair noises are exempt from this provision.

K. Construction or Repair of Buildings, Excavation of Streets and Highways: The construction, demolition, alteration or repair of any building or the excavation of streets and highways other than between the hours of 7:00 - a.m. and 7:00 p.m., on weekdays. In cases of emergency, construction or repair noises are exempt from this provision. In non-emergency situations, the City Manager may issue a permit, upon application, if the City Manager determines that the public health and safety, as affected by loud and raucous noise caused by construction or repair of buildings or excavation of streets and highways between the hours of 7:00 p.m. and 7:00 a.m. will not be impaired, and if the City Manager further determines that loss or inconvenience would otherwise result. The permit shall grant permission in non-emergency cases for a period of not more than three days. The permit may be renewed once for a period of three days or less.

L. Noise Sensitive Areas - Schools, Courts, Churches, Hospitals, and Similar Institutions: The creation of any unreasonably loud and raucous noise adjacent to any noise sensitive area while it is in use, which unreasonably interferes with the workings of the institution or which disturbs the persons in these institutions; provided that conspicuous signs delineating the boundaries of the noise sensitive area are displayed in the streets surrounding the noise sensitive area.

M. Blowers, and Similar Devices: In residential or noise sensitive areas, between the hours of 7:00 p.m. and 7:00 a.m., the operation of any noise-creating blower, power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, provided that the noise is

unreasonably loud and raucous and can be heard across the property line of the property from which it emanates.

N. Commercial Establishments Adjacent to Residential Property: Unreasonably loud and raucous noise from the premises of any commercial establishment, including any outdoor area which is part of or under the control of the establishment, between the hours of 10:00 p.m. and 7:00 a.m. which is plainly audible at a distance of ten feet from any residential property.

Section 7. Exemptions. Sounds caused by the following are exempt from the prohibitions set out in Section 6 and are in addition to the exemptions specifically set forth in Section 6:

A. Motor vehicles on traffic ways of the City of Union, provided that the prohibition of Section 6.B continues to apply.

B. Repairs of utility structures which pose a clear and immediate danger to life, health, or significant loss of property.

C. Sirens, whistles, or bells lawfully used by emergency vehicles, or other alarm systems used in case of fire, collision, civil defense, police activity, or imminent danger, provided that the prohibition contained in Section 6.D continues to apply.

D. The emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work.

E. Repairs or excavations of bridges, streets or highways by or on behalf of the City, the State, or the federal government, between the hours of 7:00 p.m. and 7:00 a.m., when public welfare and convenience renders it impractical to perform the work between 7:00 a.m. and 7:00 p.m.

F. Outdoor School and Playground Activities. Reasonable activities conducted on public playgrounds and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including but not limited to, school athletic and school entertainment events.

G. Other Outdoor Events. Outdoor gatherings, public dances, shows and sporting events, and other similar outdoor events, provided that a permit has been obtained from the appropriate permitting authority.

H. Land Use Zoning regulations commercial amusement is intended for public and private organizational amusement, cultural or recreation use; typically included; civic centers, fairgrounds, rodeo arenas, golf courses, athletic fields or complexes, festivals and similar exhibitions.

Section 8. Enforcement. The following individuals shall enforce this Ordinance: The City Administrator's or Police Chief will have primary responsibility for the enforcement of the noise regulations contained in this Ordinance. Nothing in this Ordinance shall prevent the City Administrator's or City Administrator's designee from obtaining voluntary compliance by way of warning, notice or education.

Section 9. Penalties.

A. A person who violates a provision of this Ordinance is guilty of an infraction P. 39 which is punishable by a fine not to exceed the maximum fine set by the city's minimum fine schedule.

B. Each occurrence of a violation, or, in the case of continuous violations, each day a violation occurs or continues, constitutes a separate offense and may be punished separately.

Section 10. Severability Clause. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section or part, of this Ordinance shall not affect the validity of the remaining parts to this Ordinance.

Section 11. Savings Clause. A prosecution which is pending on the effective date of this Ordinance and which arose from a violation of an ordinance repealed by this Ordinance, or a prosecution which is started within one year after the effective date of this Ordinance arising from a violation of an ordinance repealed by this Ordinance, shall be tried and determined exactly as if the Ordinance had not been repealed.

ADOPTED by _____ members of the Common Council voting therefore, and approved by the Mayor of the City of Union, this 14th day of November 2015.

Approved:

Attest:

Ken McCormack, Mayor

Sandra Patterson, City Administrator/Recorder

* Council, Please note selection for #6 has been attached.

CITY OF UNION ORDINANCE

ORDINANCE NO. 550

AN ORDINANCE VACATING TWELFTH STREET IN WEST CATHERINE MEADOWS SUBDIVISION CITY OF UNION, OREGON.

The City Council of the City of Union finds as follows:

1. On the 14th day of September the City Council initiated vacation proceedings for the Twelfth Street vacate. The street is approximately 453.55 feet long by 40 feet wide, 18,142 square feet.
2. It has been determined by the City Council the applicants have provided a well written application and there is full support for the vacation from the neighbors.
4. The vacation of Twelfth Street will not hinder the growth or orderly development of the neighborhood in which it is located or to which it is contiguous. The vacation will not make access to other land of any other person by means of public right of way difficult or inconvenient, and the vacation will not hinder the public's access.
3. There are no City liens or taxes unpaid on the lands covered by the proposed vacation.
4. Notice was mailed to Union landowners per ORS 271.110 on July 28, 2015: Notice was posted at Union Library, City Hall and US Post Office. Notice was posted July 27, 2015 on a post near the center of the street at the south end and the north end of proposed street. At the applicants request the hearing scheduled for September 14, 2015 was tabled to October 14, 2015. Additional mailing was sent nearby residents with notification of date change and posting in three locations in the city. Additional notice outside all required notices was published in the City Newsletter a general circulation in Union on October 1, 2015. Union City Council held the first hearing on October 14, 2015. All postings were met required by Oregon State Statute 271.110.
5. The City Council held a public hearing on the vacation at 7 p.m. on the 14th of September 2015 at the Almquist Council Chambers, Union City Hall. Objections to the application were made by Dick Middleton on 10th Street in Union and Gary Graham on N. Main Street in Union. Council requested staff report, Patterson reported the city suggest the application be denied based on several city policies as outlined in the staff report. Testimony in favor was presented by the applicants Laura Haefer and Brenda Younce whom both expressed their need to have the land vacated, no evidence was presented.
6. Union City Council finds and declares that it is in the best interest of all citizens of the City of Union, Oregon that See attached

The City of Union does ordain as follows:

Section 1. **Vacation.** North Twelfth Street approximately 453.55 feet long by 40 feet wide, 18,142 square feet, North of West Birth, between North Eleventh and Thirteenth Streets is vacated.

Section 2. **Effective date.** This ordinance shall take effect 30 days following its second reading by the City Council and approval by Mayor McCormack

Adopted by _____ members of the Council voting therefore and approved by the Mayor of the City of Union this 14th day of December 2015.

CITY OF UNION

By _____
Ken McCormack, Mayor

Attest:

Sandra Patterson, Administrator/Recorder

- a. the said 18,142 square feet portion of Twelfth Street is to be divided equally north to south and given to property owners Michael and Laura Haefer and Brenda Younce. Property owners will be responsible for survey and recording fees.
- b. the said 18,142 square feet portion of Twelfth Street is to be sold to property owners Michael and Laura Haefer and Brenda Younce at fair market value. Proceeds will be deposited into the Street Fund.
- c. the said 18,142 square feet portion of Twelfth Street is to be recorded as a utility easement for future development. Property owners can continue to use the property but will not be able to build on it.
- d. the said 18,142 square feet portion of Twelfth Street is to be used as a pocket park.

CITY OF UNION RESOLUTION NO. 2015-18

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO CLOSE UMPQUA BANK ACCOUNT AND TRANSFER FUNDS TO EXISTING ACCOUNTS.

WHEREAS, City of Union recently closed two bank accounts which the account ending in 0002 was already closed; and

WHEREAS, it is necessary to close the correct account; NOW, THEREFORE

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF UNION: The City Administrator will close the following account and transfer the remaining funds into City of Union accounts with higher interest rates and close the account.

Section 1. The following accounts will be closed and the funds transferred;

Umpqua Bank account 4825

ADOPTED by ____ members of the Common Council voting therefore, and approved by the Mayor of the City of Union, this 9th day of November, 2015.

Approved:

Attest:

Ken McCormack, Mayor

Sandra Patterson, Administrator/Recorder

CITY OF UNION RESOLUTION RESOLUTION NO. 2015-19

A RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF CITY OF UNION, IN WHICH CITY OF UNION ELECTS THE FOLLOWING

Whereas, pursuant to ORS 656.031, workers' compensation coverage will be provided to the classes of volunteers listed in this resolution, noted on CIS payroll schedule and verified at audit, and;

Whereas, an assumed monthly wage of not less than \$800 per month per volunteer will be used for public safety volunteers in the following volunteer positions firefighters, emergency medical personnel and ambulance drivers, and;

Whereas, an aggregate assumed annual wage of \$2,500 will be used per each volunteer board, commission or council for the performance of administrative duties. The covered bodies are Union City Council Planning Commission, Budget Committee, Historic Preservation, Revolving Loan, and;

Whereas, all non-public safety volunteers listed below will track their hours and Oregon minimum wage will serve as assumed wage for both premium and benefits calculations. CIS will assign the appropriate classification code according to the type of volunteer work being performed such as parks and recreation, public works, library and other such work, and;

Whereas, pursuant to ORS 656.041, workers' compensation coverage will be provided to community service volunteers commuting their sentences by performing work authorized by City of Union. Oregon minimum wage tracked hourly will be used for both premium and benefit calculations, verifiable by providing a copy of the roster and/or sentencing agreement from the court, and;

Whereas, volunteer exposures not addressed here will have workers' compensation coverage if, prior to the onset of the work provided that the City of Union;

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

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

Now, therefore, be it resolved by the City of Union to provide workers' compensation coverage as indicated above.

Adopted by _____ members of the City Council voting therefore, and approved by the Mayor of the City of Union this 14th day of December 2015.

Approved:

Attest:

Ken McCormak, Mayor

Sandra Patterson, Administrator/Recorder

**CITY OF UNION RESOLUTION
RESOLUTION NO. 2015-20**

A RESOLUTION BY THE CITY OF UNION TO CONDUCT AN INCOME SURVEY

Whereas; municipal government entities are eligible for Community Development Block Grant funds; and

Whereas; to qualify for these funds data must show 51% of the persons in the area are low and moderate income, and;

Whereas; the City of Union in 2014 was at 45.1% and in 2013 was at 42.41% of the low and moderate income: and

Whereas; municipalities are permitted to conduct an income survey by a third party to show a more accurate number of incomes, and;

Whereas; the results of the survey can be used to apply for Community Development Block Grant funds, and;

Whereas; Union City Council finds it is in Union's best interest to conduct a third party survey, and;

Now Therefore Be It Resolved, which the City of Union will conduct a sample survey to reflect more accurately the house hold income levels of Union.

Adopted by _____ members of the City Council voting therefore, and approved by the Mayor of the City of Union this 14th day of December 2015.

Approved:

Attest:

Ken McCormak, Mayor

Sandra Patterson, Administrator/Recorder

INCOME SURVEY REQUEST FORM

This form must be submitted to IFA prior to conducting an income survey. No surveys will be accepted for communities that have not been approved by the IFA through this application process. Prior to completing this form please consult with your local IFA Regional Coordinator.

Community Name _____

Date _____

Detailed description of CDBG eligible Proposed Activities for the Service Area:

What is the Proposed Activities anticipated start date? _____

Describe the Proposed Service Area: (Attach a detailed map showing the service area):

Census Tract Number(s):

Current % Low to Moderate Income of Service Area as Established by HUD: _____ %

If Public Works Project, complete the following two sentences:

1. Current MHI \$ _____ x 1.25% ÷ 12 = \$ 0.00 Affordability Rate.
2. At construction completion of the proposed project, what will the monthly water / sewer rate be for water consumption / disposal up to 7,500 gallons of water? \$ _____

Detailed justification for request to conduct an income survey. Please include all local economic and non-economic changes that would reasonably be expected to change the LMI percentage. Such changes may include factory/mill openings or closings, layoffs by major employer in the service area, or the occurrence of a major natural disaster:

Attached additional documentation as necessary.

Signature _____

Date _____

Printed Name _____

Printed Title _____

Please use the space provided on the next page to complete your response if additional space is required in any response field. Return completed form to Regional Coordinator.

Continued information from any response field above:

A large, empty rectangular box with a thin black border, intended for providing continued information from any response field above. The box is currently blank.

City of Union Rules of Procedure

It is the purpose of these procedures to encourage public participation in an orderly manner, which gives everyone a reasonable opportunity to present their point of view for consideration by the Union City Council. The portion of the agenda titled Public Comment is allocated for individuals who wish to address the Councilors about an item on the agenda or not on the agenda.

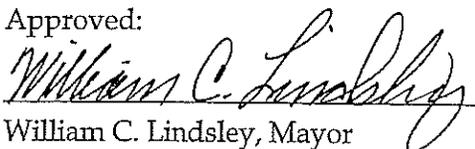
A time limit may be established to be sure that everyone has an opportunity to speak and that concerns, questions and/or presentations do not become repetitious. While the Council wishes to give everyone an opportunity to express his or her point of view, it is not necessary or advisable for every member of a group to address the City Council. In those cases where a group is in attendance, it is suggested that one or two spokespersons be selected. The City Council attempts to make informed decisions based on all the information available rather than simply on the number of people who offer the same information or arguments. In an attempt to conduct city business in a timely fashion public comment will be taken at the beginning and end of Council meetings. Council does not typically take comment during meetings. During special circumstances the Mayor or the consent of the City Council may ask for public comment.

Rules of Procedure - Public Participation in Union City Council Meetings

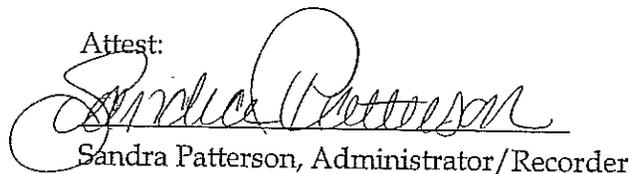
1. An individual shall not address the City Council without first being recognized by the Mayor.
2. Upon being recognized, the individual should state his or her full name (providing accurate spelling), residential address, and the topic to be discussed.
3. Speakers shall be limited to a time frame if there are many speakers.
4. An individual will not be given an opportunity to speak a second time on the same issue until all others wishing to speak on the subject have had an opportunity to do so.
5. City Council members and the Mayor may not question speakers. Issues raised may be referred to the City Administrator for investigation, study, and recommendation or designated as future agenda items for consideration.
6. When a person(s) or Councilor becomes unruly, the Mayor or City Administrator may declare said person(s) to be out of order and if necessary may rule that the individual(s) has forfeited the opportunity to speak further. Rudeness, bad language, inappropriate jesters and/or causing a disturbance, shall not be tolerated. A person(s) may be excluded from the meeting for breach of this policy.
7. Negative comments about or against City Employee(s) are not allowed during public meeting.
8. These rules of procedure are intended to supplement Robert's Rules of Order, which have been adopted by the City Council. Where inconsistencies or conflict may exist between these rules and Robert's Rules of Order, these rules shall prevail.
9. Cellular phones and pagers shall be turned off during the meeting and all head gear should be removed.
10. Any changes shall be at the discretion of the Mayor or presiding officer.

ADOPTED by 5 members of the Common Council voting therefore, and approved by the Mayor of the City of Union, this 14th day of March 2011.

Approved:


William C. Lindsley, Mayor

Attest:


Sandra Patterson, Administrator/Recorder

AN AGREEMENT FOR ANIMAL CONTROL SERVICES

THIS AGREEMENT IS MADE AND ENTERED INTO THIS ____ DAY OF JULY, 2016, by and between UNION COUNTY, OREGON, a political subdivision of the State of Oregon, by and through the Sheriff for said County (hereinafter called COUNTY) and the CITY OF UNION, a municipal corporation of the State of Oregon (hereinafter called CITY).

WHEREAS, the CITY desires to contract with the COUNTY for animal control services from the Sheriff as provided herein; and

WHEREAS, the COUNTY is agreeable, with approval of the Sheriff, to rendering such services on the terms and conditions hereinafter set forth; and

WHEREAS, such contracts are authorized and provided for by ORS 190.010 and ORS 206.345;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, it is mutually agreed as follows:

- 1) COUNTY will provide animal control services within the city limits of CITY to the extent and in the manner hereinafter set forth. The animal control services will encompass duties and functions within the jurisdiction of, and customarily rendered by, the Sheriff of the COUNTY, and pursuant to the statutes of the State of Oregon and ordinances of Union County. Such services will include the enforcement of the State Criminal statutes.
- 2) COUNTY will provide 5 hours per week of animal control services to CITY under this agreement with said hours being calculated as time either spent performing service within the CITY limits, or otherwise directly related to the handling of matters occurring within said CITY limits. COUNTY will provide CITY with a monthly report of the animal control activities and services performed for the previous month being claimed as provided under this agreement. Variants to the hour minimum requirement may be made by written agreement between CITY and COUNTY as deemed necessary or appropriate for certain reasons, such as, but not limited to, special events
- 3) COUNTY will furnish and supply all labor, supervision, training, equipment and supplies necessary for the performance of the animal control services under this agreement.
- 4) COUNTY agrees to facilitate one rabies clinic in the CITY during the contract period.
- 5) The rendition of animal control services, standards of performance, discipline of

officers, scheduling and coordination of services, and other matters incident or relating to the performance of such services, and the control of the personnel so employed will remain with the Sheriff, and otherwise under the control and responsibility of the COUNTY.

- 6) COUNTY hereby covenants and agrees to hold and save CITY, its officers, agents, assigns and employees harmless from all claims whatsoever that might arise against the CITY, its officers, agents, assigns and employees by reason of any act of the County, its officers, agents, assigns or employees in the performance of the law enforcement services required by the terms of this Agreement.
- 7) If CITY employs or utilizes the services of a municipal ordinance enforcement officer, the CITY and COUNTY will coordinate the activities that pertain to animal control with the animal control officers providing service under this Agreement with the ordinance enforcement officer so as to avoid duplication of services.
- 8) CITY understands that animal control calls for service received when animal control officers are off duty will be handled by deputies as time permits and after prioritization of other calls. Deputies may, depending on the circumstances of the call, refer a call for service to the next animal control officer on duty.
- 9) The term of this agreement will be for 2 years (24 months), from the date executed by all parties, or for a period to begin as otherwise mutually agreed upon between the parties. Should CITY elect to terminate this Agreement prior to the expiration of said term, CITY will give at least 12 months notification of the termination. If contract is terminated for any reason by either party the pre-paid costs to the County will be refunded to the City on a pro-rated basis.
- 10) Negotiations for new contract will begin in January of the expiration year.
- 11) In consideration of the services provided for herein and above, the CITY agrees to pay in cash the amounts set forth in the attached Exhibit A, billed and payable biannually at the beginning of the 6-month period.

APPROVED AND ACCEPTED by the CITY this _____ day of _____, 2014.

Mayor

City Administrator/Recorder

APPROVED AND ACCEPTED by the COUNTY this ___ day of _____,

2014.

County Commissioner

County Commissioner

County Commissioner

Sheriff

EXHIBIT "A"

COSTS OF SERVICES:

YEAR 1: \$5,501.00 for services.

YEAR 2: \$5,821.00 for services.

AN AGREEMENT FOR LAW ENFORCEMENT SERVICES

THIS AGREEMENT IS MADE AND ENTERED INTO THIS _____ DAY OF JULY, 2016, by and between UNION COUNTY, OREGON, a political subdivision of the State of Oregon, by and through the Sheriff for said County (hereinafter called COUNTY) and the CITY OF UNION, a municipal corporation of the State of Oregon (hereinafter called CITY).

WHEREAS, the CITY desires to contract with the COUNTY for law enforcement services from the Sheriff as provided herein; and

WHEREAS, the COUNTY is agreeable, with approval of the Sheriff, to rendering such services on the terms and conditions hereinafter set forth; and

WHEREAS, such contracts are authorized and provided for by ORS 190.010 and ORS 206.345;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, it is mutually agreed as follows:

- 1) COUNTY will provide law enforcement services within the city limits of CITY to the extent and in the manner hereinafter set forth. The law enforcement services will encompass duties and functions within the jurisdiction of, and customarily rendered by, the Sheriff of the COUNTY, and pursuant to the statutes of the State of Oregon. Such services will include the enforcement of the State Criminal and traffic statutes. Enforcement of animal control and/or CITY ordinances will be by way of separate agreement, and are not included within the scope of this agreement. All citations for State traffic infractions and violations of CITY ordinances, should the COUNTY elect to enforce such ordinances, originating within the CITY limits and within the jurisdiction of the CITY Municipal Court will be cited into the CITY Municipal Court.
- 2) COUNTY will provide a minimum of 132 hours per month of law enforcement services to CITY under this agreement with said hours being calculated as time either spent performing service within the CITY limits, or otherwise directly related to the handling of matters occurring within said CITY limits. COUNTY will provide CITY with a monthly report of the law enforcement activities and services performed for the previous month being claimed as provided under this agreement. Variants to the hour minimum requirement may be made by written agreement

between CITY and COUNTY as deemed necessary or appropriate for certain reasons, such as, but not limited to, special events. It is understood that services may be provided through a combination of certified and non-certified personnel.

3) COUNTY will furnish and supply all labor, supervision, training, equipment and supplies necessary for the performance of the law enforcement services under this agreement.

4) The rendition of law enforcement services, standards of performance, discipline of officers, scheduling and coordination of services, and other matters incident or relating to the performance of such services, and the control of the personnel so employed will remain with the Sheriff, and otherwise under the control and responsibility of the COUNTY.

5) COUNTY hereby covenants and agrees to hold and save CITY, its officers, agents, assigns and employees harmless from all claims whatsoever that might arise against the CITY, its officers, agents, assigns and employees by reason of any act of the County, its officers, agents, assigns or employees in the performance of the law enforcement services required by the terms of this Agreement.

6) CITY grants to COUNTY and the Sheriff full municipal police authority, and all rights of enforcement provided to CITY under federal or state law.

7) If CITY employs or utilizes the services of a municipal ordinance enforcement officer, the CITY and COUNTY will coordinate the activities of the assigned deputies and personnel providing service under this Agreement with the ordinance enforcement officer so as to avoid duplication of services, as well as law enforcement support, where appropriate, for said ordinance officer.

8) The term of this agreement will be for 2 years (24 months), from the date executed by all parties, or for a period to begin as otherwise mutually agreed upon between the parties. Should CITY elect to terminate this Agreement prior to the expiration date of said term, CITY will give at least 12 months notification of the termination. If contract is terminated for any reason by either party the pre-paid costs to the COUNTY will be refunded to the CITY on a pro-rated basis.

9) Negotiations for contract renewal will begin in January of the expiration year.

10) In consideration of the services provided for herein and above, the CITY agrees to pay in cash the amounts set forth in the attached Exhibit A, billed and payable biannually at the beginning of the 6-month period.

APPROVED AND ACCEPTED by the CITY this _____ day
of _____, 2014.

Mayor

City Administrator/Recorder

APPROVED AND ACCEPTED by the COUNTY this ___ day
of _____, 2014.

County Commissioner

County Commissioner

County Commissioner

Sheriff

EXHIBIT "A"

COSTS OF SERVICES:

YEAR 1: \$79,722.00 for services including dispatch, vehicle and equipment/training

YEAR 2: \$82,302.00 for services including dispatch, vehicle and equipment/training

Contract Costs 2014/2016

	<u>1st Year</u>	<u>2nd Year</u>
Personnel	\$68,222.00	\$70,802.00
Materials & Services	\$11,500.00	\$11,500.00
Total	\$79,722.00	\$82,302.00