

**UNION CITY COUNCIL MEETING**  
**Monday, April 11, 2016 – 7:00 P.M.**

**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 March 14, 2016 – Regular Council Meeting, pg 3-22
- b. Minutes from March 14, 2016 – City Council Work Session, pg 23-28
- c. Minutes from March 26, 2016 – Goal Setting Session, pg 29-32
- d. Minutes from March 28, 2016 – City Council Work Session, pg 33-41

**3. Mayor Comment**

- a. City of Union Committee list, pg 56

**4. Public Comment**

**5. Informational Items**

- a. Presentation Sheriff Boyd Rasmussen
- b. Sheriff's Office Report, pg 42-45
- c. Union Carnegie Public Report, pg 46
- d. Office Manager Report, pg 47
- e. Code Enforcement Office
- f. School Board Report
- g. EMS Report

**6. Administrator/Recorder Report**

- a. Code enforcement position
- b. TGM application
- c. Income Survey update
- d. Budget update April 26th
- e. Spring Cleanup Day 30th
- f. Council CIS Training

**7. Public Works Director Report – Rod McKee, pg 48-52**

**8. Correspondence**

- a. Grant letter from Parks and Recreation Dept. pg 53

**9. Action Items – Old Business**

- a. Second reading Ordinance 551 an ordinance amending ordinance 523, an ordinance repealing ordinance 295 controlling vehicular and pedestrian traffic, section 28 unnecessary noise (a) (b), pg 54

**10. Action Items – New Business**

- a) **Resolution 2016-05** A resolution authorizing credit card acceptance / processing for the City of Union. pg 55

**11. Public Comments**

**12. Council Concerns**

- 13. EXECUTIVE SESSION** permitted 192.660 (2) The governing body of a public body may hold an executive session:
- (d) to conduct deliberations with person designated by the governing body to carry on labor negotiations.
  - (e) to conduct deliberations with person designated by the governing body to negotiate real property transactions.
  - (i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

### **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.*

**UNION CITY COUNCIL MEETING MINUTES**  
**Monday, March 14, 2016 – 7:00 P.M.**

**LEONARD ALMQUIST COUNCIL CHAMBERS, UNION CITY HALL**

1. **Call to Order, Pledge of Allegiance, & Roll Call:** Mayor Ken McCormack is absent, Sky Mitsch absent, Teara Howard is absent, Doug Osburn, Matthew Later, Coy Wilde Called to order 7:01 pm John Farmer is absent but will be here.

Osburn asks that the new city council member, John Farmer be sworn in at this time, Patterson swears in John Farmer.

2. **Consent Agenda:**

- a. Minutes from February 8, 2016 – Regular Council Meeting, pg 3-9
- b. Minutes from February 8, 2016 – City Council Work Session, pg 10-13  
Osburn moves to accept minutes, Later seconds Passed unanimously

3. **Mayor Comment:**

- a. City of Union Committee list, pg 14

Randy moves to move mayoral comment to #10c Later seconds, motion passed unanimously

4. **Public Comments:**

Bob Joseph ?? E. Bird Street- Why do we need 50,000 dollar guy to be over Paul and Robin? They know what they are doing. I don't understand that, plus benefits. Sandra gets raises, my social security is stagnant, and I am going to get a cut in my pension. I am wondering, this city is going to go broke if you keep going like you are doing. I see here that there is another resolution for an unanticipated employee, how much money you got? I understand that the city is hurting for money, the library funds have been cut, roads need repair. Coy said why don't we go back to gravel roads they are cheaper to maintain, what kind of business is that? If you can afford 60,000 for her and 50,000 for him we can't afford to fill the potholes? I don't think so, something has got to be done, got to tighten a few belts around here. I think that the library funds talking about cutting the funds, and they have been cut. She is having a hard time buying books, that's a facility that this town needs. I received a letter recently, I lost it, it was about the financial doings of the city, this is a small city.

Coy Wilde asks Bob if the letter in his hand is the one that Bob is speaking of.

After Bob reviews the letter from Coy he states that yes that is the letter he is speaking of.

Bob asks Doug Osburn if he received one of those as well.

Doug Osburn responds yes.

Bob states that we need to do something about the finances of this city and that most people are on a fixed income. The city doesn't seem to be on a fixed income. Sewer and water rates raise up 5% every year, and there is another thing in the Newsletter, in order to fund an increase payments the sewer rates will increase each sewer account including vacation accounts, what does that mean? Does that mean that if the meter is disconnected you are going to pay the full amount for sewer and water for no services? I don't think so, I don't think you can do that but you can try it, I think it's illegal. I think you need to take a really good long look at expenditures of the city employees against what this city brings in. You keep raising things to generate more income for them. What about the city? What about the citizens of this city? Thank you.

Osburn, thanks Bob. Any other public comments?

Keith Montgomery 1055 N. Main Street- I have some questions and issues with the sheriff's report. A lot of these things that are on here are 911 calls that the officers would be coming for anyway. There is one report on here for an intoxicated driver, I called this in and it was unfounded. I knew the person, I gave a license plate number, and told them they could go to Falk's Mini Mart and look at the surveillance tape of the gentleman buying alcohol and walking out in the parking lot and falling down. If you look at the hours you can see that sometimes we have them 15 hours a day, 15-25 hours a day. I never see an officer in this town for that many hours. On Sunday there is an officer that lives here in town and you are seeing 7-8 hours a day on Sunday's but I never see him. There was one Sunday there were three officers in town but they were all at the Stoplight. I talked to all three of them at the Stoplight. So I got an issue paying for that coverage when I don't see an officer in town for 15.5 hours. So how do we get charged for that 15.5 hours? Sunday's are 7 or 8 hours and I never see an officer for 7 or 8 hours in this town a day, so I think that needs to be looked at and addressed.

Osburn, thank you, any other public comment? We will move along. The city council was negligent in February about reading the Proclamation for FBLA—PBL week. At this time I would like to have Matthew Later read that into the record.

5. **Proclamation—National FBLA—PBL Proclamation:** Matthew Later, (possibly insert the proclamation here). Osburn thanks Later.
6. **Informational Items:**
  - a. **Sheriff's Report**—Osburn asks the Sheriff to go into more detail. Knop asks the sheriff to address the citizen's concerns that were voiced before in public comment. Sheriff agrees to get more details on calls that are listed in the report for city council. Farmer asks the sheriff why Union pays for officer's time in court, sheriff responds that Union pays for the follow through on taking care of the issue.
  - b. **Union Carnegie Public Report**—No questions or comments.

- c. **Office Manager's report**—Later asks about are we monitoring the outflow for a potential project. McKee answers that there is a meter up there but it is not operable at this time. Later asks about a strong chlorine taste in water recently and if the samples are being monitored for chlorine levels. McKee responds that the city is aware of this and they are monitoring chlorine levels and that a certain amount of residual is required to keep water safe and clean. Osburn asks about flushing the system as a way to help the funny taste go away. McKee answers that the system was flushed 8-9 months ago and that there isn't a huge advantage to doing it more often. He adds that it is not the chlorine that people are tasting rather it is other stuff in the water that reacts with the chlorine that causes a funny taste. He adds that reduced usage of water during winter months can cause a funny taste. One way to get rid of the funny taste is to put water in a bottle and shake it up then leave it open on a counter for a few minutes before drinking the water. Later asks about using our camera for the sewer system to bring in money by leasing it out. McKee answers that there are not enough people in the public works department to send the camera out for any extended period of time. It requires two people to use the camera. Wilde states that he thought it was an active part of his job to actively use the camera. McKee states it takes two people to run the camera, Wilde asks if there was part time help to run the camera would it get used more. McKee states that yes extra help could put the camera to use more. Farmer asks how much money would the camera bring in? McKee answers about 2.00 dollars per foot. Farmer asks for example if we used the camera in North Powder for 150 feet it would pay us 225.00? That's not a worth firing up a rig over. Wilde states that North Powder wanted to hire the camera for a month. McKee states that a big problem with the camera is keeping it clean and that a lot of the lines the camera would inspect are not clean therefore causing issues with keeping the camera clean. Osburn states that there needs to be a specific meeting to revisit this issue and look at policies and procedures. Farmer states that it is an expensive piece of equipment. Patterson states it is a 76,000 dollar piece of equipment. Osburn states that there should be a council class on this camera. He also asks for any other comments or questions, this discussion also covered topic number 8 on the agenda and McKee has nothing further to add at this time.
- d. **Code Enforcement**—No report.
- e. **School Board Report**—No report.
- f. **EMS Report**—Keith Montgomery reports on the month's events. He also speaks about how disasters would be handled in Union. Osburn asks if this is written in the county's emergency response plan. Montgomery responds yes. Montgomery states that he is applying for grants if both are won for city and rural he wants to use the money to buy a thermal imaging camera and new equipment. Osburn questions Montgomery's priority list of needed equipment. Montgomery responds that it is important for finding

fire sources and people in burning homes. He states that La Grande's thermal imaging camera proved very useful in the house fire that happened on Main Street. Montgomery also states if the grants are won he will get a new fire truck. Knop talks about other thermal imaging cameras. Montgomery also briefly mentions the possibility of starting a new fire district just for Union. Finally, there is a problem residence in town, Montgomery passes photos around to council of said 100x100 property with complaints of the fire hazards not only around said home but within it. We were called to this residence with an ambulance and it took us an hour to get the resident out of the home. Other buildings on neighboring properties would be lost in event of a fire. Montgomery has spoken with homeowner with no lasting improvements. Later asks what you want to do about this. Montgomery responds that there aren't any ordinances to help fix the problem. We need laws that help to keep fire hazards away. Osburn states we can't tell people what they can and can't have on a property but we can do something about the city right of way. Knop states if there is a problem the city needs to do something about it. State fire codes overrule city fire codes. Wilde asks Montgomery if he got the homeowner to move and get rid of stuff if that would help. Montgomery responds that yes this would help but it gets a little better then it comes back. Patterson says that city hall is receiving complaint calls about the same issues and we have no city ordinances to enforce over these matters. Montgomery states that there will be training attended in April and if the grants are won that the MAC will go away. Wilde confirms that the MAC will go away. Montgomery thanks Knop.

## **7. Administrator/Recorder Report-**

- a. Code Enforcement Report-** Patterson states that she met with the security company that council asked her to. Knop asks if there has been any advertisement for the position. Patterson responds that she has not advertised rather has met with the security company. Wilde suggests putting someone in that he knows to get started on enforcing codes. Later requests seeing cost analysis associated with that. Wilde says that this person would be paid like anyone else that the city would hire. Later asks Patterson if this is the case. Patterson states that it could be paid hourly or by contract. Patterson states the security company has not provided quotes on pay. Osburn states that this person Wilde knows needs to apply and be interviewed not just put in the position. Wilde states he wants the position advertised. Osburn asks for the consensus of council to advertise for a code enforcement officer. Consensus reached position will be advertised for.
- b. Land Use Planning/Training DLCD/ Cell Tower Regulations—** Patterson attended training in Pendleton she learned that the city cannot discriminate against group homes, foster homes, or assisted living. These types of homes are automatically allowed and do not have to go through land use process. GOAL might help in historic preservation. House bill

4079 is a pilot program to provide more affordable housing in Union. We might want to consider becoming one of their pilot cities could be discussed in a work session. Osburn asks what is the criteria for affordable housing. Patterson responds low income, we have to have it, it is state law. She adds either we do it ourselves or someone else will come do it for the city. House bill 1533 it gives incentives to the developers to provide affordable housing. House bill 4036 provides incentives to wind power farms but it failed. Current wind farm proposed is active, but not beneficial to community. House bill 1598 states that a marijuana crop can be considered farm crop. A farm crop can be grown in any zone in Oregon. We need to look at our definition of farm use is and possibly redefine farm use. Wilde states that they had to prove a certain amount of income to keep the land as farm use land; we might want to examine that. Patterson states that county use is different from city use so what he is talking about won't help in this situation. DLCDC has some technical grants to keep in mind that would help with small projects. Updating codes and flood plain updates, and a cell tower code is needed after the light on the tower flashed brightly for several nights and had to be repaired. Patterson states we don't want them to be able to put a tower anywhere.

- c. **Union's Historic District HWY signage**—La Grande got a new sign that invites people to visit the historic district; we need a sign like that. Patterson shows a picture to council. Farmer notes that Union isn't on a map that is located in Salem, Oregon.
- d. **Certified Local Government Grant**—A grant to pay 50% of the cost of paying for a bell on the tower. Patterson states we now have full funding for the bell tower. Osburn asks if there are any strings on the grant, Patterson responds the city has to pay for it first then they will be reimbursed.
- e. **TGM Pre Application Deadline**—Patterson states this is to redevelop downtown and that she applied last year. Didn't get the grant, we could go for a walking pathway. Later asks if this is just for the design. Patterson answers yes and after the designs are made they can help find the funding to get it done. Wilde asks about the bike path that was talked about. Patterson states she believes a pathway around the golf course would be the best investment. Later asks if she needs a consensus, Patterson responds yes. Later asks for council's thoughts. Patterson reminds council for the new design for downtown. Knop states that he is more cautious about the pathway around the golf course because it is not known what will happen with the golf course. Patterson states path would probably be used whether or not the golf course is there.
- f. **Utility Processing- visa payment**—Patterson states over the last six months there has been an increase in requests for paying for water by credit or debit card. She adds she put a staff member in charge of looking



this offer to a friend of mine who is a commercial loan officer at another bank he helped me understand all of the offers being presented to the City of Union. There was another offer from another bank as well. McKee states he put all proposals in a spreadsheet for review. Umpqua Bank is still the best offer. Community Bank won't lock in interest rate until closing which is not good. Umpqua Bank has locked in interest rate and that rate may even go down. Later asks why we are revisiting this issue again. McKee states that he wanted council to see that they are getting the best offer from Umpqua and that they are still proceeding with Umpqua. Knop states that he is uncomfortable with the process in which other offers came in. Later states that he wants to continue with the Umpqua proposal. McKee says they will proceed with Umpqua. Wilde also states that he wishes to continue with Umpqua. Patterson adds that the Umpqua Bank branch in Union will close in June.

## **11. Action Items—New Business**

- a. **Public Hearing on Schubert/Droke proposed major partition final plat approve. Tax lot 300, Map 04s39e13db, located at the west end of Delta Street and north of Catherine Meadow Subdivision, pg 35-39 plus attachments.**---- Osburn opened hearing at 9 p.m. when he called for the staff report, Patterson states that the planning commission as of November 2015 grants the request to the applicants for the partition creating parcel 1, 2, and 3 with access off of Delta. Cul-de-sac required by code and there is shadow plat on the plans even though it isn't shaded as required by code there would be no buildings on the shadow plat. Parcel number 3 will remain one piece even though Delta will go through it.

Osburn asks if cul-de-sac will be improved.

McKee answers that the cul-de-sac will be gravel including the road leading to it.

Knop states that the cul-de-sac is up to code but the street servicing the cul-de-sac is not up to code.

McKee answers that this is correct.

Patterson states that if any of the three parcels are divided further that the road will be brought up to full standards to answer Knop asking why it isn't up to code.

Osburn asks isn't it required that there is a code that requires a minimum of 60 feet in right of way.

Patterson answers that yes we do but the right of way on 13<sup>th</sup>, 12<sup>th</sup>, and Delta are all 40 foot.

Knop states that this is following a consistent pattern. It isn't absolutely necessary to have 60 feet to accomplish the end result.

McKee states that he doesn't have an opinion on this matter one way or the other. He also states that this is kind of a convoluted process. Myself, Sandra, and Craig have spent a lot of time on this and at one point it looked like the seller of the property might back out because of the long process. As we talked there are two ways to develop a piece of property by ordinance and by statute. First you put in the infrastructure, water, sewer, electricity and the road, once accepted by city standards and completed by city standards then you can meet all of the other standards and have the mayor sign off on it and sell the individual lots. You can't sell a lot until the plat is filed. You can take a reservation for a lot but you can't sell it until a plat is on file. They are faced with the dilemma of pushing the process of creating plats along so that they could buy the lots and finish the development of the property. There is another provision in the ordinance that allows them to put up a cash bond or performance bond that works signed savings account with the city, along with a performance agreement to execute improvements of the subdivision. In lieu of completing them before the city approves the plat and signs it. We discussed this with Droke, he wants to work on the lot and move on with construction, he wants to put up cash for the improvements and have the council approve the plat have the mayor sign the plat at such time we have the cash deposit in hand. We are running against another time constraint and it isn't because of something that city staff did or didn't do, the plat needs to be filed before April 1<sup>st</sup> 2016 because of the time that has elapsed since the surveyor put the pins in there is a certain time requirement before the plat needs to be filed. This will cost the developer more money if it isn't filed by April 1<sup>st</sup>. Craig has spent a lot of time educating himself in this because he isn't a developer, and has taken the time to get quotes on how much it will cost to get this project done. It is really important that the council understands that there is performance and bonding section and a copy has been provided for you and it is kind of funky, but it states in there that city council will get estimates and make estimates and there are a lot of things that are implied that the city council is going to do in the ordinance. It also states that you are going to direct the developer to get his own estimate and submit it. In the end the estimate that is decided upon the bond must meet that amount plus 25% as required by city ordinance. Mr. Droke has just assembled the costs of what it would take him to build the project, but he can probably build this project for less than the city can because the city would have a public contract. Mr. Droke is offering 50,000 dollars to secure the approval of the plat and the mayor's signature file the plat and move ahead with the improvements. In the performance agreement the city can specify the time in which the improvements need to be completed.

Osburn asks about the material cost being 60,000.

McKee answers yes but it includes some labor.

Osburn asks he only wants to put up 50,000 dollars in a bond?

McKee answers yes.

Osburn asks rather than go out to bid what can we do it for? What's it going to cost us?

McKee answers I haven't even looked at that, I am not prepared to say what it would cost. I believe that it would be more than 62,000 dollars.

Osburn states that he agrees that it would probably cost the city more than 62,000 dollars to complete this project in the case of default. Whatever that number is what we can do it for without man power including hiring part time help that should be the amount of the bond. That is my thought on it.

Knop states the dollar value should determine whether the city self-perform or go out to bid. Staff obviously is uncomfortable with the estimate provided by the developer versus what it would cost the city to finish the project in the case that God forbid the developer defaults is using good faith but not financially responsible. City codes may be lax, a market analysis with a more defined plan would be helpful but these are just my thoughts.

Later asks what requires the city to complete the infrastructure improvements if they weren't completed by the developer? Why would we have to spend that money?

McKee states that it is the law that the city finishes the infrastructure.

Osburn states that once the plat is signed the land can be sold.

McKee states that it is this way because it is what has happened in the past.

Osburn calls for testimony in favor---

Dick Middleton 10<sup>th</sup> Street- I am in favor of this, if you cut off 12<sup>th</sup> Street I would like to see 13<sup>th</sup> Street opened up, also get the water/sewer lines in there and get some circulation going. I am for growth but we need to keep circulation in this town and put some stipulations on this thing. If they do anymore development make them go to the 60 foot right of way if you set your guidelines now, set more stipulations on it, I am for growth.

Osburn states, thank you Dick.

Leonard Flint 840 N. 4<sup>th</sup>- I am in favor, for two reasons, the city needs the tax money to grow and we can use this 12 acres to help the city. These people want to put two homes on these 12 acres. Otherwise it will just be

12 acres of pasture for cattle. These two guys want to build on it, it is a little gamble, but they want to live here and it adds more residents to the community. These guys aren't looking to buy and subdivide it to make money. Sure, have stipulations on it have a decent street.

Osburn asks if there is any more testimony in favor of this subdivision.

Craig Droke 449 N. Dewey Street- First I would like to thank the council for taking the time to hear me, in doing this project I have done my research, I have done my homework and I do understand the city's position, but I do not have unlimited resources, posting a 100% bond could create a hardship on our families. I have lived here my whole life and created a lot of relationships with friends who are contractors and I have also been working with an engineer whom I hired. I also have letters from other contractors and we feel that this project can be done for around 60,000 dollars give or take 5 to 10% I have two letters backing that up. Amongst one of those letters is from Mike Becker which is a big construction company and in doing this we will comply with ordinances and standards by the City of Union and if the council approves this I want council to know I have way too much time and money invested in this already. Especially with a 50,000 dollar cash deposit there is no way I am backing out of this.

Later asks Patterson if he is allowed to question the applicant at this time because it is during testimony.

Patterson instructs Later to wait.

Knop asks Patterson about the procedure on this type of hearing and if questions for clarification are allowed during testimony.

Patterson states questions to the actual applicant may not be asked during testimony but council is allowed to question other people during testimony.

Later asks Mr. Droke, if council denies your offer of 50,000 dollars with a performance agreement how excessive would the cost be to you if you don't meet the deadline?

Mr. Droke responds I didn't ask what it would cost me but the surveyor stated he really wants to avoid filing for an extension. There is a cost associated with it.

Later asks if anyone has insight on what the cost is to file an extension.

Mr. Droke states that he would have to file an amended plat.

Wilde states it is 50.00 dollars for filing it.

Knop asks if the governing body cannot reach a decision in a timely fashion that results in hardship on the developer is there a no foul, no harm, and no gain from extending it because it is the governing body itself.

McKee answers it is a statutory thing, it is something that the surveyor wants to avoid.

Osburn asks if there is any further testimony in favor of subdivision. He calls for testimony against this subdivision. Osburn sees no testimony. Osburn calls a close to hearing at 9:33 p.m.

Osburn states that he has questions about this plat. I want to hear from council first. Randy, do you have any discussion on this?

Knop states nothing further than what I already talked about.

Osburn asks if Knop has any questions on the plat itself.

Knop answers no absolutely not. I have no issues with it because I find that everything is consistent. I pointed out the 40 foot but it is consistent with everything around it.

Later asks even if it isn't on this plat map the shadow street of 13<sup>th</sup> across, 12<sup>th</sup> Street across, and Delta Street across to city limits on parcel 3 will be reflected on another plat map.

Droke answers that yes planning commission already has done that.

Osburn asks about the proposed sewer line does it run west down Delta, and south on to 13<sup>th</sup> Street. Is that the proposal?

Droke answers it will come in off of 13<sup>th</sup> Street, Birch Street and it will come to the corner on the end of Delta Street come to the center of the cul-de-sac and stop in the middle of the cul-de-sac.

Osburn states okay water line also?

Droke states that is correct coming in from 13<sup>th</sup> Street as well, along with OTEC and gas.

Osburn asks in your plot the preliminary or proposed plot it shows a 56 foot wide road way dedicated 28 and 28.

Later states on preliminary map it does show 28 and 28.

McKee states that number 5 of 26 is correct.

Knop asks if the preliminary document in front of council should not be used.

Osburn states that is what I am getting at that would make it closer to what we require which is the dedicated right of way of 60 feet. Whether you use it or not is immaterial, I think when you use that 60 foot and then you put that cul-de-sac down at the end you get a larger turning radius that will easily allow fire engines and such to turn around a whole lot easier than what is proposed here. That is part of why we do what we do and it is why we have 60 foot rights of way. I understand why you need the 30 foot of living feet that whole radius.

Later, it is 60 feet.

Knop asks if we can rely on preliminary as being trustworthy

McKee answers we are here to help clarify and this is preliminary review.

Knop asks what else is wrong, I just get over concerned with details and as developer I would be concerned.

Wilde states, everything else that I have seen on this is correct the small print on this it must have just been missed.

Later states that he feels pushed to make a decision and maybe I am mistaken on that but it seems to be an incomplete partition. The shadowed plats are not on there. How are we supposed to move as a council with an incomplete partition?

Patterson states that they didn't want to redo the final plat and that the shadow plats will be recorded on the deeds.

Later states that it can be done that way

McKee answers yes.

Later asks Droke to look at what he has added to the map. Then council and Droke confer over map together.

Osburn states that he is concerned with the bond. I believe that you can build this for what you say you can, but I don't know that you can do it physically. I have no past references to go on. Personally he believes that the city should get the extra 25% bringing the bond total up to 76,000 dollars.

Droke states that there were two paths to choose in this and with speaking to Rod. The first was to put the utilities in and brought it to council and had it signed off. My problem with that was that we didn't own the land. So we chose the bond route and I understand the position you are in, but now we have to come up with double the money to get into it, Frank and I have come up with a dollar amount that won't cause hardship to our families and still put the utilities in the property.

Osburn asks if there is any other collateral that can be put up with the 50,000 dollar bond, that's available. Knop states that is a tough question. Osburn states that according to the ordinance it can be collateral, cash, any kind. It has to generate that amount. According to some people that might cost 200,000 to do. You do understand the reason why those monies are put up right?

Droke responds yes I do.

Osburn states I can only make recommendations, it is up to the council to make motions and stuff, I can't even vote on it so I have concerns about it but if the council think you can do it, I don't know I would like to really know if staff says this is viable or not.

McKee states I don't know if it is viable. I didn't want to put council in a hard spot either but Craig has made a proposal to the city council and I am just trying to just give you the facts. If he defaulted on the project 50,000 dollars isn't going to be enough to have the city finish the project. A whole different world from public contracting, and from this standpoint there is risk involved.

Knop asks if Droke has a firm time frame in which you will finish the project.

Droke states two contractors he has spoken with stated a window of 30 to 90 days as soon as DEQ approval is obtained. Could be finished in 90 days, I would like that to be extended in case of unforeseeable conditions.

Knop states I wanted a time frame to know risk over time, the city is extending risk on your behalf and therefore the risk to the taxpayers how quickly can we mitigate our risk.

McKee states from a practical standpoint, it isn't just agency approval, first it needs to be approved by city staff, and then it goes to DEQ for review and then to the department of drinking water services. That review might be quick or it might take 30 days. I say once they are built and the city is satisfied with construction I think at that point we would be pretty good. There will still be other things to finish.

Knop states I wasn't thinking anything less than 6 months.

Later states I don't know how this works being the land developer and not the land owner it seems strange to me that we enter into an agreement with you when you are not the property owner. How does that work?

Droke answers Later Once this plat gets signed and filed we can switch the land over into our names. We get the DEQ approval.

Wilde asks if you will have deed to the property or be financing the property?

Droke answers be financing the property. It is going through the escrow office in La Grande.

Wilde states as far as collateral I believe that 75,000 dollars is low I think it should be 100,000 dollars. I don't want the city to be stuck with another debt if the project isn't finished.

Droke states I hired an engineer and surveyor, put up 50,000 dollar cash bond and over 100 hours invested into this, reading ordinances and dealing with contractors and officials.

Wilde asks what if you die, and the city has to kick out another 60,000 dollars to finish what you started?

Droke answers that if I die my wife will take my life insurance policy and put the utilities in.

Later asks if we approve this and default occurs and the city has to step in and take care of it but the city doesn't what happens?

McKee states that currently there is no enforcing agency and more or less would mess up escrow and make the lot very difficult to buy.

Later states it bothers me that the government is standing in the way of development. I don't know how to address it but it bothers me.

Frank Winzel states you have been talking about worst case scenario my name is Frank Winzel and I am in on this deal with Droke. I own three houses here in town one on Arch Street, 4<sup>th</sup> Street, and one on Vine Street? Say we get going on this, and I can't see where you are out anything. He is great he is a good contractor, he does a good job. I think the risk is minimal.

Knop asks for gentleman's name and if he is a part of this deal.

Frank Winzel states his name and answers Knop yes I am a part of this deal. He will be the owner of Parcel 3.

Osburn states I would like to see this go.

Wilde states he would like to see it happen but doesn't want that kind of risk on the city.

Osburn states that the risk is minimal, the more that is done the less the risk is, more will be accomplished.

Later states what I have in front of me is your summation of Mr. Droke's proposal. I guess I haven't heard from Mr. Droke on what he actually wants specifically, can you do that for us. Let me read your comments. "Accept Mr. Droke's request for reducing the cash deposit to \$50,000, direct staff to prepare a Performance Agreement, and approve the Partition Plat, directing the Mayor to sign once the Performance Agreement is in place and the cash deposit has been received." Pg . 37  
Is that what your proposal is?

Droke answers yes that is correct.

Osburn asks is that cash or in the form of a bond?

Droke answers cash

Osburn asks well council?

Later states that I propose that we "Accept Mr. Droke's request for reducing the cash deposit to \$50,000, direct staff to prepare Performance Agreement, and approve the Partition Plat, directing the Mayor to sign once the Performance Agreement is in place and the cash deposit has been received." Pg. 37

Osburn states Motion is made.

Knop seconds

Patterson calls out the council names:

Knop yes, Later yes, Farmer, yes, Wilde no

Motion passes.

Later requests a 5 minute restroom break.

Osburn grants break from proceedings for 10 minutes at 10:05 p.m.

Osburn calls meeting to order at 10:12 p.m.

Roll call: Randy Knop present, Doug Osburn present, Matthew Later present, John Farmer present, Coy Wilde present. Mayor McCormack is absent, Sky Mitsch is absent.

**b. Municipal Judge position review, pg 40-** Osburn states with the Municipal Judge what do you have Sandra?

Patterson states we have a volunteer for the position but needs training and the training is in Las Vegas. It will cost approximately \$2100 to send him to the training plus travel and hotel.

Later asks about the savings per year to use volunteer, do we have any idea what it will cost us to go back to a licensed judge?

Patterson responds no

Wilde states that the problem with this volunteer is that he has no training in law. In fairness to the citizens we need a licensed judge.

Knop asks if there is a list of judges in this county that rotate for this purpose

Patterson answers no there is not, we had a judge for 10 to 15 years but he is no longer available, so we had a volunteer started doing it and found out that he needs training.

Knop asks there are no current candidates out there? Have we spoken to other judges?

Patterson states no, I am asking what council wants to do, and otherwise I can just tell you what my opinion is.

Osburn asks what is staff's opinion is.

Patterson states I want to look for licensed judge to fill the position and bring them in as needed.

Farmer states that it doesn't make sense to pay for training.

Wilde states that all this training is BAR training. You have to be BAR certified to be a judge all it does and BAR certify them.

Knop states it is difficult to get volunteers in rural areas. We have been fortunate to have someone in the community to do the job. If it happens again what are we going to do?

Patterson states we must have municipal court here because it is in our charter.

Later states we are not after this municipal judge process as a way to generate money for the city; it is not a revenue generator. It is the ability to enforce our ordinances. We are paying for a service that will not pay for itself.

Patterson states it is for someone to come in and read the ordinances and be impartial. The ordinances are not going to make money for us; the person who is currently in the job wants the ordinances to make money for us and wants to see citations written to bring money in. I don't think that is a money maker for anybody.

Osburn states that is the wrong attitude.

Patterson states that she doesn't believe that is what council wants.

Farmer states that it would make the whole town upset and angry.

Wilde states this person found someone who couldn't pay the debt and asked for collateral which is completely illegal. I wonder how long before he does something else like that and the city is being sued.

Patterson states that what is spoken of by Wilde is completely illegal.

Let the record show that it is the consensus of council to hire a judge rather than work with this volunteer.

Knop asks if there a budget for this position.

Patterson states there is some budget for the position.

- c. **Spring Clean-up Day pg. 41-** Patterson states this will be worked out with the garbage haulers, look to schedule it about the middle of May, Wilde asks if tires will be accepted again. Wilde states no tires this time.
- d. **Appoint New Member to the Budget Committee pg. 42-43-**

Knop asks if there is an applicant, question is answered and told to look at page 43.

Wilde states that this person has motives that make this a conflict of interests.

Knop states that you can't deny them just because there is a conflict of interests.

Patterson states there no proof of anything, and this person is qualified to be on committee.

Council asks Shauna Norenberg, Minutes Secretary to read back what was spoken.

Shauna Norenberg reads Knop made a motion to appoint the applicant and Wilde states he has a conflict with this motion, discussion proceeded after this.

Knop motions to accept applicant and appoint them to the budget committee. Later seconds the motion

Patterson calls for the vote.

Knop yes, Later yes, Farmer no, Wilde no.

Osburn has to vote to break tie. Osburn breaks tie with a yes.

- e. **Resolution 2016-04 a resolution adjusting the budget for fiscal year 2015-2016 to fund an unanticipated employee at mid-year, pg. 44-** Later motions to accept this resolution, Knop seconds motion. Moves to discussion.

Knop asks this was not thought of by staff as to the man power needs previously.

Patterson states the person that did this job previously was contracted, and now the position is on payroll.

Knop states now we are getting into discussion on this matter because there are more questions. Is the relationship of the identified applicant or person if there is any conflict of interest? Did you already have a candidate selected?

Patterson states that this position was advertised for.

Shauna Norenberg states I saw the advertisement for the job in the Newsletter.

Knop states you cannot speak to this, I'm sorry

Shauna Norenberg states it's fine

Patterson states we asked for applicants. We advertised.

Osburn asks for what position did you advertise for.

Patterson states for the position of minutes secretary, where Shauna Norenberg is sitting.

Osburn asks for what pay and how is it structured? When you asked for applicants did you ask for an employee or contractor?

Patterson answers that she asked for an employee. That is how we originally hired the first person.

Knop asks if you are filling a vacancy even though it wasn't budgeted. You are filling previously identified position that previously was budgeted for?

Patterson responds it was budgeted for in a different format. It was previously budgeted for out of contracting services, versus payroll.

Knop asks if this employee is receiving any fringe benefits

Patterson responds no just pay.

Knop asks will the part time position receive any fringe benefits on overtime.

Patterson responds no just payroll taxes taken out.

Knop asks is it just straight wages?

Patterson replies yes.

Osburn asks for any other questions, none asked.

Osburn calls for the vote.

Patterson calls out council names

Knop, yes, Later, yes, Farmer, yes, Wilde, yes.

Motion passes unanimously.

- f. **First reading Ordinance 551 an ordinance amending ordinance 523, an ordinance repealing ordinance 295 controlling vehicular and pedestrian traffic, section 28 unnecessary noise (a) (b), pg 45-62----**  
Wilde notes correction on ordinance. Later reading,

"City of Union Ordinance, Ordinance NO. 551 An Ordinance amending Ordinance 523, an Ordinance repealing Ordinance 295 controlling vehicular and pedestrian traffic, section 28 unnecessary noise (A) (B).

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

Whereas, there has been residential concerns regarding noise caused by the use of exhaust brakes in the city; and

Whereas, Union's vehicular and pedestrian traffic code does not regulate exhaust BRAKE use within city limits; and

Whereas, the city council finds this to be an unnecessary noise.

Now therefore, based on the foregoing, the City of Union ordains as follows:

Section 1. Add the following underlined language to Ordinance 523, Section 28. Unnecessary Noise (A) (B). will read as follows:

Section 28, Unnecessary noise (A) No person shall drive a motor vehicle on a highway unless it is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. No person shall operate, and no owner of any motor vehicle shall permit to be operated upon any public road, street or highway, any motor vehicle so as to cause any greater noise or sound than reasonably necessary for the operation of such motor vehicle.

(B) The use of exhaust brakes(jake brakes), except in an emergency or except when used by a person operating an emergency services vehicle equipped with a muffled compression braking system, is prohibited at all times within the City.

Adopted by\_\_\_\_\_ members of the Council voting therefore and approved by the Mayor of the City of Union this 11<sup>th</sup> day of April 2016.”

Osburn states thank you Later, I am surprised there wasn't an emergency clause on there.

Wilde asks do we need to accept? Or do we just need to read it again?

Osburn states that it just needs to be read again in one month.

Farmer asks who decides what an emergency is? I drive truck for a living I drive a truck all day long. I have had my jake brakes come on in town because someone pulls out in front of me and I need to stop before I hit them who will decide what an emergency is?

Osburn states it is rather subjective. You realize the speed limit is 25mph. I am sure that there won't be a problem.

Farmer states he just wanted some clarification.

Osburn asks when executive session will be held.

Patterson states they will decide later.

**12. Public Comments:**

Dick Middleton 10<sup>th</sup> Street- What was the job created for?

Osburn states she is right there.

Shauna Norenberg raises her hand.

Dick- oh I see.

**13. Council Concerns:** Osburn any concerns? Council agrees there are no more concerns for this evening.

Later moves to adjourn the meeting. Motion passes unanimously.

**14. Meeting adjourned at 10:41 p.m.**

Approved: \_\_\_\_\_  
Mayor, Ken McCormack

Attest: \_\_\_\_\_  
Administrator/Recorder, Sandra Patterson

**CITY COUNCIL WORK SESSION MINUTES**  
**Monday March 14, 2016 at 6 pm**  
**LEONARD ALMQUIST COUNCIL CHAMBERS, UNION CITY HALL**

**Call to Order** at 6:04 p.m., **Pledge of Allegiance, & Roll Call:** Randy Knop, Doug Osburn, Matthew Later, Coy Wilde

Mayor McCormack absent, Teara Howard absent, Sky Mitsch absent.

**John Farmer is the new city council member, while not sworn in he is joining the meeting and will be sworn in during town hall at 7 p.m. this evening.**

1. Review Avista Franchise Draft.

Doug Osburn states that the new Avista franchise needs to be reviewed and discussed. The Avista representative is not present at this meeting and there are significant differences in the new agreement. Osburn asks Patterson to highlight the differences between the new agreement and the old agreement.

Patterson states the section on definitions is new and the old didn't have, also when Rod McKee and I met with the representative from Avista Rod suggested we add a right of way permit to the list of definitions. Rod will add that to the definition.

Matthew Later asks if that is different than the right of way that is currently in the agreement.

Rod McKee answers Later, I have already sent a definition of the right of way permit to Avista. We want them to give us advanced notice before they come out to do work unless it is an emergency. Right now we only get notified on a locate it is a 48 hour notice.

Patterson asks what is the difference between a right of way definition and a right of way permit?

McKee answers the right of way permit would give them authorization to do maintenance work or construction within a residential area.

Randy Knop is there an emergency clause definition in here?

McKee answers that the details are being worked out on that language that will define any type of work.

Osburn asks what kind of timeframe for notification are we expecting?

McKee answers that he believes a week should be sufficient notice before Avista comes to work, the details still need to be drafted. We don't want to inconvenience anyone by making it a full two week notice before work.

Osburn states the proper language should probably be a minimum of 7 business days prior to work.

Knop asks if this agreement applies to all utilities.

Patterson answers not this agreement.

McKee answers a right of way permit would be required for any work in the right of way. A permit is not currently required.

Knop a right of way permit is currently not required for a non-utility company, are we going to change that?

McKee we are trying to change that.

Knop you have my no vote.

McKee that is fine but we need to know what people are doing because of the gas lines and utility lines under the driveway. There needs to be a process of notification for work to occur, that way people don't just randomly look out and see construction going on.

Knop asks McKee to narrow his idea on requiring notification of the city by citizens in the right of way, he uses the example of a non-weight bearing pier in front of a house in the right of way. He adds that his entire driveway is in the right of way. He states that he is concerned about becoming overly burdensome to homeowners.

McKee you are the governing body of this city but it is up to you to regulate what is allowed in the right of way, this means keeping right of way free of traffic hazards; a light post would be illegal.

Knop citizens know that you need to call for a locate if you are going to dig. How often are we having issues to warrant putting in a code that requires the citizen to call for a locate?

McKee, replies just last week a citizen called me concerned about a big mud hole in the street and asked what would be done about it. I had been advised about this by a public works staff. Without any direction from the city the citizen went out and graded the street and now when the water runs off of the street it creates a small pond and now he thinks it the city's responsibility to fix it. I suggested to him that it is his responsibility and that he needed to correct it.

Knop states that they are talking about two different things, McKee is speaking about public access right of way and Knop is speaking about easements.

Coy Wilde asks if all the right of way's that are supposed to be taken care of by the citizens need to be looked at and checked before citizen makes changes.

McKee answers yes this is just to help avoid drainage problems.

Patterson adds that citizens paving their driveway's all the way to the street causes issues. McKee agrees because there is no grading done it adds to drainage problems with the streets.

Knop asks if there is any code currently that prohibits the citizen from doing what they want.

McKee answers there currently is no code, it is to help avoid problems in the right of way of the streets.

Wilde asks who will oversee this?

McKee answers public works would go take a look.

Wilde states that the citizens want to fix right of way's are we going to just let them take it upon themselves to do it?

Osburn states it should be done with authorization from the city.

Patterson states that it would be good to know so that improvements made by the citizen won't be undone by construction making the citizen have to redo it after the construction, so altogether this would protect the citizens and the city.

Later states that council is getting off topic.

Osburn asks if the right of way extends overhead.

McKee answers yes we have control over air way over right of way.

Osburn asks how far up?

Patterson answers that it is defined in the fire code. There isn't a clear definition in the city code so we try to enforce the fire code.

Osburn states utilities that pay a franchise fee to use our rights of way a permit process is adequate. A permit required before work because of conflicts that may arise. A couple years ago, water crew was fixing a water line, the power company trimming trees, and Avista changing lines, streets were shut and no one could get around. Avoid crowding issues and stress to the citizens. Citizens are not to plant things in right of way, they need prior approval from city.

Rod city ordinances are not well written and need work. For example, at LDS church, the trees next to the street get very heavy with leaves. The leaves weigh down the limbs and you can't drive through because of heavy branches. Need ordinance to make pruning these trees mandatory. Patterson states that she and McKee also noted the franchise fees, which are 5%, this was on page 5 of city council's copy, she notes that other counties are at 6% on the other side of the state.

McKee adds that if you decide to increase the franchise fee they will put it on the bill, meaning the citizens will get an increase in monthly payments. McKee and Patterson also both noted that there needs to be a definition about how the street will be put back after work is done, such as asphalt or gravel.

Knop asks for clarification on documents concerning franchise agreement.

Patterson clarifies that the old and new agreements are there for review for convenience to city council. The agenda states which document is which. She also adds that specific street specs need to be added to agreement. The top concerns of right of way permit and adding restoration specifications to the agreement were what Patterson and McKee picked out. They are more pleased with this agreement versus the old one.

Osburn asks when will you have a final document.

Patterson I am hoping to have the final document at the next meeting and hopefully the Avista representative will be here for you to ask questions to.

Knop asks about page 8 of a document and if Steve is the person who is drafting the language of the agreement.

Patterson states yes.

Knop asks about the three year time frame hold harmless for them. He wants to know if the city bears the entire cost of repair. Does a failure or deficient product, or if it wasn't bedded properly.

Osburn, states that he believes that it is only if the city requires it to be moved for any reason in the first three years.

Later states after that they bear that cost.

Osburn states I'm not so sure, I bet they won't pay much of that after three years either. This is like what the state did to us on Main Street, if we wanted to dig on Main Street within the first five years the cost was astronomical, so we replaced everything under Main Street before it was paved.

Knop states Avista has a lot deeper pockets than the city. Are they explaining why there is such a big expansion on the previous agreement?

Patterson answers Knop that the three year time frame is for if we decided to go with another gas company, we are giving them three years to get their lines out of the ground. To answer your second question, several franchises have already adopted this and it has already been challenged.

Knop states it has always been understood with utilities that the public agency can actually require them to come and excavate their product.

They will try to sell the product instead because it has market value. He is concerned for the citizens as far as the disruptions with a relocate.

Patterson states that she can research and look at other proposals.

Osburn, this essentially only covers a relocation or new install, the three year clause?

Later states that he thinks this whole section is simply talking about when the city says we are doing something different down here and we need you to move your gas line for whatever reason, he doesn't think that it applies to if the city was to switch gas companies.

Osburn states that this stuff has been in the ground for 50 years, is it everything in the ground now?

John Farmer states that this needs to be spelled out, this is vague.

Osburn states that this isn't clear enough.

Patterson states that she will get more clarity on this section and research it.

Osburn asks if there are any other questions?

Wilde asks if the franchise fee will go up?

Later asks how much is gained annually?

McKee answers later 25,000 per year to Later.

Patterson states that the franchise fee money goes to the general fund.

Farmer states that it shouldn't be raised.

McKee states that if it is raised it will be noted on the bill.

Osburn that is required by the PUC, they have to note that.

Knop states that franchise fees are one of the most insidious forms of taxation because the money is not dedicated for a return. It is also automatic and not voted on he feels that the impacts are not considered.

Osburn states that inadvertently some of these expenses will be passed down to the consumer.

Knop states the franchise fee should be used in part to mitigate the cost of that service to the citizens.

Farmer asks they don't dedicate it to anyone specific?

Knop states yes it is not a dedicated fund like street or water fund.

Osburn states that franchise fees should also be used for conservation education, the problem is then when the utility company sees a drop in revenue they seek a rate increase through the PUC, then the rates go up again.

Knop states mitigating and use of a product like water or electricity and in this case gas, there is a shift in the bar or margin in profit. Unrealized costs can be clearly identified by companies and this saves money in the beginning but not necessarily in the long run. I favor bonds development, financial vehicles.

Osburn states he believes that the utility company favors franchise fees because there is no cost to them they are able to pass on 100% of it.

Knop states there isn't an incentive on the part of any public agency to defend the consumer when it comes to franchise fees because they are automatic.

Farmer asks is there any way that this can be written so that there is an increase in the franchise fee but that the increase cannot be passed down to the consumer?

Knop answers that it is an old law that was designed not to allow for public participation in how it's collected or spent. This would cause a lot more ordinances or administrative rules to be drafted.

Osburn states that we could adjourn this, and have a break.

Patterson asks council to let her know if they have any more suggestions on the Avista agreement.

Osburn states a final document would be more helpful to read prior to the meeting.

Knop states that the league of Oregon Cities have had bills passed through them and may be able to provide some guidance on this matter.

Patterson answers Knop, sure.

## 2. ADJOURNMENT

Osburn adjourns the meeting at 6:55 p.m.

Approved: \_\_\_\_\_  
Mayor, Ken McCormack

Attest: \_\_\_\_\_  
Administrator/Recorder, Sandra Patterson

## CITY COUNCIL GOAL SETTING SESSION MINUTES

March 26, 2016 at 9:00 A.M.

Eastern Oregon Experiment Station, Executive Conference Room  
327 10<sup>th</sup> Street Union, Oregon 97883

Attending the meeting were Councilors Randy Knop, Matt Later, Doug Osburn, Coy Wilde, John Farmer and Mayor Ken McCormack. City Administrator Sandra Patterson and Public Works Director / Assistant Admin Rod McKee attended and facilitated the meeting.

**Purpose:** To develop City Council Goals for the 2016 Year

Council had a short discussion about making minor changes to the vision statement for example changing it to the following: (strikeout words are removed and highlighted words are added)

Vision: The City of Union is a strive to be a vibrant welcoming community that celebrates our heritage, small town character and natural surroundings.

A work session was suggested to give more time to be creative with making changes to the vision statement.

Council had made the following suggested changes to the city mission statement:

Mission: The City of Union, in partnership and communication with residents, businesses and schools is dedicated to:

- Provide a safe, healthy, welcoming atmosphere and infrastructure where people chose to gather and live.
- Promoting innovative technology, industrial and commercial development in Union.
- Support good-paying jobs to the community to provide diversification and additional income opportunities.
- Support planned alternative transportation that impacts the city
- ~~Create an atmosphere for multiple social groups to gather for the benefit of the community.~~
- Promote beautification of our the city's local heritage
- Promote safe surface transportation within the city
- ~~Modernize city Charter~~

Council discussed and deleted two goals from last year and agreed to keep three of last year goals which are underlined.

Goals:

1. Collaborate with local social groups (lions, VFW, Masons, Chamber) in Union to better the community.

2. Apply for the ODOT TGM grant for a downtown HWY 237 and 203 revitalization plan.

Later suggested the city find a better way to market to the citizens. Post signs this is where your money is going.

3. Seek ways to partner with property owner and other economic development groups to market the industrial land.

4. Seek a community building for kids and seniors

~~5. Locate and develop dump site for RV waste dump or perhaps partner with another company and or RV park.~~

~~6. Add welcome signs to highway 203 east and 237 north and west Arch.~~

7. Support library board in seeking a library district, in meantime support a minimal budget for operations.

There needs to be a larger conversation on this topic along with 8 below, possible work session.

8. Aggressively seek funding alternatives outside the street and general fund for street expenditures.

There needs to be a larger conversation on this topic along with 7 above, possible work session.

9. Replace Update Charter

Farmer and Knop were appointed to the Charter Committee

10. More activates for children of all ages (in the park perhaps).

McCormack shared he has someone checking out the park for freebee golf. He will bring a quote back to the city.

### **Preparation:**

- Review the existing Vision and Goals from 2015
- Review staff and citizen comments
- Bring your list of items and/or goals you would like to discuss

### **Agenda:**

9:00 – 9:30            Ice Breaker

9:30 – 10:00        Quick overview of last year's challenges

10:00-10:30            Local concerns and issues

Council requested to have the golf course contract emailed to all of them.

10:30 – 12:00            Brainstorm new ideas

- a) On street parking exceptions
- b) Deer
- c) Identify city program cost (all)
- d) Library funding / district
- e) EMS long term solution funding
- f) More involvement with county /state/federal initiatives
- g) City of Union theme logo
- h) Economic development
- i) Recreational development
- j) Improve public communication
- k) Wastewater treatment improvement project
- l) Review / Evaluate Charter
- m) Work with local community groups
- n) City assisted living center
- o) Communication improvements, broad band
- p) Operational cost/covienance
- q) Improve the city of Union persona
- r) Existing sidewalk condition
- s) Transportation
- t) Budget Prioritization
- u) Law enforcement
- v) Water system improvements
- w) Evaluate actual cost/residence
- x) Air quality
- y) Biz license / land use codes
- z) Golf course
- aa) Franchise fee for right of way use

Further periodization from the above list was made by Council.

1. Budget prioritization
  - a. General Fund/Street Fund
  - b. Enterprise Funds (water/sewer)

Council decided a work session was necessary to further discuss these items.

2. Recreational Development
  - a. Recreation committee
    - i. Make recommendation and prioritize for city council

3. City of Union Theme/Logo
  - a. Council to come up with alternatives and then have public redefine.
4. Economic Development
5. Improve Public Communication
6. Law Enforcement
7. Golf Course
8. Review/Evaluate Charter
9. Communication improvements
10. Improve City of Union Persona

12:00 –1:00            Working Lunch

1:00 – 2:00            Narrow short term goals

See above

2:00 – 3:00            Discuss Long Term Goals

Time ran out. Council will meet again to continue discussion.

Council adjourned the work session at 3:00 pm.

Approved: \_\_\_\_\_  
Mayor, Ken McCormack

Attest: \_\_\_\_\_  
Administrator/Recorder, Sandra Patterson

**CITY COUNCIL WORK SESSION MINUTES**  
**Monday March 28, 2016 at 6 pm**  
**LEONARD ALMQUIST COUNCIL CHAMBERS, UNION CITY HALL**

Called to Order at 6:00 p.m., Roll Call: Mayor McCormack, Doug Osburn, Sky Mitsch, John Farmer, Matthew Later, Coy Wilde Absent, Randy Knop Absent.

Mayor McCormack states the first item on the agenda; Doug Osburn asks if he can add something to the agenda. Mayor McCormack answers yes.

Osburn states that work performance of any of the council or any staff member is monitored by the city administrator. The Mayor's job is simply to facilitate the process of council. It is not up to the Mayor to discipline or make decisions about someone's work performance. There is a set of rules governing the complaint of performance and that the city administrator is where the complaint process begins. This process of addressing a problem is there to maintain professionalism of city council and all city staff. Mayor McCormack agreed with Osburn.

Mayor McCormack asks if this is all that Osburn wishes to communicate, Osburn responds yes.

1. **Review Visa Credit Card Process:** Mayor McCormack reads item number 1 and begins meeting. Tanya Freeman begins by stating that she was asked by Patterson to research the process of adding equipment and company to process credit card statements for the City of Union. Patterson adds that the request for credit/debit card payments has greatly increased in recent time. Patterson shared there are several reasons that both the customer and city would benefit with this service. New customers moving to Union call to sign up for services ask to pay with credit card. Someone paying on an account for a loved (elderly parent or child) one usually lives out of town wants to use a credit card. So this system is not only a benefit for those customers that struggle to make their monthly payments there are several other situational reasons. She asks that council to write all questions down and save them until after Tanya is done presenting all to ask questions.

Tanya states that she has chosen three companies to use for credit/debit processing and she has only highlighted each company's pros/cons. Company number 1: This company is called Pace, it only services government agencies allowing for very minimal costs. This company is going to charge a 2.95% processing fee, this is about \$2.39 per transaction, for each transaction and a flat fee of \$1.50 for any charge under \$50.00. They offer three different pieces of equipment free with opening of account. She recommends that the city choose a

card reader for the office and a mobile card reader for city workers to use in the field for collecting payments. Processing fee must be disclosed to customers and signs will probably be provided by Pace. Another added benefit is that the city can use personalized payment links online.

Company number 2: Square, there is no monthly or annual fee. The city would have to purchase additional equipment to use this company. An iPad, square dock, and printer would all have to be purchased; this will add expense to the city.

Company number 3: Umpqua Bank, this service has an annual fee of \$8.95 and a \$13.20 PCI compliance fee. The processing fee that the customer would have to pay is more complicated and the city would have to collect these fees and put them in a separate account every month. This would add several hours to staff in account balancing and it is complicated. There will be equipment fees with Umpqua.

Tanya continues that the first company could have the city setup and running within in two weeks and that the current system is not compatible with Visa.

Osburn states that he has heard of many security problems with Square. He cautions against using square because of these security issues.

Later states that he uses Square in his own business and has no issues because he uses the dock rather than the more mobile version that plugs into a cell phone. The radio frequencies emitted from the cell phone can be picked up and used to steal card numbers.

Mayor McCormack asks a question how Pace can offer this kind of pricing.

Tanya stated because they only service government, and utility companies not small business or reatail.

Osburn asks if percentages are subject to change. Also, what kind of sign will be displayed to inform customers of processing fee?

Patterson shared a sign will probably be provided by the company to put in the window.

Later states that the rate being charged varies and needs to be calculated correctly.

Tanya states that the bank takes the fee right off the top which makes city employees job easier, but this is with the Pace company.

Later asks how difficult the process of severing connection with Pace? What are the prices of replacing equipment given by Pace?

Council asks Tanya to email answers to questions to them once she gets the answers. Tanya agrees.

Mitsch adds they could save money by buying used iPad equipment if they decided to use Square. She has seen them on online for under \$100.

Farmer states that he likes Pace because they have a more full solution and that the city only has to handle x amount of funds.

Mayor McCormack asks if different cards are used if it changes the fee?

Tanya states no it doesn't matter what kind of card is used, it could be Visa, or Discover, or American Express.

This is what Tanya liked about Pace. The other company's limited the city on what cards we could take.

Osburn asks about turnaround time and how fast replacement equipment is delivered? Tanya agreed to look into it.

Tanya states that the amount of charges in one day is important with Umpqua, if they decided on any of the companies that it would be announced in Newsletter and put on the water bill.

Osburn states if someone made arrangements to pay bill over six month period it would be easier to arrange to have a credit card billed monthly and that the customer wouldn't have to worry about it anymore.

Tanya states that keeping credit card numbers on file is too much of a security risk for the city and she would shred each number after it was given to the office staff.

Farmer states that there is some risk in paying by check and mailing it to the city.

Tanya states this is convenience provided to the customers with no cost to city and no extra staff time. The customer saves \$25 a month in late fees, \$16 turn off fee and a \$16 turn on fee if they pay their bill on time. So paying a small percentage is minimal compared to what getting behind. Patterson added the city gets the money in the bank and budget with no wait.

Farmer states it is good to just have hands on transactions without storing credit card numbers.

Tanya states that the city could expand and use more of the online features if needed later but she doesn't believe it is needed at this time.

Farmer asks for city councils thoughts. He also asks for more information.

Osburn asks if city council really needs to vote on this matter, he said this is an Administrative decision, not council.

Patterson stated she thought it was managements decision, but thought this council would want to vote one it, but will double check.

Tanya thanked the council for their time and states that she will email them answers to their questions.

2. **Digitize City Codes:** Patterson states that it would be good to digitize city codes so that they can be searched online. It will cost the city between \$6,000-\$7,000 to get this done with the company that currently prints city codes.

Mayor McCormack asks if there is more than one company available to digitize codes.

Patterson states yes but that she has only spoken with current company.

Farmer asks if a digital form already exists.

Patterson states yes in PDF format.

Farmer asks if it would be easy to make that format work.

Patterson states no it would have to be put into a different format. She adds it would be easier for the citizens to search and look up specific codes.

Mitsch asks if there are programs that could be purchased to allow staff to digitize city codes. She adds some research should be done on this matter.

Patterson states she will research options. It would need to go out for an RFP if it cost more than \$5,000

Mayor McCormack asks if current CD could be obtained from current company. Patterson shared we have a CD.

Dick Middleton 10<sup>th</sup> Street—Doesn't it state that the city must go out for bid on a subject like this in our charter?

Later states yes it would go out to bid.

Patterson states it needs to be put in budget, and then move forward.

3. **Book Donation to Friends of the Library**---Patterson states that used books are donated to Friends of the Library and then usually sold at the Grassroots celebration.

She adds the books in the library are rotated out. The Library Board use to hold sales but has now turned it over to Friends of the Library. Attached to this agenda is the city code regarding surplus property owned by the city.

Later asks why we are turning property over to a private entity? Why is the city going with this process?

Patterson confirmed that is currently not happening. Books donated to the city should be kept on city property and belong to the city. Books rotated off the shelves at the library are still the city's. Those books are also kept with the donated books.

Later states that months ago they sold a street sweeper and that the city was able to sell surplus property.

Patterson confirmed the city did sell the street sweeper and the city did it by following the city's surplus policy.

Osburn asks about doing a monthly sale of books rather than a sale once a year.

Ski Mitsch asks about keeping a small rack of books for sale at the library all the time?

Mayor McCormack asks if we could under current city codes just give away city's surplus?

Patterson clarified what the Mayor was referring to. In the current code it says the Council can declare the property surplus and the Council can then trade the property for something else. For example trade the books with the Friends of the Library for something they do as a benefit for example a puppet show or whatever it is they do, Patterson said she wasn't sure of their activities as the city doesn't get a report of their doings.

Osburn states that an attorney statement would be needed on the subject. Mitsch adds that this subject is iffy under current codes.

Farmer asks what is it would be trading for?

Later states the city could sell the books at a fixed price.

Farmer asks how many books there are.

Patterson states there are hundreds/thousands, they are to be kept on city property (maybe city shop) but not for sure.

Farmer states this needs to be done legally.

Later states formal process, volunteer organization that is not part of the city which we know nothing about, he is uncomfortable with the Friends selling the books and putting the funds in their account.

Mayor McCormack states the Friends of the Library are facilitating the process of selling the books.

Farmer asks about a verbal agreement with Friends that they can sell the books and the funds go back into the library fund.

Osburn states the books are still library property, and they are volunteers. The Friends of the Library want to dictate how the profit of the sale of the books is spent.

Dick Middleton 10<sup>th</sup> Street—Could the books be sold at a fixed price like a dollar a book? How does the city dispose of minor or small things that belong to the city? Can you reclassify books?

Patterson said we don't dispose of anything. If there is value of any kind it is kept and stored away. If it is garbage it is decided if it can be recycled.

Osburn states that people donate to the library and that is taxpayer money, so to turn this over to the Friends of the Library (a nonprofit not associated with the city) that the money generated should be used to fund the library. They might get that money and use it to buy flower pots. Once the money goes to the Friends of the Library it is no longer public dollars and the city can't dedicate it back to funding the library.

Middleton responds I understand and see why it is working that way.

Osburn states once the money is turned to the Friends of the Library it is private and that the assets of the library should be used to fund it.

Later states he doesn't want the money generated from book sales to be given to a private entity.

Farmer asks what it would cost the city to sell the books? Osburn states we won't do it.

Mayor McCormack states an answer is needed by Wednesday when he meets with a member of the Friends again.

Farmer asks how much the books are worth?

Patterson thinks the book sale brings in between \$500-\$800 on books sold.

Mayor McCormack states that possibly Friends of the Library sells all the books and then donates all the money back to the library, or possibly asking for a breakdown from the Friends of the Library on how the money would be spent.

Later states if \$500 is generated annually I would be 100% in favor of all the money going back to the library. The money could be used to bring in authors and that the Friends of the Library are doing a good job.

Osburn states that the library needs the money.

Mayor McCormack ask then does the money go to general fund, or library?  
Patterson said a resolution can be drafted to put the funds in any line item they want in any department they want.

Middleton 10<sup>th</sup> Street, Friends of Library was set up to keep money out of general fund.

Patterson confirmed the Library is a department within the general fund.

Farmer states there should be control over how the money is spent, and that money would be given as needed.

Osburn states a budget needs to be approved by committee and that technically right now any money given is put in general fund. It could be set up to go back to the library, but make sure that there isn't overspending and their documenting all spending, just as required with all department of the city all governments. If there isn't enough funding to run the necessary functions of the library then the library is failing the public. I haven't seen the Friends of the Library fundraise and donate the money to the library.

Mayor McCormack agreed the money needs to go right back to the library.

Later states I am not supporting this, we have city property to dispose of and there is no reason to shuffle money to a nonprofit which belongs to taxpayers.

Mayor McCormack states a resolution should be made.

Osburn states there should be budgeted amounts for expenses.

Middleton 10<sup>th</sup> Street asks, where donated money goes.

Patterson shared once we know how much money is raised a resolution is drafted to put the funds in the Library Department in a line item to they can be spent.

Middleton 10<sup>th</sup> Street states book sale into miscellaneous.

Patterson states expenditure line item. City could deposit the funds into the general fund miscellaneous then added to library department.

Osburn states that books might come and go but they have cash value.

Mayor McCormack states he will pass on the thought of council to Friends of Library.

Ski Mitsch states that the library is lacking funding Friends of Library and extra stuff, the library still needs operational funding.

Middleton 10<sup>th</sup> Street, asks if the council is done talking about library? Council answers yes. He states the city could get a better system to record meetings than the tapes. Something to transfer the minutes to a computer.

Patterson states that Oregon State Law requires that minutes be recorded on tape.

Mayor McCormack asks if there is anything else. Patterson said we have actually considered it. Later thought the State of Oregon might wave the tape requirement. Patterson will look into it.

Meeting adjourned 7:12 p.m.

**4. Adjournment—7:12 p.m.**

Approved: \_\_\_\_\_  
Mayor, Ken McCormack

Attest: \_\_\_\_\_  
Administrator/Recorder, Sandra Patterson

## *Union Activities –March 2016*

The Union County Deputies contributed hours to the total for the month. The statistics reflect the activities for the Sheriff's Office.

The following will show the activity done by Sheriff's Deputies:

<b>HOURS</b>	<b>138.75</b>
CRIMINAL CITATIONS	0
TRAFFIC CITATIONS	1
WARNINGS	11
ARRESTS	2
CALLS FOR SERVICE	15
FPS	11
WALK-INS	0
REPORTS	9
TOWS/IMPOUNDS	0
OTHER	9

**The above hours were allocated as follows:**

<b>PATROL</b>	<b>51%</b>	<b>TRAFFIC ENFORCEMENT</b>	<b>11%</b>
<b>REPORTS</b>	<b>15%</b>	<b>INVESTIGATIONS</b>	<b>23%</b>

Activities include:

- Routine patrol including foot patrol, school patrol, and traffic patrol
- Welfare check on family, reporting person has restraining order, family located and no info given to reporting person
- Respond to a call to attempt to locate children
- Respond to a report of Telephonic Harassment/Probation Violation
- Report of Theft, burglary & Unauthorized Entry in a Motor Vehicle
- Turned in drug paraphernalia
- Follow up on a Fraud case
- Death Investigation
- Respond to a call regarding a civil property issue
- Call of a suspicious person on street
- Warrant arrest
- Responded to a report of a possible careless driver, unable to locate
- Report of a prowler at a residence, unable to locate
- Responded to a call of fence post on fire
- Report of possible Harassment, unfounded
- Call for service for possible car prowler
- Investigate & Cite two juveniles for Criminal Mischief II and Criminal Trespass II
- Took a report of bicycle Criminal Mischief
- Call of verbal disturbance
- Report of Burglary I & Criminal Mischief III

Union 201	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	1.5	3.5	4.5									
2	8	3	3									
3	1.25	3	5									
4	2	0.5	6									
5	11.5	5.5	1.75									
6	11	9	6									
7	1	6	0.5									
8	5	1.5	2.5									
9	7	15.5	2.5									
10	6.5	7.25	3									
11	11.5	7.75	1.5									
12	5.5	1	4.5									
13	11	3	1.5									
14	4	7	7.75									
15	1.5	12.5	5.5									
16	3.5	1.5	2									
17	8.75	1.25	20.25									
18	2.5	5.5	10									
19	7.5	1.5	4									
20	2	5	6									
21		8.5	3.5									
22		1	6									
23	7.25	2.5	2									
24		2	6									
25		3	2									
26	9	5.5	5									
27	6	7	13.5									
28	2	8	1.5									
29	4	5.5	1.5									
30	2											
31												
<b>Total</b>	<b>142.75</b>	<b>143.75</b>	<b>138.75</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

138	138	138	138	138	138	138	138	138	138	138	138	138
4.75	5.75	0.75	(138.00)	(138.00)	(138.00)	(138.00)	(138.00)	(138.00)	(138.00)	(138.00)	(138.00)	(138.00)

over/short

## ***Union Animal Enforcement Hours –March 2016***

Animal Enforcement officers Lani Jones and Kati Heath contributed hours to the total for the month. These hours only reflect animal control activities.

The following will show the activities in Union by the Union County Sheriff's Animal Enforcement:

**HOURS: 13.5**

**Calls for Service: 2**

**Dog at large: 5**

Citations:

Warnings: 1

Impounds:

Other Action:

**Dog Bites: 0**

**Barking Dog: 5**

Citations:

Warnings: 1

Impounds:

Other Actions:

**Animal Abuse/Neglect: 0**

**Other: 2**

### **Activities Included:**

General Patrol including previously reported problem areas

Contact made with 3 reporting parties in regards to dogs at large, excessive feces in yards, and barking. Owner warned for all three complaints, Bark logs given to complaining parties.

Owner warned for barking dog, will follow up to work on solutions x 2

Options explained on cats & dogs at large x 2

Follow up on barking dog warning

Impounded dog at large

Phone contact with dog owner to counsel regarding barking complaints



**February 2016 Report  
Union Carnegie Public Library  
Union, Oregon**

**STATISTICS**

Patron Count.....	1055
Circulation Count.....	1796
Adult.....	1029
Children.....	767
Audios.....	98
Videos.....	453
Music CD's.....	25
Materials Added to the Collection.....	214
Materials Discarded from the Collection.....	4
Reference Questions .....	23
Volunteer Hours.....	71.0
Programs for Children &/or Adults.....	25
Participants.....	237
Computer usage.....	600.0 hrs.
New Patrons.....	9
ILL Requests.....	157

**Events and Additions**

- **Estimated wireless computer use for this month: 1402.0 hours.**
- **Sage workshop.**
- **Tuesday-storytime.**
- **Proctor.**
- **Chess Club ends.**
- **Cataloged.**

**Coming in March**

- **Tuesday-storytime.**
- **Work on Summer Reading Program.**

**“When I was seven, I checked out *Where the Wild Things Are* so much that I was asked to stop. I asked my librarian if Max really sailed on his boat to the wild things. She answered “Well, what do you thing, Amy?” That question changed my life forever.” – A. S. King, *American author for young-adult fiction***

**Office Manager**  
**Water/Sewer Monthly Report**  
February 2016

- For the month of December there was a total of 5 new accounts set up.
- 5 of these new accounts with a set up fee @ \$50.00 each = **\$250.00**
- 0 of these new accounts are established customers
- 2 regular turn off(s), @ \$16.00 charge = **\$32.00**
- 2 regular turn on(s), @ \$16.00 charge = **\$32.00**
- A total of 24 delinquent notices delivered @ \$10.00 = **\$240.00**
- Of those notices there were 4 delinquent turn off(s) @ \$16.00 = **\$64.00**
- Of the delinquent turn off(s) there were 3 turned on @ \$16.00
- A total of 85 accounts received a \$25.00 late charge = **\$2125.00**

**Municipal Court Report**

- A total of **\$350.00** was paid on citations in February
- A total of 3 citations issued; 1 City Citation, 2 County Citations

The next court date will be April 21st, 2016 at 10:20am

# CITY OF UNION, OREGON

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Union, OR 97883

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<http://www.cityofunion.com>

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*Home of Buffalo Peak Championship Golf Course*

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City of Victorian Heritage

**Date:** April 5, 2016  
**To:** Honorable Mayor and City Council  
**From:** Rod McKee, P.E., Public Works Director/Administrative Assist.  
**Subject:** March 2016 Public Works Report

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## **STREET**

Working with ODOT on a project to replace sidewalks and pave West Beakman Street (Catherine Creek Highway) from South Main Street to South College Street at this time. The project would involve storm system improvements, curbing, sidewalks, paving, and striping. Ace Clark, P.E ODOT District 13 Manager is working on a grant to pay for most of the sidewalks. The sidewalks will need to be ADA compliant. Engineering design costs should be covered by the grant.

- Empty Main Street trash cans as required.
- Weekly project planning meetings.
- Ongoing, Schubert development review.
- Temporary pothole patching work throughout town.

Upcoming tentative schedule:

1. Prepare contract documents for street maintenance bids. Work to be completed in May and June. Scope of work will depend on bid prices received and amount of funding that can be dedicated to the project. The estimated cost of street maintenance work will not exceed approximately \$120,000.
2. Our goal is to lower manhole frames, lower gate valve boxes, add make up rock, grind, add soil stabilizer, compact and grade East Fir Street from North Main Street to the Stockshow grounds prior to this year Stockshow in June. Manhole covers and valve box adjustments will be made after Stockshow.
3. Blade gravel streets and add 3 to 4 inches of surface rock as time and resources allow.
4. Grade edges of paved streets to improve drainage away from the surfacing before next fall.
5. Mow right of way for Stockshow line up on Dearborn.
6. Blade or Layton box pave various sections of improved City streets the same as last summer.
7. Apply dust control on North First Street along the Ranger Station Property.
8. Apply dust control on approximately 10 blocks throughout town as a test to see if this will reduce future blading requirements.
9. Weed control, especially goat head vine along streets throughout the City beginning in late summer.
10. Weed spraying curb lines and along pavement edges.

*The City of Union, Oregon is an Equal Opportunity Employer.*

## 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 depending on the time of year.

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.

Water system projects this month included:

- Finished repair of hydrant on West Birch Street. Hydrant back in service.
- Locates for utility projects.
- Monthly meter reads, shut-off notices, shut-offs, and turn-ons.
- Clean up work truck, put up tools, and organize.
- Continue working on plans for Water System Improvement project #5 on Harrison Street from Grande Street to Fulton Street.
- Ongoing, Schubert development review.

Upcoming tentative schedule:

1. The water line replacement project #5, Replace existing steel line in South Bellwood from Fulton Street to Harrison Street with new main line and services rescheduled to begin the week after Stockshow.
2. Hydrant flushing July.
3. Exercise main line valves, Fall of 2016.
4. Complete radio read meter conversion, August 2016.

## SEWER

Routine maintenance work includes sampling; daily reads; monitoring golf course storage pond levels; monitoring integrity of golf course pond banks, checking oil and greasing motors and pumps; sludge wasting; sludge dewatering; sludge bed mixing; hauling sludge; and wash downs. Robin typically reports to the WWTF to help with wash downs and labs on Monday's each week.

Wastewater system projects this month included:

- Tested and ran emergency generator at the Oregon Street Lift Station.
- Completed monthly DMR and submitted on schedule.
- Finishing and trimming covered area for forklift.
- Pull golf course irrigation effluent pump #1 and take to Hermiston for service.
- Wasted from primary digester to sludge drying beds.

- General housecleaning.
- Continued work on USDA Loan Refinancing.
- Ongoing, Schubert development review.

Upcoming tentative schedule:

1. Clarifier arm replacement, May 2016.
2. We will also be flushing, jetting, and television inspecting some areas of the collection system. That work is scheduled for July or August.
3. There is a manhole that still needs adjusting on West Birch Street, April 2016.
4. Irrigation effluent pump repairs complete and needs to be picked up in Hermiston. The rebuilt pump will be reinstalled Pick up April 12, install by end of April.
5. Modifications to influent and effluent flow measuring systems to compensate for the lower influent flows the plant is now experiencing, May/June.
6. Spraying and cleanup around WWTF fence, April.

### **PARKS**

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.

- The park has all been mowed at least once.
- The volleyball area has been tilled.
- The park was picked up and the Easter egg hunt area mowed.

Upcoming tentative schedule:

1. Hire part time person for Park and Ranger Station grounds maintenance, May 15 – September 30 +/-
2. Mow and trim Park Station weekly
3. Mow transfer station lot, bi weekly.

### **RANGER STATION**

No major projects. Grass will need to be cut in the near future. Still having some complaints about spiders and snakes from one of the tenants that we are trying to address.

Upcoming tentative schedule:

1. Mow and trim Ranger Station weekly.
2. Irrigate.
3. Spray and fertilize.

### MISCELLANEOUS

1. School/City Reader Board Sign. According to Carter Wells, Union School Superintendent, the building permit has been issued and the School's contractor is having the mounting system fabricated and hopes to have the sign installed within the next couple of weeks.
2. City Resident Deer Population. The City Council has asked what the cost would be to the City for the lethal culling of the resident deer inside the City limits. In order to do that I have worked with Nick Myatt, Oregon Department of Fish and Wildlife (ODFW) to develop a very rough program outline together with preliminary cost estimates and assignment of those costs.

Nick explains the basis for the program we are discussing within the City Limits of Union is similar to treatment of animal damage complaints in the rural community. When an agricultural producer is suffering severe crop loss due to game animals, the ODFW may issue kill permits to help the landowner deal with the problem. Animals killed under these permits are salvaged by the landowner, processed, and ultimately given to those in need. In the case of City of Union resident deer, the City Government would take the place of the landowner and be issued kill permits under the guidelines of the ODFW. The carcasses would be salvaged, processed, and distributed to the needy in the area.

The tentative elements of the culling program, estimated costs, and cost responsibility in general are as follows:

- City and ODFW agree to culling plan which would include number of kill permits/year and time of year when culling could occur. (Staff cost only)
- City negotiates agreement with Federal government for marksmen (aka government hunters) to cull a given number of deer at some estimated cost/hour or day. The preliminary cost is estimated to be \$1,300 to \$1,700 per day for a spotter and shooter. These individuals are trained for this type of work in urban settings (City Cost, likely general fund expense). Actual cost would be time and materials. The City could budget \$7,000 for the first year (winter 2016) then evaluate and adjust the program for future years.
- Federal employees, the marksman would be covered under federal tort liability. The City should consult with CIS regarding its liability exposure with this program.
- Working with the Federal government will require meeting certain environmental requirements. Complying with the National Environmental Policy Act (NEPA) (likely no cost) and possibly an Environmental Assessment (EA) (An EA could cost \$25,000 to \$50,000)
- ODFW issues predetermined number of kill permits. (Staff cost only)
- City provides elevated shooting platform. (City cost - \$2,000)
- City staff obtains written permission from landowners to use property as baiting site. (City Cost – Staff time)
- ODFW provides bait at predetermined baiting sites. (Cost – ODFW)
- City to provide ammunition and borrowed night vision equipment for marksman. (Cost to be determined, likely less than \$200)
- Volunteers and City Staff to dress and skin carcasses and deliver to processor. Processing cost as required by ODFW. (Staff time)
- Volunteers and staff to dispose of offal, heads, bones, and hides. (Staff time)

- Volunteers and staff to set up and move elevated shooting platform. (Staff time)

The first year of implementing a deer culling program could cost the City between \$7,500 and \$9,000. If the City Council desires to implement this program in 2016, the cost of the project should be budgeted in the upcoming budget process. Negotiations with the Federal government should also be initiated soon as both the Agreement and NEPA process can be time consuming.



# Oregon

Kate Brown, Governor

## Parks and Recreation Department

State Historic Preservation Office

725 Summer St NE Ste C

Salem, OR 97301-1266

Phone (503) 986-0690

Fax (503) 986-0793

[www.oregonheritage.org](http://www.oregonheritage.org)



March 29, 2016

Sandra Patterson  
City of Union  
342 S Main St  
PO Box 529  
Union, OR 97883

Dear Sandra:

Congratulations! Your application for a 2016 Certified Local Government Grant has been funded for the amount and purpose listed below.

**Grant Amount: \$7,535**

**Grant No.: OR-16-20**

**Start Date: 4/1/2016**

**End Date: 8/31/2017**

**Summary: Restore the missing bell tower on the National Register listed Union City Hall. Training for staff and commissioners at the Oregon Heritage Conference or other approved trainings.**

Enclosed are two copies of your grant agreement. Carefully review the scope of work and requirements for each category to be sure they are summarized correctly. Have the authorized person sign both copies and return both copies to us. The signed agreements must be returned to our office within 30 days; if not returned in that period, it will be assumed that you are not accepting the grant award. We will return a signed copy and grant reporting information at that time.

I am looking forward to working with you. Please let me know if you have any questions, and, again, congratulations and best wishes for a successful project.

Sincerely,

Kuri Gill

Grant and Outreach Coordinator

(503) 986-0685

[Kuri.Gill@oregon.gov](mailto:Kuri.Gill@oregon.gov)

Enclosures



# CITY OF UNION ORDINANCE

## ORDINANCE NO. 551

### AN ORDINANCE AMENDING ORDINANCE 523, AN ORDINANCE REPEALING ORDINANCE 295 CONTROLLING VEHICULAR AND PEDESTRIAN TRAFFIC, SECTION 28 UNNECESSARY NOISE (A) (B).

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

Whereas, there has been residential concerns regarding noise caused by the use of exhaust brakes in the city; and

Whereas, Union's vehicular and pedestrian traffic code does not regulate exhaust break use within city limits; and

Whereas, the city council finds this to be an unnecessary noise.

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

Section 1. Add the following underlined language to Ordinance 523, Section 28. Unnecessary Noise (A) (B). will read as follows:

#### Section 28. UNNECESSARY NOISE

A. No person shall drive a motor vehicle on a highway unless it is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. No person shall operate, and no owner of any motor vehicle shall permit to be operated upon any public road, street or highway, any motor vehicle so as to cause any greater noise or sound than reasonably necessary for the proper operation of such motor vehicle.

B. The use of exhaust brakes (jake brakes), except in an emergency or except when used by a person operating an emergency services vehicle equipped with a muffled compression braking system, is prohibited at all times within the City.

**Adopted by** \_\_\_\_\_ members of the Council voting therefore and approved by the Mayor of the City of Union this 11<sup>th</sup> day of April 2016.

CITY OF UNION

By \_\_\_\_\_  
Ken McCormack, Mayor

Attest:

\_\_\_\_\_  
Sandra Patterson, Administrator/Recorder

**CITY OF UNION RESOLUTION  
NO. 2016-05**

**A RESOLUTION AUTHORIZING CREDIT CARD ACCEPTANCE / PROCESSING FOR  
THE CITY OF UNION**

**WHEREAS**, the City of Union would like to provide its customers with convenient options for making payments; and

**WHEREAS**, the Union City Council believes many customers would take advantage of the ability to make payments via credit card; and

**WHEREAS**, the Union City Council has held a meeting to solicit public comment regarding the proposal to accept credit card payments; and

**WHEREAS**, the Union City Council recommends the acceptance of credit cards for the payment of all money owed to the City of Union.

**NOW THEREFORE BE IT RESOLVED** that the Union City Council hereby authorizes the acceptance of credit cards for the payment of all money owed to the City of Union.

**BE IT FURTHER RESOLVED**, which the Union City Council hereby requests that the City Administrator start the process of accepting credit cards.

**ADOPTED** by \_\_\_\_ members of the Common Council voting therefore, and approved by the Mayor of the City of Union, this 11th day of April 2016.

Approved:

Attest:

\_\_\_\_\_  
Ken McCormack, Mayor

\_\_\_\_\_  
Sandra Patterson, City Recorder

## City of Union Committees

### **City of Union Fire Department and Rural Fire negotiations**

Mayor McCormack  
Commissioner Knop  
Sandra Patterson

### **Employee Handbook**

Commissioner Osburn  
Commissioner Mitsch  
Sandra Patterson

### **Public Works Committee**

Mayor McCormack  
Commissioner Later  
Commissioner Wilde  
Rod McKee/Sandra Patterson

### **Charter update**

Commissioner  
Commissioner

### **Community Theme Committee**

Mayor McCormack  
Sandra Patterson