

**UNION CITY COUNCIL MEETING
Monday, June 13, 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 May 3, 2016 – Town Hall Meeting, pg 3-9
 - b. Minutes from May 5, 2016 – Work Session Meeting, pg 10-18
 - c. Minutes from May 9, 2016 – City Council Regular Meeting, pg 19-30
 - d. Minutes from May 9, 2016 – Work Session Meeting, pg 31-38
 - e. Minutes from May 23, 2016 – Work Session Meeting, pg 39-48
- 3. Mayor Comment**
- 4. Public Comment**
- 5. Presentation from Terry Edvalson 5 min**
- 6. Informational Items**
 - a. Sheriff's Office Report, pg 49-52
 - b. Union Carnegie Public Report, pg 53
 - c. Office Manager Report, pg 54
 - d. Code Enforcement Office
 - e. School Board Report - Later
 - f. EMS Report
 - g. Chamber of Commerce Report – Donna Beverage
- 7. Administrator/Recorder Report**
 - a. Charter Franchise update
 - b. Belltower update
 - c. TGM grant(s)
 - d. Auditors August 15th
- 8. Public Works Director Report – Rod McKee, pg 55-59**
- 9. Correspondence**
 - a. Budget Calendar, 60
 - b. FGRV meeting notice, 61
 - c. Memo – Rate update, pg 62
- 10. Action Items – Old Business**
 - a. Avista Franchise – discussion on rate change, Avista rep will attend, 63
 - b. Set date for filing for reelection.
- 11. Action Items – New Business**
 - a) Public Hearing Resolution 2016-10 a resolution adopting the budget for the fiscal year of July 1, 2016 to June 2017 making appropriations levying and categorizing taxes, pg 77
 - b) Resolution 2016-11 a resolution acting on the request of the Wallowa Union railroad authority to approve an amendment to the intergovernmental agreement, pg 82

- c) Resolution 2016-12 A RESOLUTION SUPPORTING THE CITY OF UNION'S APPLICATION FOR THE TRANSPORTATION AND GROWTH MANAGEMENT GRANT PROGRAM AND FUNDING OF WALKING AND BICYCLING MASTER PLAN, pg 85
- d) Liquor license approval – Stop Light, pg 86
- e) Suggest adopting 3% tax on marijuana sales
- f) Resolution 2016-13 a resolution setting filing date for 2017 candidates. *Res will be ready at meeting.*

12. Public Comments

13. Council Concerns

14. **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.

City of Union Town Hall Meeting Minutes

May 3, 2016 at 7 p.m.

City Council Chambers

Topic: Deer, Presentation of Possible Options

Rod McKee begins the meeting by presenting the options trapping and relocating the deer, giving them birth control, working with the ODWF to use lethal means to cull the herd, or do nothing. He points out that the deer relocation wouldn't work because they have a great ability to find their way back to where they were. The birth control option is also very expensive and rarely works because it is difficult to catch each Doe and give her the birth control. There are really two options, do nothing which would mean to educate the public on how to live with the deer, or reduce their numbers by lethal means in working with ODFW.

Osburn asks did ODFW change the option they would support.

McKee answers that they will not relocate the deer.

Osburn asks so the only options are do nothing, or kill or eliminate the deer.

McKee answers correct, so the best thing is to talk about concerns. I would like to fill this list in and put concerns in.

??? asks could you tell us what killing the deer would entail?

McKee answers I will get to that as we talk. I want to address the concerns before we talk about the details of the eliminating option or do nothing.

??? states it took me two hours to get some bucks off of my property and then charged a woman so I threw my rake at him. They are aggressive.

McKee states I will write that down, aggressive. I just want to identify concerns with deer.

??? states they have adapted too well to living here and they aren't afraid of humans. I tried to shoo them away and they just lower their heads and walk towards me.

McKee states so they are acclimated to living with humans, they aren't afraid like they would be living in the wild.

??? states what are we going to do because the numbers are going to get out of control. They will get worse the numbers will grow.

??? states I live down on Ash, the deer I see with their fawns all of them survived, none of the fawns died. The numbers at which they are surviving are frightening.

McKee states that is unheard of in the wild.

??? states in the park the Doe's with fawns are very aggressive.

??? states the deer on the corner of Main Street and Birch, I had to put up a fence to keep the deer to keep them out of my place and to try and stop them from killing my trees. That is a picture of my place but those aren't my deer. I don't know what to do about them because you can't shoot them in city limits.

McKee states yes there is property damage, and it is costly to put up a fence.

??? states I encounter deer when riding bike and the deer aren't scared and I am afraid they would hurt children on their bikes.

McKee there was a video going around for a while of a guy who thought the deer was hurt or dead and it wasn't and it got up and stomped on the guy with its front hooves and someone got it on video.

??? states I was walking on Bellwood, and a man startled a deer and the deer almost struck him so he told me to be careful.

??? states the deer are a safety problem when you are driving too because they go up over the hood and right through the windshield.

McKee states public safety.

??? states we should be concerned about health because deer carry wood ticks that carry Lyme Disease, and also someone had one die in their backyard from pneumonia and was covered in lice and was missing hair from the legs and hind quarters.

McKee states I want everyone to have a chance to voice their concerns.

??? states let's be clear that the deer didn't start coming into town until they stopped allowing people to kill cougars with dogs. My first concern is disease, deer get hung up on fences and die, secondly having 8 foot fences put in everywhere doesn't help with appearance of town. We built a 6 foot wood fence and they are still around, people are putting up bigger fences, the value of the city is compromised, the beauty is compromised.

??? states the ODFW says they are our deer but they are not and you find that out if you shoot one, also they destroy property and leave their droppings behind. A few years back they started feeding them because of a hard winter and now they wonder why they are here. I want to know why they aren't doing something.

Knop states my concern as a citizen would be the cost to the taxpayer for the program.

??? states I have about concerns the individual cost, the disease that could be spread I have seen the deer get along with my neighbor's dog.

McKee states I need to address one concern is why the ODFW doesn't come in and take care of this. We are in the same position as the man who is dealing with crop damage. The city council might have to make some exceptions with ODFW culling the herd of deer.

??? states I wouldn't want someone shooting at deer in a yard.

McKee states I will explain that in a minute.

??? states this isn't unique to Union this is nothing new.

McKee states I heard that McMinnville used lethal means at one point otherwise other communities haven't resorted to that. They have limited archery hunts and hire marksmen.

??? states why aren't they over here doing something about it. It can't just be us. They aren't healthy and they aren't eating what they should be.

McKee states in Ashland, Oregon ODFW started down the road of lethal reduction and such an uproar came from the community that they didn't do it. They just put up with the deer in Ashland because they didn't use lethal reduction. I wanted to have this meeting to have concerns voiced before the city did anything. Does anybody want to share....

??? states we have an example over here on Fox Hill where they claimed it was his responsibility to maintain the fence to keep cows out of the yard, and he did but then a few were shot and he got in trouble.

McKee states that cows and deer are looked at different statutorily.

??? asks are we past concerns and ready to talk about what we are going to do.

McKee states let me ask anyone to share benefits of doing this.

Patterson states it will save the city costs when they die. The cost of disposal will be saved.

McKee states we are running out of deer grave yard.

??? states there was concern of the youth being attacked walking down the street we need to ask if the city is liable or responsible for the youth getting hurt by the deer.

McKee states I asked about that to insurance and I asked about deer, and they didn't know. There could potentially be liability if we don't do anything. If the community wants the council to do nothing and all they provide is materials then I think that is doing something, and if we do a reduction program to cull the herd that is obviously doing something. I thought it was important to find out what this group wants. We have identified these things in house and there is an exotic strain of lice now and ODFW is concerned because of how closely grouped these deer are and they are fearful of the spreading of the lice.

??? states I have seen 20 to 30 head behind the high school on my block they eat everything.

??? asks does the State of Oregon still have federal trapper program.

McKee states that will be a part of the discussion soon, this is a pretty overwhelming presentation will you raise your hand if you want the city council to do nothing. About 1/3 of the people don't want to do anything beyond research and 2/3 of the people want to do more about the problem. We can educate but that won't stop people from getting hurt by the aggressive deer and they aren't going to learn to be afraid. If we don't do anything the numbers will increase and property damage will not decrease. Will the potential risk to our youth be decreased if we don't do anything no, plus the risk of the spread of disease will not decrease.

??? states is there any non-lethal method we could use to make the deer go away.

McKee states not within city limits. What is the ODFW doing to help? They have sat in meetings.

??? states they just cause a ruckus in Portland over this issue. I enjoy the deer coming in. When I have company from out of state they enjoy seeing the animal up close and learning about it. It is a luxury.

McKee states the do nothing option just basically involves education and expense to property owners in building fences.

Knop states the U.S. Department of Agriculture offers education programs to communities.

McKee states here is what the ODFW has done they want to treat the city government like a land owner who is dealing with damage from the deer and they will issue under

agreed upon terms, kill permits to the city. We have processing fee but the ODFW has agreed to pay that. The ODFW is talking about professional marksmen using a tower and night vision to eliminate some of the deer, and city council doesn't wish to completely eliminate the deer just to reduce their numbers within city limits. You would still have deer walking down the street but the numbers are too great right now. The U.S. Department of Agriculture helps implement programs helping with deer control. The government hunter is employed with the USDA and we want to have someone the community would feel comfortable with doing something like this. The details haven't all been worked out but this will be done with discretion and not in broad view and daylight. Every precaution will be taken to make this go as smoothly and safely as possible.

??? asks would there be a follow up after an animal was injured.

McKee states yes but that is not likely to happen because this hired hunter will probably not miss.

Knop states he has to be licensed to do this.

McKee states this would be under contract with the USDA and there is a lot of groundwork that has to be done before this can be implemented and we are here tonight to present to you what options there are and to get the communities feelings on those options.

??? asks suppose you hire the marksman and he shoots the deer what will be done with the fawns.

McKee answers this would be done late in the fall and early winter.

Knop states ODFW will help the city determine which sex will be shot.

McKee states we haven't gotten through to that yet but that will be determined by ODFW.

??? asks how will we keep citizens safe when the government hunter is out.

McKee answers this has to be done with the utmost care and we are still working out details and will probably hold more town hall meetings before any of this actually comes to pass.

??? asks what would it cost to plant stuff in the mountains to help draw the deer away.

McKee answers that might work but there is plenty of good eating all around the city for the deer. The fact of the matter here is that the deer have chosen to raise fawns here and that means that each fawn raises another and it continues. The elk never used to

give birth to calves down in the valley but now they are wintering here in the valley. I think it is just how nature works.

??? states I think it is over simplification to say that these deer are strictly city deer.

McKee states the ODFW spent a whole day out here taking a census of the deer and found only 150 which I think is a little low they would no doubt do another census. The city would only be able to reduce the population by what the ODFW determined.

??? states the way it sounds the biggest problem is getting rid of the bucks, once they are gone the population will go down.

??? states the does are the ones that attack, 5 of them were on my dog, and I know that man paid \$1,000 for his fence but my vet bill was \$307 plus the emotional heartbreak. This is a city not a federal or national state park.

McKee states I know this is difficult and that even in Wallowa you get barked at for sneaking a potato chip to the deer.

??? asks would this be yearly.

McKee answers we aren't sure of exactly what will happen. It is interesting to see how the community feels about this and it would be different if it were more novelty to see a few deer here and there but you can't drive through this town without running into deer.

??? states the deer tags have decreased in Catherine Creek every year because there isn't a population up there.

??? states animals really aren't that dumb because during hunting season you can't find them maybe if they got shot in town they would decide this isn't a good place to live.

McKee states that others have stated they would love to see the deer go live up in Catherine Creek area but relocating them that close would never work.

??? asks about meat that isn't suitable for human consumption.

McKee answers that they will use the meat one way or another even if it isn't consumed by humans they find a use for it.

????

McKee states one to two a month.

Patterson states unless we get phone calls from residents.

??? asks what are the chances of deer contracting brucellosis and bringing it into town.

McKee answers that one is beyond me, I don't know.

??? states I have never had wood ticks and now I am finding them in my house and I don't have any pets bringing them in. What happens if you are out chasing them out of your yard?

McKee and Patterson answer you won't get in trouble from us.

??? asks what is our next step because I need to leave.

McKee states my guess is there will be another town hall meeting about this and the city council will get a report and then hopefully this will get moving in one direction or another. I will write an article to summarize the meeting in the next newsletter and we will announce the next meeting in the newsletter as well.

??? asks for more details about how the herd will be reduced.

Patterson asks McKee to tell about how ODFW wants a plan.

McKee states this was to get a feel for what the community wants and if everyone was against it, it would be very difficult to develop a culling program.

??? states obviously you are talking about rifle hunting rather than archery. Have you considered archery?

McKee answers I thought maybe there would be some opportunity for archery on the bigger pieces of open land but the problem is that the deer won't die in the spot they are shot, they will be running off into someone's yard, and that would be bad publicity.

??? states if one person in Union came down with Lyme Disease this conversation would be a whole lot different.

McKee states thank you for taking time out of your evening and coming out to talk.

Approved: _____
Mayor, Ken McCormack

Attest: _____
Administrator/Recorder, Sandra Patterson

CITY COUNCIL WORK SESSION MINUTES
Thursday May 5, 2016 at 5:30 pm
LEONARD ALMQUIST COUNCIL CHAMBERS, UNION CITY HALL

1. **Continue with Goal Setting Session and goals listed.** 5:32 p.m. Roll Call: Randy Knop, Sky Mitsch absent, Doug Osburn excused, Matthew Later, Mayor McCormack, John Farmer, Coy Wilde excused.
Patterson, I attached the minutes from the last session.
Budget prioritization

Randy questioned revisiting the first couple ones. Council revisits the first couple points.

a. General Fund/Street Fund-

Mayor McCormack states I haven't really seen a complete list of what will be repaired, west arch was partly chip sealed. Other streets need repair. I want to sit with director of public works and get a list.

Knop states, the day to day working activities are under the discretion of city administration and the public works director.

Later states a balance here is personified a list of goals for the water department that would be the way to address the priority list.

Mitsch arrived 5:36p.m.

Patterson states find a way to bring in revenues for streets, the plan we have currently, \$80,000 through shared revenues. What is city council willing to do to bring in revenue?

Mayor McCormack states there was conversation in regards to commercial street use, like logging trucks, go off streets, somehow putting street fund to heavy diesel. I don't know if that is possible or not.

Knop states there is already in the code, it is a residential street, maybe, maybe not, ongoing issue the administration.

Patterson states that is something we might have to look at again.

Mayor McCormack states should he be running a business out of his house.

Farmer states license and tags that is the city issue to get in line and get their money to actually hold their citizen liable. I don't understand where the city would be able to say we want more.

Knop states it is about beneficial use as to whether it belongs there in the first place, I'm not saying an electrician's truck isn't appropriate.

Farmer states his business shouldn't exist there.

Knop states the street has designed it for physical impacts it is designed for residential, not heavy commercial industrial, the streets are not designed to carry work load. It would become an issue.

Farmer asks how do you hold them accountable.

Patterson states we have a regulation on that, they would have to apply for a conditional use permit with planning committee, I have a problem with that, and it isn't suitable in this neighborhood.

Mitsch states, I wasn't able to attend the first meeting I would like to be on the charter committee. I have environmental goals I would like to add.

Patterson states the goals are picked as a group, and then they go through an elimination process. Maybe next year, the current budget was approved based off of these goals. I can't allot any more funding for more goals.

Knop states if I have a social awareness issue I go the existing goals and link it. If you are setting proper goals there should be a place to link it to an existing goal.

Mitsch states I had an idea for economic development. We allotted money for trees in the budget.

Patterson states there is a reserve fund for planting trees and you can get with me on that I could really use some help.

Patterson states these are goals transferred over that council wanted to keep.

Later states we talked about innovative technology.

Patterson states all of them are transferring over, 6 of them transferring over. These are broad goals.

Mayor McCormack states I think this is the mission.

Patterson states correct, the goals are on the next page, 1,3,9. Also, add Mitsch to charter committee.

Farmer states a lot of that is over my head, I don't know what to do. I don't have much time, I worked 274 hours last month.

Patterson asks does winter work better for you.

Farmer states yes.

Patterson states summer is busy for me too.

Farmer states I am not as adept as others, get into something where I won't do any good. I feel I am getting in over my mental capacity.

Patterson states if I can understand it anyone can understand it.

Later states we want to make it accessible to everyone.

Farmer states maybe it is good that I am in it.

Patterson states those who can't understand it are the ones who should be looking at it to make changes that truly help.

Patterson states back to street and general fund.

Later states the budget prioritization, the general fund is a little bit in the weeds, from the perspective I was at. From my perspective, where does the street fund fall in our priorities in is it the most important, the 2nd most important what do we want to accomplish, decide on projects for street fund.

Mayor McCormack states Doug brought the same thing up.

Patterson states the citizens rely on us to choose which services to operate with the money we have so we pick which service to fund. If the citizens want all services funded we have to ask them for more money to fund them all.

Later states that is exactly the point, Hawkins, Fred Hawkins, my son wanted to go to the Lars Larson thing. Sheriff Boyd and Hawkins were there and they grabbed me and we talked a bit and that was one of the points that I brought up to them that we have the lowest or second lowest tax rate in Oregon.

Patterson states per capita lowest tax rate.

Later states we have 1.57 per 1,000 Elgin gets closer to \$7-8 per 1,000, huge difference in what it does for a city. We would love to provide those services but we need more money. We have tightened our belt; I think the last time increase on tax rate. Possibly 90's maybe it is time to ask for that again.

Council and Patterson discuss when the last tax increase was active.

Knop states asking for general operating revenue from taxpayers, there should be a base rate, and transportation levy that keeps pace with cost of materials, this city is hand to mouth hand to mouth so it is a lot cheaper to live here if you are an innovator. You got a small business somewhere utilizing same services and you are charging for your services based on everyone else's cost. There is a little more return on the investment, what is missing in a lot of small communities economic social cost, what does food cost, what does rent cost locally? Are we a community of 30% seniors on a slightly fixed income, what are demographics of business, paying fully for them, everyone on Main Street uses state highway services, the cost of that Main Street operator is more than it is for that block away business the further away one is being subsidized, you are going to have residents say that the that cost of public service are expensive, the need for the service will always be there, we are lucky to get by with our government, we watch prudently every penny spent, pay the piper, water, sewer, streets because it is eroding so quickly now it requires a whole new investment.

Mayor McCormack states 3% street tax on the gas.

Knop states those weren't meant to fund residential streets.

Mayor McCormack states to help supplement.

Later states can't drop this on the gas station though.

Knop states the reality is you wouldn't authorize Shell to put in another station where there is a service station creating a competition that quite frankly Mike doesn't have a global resource, so Shell in some measure subsidizes those products the cost to the consumer is quite high so Mike can't compete but you buy them at the service station because you are there, too many economic proposals that don't look at the impacts to the core existing business's. If you put in another mini mart, all of the sudden both of them going under, not just one.

Mayor McCormack states with Sinclair, with the credit card you get 10 cents a gallon off because you use the card, so you buy gas with that and then just pay the credit card the same amount.

Knop states that tells the consumer that the majority of us are being overcharged to start with. I got to Mitsch and say you obviously have a concern with the social wellbeing of people, the motivation of Sinclair to move the people to a monthly invoice or to pay the piper, a huge interest penalty is self-service. If you check on Sinclair's motivation they are pumping thousands of dollars into Oregon politician's coffers to make another initiative in legislature to eliminate the rule on self-serve. There is a price for ignoring issues; we lose three jobs in Union. We are going to say look at what wonderful things we did here.

Later asks how does that relate to what we are doing? I don't understand the connection.

Knop answers he is going to have declining revenue meaning a decline in petroleum use, so the city's shared commerce is they get a percentage of declining revenue. When we should be looking at regional.

Mayor McCormack asks other than the negative side what can we do.

Later states he brought up the exactly right point.

Knop states the public is aware, landlords they accept that the cost of delivering the infrastructure is a pass through cost to them. The person buying or owning property that pays the levy, they have the means the recoup that on taxes, I can't write off when it is a levy tax you can deduct it on state and federal.

Later states the long and short I am hearing from Knop is that he supports levies.

Patterson states the citizens like it too, you propose a program for work over x amount of years and a levy ends in x amount of years.

Knop states and you renew it, if the work is well and good and the public sees and appreciates the work. Therefore, they will say they did such a good job in upgrading our streets and roads they are likely to say another 5 cent levy I can live with that.

Later states in that prioritization in our goal, that seems to stress to me even more we operate in our 1.57 per 1,000 for these priorities, nothing else because we have nothing else, if we want these other services provided for let's go out and present the plan. Street repair we don't have the money for it and tell the public we need more money and ask the citizens to support the levy. Library, I would vote again to support a library levy. I would bet a lot of people, would vote for that. Prioritize those things in our goals and then pursue lending, use levies as matching, other services that we want to provide.

Knop states as a goal with the general/ street fund the current resource dollars are inadequate to develop existing streets relative to use. As homeowners and property owners if you could have the streets improved over 5 years, at \$250 a year be acceptable level for you, I believe the majority would support it.

Farmer asks that would be like property taxes.

Council answers yes.

Mitsch asks I don't understand what are we levying for.

Farmer states possible levies for road improvement.

Mitsch asks getting the money from.

Later states a levy is authorization to temporary increase property owners pay on property.

Patterson states ¢.45 per thousand additional \$1,000 to the city to keep operating the library.

Farmer states see it in a more realistic structure.

Patterson states and after the 5 years if they aren't happy with how the city used the money they don't have to renew it.

Knop states some cities put missions first then goals, I see it as the council's mission goals to provide adequate funding to general fund finances and to street funding finances, the mission of the city and council is find a way to do that. A local bond or levy, because it may have the best sales pitch to the consumers, mission goal, the issue of street funds we are underfunded, can't continue to deliver basic service, whose street gets or doesn't get it, administration has to do that.

Farmer states and even as a council we can't set up the way we think it should be.

Knop states we can as council set a priority that for economic development purposes we need to maintain access one block out from our economic development zone; administration function to make the decision.

Mayor McCormack states in our mission to provide safe transportation.

Patterson states good job matt. Really good head way with that.

Knop states pick a target date Mayor, it would be absolutely 2019 that would begin specific road maintenance if new funding sources are not enacted or adopted. 5-10 year plan, if you don't use a time frame have to individually looking at a time frame for each goal.

Later states this should be the top priority the council hasn't approved the budget yet. This should be today and tomorrow to get priorities lined out and actually see if the budget addresses our priorities.

Knop states looking at utilities and service, government bodies, every city with few exceptions, delivers those hard products they are street infrastructure system #1 cost because of development residential and commercial then you have #2 water, #3 sewer.

Later asks isn't sewer more expensive to operate than water here.

Patterson states it is more expensive to operate sewer than water, mechanical plant, today \$1600 to buy a valve.

Knop states this budget year or fiscal year should be reflecting the road maintenance cost are higher than any other cost. If this is the goal the cost should be relative to the budget item; if it isn't explanation somewhere in the budget.

Patterson states not this year it won't.

Later states I am wanting to get into the details of budget prioritization and I am trying to stay out of it.

Patterson states yes let's not get into the details. This brings more clarity for me and helps to guide my agendas and dates help a lot to make sure things get done.

Later states I am perfectly okay with putting a date on this.

Mayor McCormack states I am fine with it too, just don't know what kind of date you want.

Later asks when does our budget have to be approved by.

Patterson states the budget must be approved by June 30th, but you can't make any changes in the budget that are more than 10%; this is more of a conversation talking about how where would you put priorities.

Later states need to have priorities in place before we approve the budget on the 30th.

Patterson states, lb forms have to be published it is a state required form, three page document that must be published in a newspaper of general circulation. I usually put it in the Newsletter and The Observer would charge us \$1,500 to publish it. It is what is going to city council for consideration then goes to printing on May 20th, 5 days before meeting no more than 30 days.

Knop states there is a technical question being asked of the clerk and the secretary of state because of the decline in readership in Union County should it not qualify. All of the rural newspapers are suffering.

Later states we would have to have our list of priorities done and if it came to greater changes than 10% to make it align with our priorities then that would have to be done before June 15th.

Patterson states and the budget committee will have to approve it and more of them will show up and they will make things difficult. I guarantee you will go round with them.

Later states if we want to set the dates, here is our dates June 15th is the last day, we will have to have meetings before that, to get priorities lined out. If there are changes needed to the budget then we would have the time to do that.

Mayor McCormack states I think it is too late for this budget.

Patterson states I guarantee you wouldn't get any of your grants written.

Knop states these are the hopes and dreams of council.

Farmer states I don't believe in anything being forced down my throat because of a date telling me it is too late if we have time, if we need to review them then let's review them.

Knop states you don't have a choice.

Farmer asks what do you mean I don't have a choice.

Knop states you are an elected official and you have an obligation to abide by the rules and law. It is Sandra's job to inform us of the law don't take lightly she has a statutory obligation to warn us when we are about to violate the law.

Farmer states we need to review budget and goals. Are you saying we can't do anything about that?

Knop states I hope you realize and accept by law we don't need mission and goal statement but we do need to have budget.

Patterson states I have worked with these people for 10 years and I know what will come out of this. I am telling you there will be an issue.

Later states what I am saying is that is only if change goes over 10%. We still can get that done and if the changes are under 10% then let's make those changes at least let's make the attempt before we approve the budget.

Farmer states that makes sense to me.

Knop states as an example I am going to come up with economic development proposal that is going to be 2.5 million dollars and I am going to ask the council to endorse to going to the voters for 1 million dollars in seed money for a joint private capital venture project, I am not saying in the budget I want \$50,000 what I'm saying is I have proposal and idea and initiative that doesn't have a dollar value, your road right now is already budgeted.

Farmer asks what does that have to do with what we are talking about right now. We have the ability to flux that a small percentage. Why am I being told my hands are tied?

Mayor McCormack states there isn't enough time this year.

Farmer states I don't understand so my vote is no, I need to discuss this as a group I don't do homework.

Knop states we have to rely significantly on experience and opinion of staff and administration. We have statutory obligations the city does to meet certain time lines. So that you as a business owner and me as a home owner when the tax bill comes I can clearly pay what is due, I can respond accordingly when there is an emergency. We are not creating emergencies we are

adopting a balanced budget. We may at some point later on determine we missed something and it is important too and if that is the case and there is support for it from council and the citizens the 10% won't matter. You'll move the initiative; you will have the facts to support the move.

Later states I am saying let's set a date for this budget prioritization, here is the opportunity, push this work forward and do it in relation to this budget we are considering adopting.

Patterson state I don't think you can meet until the lb forms are published.

Later states we can meet and set priorities come back another meeting and talk about it.

Mayor McCormack states this coming Monday we have a city council work session 6p.m. Priorities and nothing else.

Patterson asks will that be enough time.

Mayor McCormack answers I don't know.

Knop asks you are looking to Mayor at this works session identify from these goals.

Mayor answers no this budget prioritization.

Later states what are the services the city provides and what is most important, and hammer that out in an hour before city council meeting.

Patterson states I will have it all to you in the next couple of days.

b. Enterprise Funds (water/sewer)

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

2. Recreational Development

a. Recreation committee- Questions float around about said committee, and a new committee, council appointed one that night. Patterson is on all the committees she asks for no more,

Knop states there isn't any justification for this committee, hold off on creating it. Remove it at this time.

Mayor McCormack states this was Coy's, the Bike Path, junior center, children's center, skate park, is not to be a committee established.

i. Make recommendation and prioritize for city council

3. City of Union Theme/Logo-

Knop states current theme is City of Victorian heritage. It's like when you change someone's address you have to go back and buy a whole new set of business cards it is tied to that. You would have to reestablish the city. All activity is surrounding heritage and history it would change everything.

Mayor McCormack states this all came up because the water tower was repainted and it was asked if the logo should be on the water tower.

Mayor McCormack states city sign is really faded, what is on there?

Patterson states it is the Victorian heritage it is really faded and hard to see.

Knop states our two gate way identified by the state tourism is coming into town and going out. That is not considered a major route as far as visibility for us.

Mitsch states if we are changing our logo, in my opinion make a better logo, something different with the city, involve changing the way we are advertised advertise as nature.

Mayor McCormack asks as far as a new logo how is that going.

Later answers he has tried talking to Sandra but has missed her haven't quite made the connection yet.

Knop states when I think about the theme of Union or any city, that isn't just for the residents it is for anyone coming through and visiting if our logo has white picket fences I would not expect to see chain-link fences on Main Street, so maybe our goal should be to spruce up Main Street I wouldn't get a strong consideration from taking it from roads and maintenance.

Patterson states we need to get grant funding for that.

Mitsch states grant writing should be a priority.

Farmer states I disagree with that.

Mitsch states economic development the government was supposed to support state, and city.

Patterson states there is a lot of federal money that is trickled through other ways that gets to us.

Knop states I live in a conservative state for every dollar I pay in I get back 97 cents I am entitled to get one dollar back, in some cases I can get subsidies that can buy another 7 cents. Oregon does very well with its dollars, so when a grant is applied for the first thing they look at is to see if it's getting 100% tax dollars back and Oregon does. We should be asking for these grants.

Farmer states self-sustaining person.

Later states with grants we are getting our dollars back.

Farmer states I do not want a grant sustained community. I don't think that needs to be our priority.

Patterson states one grant is to improve downtown and make it look nicer. The other grant is in conjunction with Union County and the golf course to help bring things to this town.

Farmer states everyone wants to say let's just get a grant. What are we going to do when we need money?

Patterson states we don't rely on grants, grants do not fund our budget and there are no capital improvement grants out there.

Farmer states we need to make sure we are self-sustained.

Patterson states we do have another capital improvement project coming in 2018 for new sidewalks around the school. We got another grant from ODOT for new sidewalks around the old Bronson shop out here.

Later states I don't have an opinion on what it should be and it needs to fit with Main Street. I want it to be consistent. Do we have enough of a definition of what our theme is? Is there enough of a definition of a theme?

Knop states it has to embody and support the theme.

Mayor McCormack asks do we really control the business.

Knop states we do to a certain extent assuming that we have been able to adopt historical heritage program guidelines.

Patterson states the historical preservation committee needs to put together guidelines and bring them to you for adoption. The prior council wanted the committee to leave them pretty vague not be very restrictive.

Later states I wouldn't be against using a color swatch and offer help incentive to select a certain color.

Knop states we already getting federal and state consideration for that.

Patterson states if this council wants to be different than the prior one I will pass that along and I am down to two people on that committee and if you know anyone that would like to be on that committee please let me know.

Patterson states there is a lengthy process for that, chamber goes with Victorian heritage.

- a. Council to come up with alternatives and then have public redefine.

4. Economic Development-

Mitsch and Later announce that they need to leave.

Mayor McCormack asks if we want to get into Economic Development. Mayor McCormack adds that there will be a work session on the 2nd Monday of every month before city council meetings and an extra work session on the 4th Monday every month.

Mitsch leaves at 6:53 p.m.

Knop asks to combine item 5 with item 9 because of the lack of clarity.

Mayor McCormack and council discuss clarity of this confusion.

2. Adjournment- Meeting adjourned at 6:55p.m.

Approved: _____
Mayor, Ken McCormack

Attest: _____
Administrator/Recorder, Sandra Patterson

UNION CITY COUNCIL MEETING MINUTES

Monday, May 9, 2016 – 7:00 P.M.

LEONARD ALMQUIST COUNCIL CHAMBERS, UNION CITY HALL

1. **Call to Order at 7:00 p.m., Pledge of Allegiance, & Roll Call:** Mayor Ken McCormack, Randy Knop, Sky Mitsch excused, Doug Osburn, Matthew Later, John Farmer, and Coy Wilde.

2. **Consent Agenda:**

- a. Minutes from April 16 2016 – Regular Council Meeting, pg. 3-14
- b. Minutes from April 11, 2016 – City Council Work Session, pg. 15-32
- c. Minutes from April 20, 2016 – City Council Work Session, pg. 33-49

Knop motions to accept minutes, Later seconds, motion passes unanimously

Later motions to add a resolution under 10h, Osburn seconds, motion passes unanimously

3. **Mayor Comment**

The closure of the bank is still an issue those that get a newsletter there is an address in there for the FDIC Umpqua only filed intent to close, the address is for the citizens to write and send letters to about the hardships of our bank closing. They need any responses. During our last meeting on committees, there is now a complete list of committees.

- a. City of Union Committee list, pg. 50-51

4. **Public Comment-**

Donna Beverage 1598 N Cove St- If adjusting the law enforcement in Union is on the agenda please keep it the same or increase it. Thank you.

Bonnie Dunn 550 West Lincoln- I would just like to comment about our sheriff and I think it is very important to keep what we have now and don't lose it. I have spoken to my grandkids in Colorado who have come across a problem with their city selling marijuana should that not pass we will need our sheriff full time like we have him now I'm begging you to think of our kids and families and all of us here in Union, keep our sheriff. Thank you.

Fred Hawkins 1601 S. Main- I am also in support of the sheriff's office and I know that the contract is up for negotiation. There is rumors floating around as to options that council is looking at like hiring a town marshall another one is not to do anything. I would think to get into your own law enforcement business it would cost more than the current contract not to say what the liability would be, I'm not sure what you have in mind, if you have a town marshall whether or not they would be able to arrest people or just a door shaker or what you are looking at. The liability is going to be pretty expense for you too; I would hope that you would consider keeping what you have and renewing the contract. Thank you.

Mayor McCormack asks for any other comments, seeing none, hearing none, moving on.

5. **Informational Items-**

- a. Presentation by Sheriff Rasmussen-

Sheriff Rasmussen states looks like you want to discuss the contract then we will look at the report from the sheriff's office if that is okay

Mayor McCormack states my understanding you were doing a presentation.

Knop states clarification Mayor, we are not discussing the contract correct.

Mayor McCormack responds yes no discussion of the contract.

Sheriff Rasmussen states correct I am just going to give you some figures and talk briefly about it.

Knop asks did we request information on that.

Sheriff Rasmussen answers I requested to come and speak I don't think that you requested

this.

Knop states Mayor so we don't take up council's time tonight these are items and issues that would be more appropriately provided in writing to the city rather than made a part of public testimony, if you wish to leave them with the public that is fine.

Sheriff Rasmussen states it is up to you Mayor, this is pertinent information to what we have to deal with in terms of where our community is going to go if we don't have a contract.

Mayor McCormack states the contract will not be discussed tonight, I thought you had something else to present to us.

Sheriff Rasmussen states I will just give you some of these. (Sheriff hands paper to council)

This is some figures some of the other contracts around the state in terms of populations.

Knop asks since you are providing cost break down analysis of comparable cities, would you provide contracts.

Sheriff Rasmussen states I don't have the contracts.

Knop asks so you don't know what these costs relative to.

Sheriff Rasmussen states well I have the hours listed on there and the size of the cities.

Knop asks we don't know what those dollars are relative to the services being delivered.

Sheriff Rasmussen states you have a cost break down in terms of per hour.

Knop states we don't again know what those dollars represent as far as control duties, whether it is 24/7 coverage.

Mayor McCormack states I think he answered that question by saying this is just based on hours he doesn't have what the hours cover.

Sheriff Rasmussen states some sheriff's offices are 24/7 and some are not so some of those would have 24/7 coverage and some would not. Our office doesn't so we are done at 3 a.m.

Knop states I will share with you sheriff that I attempted to get copies of those contracts from every one of these cities and been unsuccessful.

Sheriff Rasmussen states I can ask for copies of those contracts from those respective cities.

Knop states we would appreciate if you could do that it would expedite some of the negotiations.

Sheriff Rasmussen states what I want to explain to council is that what I am hearing and seeing is that certain individuals are moving to Union because there is less law enforcement, if we don't have a contract it will affect livability. Citizens tell me it is about the kids and families and I realize this is a big decision and you have a thankless job sometimes, so I urge you to continue with the contract, I will work with Sandra, I would also be willing to do a work session.

Mayor McCormack states then we will do the sheriff's office report.

b. Sheriff's Office Report, pg. 52-53-

Sheriff Rasmussen states hours are what they are, we have had high speed chases, we have active drug investigations, we have had a heroin death in community, and we have two narcotics guys right now.

Mayor McCormack states for your information I have had one call in 6 months, only call I have ever had we never get anything from the sheriff's office.

Sheriff Rasmussen states my sergeant is supposed to be visiting with you on major cases and search warrants those types of things.

Mayor McCormack states we have asked for that but never seen anything, any questions.

Sheriff Rasmussen states thank you.

Mayor McCormack states thank you.

c. Union Carnegie Public Report, pg. 56- Mayor McCormack asks for any questions, there are none.

d. Office Manager Report, pg. 57- Mayor McCormack asks for any questions, there are none.

e. Code Enforcement Office-

Patterson states there will be a report next month.

Later asks if new employee has been able to do any code enforcement.

Wilde asks have we decided to hire rather than contract.

Mayor McCormack states we already hired a code enforcement officer.

Wilde states originally we were going to contract but in the meantime hire someone to do it until we finished looking into contracting.

Mayor McCormack states the person you are referring to had a chance to apply for the job.

Knop asks Patterson is this a budgeted position.

Patterson responds yes.

Knop asks is the funding still there.

Patterson responds yes.

Knop states if at any time the city decides that they do not want an employee the city has a process and procedure for doing that.

Farmer asks who did we hire for this position.

Mayor and council respond McFarlane.

- f. School Board Report – Later states the sign is up and running.

Knop asks for clarification on a contract.

Mayor McCormack asks are you referring to what we spoke about in a previous meeting.

Knop nods yes.

Mayor McCormack states we don't have details yet.

Patterson states we are working on it.

- g. EMS Report – Keith Montgomery reads report. Then states Union county fire chiefs get together, jv on June 9th during stock show, in the morning Cascadia event with an earthquake drill, include 18 or more victims, people are going to see ambulances fire departments and, flight for life, everybody in Union county involved police, going mass casualty type of event, run the scenario.

Osburn asks and you picked stock show weekend why?

Montgomery, I didn't pick it,

Osburn asks was that a part of the scenario.

Montgomery states another fire chief said the same thing but I guess we can't choose when a casualty would happen. Right now in Union County we use a two digit number but now the State of Oregon decided to go with a 4 digit number, start doing voluntarily, big changes for everyone, and some cost involved. Doing fire district boundary signs this would tell people it is a no burn season, Cove has them up. Talking about doing that, that is pretty much it. I handed out the rates for ODF this year made it simpler for volunteer services, kind of contract for volunteer departments not doing an hourly rate this year, our contract for the City of Union, has to be signed by the 22nd.

Mayor McCormack asks the signs need to be put up, do we pay the state to put them up.

Montgomery states we are going to do those, prison builds signs,

Knop asks if the signs will be consistent with everyone's

Montgomery states that the signs will be the same.

Knop asks that's respective of other existing inter-governmental mutual aid agreements as to territories.

Montgomery answers yes,

Knop asks so if Baker needs assistance Union would be second to come.

Montgomery answers that is something that is being discussed right now. With the fire in Elgin they were bringing people from other side of state rather than us. Why bring those resources when we have resources here.

Knop states it was on the website. I am glad you are interceding on our behalf in that issue otherwise it looks like they were trying to avoid the inter-governmental agreement, we agreed to sign but signing with the knowledge we are in certain order of call.

Montgomery states rotating through the counties and work our way out.

- h. Chamber of Commerce Report – Donna Beverage- I want to thank you for adding to agenda because it is important for the city and the chamber to work together to benefit all of us. We are working on a welcome park we call it Frontier Park, we will pour cement under the bench and sold squares to business's to put their names on, Robert will do the

work for us, Phase 1, in Phase 2 Frontier is giving us permission to put in an underground sprinkler system. Grassroots plants are in the works so we will pray for no hail. Osburn asks you did hear the Mayor's comment about Umpqua Bank and sending letters to the FDIC.

Beverage answers yes I did. I also want to thank the Mayor who did attend our last meeting along with Patterson, we did discuss the Umpqua Bank and there are several people working on that and I want to thank the Mayor for contacting other banks. We did get the email and sent it to other people so hopefully there will be more letters coming from that. Farmer asks is there a website to help get the information to the public.

Knop states yes.

Mayor McCormack asks does it give the information about the case manager and all that.

Knop answers you have to go to the website and do an inquiry regarding Umpqua Bank and it will take you to another site on that website and then you have to file a form.

Farmer asks if this can be shared with the public.

Beverage answers that she will look into adding a link on the website for the public.

6. Administrator/Recorder Report-

- a. Bikes on sidewalk Assembly @ school- Patterson states the school had the city come over and do a presentation about bikes on the sidewalk and what the city rules are, ODOT regence 5 coordinator came to and we did demonstrations, I think we got the point across.
- b. Code enforcement position- Patterson states the position has been filled and she is off to a good start.
- c. Income Survey update- Patterson states at this time I don't have more information.
- d. Budget update – Patterson states I am waiting for the okay to go ahead and file lb forms I know you wanted to work on funds a little bit. I advise that you don't work on numbers until our meeting.

Later asks can you tell us again what the lb forms are and when they have to be filed.

Patterson answers the lb forms have to be filed before public hearing with current proposed budget and actual numbers either in the newsletter or The Observer, it goes to the press about the 25th, so I need to start filling those out. They have to be in the citizens hands at least 5 days but no more than 30 days before hearing if you change anything that is over 10% or \$5,000 dollars whichever is greater it has to go back to the budget committee, which means redoing the lb forms and advertising again.

Knop asks could you give us a budget calendar, the official budget calendar email it to us. That way we can hold meetings.

Patterson answers yes I will send you a calendar.

- e. Training Northwest Community Development Institute July 18th to July 22nd, pg. 58-59-

Patterson states I would like to go to training in July.

Mayor McCormack asks are you asking permission to go.

Patterson states yes it is a weeklong training.

Later asks if McKee will be around to run the show.

Patterson states yes I can make sure he is around.

Later states I am in support of this because this is an interest of ours.

Mayor McCormack asks for any other comments.

Wilde states I would say no a week is a long time for her to be gone. I would rather see her taking vacation that is my opinion.

Mayor McCormack asks for other comments.

Knop states I wouldn't know where to start I will leave it at that.

Mayor McCormack asks is there any other reason than Wilde's that she shouldn't go to this training.

Farmer states her plate is full, she is on more committees, she has a lot to do.

Wilde asks what is the cost.

Patterson answers I can get back to you on that.

Osburn states this is recommended by the State of Oregon, I would say school McKee on your duties and go.

- f. Work comp update-Patterson states I wanted to share with you that we do a fine job in keeping workman's comp claims down, I shared with you last year we got an award. Our points dropped this year which gives us a better rating, our rating is good.
- g. Twelfth Street Road closure update- Patterson states I haven't heard from property owners, I sent them a letter and they just brought the plats in. They didn't know they were supposed to get back to me. I am sending them paperwork.

7. Public Works Director Report – Rod McKee asks for any questions.

Mayor McCormack asks where you were talking about streets lower the man hole frames you won't be able to get to that.

McKee answers no.

Mayor McCormack asks what kind of engineering is involved in that.

McKee answers we won't be able to get to that because we have to have a detailed contract and plan and encompasses what the requirements will be and have a proposal formatted.

Mayor McCormack asks if the street will be torn out and completely redo it.

McKee answers no it will be processed in place it isn't going to take that long to do this.

Mayor McCormack asks it can't be done before the stock show.

McKee answers no we aren't going to be able to get the contracts out in time.

Mayor McCormack asks any other questions.

Knop asks the USDA loan what is the time schedule on that.

McKee answers we are shooting for the 1st of July for closing.

Mayor McCormack asks for any other questions, there are none.

8. Correspondence

- a. Letter FDIC from City Council, pg. 60- Mayor McCormack states this is a letter from City Hall to FDIC asking them not to close our bank, any questions.
- b. Fish and Wildlife budget notice, pg. 61- Mayor McCormack states they are having a meeting on May 12th.

Later states for public, councilors, or anyone, as the time to present our concerns about the deer and the damage they are causing in Union and the lack of funds the ODFW has to address this in any way and put all that cost on us even though the deer belong to the state.

Farmer states I have it on my agenda to be there.

Mayor McCormack states it is going to be at Island City Hall, right by Legacy Jeep Dodge & Chrysler, it must be Thursday.

Patterson states it looks like you can provide comment by email as well.

- c. Department of Revenue meeting notices, pg. 62-72- Patterson states rule changes to Dept. of Revenue, you would really have to be into this it is intense.
- d. Applicants wanted bikeway committee, pg. 78-79- Later states there are two seats open on the committee.

Mayor McCormack states must submit interest by May 12th, Thursday. Are there any questions, if not moving on.

9. Action Items – Old Business

- a. Avista Franchise contract review- Mayor McCormack asks has everyone had a chance to review this. Questions in regards to how the new franchise will work?

Knop states we would not be the only size to raise the franchise fee. You can go to 6% not the only city to raise it, the rates will be consistent, consulting fees and costs and staff time dedicated to it we are currently at 5%. I motion to raise the franchise fee from 5% to 6% Farmer seconds.

Mayor McCormack states that is a cost they pass on to the consumer, it will increase the bill.

Call for the vote: Knop yay, Osburn nay, Later nay, Farmer yay, Wilde nay. Motion fails.

b. Report on Town Hall Meeting- McKee states some of the council was there, we had about 40 people total, I gave everyone an opportunity to give input or comment, in the end for those were against some form of culling of the local deer herd I would guess less than a 1/3 of audience raised their hands, the rest about 75% to 2/3 were in favor of doing something to reduce deer herd number. The city received 8 comment sheets, 7 of those sheets spoke of aggressive deer and damage and potential injuries with deer, 1 sheet out of 8 asks that we exhaust all possibilities prior to going to lethal means. We talked about that town hall, I don't think we identified anything at the meeting, that wasn't a thought that we thought about in terms of what deer do, damage and other problems within the city, I had the group identify their concerns, with respect to the deer. We discussed the option of not doing anything, I just asked the question will that help here, to all of those concerns the answer was no. It is not a staff decision I think this is a council decision by the way this has evolved, if the city council wants to pursue something this winter we have hoops to jump through in getting an agreement with ODFW and USDA. I think it boils down to this, in terms of what I see based on the results of the meeting and survey the majority of citizens are in favor doing something to control deer numbers. We could have another town hall meeting to secure more input from the community, I was thinking about May 31st to have another meeting. You are going to see those opposed, it is pretty difficult to make some kind of sense what is the desire of the community is.

Osburn states I know ODFW has determined there is about 150 deer in town, If we choose the lethal option, how many would we cull per year?

McKee answers that has not been discussed.

Osburn states the people might be thinking that we are just going to take them all out.

McKee states that was talked about after you left and it was explained it will just reduce numbers to a more acceptable level.

Osburn states it seems like when we were talking with ODFW they were talking like 10 a year.

Osburn states before we ask the people what they are wanting we need to tell them what the plan is, we need to tell them details.

Farmer asks it is my understanding that we have to work with ODFW and it is their deer correct.

McKee answers no they are public property they are managed by state and that responsibility is given to ODFW, by definition they are public property.

Farmer states if they are public property and ODFW is responsible for the deer why isn't it their complete responsibility to take care of the entire issue.

Knop answers we may not agree with the rules they have and they may not agree with our rules, but we live by rules. We aren't going to know how the public feels or believes until the council makes a decision much does like the Marijuana issue we put it off, deliberated and we collected data and information, and held meetings and we aren't any closer to a decision.

Later asks Knop are you speaking for yourself or for the council in general in being closer to a decision. I am close to a decision.

Knop answers you have not made a decision yet.

Later answers I can make a decision right now.

Mayor McCormack states we need to meet with ODFW and find out the number of kills and what sex we are going to be able to kill and what time frame. We aren't going to be able to ask the public what they want until we can answer those types of questions.

McKee states let me play the devil's advocate for a minute here if you ask ODFW that kind of question they are going to answer using their knowledge, experience and education. This is just me as a hunter and sportsman; I don't think the public will be able to weight whether or not that is good for the deer.

Mayor McCormack states they will be determining how many deer are killed, do we have that information.

McKee answers no not yet.

Mayor McCormack asks so we can't tell the citizens how many will be eliminated.

McKee answers no.

Later states we need to make the decision thumbs up or thumbs down are we going to cull the deer and then get the details make sure things are ironed out. I move that we direct public works director to begin of process culling the deer in Union.

Wilde seconds.

Mayor McCormack asks for any questions.

Osburn states I have thoughts.

Farmer states I have thoughts I didn't know we would be voting on this tonight and I feel we have council member who would vote one way who is not here tonight.

Osburn states I realize this is an issue that should be put off but I think we have an opportunity to put something on ballot in November and I think the question should be to the town residents should we cull the deer herd lethally and let them vote. I am not willing to vote yes on this. It seems that half of the people want them gone, half of them want them relocated which isn't an option, and half the people like them. I don't have a clear answer from the residents. It is a liability both ways.

Later states I have heard comments from the audience from time to time I have heard plenty of comments about aggression and damage, I think those who don't want to get rid of deer, we need to explain that we would only be reducing the numbers making fewer of them.

Wilde states the fact is if there were 100 deer and we knocked 30 out of the equation we would still have 50 more, we are not going to run out of deer with this system I have lost two trees, and something has to be done.

Later states this is a relatively new issue, within last 20 years, we asked ODFW why this is an issue and they didn't have an answer.

Farmer asks if this motion does pass would we still explore all avenues of making ODFW responsible for helping us correct.

Wilde states and right now if we decide to do something then Rod goes and does something and then if we decide not to we can always change it.

Knop states Rod is to develop written proposal and present it to council.

Heads nod.

Mayor McCormack states if there is no other discussion let's call for the vote.

Knop yay, Doug yay, Later yay, Farmer yay, Coy yay.

Motion passes.

10. Action Items – New Business

a) **Resolution 2016-06** to proceed with Folio and Internet Cost Agreement for Code of Ordinances, pg73-77

Patterson states you only have one price quote in front of you, the other quotes didn't come in.

Mayor McCormack states we aren't actually going to have a resolution one price you have here now, is the company that made our book.

Patterson states yes.

Knop asks is this in searchable format.

Mayor McCormack answers yes.

Later states you can do it on other cities websites.

Knop states this is a part of the ongoing transparency and communications improvement with the public. The public today shouldn't have to come to City Hall for the information in today's world go online search the item and download and print it is a smoother process.

Later states the \$495 one-time fee and then a \$450 annual fee I would rather have it transferred to our site to avoid paying the additional fee.
Mayor McCormack asks didn't they say they could give us a CD to put on our own site.
Patterson answers yes but it isn't searchable.
Farmer asks they retain the information and we still have to pay \$450 a year to access that. Why can we not buy that information?
Patterson answers we own the information.
Farmer asks but not in a searchable format, why can't we buy that format?
Knop states it is copyrighted.
Patterson states Sky is supposed to look into it.
Wilde states Sky was supposed to research this and she is not here and this is just the one we have in front of us.
Osburn states this is proprietary software there are other software firms that have proprietary software and it very well may be that we get similar proposals from other companies, maybe another company would be willing to sell us the software. We would have to have someone to install it. I think we need some input from other companies.
Mayor McCormack states it would be searchable format used by multiple employees.
Patterson states more information on the way.
Mayor McCormack moves this item to next agenda.

b) **First reading of Ordinance No 552** AN ORDINANCE GRANTING TO OREGON TRAIL ELECTRIC CONSUMERS COOPERATIVE, INC. THE RIGHT TO PLACE, ERECT AND MAINTAIN POLES, WIRES, AND OTHER APPLIANCES AND CONDUCTORS FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY IN, UPON AND UNDER THE STREETS, ALLEYS, AVENUES, THOROUGHFARES AND PUBLIC HIGHWAYS IN THE CITY OF UNION, OREGON, AND TO EXERCISE THE PRIVILEGE OF ENGAGING IN THE GENERAL BUSINESS OF GENERATING, TRANSMITTING AND DISTRIBUTING ELECTRICAL ENERGY, FOR A TERM OF TEN YEARS, pg. 80-82

Later reads Ordinance.

c) Scheduling of City Council meetings- Patterson states Mitsch asks that all meetings be scheduled a month in advance.
Mayor McCormack states there will always be a work session on the 2nd Monday of the month at 6 p.m. and then City Council Meeting at 7p.m. that same Monday.
There will also be a work session on the 4th Monday of the Month at 6 p.m. Now there will be times we have to call a meeting for something.
Knop asks could we get this posted on the website.
Patterson states yes we can do that.

d) **Resolution 2016-07** a resolution of the city of Union, Oregon authorizing the sale of a sewer revenue refunding bond, pg.83-85-
Mayor McCormack reads resolution.
Osburn motions to approve Resolution 2016-07 as written.
Knop seconds, Farmer thirds.
Wilde asks is anyone allowed to walk in and approve an increase.
Osburn states we our obligated to establish increases to make repayment.
Knop states we were talking about prioritizing budget items this is one of those items you don't touch.
Wilde states my question was clarifying how the increase would work.
Mayor McCormack states this is paying off old loan and getting a new loan saving city big money. Call for the vote.
Motion passes unanimously

e) Discuss Councilor email use and personal computer usage. –
Patterson states using your personal email you need to be prepared to give up all information on your computer, all of anything on personal computer.

Farmer asks why.

Patterson states as an elected official everything you get can be requested by court order. They can do records request.

Farmer asks how do I get you to stop sending me emails.

Patterson states I am going to suggest city emails, we all get iPads, no longer use your own computers. The other alternative is don't use anything I would make copies and put it all in your box.

Mayor McCormack asks if we use a city email it all goes into a city server and you get it from there.

Patterson answers yes you would retrieve it from the city server on your personal equipment owned by the city.

Later states the email when opened in Yahoo or Google is opened on their server not the city server. In my instance, I created email account just for communications with the city business, it is a safer way.

Knop states the issue is concerning as time has gone by, one of the councilors has a business and they are using their business email. We have gotten confidential communications since I have become councilor. 6 of those you have received on personal computer I know you have. This is a legal point with personal confidential communications is going to a business it is no longer going to an individual. I don't care any security measures, it is your behind not mine, but I am concerned about when I respond to its going to I have no idea who. Now that I know that communications are going to a business I'm having to make a decision to stop do I stop communicating or do I only respond to Rod or to Sandra, which will increase their work load, Farmer states so basically the answer here is to acquire a city email address and secondary devices.

Knop states I am only saying that email communications the state law is very clear about it.

Farmer asks what will fix it.

Osburn states iPad or tablet is for city business and it is city property, all communications would be on that and would eliminate all of this everything would be accessible and you could get hard copies from City Hall.

Mayor McCormack states issuing city email to everyone their computer could access the city server.

Knop states the city does not have a rule that tells you as an official that you can't access their site, the only requirement is that you establish a username and password which the city does not have access to, beyond that you make your own decisions what you do with that information.

Mayor McCormack states so usernames and password could be issued to give access. Later states but if you use a personal device you still would have to give it up upon request.

Knop states this is what concerns me is that you don't know enough about this, I can trace online your communications that I have been communicating with, when you opened it, if you transferred it somewhere. It is the public domain it is the taxpayer's property.

Farmer asks what do you recommend we do here.

Knop states it is not my recommendation.

Farmer asks what fixes our liability.

Wilde states the options are go strictly to paper or get city emails and devices.

Farmer asks where is this going.

Mayor McCormack states the stipulation with iPad is that it is strictly for city business.

Farmer states okay I am perfectly okay with buying my own just for that purpose.

Wilde asks to be removed from email list.

Osburn states one huge perk to this is when our code is digitized and searchable we can access it right here while we are discussing something, it will simplify a lot of things. Farmer asks do we need a motion.

Patterson answers no, I will look into this.

Wilde requests that no one email him anymore.

Knop states you can't do that you are listed already and receive communications from everybody on that email address. If I submit an information request with Sandra and I am willing to pay the reasonable cost, I'm not going pay I'm going to sue you as an elected official so that I don't have to pay that cost, that is the reason behind the public domain.

Farmer states this would have been nice to know when I started.

Osburn asks any communication from Sandra to me is on the server any communication that I send back to her is on the server.

Later states but if you communicate it to me or anyone else it wouldn't be.

Knop states I don't know what you have done with that since you received it.

Osburn states good point.

Knop states that is why on all of the confidential communications I put a tracker on it. So if I do want to find out what you did with the confidential communications I can go to the where the next point of delivery where was.

Wilde states so if you box it as city files it shows as being boxed with different files.

Knop states when you are doing an electronic freedom of information request, a electronic forensic data mining, they use codes to track that email from server to server and from recipient to recipient and then you can find out if some kind of pattern exists, are you working with a subcontract? Sandra lets a contract you immediately put it out there a day before every other bidder, because it was a confidential communication and you decided to give it to friend and he has an 8-12 hour jump on the other bidders. He shows up and is under everybody else. I don't why but I know that you are probably going to get hit pretty hard.

Wilde states I understand and I am not disputing that I am trying to understand how to fix the problem.

Knop states stop using your personal email address.

Mayor McCormack states that is what he said he wants to do.

f) **Resolution 2016-08** a resolution authorizing transfers as budgeted for the fiscal year ending June 30, 2016, pg. 86-

Later motions to approve, Farmer seconds.

Motion passes unanimously.

g) Approve resignation from Planning Commissioner, pg. 87- Mayor McCormack states I accept.

h) 2016-09 Resolution- authorizing payment to Department of Forestry from City of Union

Later motions to accept, Osburn seconds motion passes unanimously

11. Public Comments

None.

12. Council Concerns

Wilde states I would like to see our packets out earlier out than Thursday or Friday and meeting notices I would like to have, I didn't hear about tonights meeting until 6:00 p.m. and I was in the office earlier today and didn't hear anything about it.

Mayor McCormack states I heard that from someone else as well.

Patterson states they are ready on Tuesday.

Wilde states I was not notified until Thursday that they were ready.

Mayor McCormack states this meeting was established on Thursday night during the work session. It was put out to the council.

Wilde states I wasn't called.

Patterson states I don't have staff on Friday so the calls weren't made.
Wilde I would really like to have this corrected I would like to be notified when they are done.

Mayor McCormack asks for any other council concerns.

Patterson states I handed the packets out during the town hall meeting.

Mayor McCormack asks Farmer if he has any concerns.

Farmer asks about executive session.

Osburn states I have three concerns: the contract with school/sign, who will program during summer break, then there is a trailer of Ash and Bellwood pick up bed made into trailer, moved back a minimum of 15 more feet. Communication between staff and council, needs to be improved. When a meeting is called an email as soon as possible as early as the next morning to all city council, and followed up by phone calls I do appreciate those calls. I didn't get notification of work session tonight except for in the paper, easy solution.

Mayor McCormack states it will be corrected.

Farmer states it has been brought to my attention that we have a gentleman selling a lot of vehicles, on Main Street.

Mayor McCormack states you need to take that up with the ordinance office.

Later states we need to set another work session for budget prioritization.

Mayor McCormack states there will be a work session on 4th Monday. I think you need to take a look at your budget before the work session before you talk about dollars that need to be prioritized.

Patterson states you can't talk about the numbers you will get in trouble with the state for that.

Later states come prepared with a list of priorities, which fund needs to be the highest priority.

Knop states you are asking me to tell you, and the rest of the council which of these of 15-18 items there is number 1, and which one is number what? The lowest number or do I only get to pick 3?

Later states if there is 18 there then do 18.

Osburn states only in the general fund.

Mayor McCormack states it is only the ones that aren't

Later states water and sewer are self-funded so those aren't a part of the 18, I can pull this back out if you want to talk about it. I think it is fairly well understood by the rest of council to just put in the numbers where you feel you would like to see, if you have to allocate dollars to those accounts do in the order you feel is most important.

Knop states I am a little uncomfortable telling you ahead of time whether or not I think the library is more important.

Osburn states we are talking about bringing it to the May 23rd work session.

Farmer states you don't have to pick tonight.

Knop states well I am telling you now that at this point since I don't have direct control over that item in the budget per say department my choosing another words, are you not concerned with how I go about picking?

Response from council is no.

Knop states so I shouldn't have to rationalize why I selected one over another.

Later states not if you don't want to.

Osburn asks what do you feel is the most important.

Farmer states we are just looking for a general consensus, nothing set in stone.

Knop states first of all I didn't see that as necessary to resolving the overriding concern of whether or not there is adequate funds, where one councilor is concerned about whether or not there should be a subsidizing or fees i.e. taxes being levied to make up the difference.

Later states that is definitely more in the weeds than I think....

That is an issue I can most certainly sit down and talk about not only on our behalf but the citizens as well, In the budget process to prioritize because of what?

Osburn states because we have limited funds.

Knop states no you are one councilor that says we have limited funds. Is this a balanced budget being proposed that is the only question you get ask and to answer. Osburn states I choose not to answer because I don't believe it is a balanced budget. Later states this discussion is not about the current budget, it is about the priorities that the city council feels that the budget's in the future and possibly this budget in reflection it is simply let's examine our priorities and examine whether or not our budget correlates with that, sets the tone for future budgets. It is not a numbers thing it is about where do you feel our priorities are.

Mayor McCormack states let's bring this to the work session on May 23rd.

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.

Adjourned into executive session at 9:01 pm

Returned at 10:10 pm no decisions were made.

Roll call with Mayor Ken McCormack, Randy Knop, Sky Mitsch excused, Doug Osburn, Matthew Later, John Farmer, and Coy Wilde.

14. Adjournment- Meeting adjourned at 10:15 p.m.

Approved: _____
Mayor, Ken McCormack

Attest: _____
Administrator/Recorder, Sandra Patterson

CITY COUNCIL WORK SESSION MINUTES

Monday May 9, 2016 at 6:00 pm

LEONARD ALMQUIST COUNCIL CHAMBERS, UNION CITY HALL

Meeting Called to Order: 6:01 p.m.

Roll Call: Mayor McCormack, John Farmer, Matthew Later, Randy Knop, Doug Osburn, Sky Mitsch excused, Coy Wilde is on the way. Rod McKee is joining the work session.

Mayor McCormack states this is a continuation of last Thursday night; deciding the best way to use monies in general fund.

1. Review Fund Priorities

1. Budget prioritization- Patterson states that she handed out information for council.

Later states it would be useful to have everyone toss out what is most important.

Mayor McCormack states water and sewer two top priorities

Later states that those should be self-funding.

Osburn asks if the general funding is going to sewer and water.

Patterson answers that no funds from general go to water and sewer and explains that the marks on each line on the paper explain whether the funds are not allowed to be moved, or can be moved funds that are approved or allotted for other things.

Knop asks for clarification, when you say restricted do you mean dedicated.

Patterson answers yes, some are required by statute to be there and can't be moved, some can be moved by resolution, some are by ORS.

Knop states council can adopt an ordinance and move money, certain funds can be moved discretion or nondiscretionary.

Later states my feeling not so much about dollars right now but setting the priorities where the money should be spent.

Coy Wilde arrived at 6:06 p.m.

Knop states that is what I was thinking this session was about, setting aside the money issue.

Later asks do you have a list Mayor.

Patterson states some of these funds are operating at bare minimum and not given any extra funds such as, park department, just barely funded. How you would not fund those departments, chain link fence around it and locking it which would probably cost more than to operate it.

Knop states if we didn't have a balanced budget Sandra, then I would say okay we will have that discussion we have to come up with 1% somehow we can't have a balanced budget without that 1%, this document would have greater meaning then, and then we would have to choose between what service we cut and services we might fund.

Osburn states we don't have a balanced budget.

Later asks so does anyone have any feelings about what they would like to see prioritized first.

Mayor McCormack states emergency services have to have fire ambulance, partially restricted funds.

Later states fire and ambulance? Is there a 1 or 2?

Mayor McCormack responds it doesn't matter which way you put them.

Osburn states I would classify ems emergency services #1 first funded out of general fund, I'm not sure in the administration things that don't fall into another fund, that tells me diddly we need to administer funds I am not so sure that \$150,000 is the right number I'm only talking with the funds under the general fund and I know the ems services receives \$100,000 user fee surcharge off of the water bill. I feel that it is time to formulate a budget without those funds. We are asking rate payers to pay more and more and more, we are going literally raise of rates out of control. We need to look water and sewer these things that are most important, you do that by rates to additionally add a surcharge it is allowable but it is in essence a tax not all customers on water and sewer pays a bill at least not a user fee, I think we need to seriously look at taking that surcharge off of the water bill and how to fund ems and general fund without that and use a priority system. If we need to put levies out to fund the library or street lights or, public safety, then that is what we need to do. We have a poor, tax base, general fund doesn't have the funds to do business we are trying to tax the water and sewer revenues to fund the ambulance and fire crew, I think that is a back door way of hiding the fact from the people not prioritizing the budget not doing due diligence, let the voters decide on what they want to fund and what they don't want to fund. The fact that we received that at the end of the meeting a week before the budget meeting, then the budget meeting convened and passed it, I cannot approve that budget without us going into in and tearing it apart and looking at where we could save some money instead of arbitrarily telling folks we raising the rates. We can't raise them anymore; we have a community of fixed income people who haven't gotten a raise in two years. It is incumbent upon us to strategically look at the budget and do absolutely the best we can for the people who live here and funding emergency services first.

Later states I have heard basically three one and two on ems, fire, and ambulance.

Mayor McCormack states ems vehicle equipment.

Later states so that would be included in that.

Osburn states I can't fund that #1.

Knop asks what is number 1.

Mayor McCormack asks can't do number 1.

Osburn states I can't fund equipment as number 1 priority.

Later asks any other thoughts about that.

Knop states I would ask everybody to consider that we ask the people responsible for those departments to make a budget and the necessary programs and materials to deliver the service. EMS vehicle replacement cost is a part of that responsibility whether it is Sandra or you, or the chief of, they are saying that this vehicle will need to be replaced within in a certain period of time and to set aside money for that purpose, what do you do if you get to that point and the vehicle is now needed and you need to come up with \$60,000 or \$80,000 what do you do then?

Later asks Doug would you support that as being a 3,4 or 5 ems equipment vehicle savings, do you have a feeling about that?

Osburn answers I think day to day operations of fire and ambulance should be number 1.

Later asks would you include in that the....

Osburn answers if we have the luxury to put money in there then we do that. I think that ought to be funded before the library; I think it ought to be funded before the park.

Mayor McCormack states that was one of the questions...

Farmer states it needs to be on the list.

Mayor McCormack states you got administration, transportation that would come before those.

Later asks John do you have any thoughts about that.

Farmer answers I agree 100% on 1,2, and like Doug says you can only put money in the bank when you got it. It is nice to budget to put it in the bank and I fully agree with preparing for the future 100%.

Later asks Rod or Sandra, what your feelings about that.

Knop states I need some clarification there are statutory services and you are sitting here trying to prioritize those, you don't have a choice.

Osburn states we are not talking about that we are talking general fund.

Knop states just strictly general fund.

Later states that is why we crossed out water and sewer they are supposed to be self-funding.

Patterson states if I was a city councilor you are responsible for the health, safety, and welfare of the citizens, so anything that fell into those categories you would have to provide, so if that is a little bit of everything, or a little bit of everything that is in those categories I would have to think about that, you have some things in planning some things in court some things in parks, I don't know if you know about the tort claim involving city employees it involves somebody getting hurt in the park, if there is their liability and their liability has gone up recently because of a lawsuit that has taken place. Lots of things you have to account for.

Later states we don't want to eliminate anything here but there isn't enough money to cover everything the way it needs to be covered.

Patterson states but as a city councilor you are appointed to make sure that health, safety, and welfare are covered at whatever cost that is.

Later states so I'm not sure how to address what you said there. Could you repeat that?

Patterson states the citizens appoint you to protect them and health, safety, and welfare.

Later asks but I thought you said it doesn't matter how much that costs.

Patterson answers that is right it is your job to make sure the cost is covered.

Later states so we have to close the gap, we are saying that it costs \$100 and we only have \$10 then we have to come up with a way to cover the rest.

Patterson responds yes you have to find the finances to close that gap.

Later states I think that is what we are trying to do. We are saying we have \$10 so we put \$8 here and \$2 here and we need to close the gap.

Farmers states I have a question then, list in front of us which ones can't have a gap? Farmer asks about symbols on the paper.

Patterson states that is funding that can't move or be taken away.

Farmer asks are the ones with the stars and slashes are those are the ones we want to prioritize.

Patterson states yes if you look at the library that is an easy one, and frankly you shouldn't be doing this, it isn't your job it is the budget committee's job to do this.

Osburn states we ask the budget officer to prioritize the budget on the general fund and to do it without the user fee surcharge on the water. If I am looking at that as \$115,000 then we strike the sheriff at \$110,000 and the budget goes forward.

Knop asks is this or is this not a balanced budget.

Mayor McCormack states we got the budget a week or so ahead of the meeting and I sat down and went through it, we sat down and went through it page by page and asked questions, we left that meeting saying that everyone was satisfied.

Wilde states no, I didn't vote because I was still thinking and if you look back there are others who didn't vote.

Osburn states the point is it was left to city council to approve

Mayor McCormack states that is true.

Osburn states and I can't in good faith approve the budget.

Farmer asks Knop when you say a balanced budget, approved by committee and brought forward.

Knop states correct but the council hasn't adopted it.

Farmer states so it is in our lap, so the 14 members of the budget committee say this is a balanced budget, correct?

Mayor McCormack states let's say a majority of the budget committee.

Farmer states I am trying to wrap my head around this, so you sir disagree.

Patterson states it's balanced.

Osburn states how do you balance a budget, you create a revenue to cover the expenditures on paper, you can balance it. If you take that \$115,000 from the user fee surcharge out of the budget it is not balanced.

Farmer states so you have to work around, I understand now, with that user fee in action we do not have a balanced budget. If we take that user fee out then we have a balanced budget.

Patterson states I have not been directed to do that.

Later states that was not the only thing added as revenue to balance that budget it also includes an increase in sewer. How much of an increase in sewer?

McKee states it is \$5.65.

Farmer asks so what percentage rate is that? Was that the 12% increase above the 2.5%? I understand where we are at now, it is a balanced budget if we make an increase, I see what you are saying.

Patterson states Mayor you need to get them back on topic.

Mayor McCormack states so back to prioritizing.

Wilde states according to Sandra this is already done.

Later states for instance in the bike/pedestrian fund we are required to set aside so much by ORS. What is the requirement on that?

Patterson states by ORS we are required to set aside 1% of the gas tax.

Later states so that \$16,500 is what we have collected over the years from the gas tax. We can't move that around.

Patterson states that can only can be spend on sidewalks and bike paths.

Later states we understand that is going to be there but we don't have to put additional funds there. That is where this prioritization comes in, do we want to put additional funds there. What I am hearing from people here is that we want to fund emergency fire and emergency ambulance is funded completely before we put additional funds in the bike/pedestrian path fund.

Patterson states we still have other priorities like we need to fix the sidewalks.

Later states I understand that and Doug used the word levy and I think those are appropriate things to discuss. We are saying we don't have enough money to fix the sidewalks so we are asking the citizens of Union what do you want us to do. Do you want us to pass a levy for streets?

Knop states this is where I certainly agree with Doug it may be time to become transparent with the public regarding its tax dollars and create these departments in funding that are dedicated. The only way to do that is an operating levy.

Later states I think that clarification....

Knop states that frees up other money to go towards discretionary activities, I am passionate about the library and the parks so I come before the council and plead I know water sewer are important and so are emergency services, but so are my children and their continuing education at the library after hours warrant me to plead with you to put \$6,000 extra dollars towards the library so that they are not roaming the streets. So you give me \$2,000, you are still giving me \$2,000 out of the general fund for library that doesn't have anything but that operating levy that is going away, meaning that there is no future for it. I agree with the councilor that it is time to start educating the public how to better finance their needs relative to these other services that aren't mandatory or compulsory service but are just as important to this community.

Later states I think what I hear Doug saying is that these layers of fees everywhere is not clear to people, adds to the darkness of glass you are trying to look through to understand what is going on with the budget, if we were able clear that up, here is your levy for ambulance, here is your levy for park, it makes it more clear and straight.

Mayor McCormack states one thing that the residents are concerned about is the 2.5%, that should not be a burden upon them automatically.

Osburn states the water and sewer has to stay in the black. The 2.5% annual increase allows them to hopefully do that, it doesn't necessarily do the whole job, that is why ideally you look for a rate increase every 3-5 years; over and above the 2.5% rate increase all that does is try to keep from falling further and further behind.

Later states which we are at in the sewer department and will very shortly be in the water department.

Doug states I am a little appalled by the sewer department revelation to us. Until the budget was prepared there wasn't a hint to council that we were in a short fall and using funds out of our reserve accounts to cover daily operation and maintenance costs.

Patterson states we had no reserve accounts.

Osburn asks what were you using.

McKee and Patterson answers it is money that was co-mingled in that fund we are now taking those funds and putting them into reserve accounts.

Farmer asks if those funds were marked for something else.

Patterson answers no.

Later asks what funds were co-mingled?

Patterson states the reserve funds were closed 3 years ago...

Osburn states it was animated to us the other night that funds are being expended from somewhere because rates hadn't increased but the cost did and it wasn't paying the bills. Is that correct?

McKee states a portion of the beginning balance together with the rates had to be used to cover costs.

Osburn states ideally your carry over come June 30th; you should have anticipated a minimum of 60 days operating costs.

Patterson states we have always had that.

Osburn asks why do we need to raise the rates more.

Patterson states probably because increase them more several years ago when I asked you to increase them more.

Mayor McCormack states I shouldn't be speaking; was there more information that came out when putting budget together this year that showed where the money was going in previous years. Did you discover voids in the budget? So your budget is just like it was in years prior just with increases due to increases in costs.

McKee states in its simplest form if your rates aren't covering operating costs and maintenance and personnel you are losing ground, and that is exactly what was going on.

Patterson states we saved for so long and not spent we really haven't spent anything until the past 4 years it didn't really start to show until the last 4 years.

Farmer asks how come we have such a huge increase for operations the last couple of years.

McKee states it is a cumulative effect, it is just over time the revenues have not been above the expenses.

Later states getting back to reviewing priorities, we are all agreed that the water and sewer department need to be self-funding and adjustment needs to be made so that they are self-funding.

Mayor McCormack states it is my understanding that we are not completely running in the black in these departments.

McKee answers we are making an adjustment here to avoid a problem.

Farmer asks are we not entitled to know what these adjustments are.

Osburn states that is the rate increase.

Farmer states okay that is the rate increase.

Osburn states in going along with the user fee surcharge \$10 a month, what is the user fee surcharge?

Patterson answers each household pays \$10.

Osburn and Farmer states I understand what you are saying but what the residents see is \$10 on the bill.

(Note: Several conversations going on, only part of conversation here, very hard to understand.)

McKee states it has been done that way to avoid sending three bills it is there on the bill it is a break down on the bill.

Farmer states the resident will ask why am I paying a surcharge.

Osburn states I want to do away with it. Which is \$115,000 generated.

Farmer states it is foggy way to get money. If you throw that %12 on there then you take away the \$10 then the resident doesn't see the increase as much, is that what you are trying to say Doug?

Osburn states no my idea is to fund emergency services out of general fund.

Patterson states there will be consequences for pulling the fee.

Osburn asks like what.

Patterson states we would be short some line items because Medicare is not paying like they used to so we are losing revenues like \$25,000 a year in ambulance runs.

Osburn states that is why I want to do parks levy, library levy.

Patterson states but you can't do these things overnight.

Mayor McCormack states you are too late for this budget.

Osburn states I don't want to put it off. I might approve the budget for this year and I think we can get some of this stuff on the November ballot these levies.

Knop states you are going to have to have a lot of public hearings to explain why you are making this proposal, it isn't just a clear and simple I get a bill and I don't understand my bill and a lot people can't balance their checkbook and I might be one of them, but I can clearly understand that my \$10 for emergency service is paying for one and or both, do I want those yes, if I didn't I would come to council and plead that.

Farmer states and I am not against that....

Osburn states people have for years.

Knop states and they may have what I'm saying is you won't cut those services you are looking for a different way to fund them. Unfortunately, the budget is not the place to adopt a new revenue string.

Osburn states I am not going to create a new revenue string I am going to redistribute the general fund.

Knop states in order to do that you have got to find revenue strings levies preferably....

Osburn states \$110,000 for animal control and sheriff right off the top, there are ways to save money, if the people want library, streets, sidewalks, the park then they will pass a levy to have those, if the bulk of the residents in town don't want those things it won't pass, fund health, safety, and welfare first.

Mayor McCormack asks have you gone through the budget and identified areas that could be cut.

Later states I think that is what we are trying to do here with this prioritization.

Mayor McCormack states that this one gives us \$115,000 back that is what I am trying to say.

Osburn states sheriff right off the bat.

Mayor McCormack states fine we will discuss that one later.

Osburn states if we are concerned about balancing the budget for this year that is the easiest way to balance it and not have the surcharge on the water bill.

Mayor McCormack states we will be discussing that later so that topic should be off of the table.

Osburn states it cannot be off of the table because it is a part of this conversation how do we balance the general fund without the \$115,000 from the user fees.

Mayor McCormack states I'm not going to sit here and talk contract information in front of everyone else.

Osburn states I am not asking you to Mayor.

Mayor McCormack states in a way you are, we need to get this finished up so that we can set up for the City Council meeting at 7 p.m.

Later asks can you give me #3 then. #1 Emergency Fire #2 Emergency Ambulance #3 priority wise would be what.

Osburn states administration, you have to have administration.

Wilde states equipment maintenance for ems.

Mayor McCormack states he has administration as #4 and streets as #5 and #3 is ems vehicle.

Later asks if Farmer or Knop have any feelings about this.

Knop states I can't participate in this because there are dedicated services and non-dedicated services these are not discretionary. Not relative, to our statutory obligation to provide these services. I don't know how you are going to accomplish this. Police budgetary item will need to be discussed. At some point major issue both to insurance and school, we tackle these issues one at a time as they come up.

Osburn states that is why I am not so sure for this community that a levy for police services might not be the best way to go.

Knop states I am not at all uncomfortable approaching the public for levies specific to services.

Osburn states I don't want it that way.

Knop states the city has not been as transparent in its funds.

2. Adjourned- Meeting adjourned at 6:50 p.m.

Approved: _____

Mayor, Ken McCormack

Attest: _____

Administrator/Recorder, Sandra Patterson

CITY COUNCIL WORK SESSION MINUTES

Monday May 23, 2016 at 6:00 pm

LEONARD ALMQUIST COUNCIL CHAMBERS, UNION CITY HALL

1. Review Fund Priorities- Called to Order at 6:02 p.m., Roll Call: Randy Knop, Doug Osburn, John Farmer, Matthew Later, Rod McKee is joining the work session, Wilde Absent, Mitsch Absent, Mayor McCormack is excused.

Osburn asks if there is any discussion on prioritization of the budget. Knop states left us council as whole each councilor to identify from a budget document their priorities for those 7 funds.

Later states that is essentially where I want to start. This a useful tool the handout you gave us, the summarization of funds, we are not talking about transferring balances at all, not money, I think it was confusing for some of us, I used as basis but kind of ignored, the funds themselves and what priority they should be in, summarize what the City of Union provides and we can add or take away, the water department should be self-funded all income should take care of water shouldn't be general funds paying for water, Knop states it is desirable.

Sky Mitsch arrived at 6:06 p.m.

Later states the sewer department is the same story or should be self-funded, Patterson states together the water and sewer department are called the utility fund.

Later states there should be no general funds here, if there were I would want to do something about that, simply put, library, parks and, roads we are not using official titles, fire, ambulance and, administration, ranger station, ordinance enforcement, I struggled with this one because you could lump animal control in with that but for now we were do them separately, policing animal control.

Patterson states they are all in one department.

Later asks city owned buildings the only one that isn't taken care of by sewer and water is city hall.

Patterson states the general fund helps with city hall.

Later states all of these departments have general fund paying for them if I have that right.

Knop states you are detailing out both revenues and expenses in sub-accounts.

Later states we as a city pay for out of the general fund, library, parks, roads, fire, ambulance, administration, ranger station

Patterson states fire and ambulance are not getting revenue from general fund, they haven't for years.

McKee states you are really just looking at services aren't you? Without regard to where they are funded?

Later states yes right, this is why I want this discussion to occur, we are not talking about the funds that are currently in these areas, we are talking about

where would we want to emphasize where those funds go, we are simply talking about funds we have discretion over. We have no discretionary funds in ambulance,

Patterson states you can control the user fee.

Later states so there is \$10.00 per month going towards fire and ambulance.

Patterson states that is correct it is going into fire ambulance, but you can control ambulance fees and fire permits how much we charge for fire permits.

Knop states just like property tax, at some point it becomes a collectible thing not necessarily realized.

Later states so on that list, I have been going through the budget, I didn't think to include, planning in general fund.

Knop states the synopsis for each category coming out of the general fund has a brief synopsis of what fund pays for. It isn't in great detail.

Later and Knop talk about hand out.

Osburn states we have a finite amount of money that comes in annually, through our tax base, we are looking out how are we going to spend that \$120,000 what are the most critical services we need to fund.

Later states can I give an example of what I am talking about, we have \$120,000 but that does not pay for what we need to do.

Patterson states in the general fund you will bring in \$547,000 in the coming year with franchise fees, burn permits, liquor fee, cigarette fees, that is your beginning balance.

Later states the point is we don't have enough to fund everything the way it needs to be funded.

Farmer asks when you say that balanced budget has proposed increases...

Patterson answers that has to do with the utility fund has nothing to do with the general fund.

Knop states that is why water and sewer departments are excluded.

Mitsch states we should change the level of service it needs to be improved. We need to budget more carefully.

Knop states if you have a wish or desire or opinion about a budget item, as to your constituents or yourself, we aren't into that process yet, I think you are trying to lead to that process, by getting us to say prioritize wise which of those do I believe has sufficient funding versus insufficient funding, I know where you will get the money, you will have to ask for additional funding in the budgeting process.

Later states I see what you are saying. I'm not trying to trap anyone in a particular line of thought, I want a discussion and if we need to go about it a little differently, I am completely open to that, maybe the discussion needs to be do we agree the library has that funding that it needs, maybe that would work better than numbering them.

Knop states I didn't agree with the removal of library as a consideration nor would I commit to it not having the budget hearings yet. I am going to come with a proposal that the city needs to consider adding an additional \$12,000 for the library then it is up to the council to determine where it gets that money. It may tell me that they don't support that and if there is 300 and some

constituents out there you are probably going to lose, lose the argument. You could arbitrarily adopt a budget without that \$12,000 just like another council may have a desire to put more money elsewhere, we are each going to come with our own proposals I am not walking out of this meeting having committed to anything and then it is back to process and procedure. I'm good with that. Later states maybe as a quick exercise put a mark do we feel that the library have the proper funding?

Mitsch asks currently.

Knop states that wasn't one of my items so I can't speak to it now because I was limited to 7 items and one of the items I numbered was eliminated tonight.

Later states yes the ranger station is self-funded.

Knop states it's one of my items on the document I relied upon for my evaluation.

Later states I understand that so then let us pick one on your list. Was parks on your list? Or roads?

Knop states ranger station came out as number 1 believe it or not. On preliminary budget, I started out with the aggregate dollar amount as determined by staff and others not the council as to what their needs are it doesn't break it down in great detail what the \$52,000 is for, and go to the budget document and I see dedicated reserve funds that are in there that I am deducing that are a part of the \$52,000 there is a contract that stipulates city is obligated to maintain certain structures, so the ranger station is number 1.

Later states I appreciate that analysis, what is your number 2?

Knop answers parks.

Later asks do you feel that parks has enough funding.

Knop states description is somewhat vague, this is a sizeable asset to the city consistent to location, the brief analysis touches in three separate areas.

Later asks do you feel that it has appropriate funding.

Knop responds I am not even to that point yet.

Later asks does anyone else feel that parks has appropriate funding.

Osburn states this is not how I want to approach it, I want to approach it from the health, safety and, welfare of our citizens standpoint. I want to fund the items that ensure that first.

Later asks what is your number 1 and 2.

Osburn answers fire and ambulance.

Knop states right now the fund is police, it encompasses sheriff services, animal control and, the ordinance officer, to go and say fire is number one without consideration for ambulance and policing, ordinance officer.

Later asks are you saying all five of these are under the same fund.

Osburn states we can break all of them out.

Knop states that is all for another process.

Osburn states he asked us to prioritize the budget, what we thought needed to be funded first and foremost, and on down from there.

Knop states I would just respectfully disagree with you.

Osburn states that is what the question was.

Farmer states that is what I thought the question was.

Later states I am not trying to tie us.....

Knop states be prepared to prioritize each fund as to our consideration.

Later states and your consideration in whole totally valid, you used the funds the way they are set up, it sounds to me like you are saying these three and perhaps fire ambulance...

Knop states if you are councilor trying to develop strategic plan that would be great but, we coming out mission goal setting session, and I should be able to take that and go back to budget, and see where it lines up with those mission goals. We don't have the strategic plan document, that ties goals and budget together, because we don't have that we don't have a vision and that vision is 1-5 years out, council can set a firm goal as a part of the strategic plan to take \$10,000 out of some account, slip it over to that goal. This requires three parts and we only have two that I am seeing.

Farmer asks isn't that what we are doing.

Later states I don't have a term for this it is important to go this direction if this is a strategic plan then it is called that but if it isn't, I feel that this important.

Osburn and farmer are with later, wanting a strategic plan.

Later asks can I ask Knop to enumerate whatever you have there.

Knop answers well I don't have emergency services I have police, the details of that are sheriff's services, ordinance officer, and animal control.

Osburn asks what about fire and ambulance, you don't care about them?

Knop responds that is not what I said.

Osburn states that is what it sounds like to me.

Later states the way you evaluated importance as they are listed somewhere is perfectly fine with me.

McKee states just listen a little bit list them in terms, safe to say rank them, animal control, is either deficient, okay or, add more. Go that basic to it, use it as a stepping stone, maybe everyone agrees we need more here.

Osburn states I want to take \$10.00 per month out of the budget, the hidden tax.

McKee asks you aren't even there yet are you?

Osburn states it is up on the board.

McKee states it is up on the board but to get to the point to consider changing that, how can you do that?

Farmer states in my mind you have to know it is there so you list it if it isn't there you don't list it. It's got to be the decision you make up front.

Osburn states that is why I think emergency services be ranked number 1 and paid first out of general fund.

Later asks do you feel they have the funding that they need using a plus minus system.

Osburn states needs more general fund.

Knop states I would agree it needs more funds. There needs to be a dedicated source of basic funds available to emergency services, police, fire. The general fund should be relied upon possibly for some of the operation's

needs, not the major cost items which are for me, materials; the ambulance itself is a volunteer service. So I know from experience that labor makes up 50% plus in most budgets. So I remove that item and ask how well off is that department based on the fiscal needs but the general public doesn't have to be faced with the question. In amount sufficient to pay for its needs and you won't find enough money in there to support it. This is a large enough city that I agree with council the public needs to decide on some of these services these are dedicated funds and they need to be where they are at but there isn't enough. So do I take from what other people have come to rely on a good park, a facility that allows us store equipment, I'm not willing to give that up. I don't need an ambulance service I can call La Grande, I am saying as a consumer, have to make a decision, do I want to say yes to ballot measure or do I not.

Later states we all know that roads needs money so do we put something out there that asks the citizens if they want to pay for roads, or do we put all discretionary money in roads.

Knop states this is where I go to every city, and I say what did the budget officer say. They don't necessarily like the budget, they are saying that if we want to maintain status quo these are the recommended amounts, it is proposed, if we want assign \$10,000 out of general fund for ambulance we are certainly availing ourselves to do that. That if I tagged ambulance which I already stated I don't think the public is on board with a 100% with a yes or a no to a fiscally sound resource of financing then you will get a no on the \$10,000 transfer. Just like until we are forced to make a decision about some of these services the general public won't have to make that decision. I don't see us getting there this budget, but I do see us taking steps to get there and being fiscally responsible, being able to have strategic plan that we can say in two years have fully funded ambulance service and if we don't we will cut it, that is bold to say. Effective today upon the passage of this budget please understand dear citizen that in two years there will be a ballot initiative and that initiative is expected or projected to be, we have done the research and it is going to take \$800,000 per year for an operating budget for \$700,000 and if it fails we will have to consider cutting services, and those services are going to be police, fire, ambulance, emergency services.

Later asks how do you propose then to get from where we are to deciding which of those to begin that process on.

Osburn states the reason people choose the emergency services to cut is because that is the easiest to get the voters to pass. I am against that, I would fund those things we can and ask for a levy for the others.

Knop states I have already got in this brief discussion I can switch priorities, and say in the next two years give up getting rid of ambulance service in lieu of a ballot initiative failure because I got a councilor, now I need three more, but I can shift some funds if I get rid of ambulance services, can't I?

Patterson states sorry I wasn't listening.

McKee states someone made an off the wall comment, Mike Barry, Imbler fire chief, why doesn't Union just annex to the district, you know then Doug, your issue gets taken care of.

Knop states then we go back to direction and control we got those three items in every question to provide or not provide those services, you will have to give up 1 or 2 but never have to give up all three, but you will still have to sign off on finances. You will have to authorize those funds by joining that district. When joining that district you are avoiding a intergovernmental agreement and going to a direct organizational service by act they then are authorized to receive those funds; it is kind of like rural fire it exists because the city allows it to exist if it didn't want it to exist it stops cooperating and you force everyone to the table, and in most evident in most negotiations is who is willing to give up control it isn't always about money. That has been offered by city of La Grande. One of the candidates for County commissioner had a proposal to provide police services for all towns. These are the kind of ideas lay possibilities out there so we come out with a plan. That is what it takes, that item may take greater detail and interest on the part of the general public, because it extends beyond the public in our general area. We are going to have to not only convince our own citizens, but also to share with others, because of revenue sharing, otherwise we wouldn't be able to afford what we got now.

Later asks where do you want to go from here.

Osburn states I think time is beating against us, this budget for next fiscal year.

Knop states you are right

Osburn states I would reluctantly advise that we agree with budget committee we immediately look into future budgets. Personally I felt, that the council wasn't informed early enough about the pending budget and didn't have enough time to have input on it. I think we need to set an earlier date for when the budget is produced and give council time to digest information. As far as the budget we are considering, if we start messing with this like I would like to, we may have to, I think there is a provision for us to authorize, a continuing budget?

Knop states there is an interim budget analysis and review; you can set dates as goals for analyzing specific item out of the budget.

Osburn states we need to look at putting out to levy, for several of these items and let the voters decide.

Knop states on the face of that I would agree, there may come a time now through better analysis and research you develop a case to present to the tax payer.

Osburn states it has to be dedicated to a specific goal or achievement.

Patterson states it can be general you don't have to be very specific.

Knop states outcome based budgets that have goals that say we are going to pave 1.7 miles of rural streets each year and it looks like they aren't going to make that, they have got a bond, then they are allowed to go to general fund and make up the difference then they go back when the bond expires and ask

for additional funds. That is larger cities; you are talking millions and billions of dollars over 5 year projected budget and the strategy is that 1.7 million or whatever million paves that 1.7 miles. You have to identify those in a proposal; you have to have the resources that rely on that bond. To me it is black and white because you have to look in the budget for the details, it is specifically dedicated for that 1.7 and out of that 1.7 there is \$830,000 to wages and fringe benefits those programs.

Later states so what I see is a general consensus by council, we are agreed that things need to be levied for there are services that need to be provided for.

Knop states we need to develop a strategic plan with the goal being that we have enough funding for specific budget items. We are hoping to do that within 2 years.

Michael Connor asks is it the case that the budget comes around at the same time each year and that the process comes around at the same time each year.

Patterson answers yes.

Michael Connor asks so if the budget is not adequately analyzed and I hear you say in the future we are going to do better and then the next thing that happens is we are going to have to ask the public for more money those do not fit together well. If you are not aware of what is going on with the budget, then you aren't doing your job. The budget is one of your top priorities.

Later states I think Doug was saying that he felt from the time frames was not sufficient.

Michael Connor asks aren't those time frames the same every year.

Osburn answers no.

Patterson states we are not supposed to discuss budget before the budget committee meeting.

Knop states you can set up committee's following the budget adoption and you can discuss anything relative to the budget. You can't fix or agree to a cost, you can certainly hire a consultant to tell you, you only need to pave .8 miles per year; it will cost you \$600,000 per year. Then you have a public hearing and there should be a consideration through a bond for that \$600,000 per year that is not illegal, we used to do it, the City of Portland's streets, we met monthly and the committee met quarterly with a councilor, they assign this to departments or bureaus, that councilor then reports monthly back to whole council group and analyze whether they are achieving goal or mission, we are a small city and we try to do it all collectively and it isn't easy especially for staff because we throw these little micro rocks into an otherwise calm pond.

McKee states I think we need to figure out an agreement kind of like with the school sign, in this case it would be a strategic plan. Everyone on council has different ideas and with respect to the budget maybe identifying bullet items that go with the strategy, whatever that is we need input back from council otherwise we are kind of just chasing our tails. Now I understand what the

consensus is so when we prepare something for the council it fits in with expectations and reduces the likelihood of surprises.

Knop states public agencies and administration do not like surprises. Later states certainly if we can't have the budget ahead of time to look over.....

Patterson states you can't discuss any programs that are related to the budget.

McKee states for example three months before the budget was prepared that the committee was talking about what was going to happen within the water department.

Patterson states that is what happened in this case, you were directed to do something and you were reporting back on it.

Knop states the budget's officer's opening letter outlined that very well, I'm not liking the adequacy of funding, as to an unknown goal date wise because there are variables we can't address. It is like finding out that economic climate out there changed so much that if we refinance we can avoid that long term goal of getting out of Catherine creek. That was a long term goal that got lengthened out because of changes that were unforeseeable by the city in developing its strategy of getting out of Catherine creek, I see that in what I have heard, the goal hasn't changed, that process and framework it isn't a bad process it explained to me adequately by getting me some information and I still need to do some of my own research to determine if the financing is the way to go, will it actually hold up at the end of 5 years. That is an ongoing effort by council and staff to reaffirm with staff and look forward to follow up in the letter we will achieve that goal in 4 years. It is much like the marijuana issue we are nowhere near done with this it is time, place and manner; we are going to regulate it, why? Because to not regulate it is to ignore the obvious, you are going to be hit with discriminatory business practices when it comes to licensing so time, place, manner to make sure you ???, nobody has anything except someone else's example. No two cities are the same and no two voters are the same, we have no idea what will happen this business shouldn't be different in treatment.

Later asks for a general consensus on direction.

Farmer states we are on such a time frame the point seems moot. This is not going to apply to this year's budget. We can focus on this in further work sessions for the next budget; I think we could focus on other things.

Later states my feeling is it isn't going to happen, that pressure we feel now will go away, and this discussion will diminish.

Osburn states there is one thing on there that we can look hard at and it is putting an escape date on \$10.00 surcharge fee. If we terminate that December 31,2017 it will cause that budget to get revamped it will cause levies to go out to fund those services.

Patterson states if you want to make sure this is a goal staff can help you hold to your meetings we will make sure you stick to it.

McKee states make sure there is a summary of tonight.

Patterson states she has got it.

Osburn states are we in agreement that at next council meeting that we will approve the budget as proposed.

Later leaves at 7:03 p.m.

Knop states yes. Anything can happen at the meeting, I will share throughout all of this analysis relative to this budget I have found it to be insufficient, largely to my being able to have information in front of me that would explain why it is \$100,000 is it 60% wages or 30% administration then break it out. I know it creates a lot of stress and some issue for staff to say I need a detailed breakdown of budget but it occurs it is not as unusual as you would think there is a cost that comes with asking questions like that.

Osburn states when you have that information you can justify those expenditures, it is incumbent upon us and staff to look at the budget instead of proposing a budget as diligent as possible with all cost saving measures rather than just arbitrarily add 3.5% annually. That is pretty hard to sell the community because cost goes up and there income doesn't go up. So we can say look we have done everything possible to cut costs and this is what we are faced with if they really truly want those services they will vote for the levies.

Mitsch agrees.

Osburn states do it with most services.

Farmer states the library is really important people are adamant about keeping it.

Knop states there is an understanding that the city administration elected officials, efforts have narrowly focused on code enforcement developing codes that are adequate to rely on as legal defenses changed the outcome. I haven't been hear that long seems to me that the research had been done, to identify what the problem is and the resource and then work towards a solution as a goal, we aren't there, we have spent so much energy and time on something important a system of rules and expectation that people can understand live by. The process of time, place, manner the process is the key so finding a solution that fits the process without incurring a large debt. Maybe it isn't a sheriff's contract we need rather stronger code enforcement with expanded duties we have never truly identified to me what the problem is, a lot of these problems will go away if we just hire a code enforcement officer, and I can't be sure because I am not sure of the percentage of it is that we are putting money towards.

McKee states it could be concern or problem. You just pick one of these and ask what is the problem funding, hours, maintenance of building. Council can look at those, these are my concerns.

Knop states I broke down code enforcement duties and responsibilities relative to the outcomes of the code. It is a no win why not pump another 40,000 into it, law enforcement official that is craziness on my part.

Osburn states I don't think it is as crazy as you think.

Patterson states for this program to be successful we have to have the right person, keeping someone in the position has been very difficult.

Farmer and Patterson discuss the problem with the code enforcing position.

McKee states in a small community like this you want to start out non-confrontational, for example, you can leave all these cars parked out here. Knop states code enforcement for me has always been one of those public services, I call them three concerns raised the first question I ask is have you talked to your neighbor, well you need to consider talking to them first; unless you are willing to pay additional funds. Code enforcement takes up time have an officer on the street then you add administrative duties, in the office. We have equipped them with state of the art computer, at the end of the day that is a labor cost. You ought to look at law enforcement per hour rate; we will be cost out of law enforcement services unless you go to some form of sharing cost like a district, get the public better involved. I saw a citizen today walking around with a rifle on his shoulder, not a great presentation to someone driving through here. Struck me as an example we haven't been able to address dogs or deer or nuisance out there citizen compelled to carry a rifle openly.

Osburn states I am going to recommend that council approve this budget and see what goes from there.

Knop states I'm looking at goals that don't have a strategic plan not getting information I need,

Farmer states it is a vicious circle.

Meeting adjourned 7:20 p.m.

2. Continue with goal setting- Patterson states we need to finish goal setting. Osburn states the Mayor needs to be present for that.

3. **ADJOURNMENT** – Meeting adjourned at 7:20p.m.

Approved: _____
Mayor, Ken McCormack
Patterson

Attest: _____
Administrator/Recorder, Sandra

Union Activities –May 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:

HOURS	147.75
CRIMINAL CITATIONS	2
TRAFFIC CITATIONS	1
WARNINGS	0
ARRESTS	2
CALLS FOR SERVICE	15
FI'S	1
WALK-INS	0
REPORTS	8
TOWS/IMPOUNDS	0
OTHER	9

The above hours were allocated as follows:

PATROL	61%	TRAFFIC ENFORCEMENT	7%
REPORTS	13%	INVESTIGATIONS	19%

Activities include:

Routine patrol including foot patrol, school patrol, and traffic patrol
Responded to civil/property dispute x 2
Report of possible Trespass, resolved
Assist DHS with a home visit
Arrested one male subject for Assault III x 2
Cited one female for Child Neglect II x 4
Checked an unoccupied vehicle at Union Sports Complex
Cited two subjects for Theft III x 2
Follow up on a theft case
Responded to a report of suspicious drug activity
Follow up on a child custody investigation
Call for service for a report of Criminal Trespass, information taken
Responded to a family disturbance, options given
Responded to a possible Release Agreement violation
Follow up on Assault IV case
Civil Situation regarding accusations of theft, options explained
Report of possible Criminal Mischief, unfounded
Responded to a report of theft
Attempted to locate a reported missing person, located individual
Arrest for Criminal Trespass II and resisting arrest
Responded to a call for Criminal Mischief

Union Animal Enforcement Hours –May 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: 9.5

Calls for Service: 11

Dog at large: 3

Citations:

Warnings: 1

Impounds:

Other Action:

Dog Bites: 1

Barking Dog: 3

Citations:

Warnings: 4

Impounds:

Other Actions:

Animal Abuse/Neglect: 3

Other: 1

Activities Included:

General Patrol including previously reported problem areas

Welfare check on a horse, notice left, will follow up

Follow up and feed check on a horse

Report of a neglected dog, unfounded

Barking dog complaint, owner counselled

Picked up dog at large and returned to owner with a warning

Follow up on a barking complaint

Welfare check on 2 goats

Responded to a barking complaint

Report of 2 dogs at large, unable to locate

Follow up on a dog bite, Aggressive Level II & Citation issued

Obtained Barking dog Log from citizen, attempted to contact owner & serve citation

March 2016 Report
Union Carnegie Public Library
Union, Oregon
STATISTICS

Patron Count.....	1077
Circulation Count.....	2147
Adult.....	1104
Children.....	743
Audios.....	106
Videos.....	658
Music CD's.....	22
Materials Added to the Collection.....	26
Materials Discarded from the Collection.....	0
Reference Questions	39
Volunteer Hours.....	26.0
Programs for Children &/or Adults.....	22
Participants.....	183
Computer usage.....	674.0 hrs.
New Patrons.....	4
ILL Requests.....	150

Events and Additions

- **Estimated wireless computer use for this month: 1404.0 hours.**
- **Tuesday-storytime.**
- **Proctor.**
- **Begin working on Summer Reading Program.**
- **Catalog.**

Coming in April

- **Tuesday-storytime.**
- **Work on Summer Reading Program.**
- **Beverly Cleary celebrates her 100th birthday – April 12th.**
- **Cataloging update training in Baker City.**
- **Weed VHS movies.**
- **Introducing authors and illustrators with April birthdays.**

“My mother always kept library books in the house, and one rainy Sunday afternoon, I picked up a book to look at the pictures and discovered I was reading and enjoying what I read.” – Beverly Cleary, author

And

“I haven’t been very enthusiastic about the commercialization of children’s literature. Kids should borrow books from the library and not necessarily be buying them.” – Beverly Cleary, author

Office Manager
Water/Sewer Monthly Report

April 2016

- There was a total of 2 new accounts set up.
- **both** of these new accounts with a set up fee @ \$50.00 each = **\$100.00**
- 0 of these new accounts are established customers
- 2 regular turn off(s), @ \$16.00 charge = **\$32.00**
- 9 regular turn on(s), @ \$16.00 charge = **\$144.00**
- A total of 22 delinquent notices delivered @ \$10.00 = **\$214.00**
- Of those notices there was 1 delinquent turn off(s) @ \$16.00 = **\$16.00**
- Of the delinquent turn off(s) there were 0 turned on @ \$16.00 = **\$16.00**
- A total of 87 accounts received a \$25.00 late charge = **\$2175.00**
- Two leak adjustments for a total of **\$267.01**

Municipal Court Report

- A total of **\$377.00** was paid on citations
- A total of 0 citations issued; 0 City Citation, 0 County Citations

The next court date will be May 19th, 2016 at 10:30am

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Home of Buffalo Peak Championship Golf Course

City of Victorian Heritage

Date: June 6, 2016
To: Honorable Mayor and City Council
From: Rod McKee, P.E., Public Works Director/Administrative Assist.
Subject: May 2016 Public Works Report



STREET

Continuing to work 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. After Stockshow and throughout the summer we will have some assistance emptying those cans.
- Weekly project planning meetings.
- Monthly safety meetings
- Ongoing, Schubert development review.
- Cold mix pothole patching work throughout town.

Upcoming tentative schedule:

1. Prepare contract documents for street maintenance bids. Work is estimated to start in July or August and be completed by the end of August. 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. While our initial goal was to lower manhole frames, lower gate valve boxes, add make up rock, grind, and add soil stabilizer, compact and grade East Fir Street from North Main Street to the Stockshow grounds prior to this year Stockshow in June. Base on some more pressing office work, the design and contract document preparation has been pushed back. We will need outside engineering assistance to meet our goal. Anderson Perry and Associates, Inc., the City's Engineer of Record will assist. Manhole covers and valve box adjustments will be made after the new street surface is prepared.
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.

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

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.
11. Set up traffic control for Stockshow Parade. City staff will take personal leave to accomplish this work. However, City vehicles, signing, and barricades will be used.

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. Very few complaints for City water taste or odor. Most complaints can be traced back to the internal plumbing downstream of the City meter.

Water system projects this month included:

- Locates for utility projects.
- Monthly meter reads, shut-off notices, shut-offs, and turn-ons.
- Ongoing after each project, cleanup 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.
- Repair water service leak on Main Street and Bryan.

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 in early July after seasonal part time person is on board.
2. Hydrant flushing August.
3. Exercise main line valves, Fall of 2016.
4. Complete radio read meter conversion, August 2016.
5. Purchase water line materials for next water line replacement project.

SEWER

Monthly sewer rates for 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:

- Completed monthly DMR and submitted on schedule.
- Treated effluent from WWTP discharging to golf course.
- Recirculation pump setup in digester near complete. Recirculation to begin this month.
- Replace faulty 10-inch butterfly valve on golf course emergency line and repair check valve.
- General housecleaning.
- Continued work on USDA Loan Refinancing.
- Ongoing, Schubert development review.
- Weed spraying and cleanup around WWTF fence. Community service person helped with trash pickup.
- Continuing discussions with Oregon State University staff at the Eastern Oregon Agricultural Research Center (EOARC) regarding property acquisition for future wastewater storage and treatment lagoons.

Upcoming tentative schedule:

1. Clarifier arm replacement is being rescheduled to fall of this year so that the fine air diffusers in the primary digester can be changed to coarse air type. This will improve mixing.
2. We will also be flushing, jetting, and television inspecting some areas of the collection system. That work is scheduled for August or September.
3. There is a manhole that still needs adjusting on West Birch Street, April 2016. Modifications to influent and effluent flow measuring systems to compensate for the lower influent flows the plant is now experiencing, May/June.
4. Continuing to work on the ammonia and temperature limits for the WWTP and postpone expensive upgrades, at least for the foreseeable future, 5 to possibly up to 10-years.
5. Possibility of assisting the City of Island City with television inspection of some of their sewer system in exchange for utilizing sewer system equipment in our system for maintenance.

2000 USDA Bond Refinancing

Our bond attorney, Hawkins, Delafield, and Wood, LLP have submitted the loan opinion letter on the City's behalf to Umpqua Bank. According to Mike McKinniss, my contact at Umpqua Bank, the bank's attorney is now in the process of reviewing that information. Mike does not anticipate any roadblocks and the Umpqua Bank has scheduled loan closing for July 7, 2016. Umpqua Bank will be in Union on the 7th to obtain all the signatures.

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 grass is in a growing spurt and requires mowing once a week.
- Irrigation being operated daily.
- Irrigation system repairs.

- Park lawn area sprayed for broadleaf weeds. Perimeter areas sprayed for noxious weeds.
- Community service person weeded volleyball area.
- Park trash cans are emptied at least once per week. After Stockshow and throughout the summer we will have some assistance emptying those cans.

Upcoming tentative schedule:

1. Mow and trim Park Station weekly
2. Mow transfer station lot, bi weekly.
3. Install new hose bibb at rest room building.
4. Maintain irrigation system to insure lush grass.
5. Trim trees and brush.
6. Repair walking path.

Seasonal Part Time Position:

This position will help at the City Park by, maintaining public restrooms, mowing, irrigation, weeding, and other grounds maintenance work as required in addition to Ranger Station grounds maintenance. The person being considered for the position is Nicole Lantis of Union. She will work on an average 20 to 24 hours per week.

RANGER STATION

Please note the refurbished City of Union sign at the Ranger Station and entrance to town. Thank you Robin George for the good work and for donating the potted flowers that will adorn the sign during Stockshow. Broad leaf weeds and noxious weeds have been sprayed around the property. Community service person trimmed weeds along the highway.

Upcoming tentative schedule:

1. Mow and trim Ranger Station weekly to biweekly.
2. Irrigate on a limited basis. Last year attempts to keep Ranger Station grass green resulted in very high water use. This will be pared back this year, so the grass may dry up during mid-summer.
3. Spray and fertilize.

Seasonal Part Time Position:

This position will help with Ranger Station site mowing, irrigation, weeding, and other grounds maintenance work as required in addition to City Park grounds maintenance. See Parks section for details.

MISCELLANEOUS

City Resident Deer Population A recap of the Town Hall meeting held May 3 and poll results were presented to the City Council by staff during the regular May 9, 2016 City Council meeting. After discussing the issue and results of the Town Hall meeting, the City Council

voted to authorize City staff to prepare a plan for lethal population control of the City deer herd. A draft plan will be presented to the City Council during a work session on June 27, 2016 with consideration for adoption of the plan scheduled during the regular July 11, 2016 meeting.

City staff have met with the Oregon Department of Fish and Wildlife (ODFW) biologists to develop an outline for the deer population and damage control plan (Plan). Currently the outline is under review by the committee. From this outline, a draft Plan will be developed by ODFW and City staff. A draft plan will then be presented to the City Council during the June 27 City Council work session. The Council's comments, concerns, additions, deletions, and revisions will be incorporated into the final Plan document. This Plan will be submitted to the City Council for approval and implementation on July 11, 2016. Staff recommends that a Town Hall meeting be scheduled sometime in July to present and discuss the Plan with Citizens.

Department Head _____

PROPOSED BUDGET CALENDAR
2016-2017 Union Budget

Council Goals	Feb 13th
Budget dept heads return drafts to city administration	April 11th
Budget ready for public review 5 pm	April 19 th
First budget notice is published in the newsletter	April 1 st
Budget Committee's first hearing	April 26 th
Budget Committee hold additional meetings ???	
LB Forms ready for newsletter	May 25 th
Second notice is published in NL for Council meeting	May 25 th
City Council hold its first hearing	June 13 th
City Council hold additional meetings ???	

Subject: FGRV Annual Meeting 6/14/2016
From: Linda Bond Bond <jefflindabond@gmail.com>
Date: 6/4/2016 5:30 AM
To: Linda Bond Bond <jefflindabond@gmail.com>
BCC: admin@cityofunion.com

FGRV membership:

Our annual meeting will be Tuesday, June 14, at 6 PM at the VFW Hall in Union. This will constitute our annual business meeting to maintain our official 501c status. We will include on the agenda an activity review by Irene Gilbert, a review of the direction we established for our group, a financial report, other issues members feel are relevant we should address, and the B2H activity.

Hope to see you there!

CITY OF UNION, OREGON



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Home of Buffalo Peak Championship Golf Course

City of Victorian Heritage

June 6, 2016

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Rod McKee, P.E., Public Works Director/Administrative Assistant
RE: Sewer Rates Effective July 1, 2016



As a reminder, monthly sewer rates will increase by \$5.58 per REU effective July 1, 2016. Revenue in the sewer fund has not been keeping pace with operation and maintenance costs for the last few years. Even with the annual 2.5% increase in sewer rates, a fund deficit between department revenues and, operation and maintenance costs has been steadily developing. Available funds (savings) within the fund that are technically reserved for capital improvement projects are offsetting this revenue shortfall. Left unchecked, the revenue shortfall only grows, and if left unaddressed, will result in required excessive and generally unacceptable rate increases.

Monthly sewer use rates will increase to \$52 for one (1) residential equivalent user (REU) on July 1, 2016. This is projected to result in a carryover for this budget and a beginning balance for budget year 2017/2018 of approximately \$100,000. In subsequent budget years, the charge for one (1) REU could be as much as \$56 to \$58 per month in 2017/2018 and \$60 to \$62 per month in 2018/2019. The proposed rate increases include a yearly transfer to a new sewer reserve fund. These rate projections will need to be evaluated and refined during future budget development.

CITY OF UNION, OREGON
ORDINANCE NO. _____

AN ORDINANCE GRANTING AVISTA CORPORATION, d/b/a AVISTA UTILITIES, A WASHINGTON CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE NONEXCLUSIVE RIGHT, PRIVILEGE, AUTHORITY AND FRANCHISE TO LOCATE, CONSTRUCT, INSTALL, OWN, MAINTAIN, REPAIR, REPLACE, EXTEND, OPERATE AND USE FACILITIES IN, UPON, OVER, UNDER, ALONG, AND ACROSS THE FRANCHISE AREA FOR PURPOSES OF THE TRANSMISSION, DISTRIBUTION AND SALE OF GAS.

Avista Corporation dba Avista Utilities ("Avista"), a Washington Corporation, which is authorized to do business within the state of Oregon has filed with the City of Union, State of Oregon (the "City") a written application for a renewal of its Franchise to locate, construct, operate, maintain and use such plants, works, underground pipelines, equipment and appurtenances over, under, along and across all of City's rights of way and public property in the City for the purposes of the transmission, distribution and sale of Gas; and the City has determined it is in the interest of persons and businesses in this jurisdiction to have access to Avista's services;

THEREFORE, THE CITY OF UNION DOES ORDAIN:

SECTION 1.0 DEFINITIONS[Steve V1]

For the purposes of this Franchise the following terms, phrases, words and their derivations shall have the meaning given in this Section. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. Words not defined shall be given their common and ordinary meaning.

Avista: means Avista Corporation, dba Avista Utilities, a Washington corporation, and its respective successors and assigns, agents and contractors.

City: means the City of Union, a municipal corporation of the State of Oregon, and its respective successors and assigns.

Commission: means the Oregon Public Utility Commission or such successor regulatory agency having jurisdiction over investor-owned public utilities in the State of Oregon.

Days: means business days.

Effective Date: means thirty (30) calendar days from final passage of this Ordinance, upon which the rights, duties and obligations of this Franchise shall come into effect, and the date from which the time requirement for any notice, extension and/or renewal shall be measured.

Facilities: means, collectively, any and all gas transmission, and distribution systems and appurtenances owned by Avista, now and in the future in the Franchise Area, including but not

limited to, Gas plants, Gas pipes, pipelines, mains, laterals, conduits, regulators, valves, meters, meter-reading devices, communication and control systems and other equipment, appliances, fixtures, attachments, appurtenances and other items necessary, convenient, or in any way appertaining to any and all of the foregoing for the purposes of transmission, distribution, storage and sale of Gas.

Franchise: means the grant by the City of rights, privileges and authority embodied in this Ordinance.

Franchise Area: means the surface and space above and below all public property and rights-of-way, including, without limitation, rights-of-way for: public roads, streets, avenues, alleys, bridges, tunnels, City-owned easements, and highways of the City, as laid out, platted, dedicated, acquired or improved within the present corporate limits of the City;

- public roads, streets, avenues, alleys, bridges, tunnels, City-owned easements, and highways that may hereafter be laid out, platted, dedicated, acquired or improved within the present corporate limits of the City and as such limits may be extended by annexation or otherwise during the term of this Franchise; and
- all City-owned utility easements dedicated for the placement and location of various utilities, provided such easements would permit Avista to fully exercise the rights granted under this Franchise within the area covered by the easement.

Gas: means natural, manufactured, renewable and/or mixed gases.

Maintenance, maintaining, or maintain: means, without limit, repairing, replacing, upgrading, examining, testing, inspecting, and removing Avista Facilities, vegetation management, digging and excavating, and restoration of affected Right-of-way surfaces.

Parties: means City and Avista collectively.

Party: means either City or Avista individually.

Person: means a business entity or natural person.

Right-of-way: means the surface of and the space along, above, and below any street, road, highway, freeway, bridge, tunnel, lane, sidewalk, alley, City-owned utility easement and/or right-of-way now or hereafter held or administered by the City within its corporate limits.

Right-of-Way Permit: means a permit issued by the City of Union that allows the permit holder to perform activities within rights-of-way and easements within the City. The right-of-way permit specifies the conditions under which the activities may be allowed. May also be called a Street Cut or a Utility Operations Permit.

State: means the State of Oregon.

Tariff: means the rate schedules, rules, and regulations relating to utility service, filed with and approved by the Commission in effect upon execution and throughout the term of this Franchise.

SECTION 2.0 GRANT OF FRANCHISE

2.1 **Grant**^[Steve V2]

City hereby grants to Avista the right, power, privilege and authority to enter upon all roads, rights-of-way, streets, alleys, highways, public places or structures, lying within the Franchise Area to locate, construct, operate and maintain its Facilities for the purpose of controlling, transmitting and distributing Gas, as may be necessary to provide Gas service to customers within the Franchise Area.

2.2 **Effective Date**

This Ordinance will be effective thirty (30) calendar days following the date of approval and passage as required by law.

2.3 **Term**^[Steve V3]

The rights, privileges and Franchise granted to Avista will extend for a term of 10 years^[Steve V4] from the Effective Date, and shall continue year-to-year thereafter, until (a) it is otherwise renewed for another 10-year term, or (b) terminated by either Party, with not less than 180 days prior written notice to the other Party.

Both parties may agree to the option of one successive 10 year renewal of this Franchise following the initial term of this Franchise. No fewer than thirty (30) days prior to expiration of the initial term of this Franchise, either Party shall notify the other Party in writing a request to renew for a 10 year period. If both Parties agree to the renewal, the renewal date shall commence the day immediately following the expiration date of the current term, and all terms and conditions of the Franchise shall remain the same.^[Steve V5]

2.4 **Non-Exclusive Franchise**^[Steve V6]

This Franchise is not an exclusive Franchise. This Franchise shall not prohibit the City from granting other franchises within the Franchise Area that do not interfere with Avista's rights under this Franchise. City may not, however, award a Gas Franchise to another party under more favorable or less onerous terms than those of this Franchise without this Franchise being amended to reflect such more favorable or less onerous terms.

2.5 **Notice of City's Intent to Compete with Avista**^[Steve V7]

In consideration of Avista's undertaking pursuant to this Franchise, the City agrees that in the event the City intends to engage in the business of providing Gas service during the life of this Franchise or any extension of this Franchise, in competition with Avista, the City will provide Avista with six (6) months notice of such action.

2.6 **Assignment of Franchise**^[Steve V8]

Avista shall have the right to assign its rights, benefits and privileges under this Franchise. Any assignee shall, within thirty (30) days of the date of any assignment, file written notice of the assignment with the City together with its written acceptance of all terms and conditions of this Franchise. As permitted by federal and state law and Commission regulation, Avista shall have

the right, without notice to or consent of the City, to mortgage or hypothecate its rights, benefits and privileges in and under this Franchise as security for indebtedness.

2.7 Payment of Franchise Fees

2.7.1 In consideration of the rights, privileges, and franchise granted by City to Avista under this Franchise, Avista will pay City five percent (5%) of Avista's gross revenues derived from service to customers located within City (the "Franchise Fee"). Avista will pay the Franchise Fee in quarterly installments, which quarterly installments will be due not later than thirty (30) days following the end of the quarter to which the payment relates. Except as otherwise provided in OAR 860-022-0040, "gross revenue(s)" means revenues received from utility operations within City, less related net uncollectables. Gross revenues of an energy utility shall include revenues from the use, rental, or lease of the utility's operating facilities other than residential-type space and water heating equipment. Gross revenues shall not include proceeds from the sale of bonds, mortgage or other evidence of indebtedness, securities or stocks, sales at wholesale by one utility to another utility purchasing the service is not the ultimate customer, or revenue from joint pole use.

2.7.2 Contemporaneously with each quarterly payment, Avista will file with City a sworn statement describing the total gross revenues Avista received during the applicable quarter (the "Accounting Statement"). City's acceptance of any payments under this Section 2.7 will not constitute a waiver by City of any Avista breach of this Franchise.^[Steve V9]

2.7.3 Inspection of Books and Records^[Steve V10]

On ten (10) days' advance written notice to Avista, City may review such Avista books, records, documentation, and/or information that City reasonably determines necessary or appropriate to audit an Accounting Statement and/or ascertain Avista's compliance with this Franchise. Avista will cooperate with City in conducting any inspection and/or audit and will correct any discrepancies affecting City's interest in a prompt and efficient manner. Avista will keep all its books, records, documentation, and/or information at its Spokane, Washington ^[Steve V11] headquarters.

SECTION 3.0 AVISTA'S OPERATIONS AND MAINTENANCE

3.1 Compliance with Laws, Regulations, Codes and Standards^[Steve V12]

In carrying out any authorized activities under the privileges granted by this Franchise, Avista shall meet accepted industry standards and codes and shall comply with all applicable laws, regulations and ordinances of any governmental entity with jurisdiction over Avista's Facilities in the Franchise Area. This includes all applicable, laws, regulations and ordinances existing as of the Effective Date or may be subsequently enacted by any governmental entity with jurisdiction over Avista's operations within the Franchise Area. The City shall have the right to make and enforce reasonable rules and regulations pertaining to the conduct of Avista's operations within the Franchise Area. Prior to the adoption of any new rule, procedure or policy, Avista shall be provided a written draft document for comment with a response period of not less than thirty days. Service shall be supplied to the City and its inhabitants in accordance with Avista's rules and regulations and Tariffs currently or subsequently filed with and approved by the Commission.

3.2 Facility Location by Avista and Non-Interference^[Steve V13]

Avista shall have the discretion to determine the placement of its Facilities as may be necessary to provide safe and reliable Gas service within the Franchise Area, subject to the following non-interference requirements. All construction, installation, repair or relocation of Avista's Facilities performed by Avista in the Franchise Area will be done in such a manner as not to interfere with the construction and maintenance of other utilities, drains, drainage and irrigation ditches and structures, and City-owned property within the Franchise Area.

3.3 Facility Location Information^[Steve V14]

Avista shall provide the City, upon the City's reasonable request, Facility location information in electronic or hard copy showing the location of its Facilities at specific locations within the Franchised Area, to the extent such information is reasonably available. Avista does not warrant the accuracy of any such Facility location information provided and, to the extent the location of Facilities are shown, such Facilities may be shown in their approximate location. With respect to any excavations within the Franchise Area undertaken by or on behalf of Avista or the City, nothing stated in this Franchise is intended (nor shall be construed) to relieve either party of their respective obligations arising under the State one-call law with respect to determining the location of existing underground utility facilities in the vicinity of such excavations prior to commencing work.

3.4 Vegetation Management – Removal of Trees/Vegetation Encroachment^[Steve V15]

The right of Avista to maintain its Facilities shall include the right, as exercised in Avista's professional discretion to minimize the likelihood that encroaching (either above or below the ground) vegetation can interfere with or limit access to Avista's Facilities, or pose a threat to public safety and welfare. Avista or its agents may accordingly remove or limit, without recourse or payment of compensation, the growth of vegetation which encroaches upon its Facilities and Gas transmission and distribution corridors within the Franchise Area.

3.5 Right of Excavation^[Steve V16]

For the purpose of implementing the privileges granted under this Franchise, and after any required notification is made to the City, Avista is authorized to make any necessary excavations in, under and across the streets, alleys, roads, rights-of-way and public grounds within the Franchise Area. Such excavation shall be carried out with reasonable dispatch and with as little interference with or inconvenience to the public as may be feasible. Avista shall remove all debris stemming from excavation and construction. The Right-of-way surface shall be restored by Avista after excavation, in accordance with the Right-of-Way Permit and Avista specifications.^[Steve V17]

3.6 Emergency Work^[Steve V18]

In the event of an emergency requiring immediate action by Avista to protect the public health and safety or for the protection of its Facilities, or the property of the City or other persons in the Franchise Area, Avista may immediately proceed with excavation or other Right-of-way work, with concurrent notice to the City to the extent possible.

SECTION 4.0 RESERVATION OF CITY'S RIGHTS AND POWERS

4.1 **Reservation of Right**^[Steve V19]

The City, in granting this Franchise, does not waive any rights which it may not have or may subsequently acquire with respect to road rights-of-way or other property of City under this Franchise, and this Franchise shall not be construed to deprive the City of any such powers, rights or privileges which it now has or may hereafter acquire to regulate the use of and to control the City's roads, rights-of-way and other public property covered by this Franchise. Nothing in the terms of this Franchise shall be construed or deemed to prevent the City from exercising at any time and any power of eminent domain granted to it under the laws of this State.

4.2 **Necessary Construction/Maintenance by City**^[Steve V20]

The construction, operation and maintenance of Avista's Facilities authorized by this Franchise shall not preclude the City, its agents or its contractors, from grading, excavating, or doing other necessary road work contiguous to Avista's Facilities, provided that Avista shall be given not less than ten business days' notice of said work, except in the event of an emergency, and provided further that the City, its agents and contractors, shall be liable for any damages, including any consequential damages to third parties, caused by said work to any Facilities belonging to Avista.

4.3 **Expansion of Avista's Facilities**^[Steve V21]

Facilities in the City's Franchise Area that are incidental to the Franchise Area, or that have been, or are at any future time acquired, newly constructed, leased, or utilized in any manner by Avista shall be subject to all provisions of this Franchise.

4.4 **Change of Boundaries of the City**^[Steve V22]

Any subsequent additions or modifications of the boundaries of the City, whether by annexation, consolidation, or otherwise, shall be subject to the provisions of this Franchise as to all such areas. The City shall notify Avista of the scope of any change of boundaries not less than thirty (30) days prior to such change becoming effective or in accordance with applicable state laws, and shall affirm, authorize and ratify all prior installations authorized by permits or other action not previously covered by this Franchise.

4.5 **Removal of Abandoned Facilities**^[Steve V23]

During the Term of this Franchise, or upon a revocation or non-renewal of this Franchise, the City may direct Avista to remove designated abandoned Facilities from the Franchise Area at its own expense and as soon as practicable, but only where such abandoned Facilities constitute a demonstrated threat to public health and safety. Avista shall not be required to remove, or pay for the removal of facilities it has previously abandoned to another franchisee, or utility under a joint use agreement, or Person granted permission to access Avista's facilities.

4.6 **Vacation of Properties by City**^[Steve V24]

If, at any time, the City shall vacate any road, right-of-way or other public property which is subject to rights granted by this Franchise, such vacation shall be subject to the reservation of a perpetual easement to Avista for the purpose of operating, maintaining, and upgrading Avista's Facilities on the affected property. The City shall, in its vacation procedure, reserve and grant said easement

to Avista for Avista's Facilities and shall also expressly prohibit any use of the vacated properties which will interfere with Avista's full enjoyment and use of said easement.

SECTION 5.0 RELOCATION OF AVISTA'S FACILITIES

5.1 Relocation of Facilities Requested by City^[Steve V25]

Upon request of the City, Avista shall relocate its Facilities as necessary within the Franchise Area as specifically designated by the City for such purpose. The City shall provide Avista reasonable notice of any intended or expected requirement or request to relocate Avista's Facilities, but not less than ninety (90)^[Steve V26] calendar days prior to any such relocation except in cases of emergency or not otherwise reasonably foreseeable by the City. The City shall use reasonable efforts to cause any such relocation to be consistent with any applicable long-term development plan(s) of the City.

In the event a relocation forces Avista off City's existing Public Right(s) of Way then the City shall accommodate such relocation by securing an acceptable, alternate location for utilities. If the City requires the subsequent relocation of any of Avista's Facilities within three (3) years from the date of relocation of such Facilities or installation of new Facilities, the City shall bear the entire cost of such subsequent relocation.^[Steve V27] Avista agrees to relocate all Facilities promptly within a reasonable time. Upon notice from the City, the parties agree to meet and determine a reasonable relocation time, which shall not exceed the time normally needed for construction projects of the nature of the City's relocation request unless otherwise mutually agreed.

Notwithstanding the above, Avista shall not be required to relocate facilities of other entities that were abandoned to another franchisee. Such relocation of these types of facilities shall be accordance with Section 5.2 below.

This provision shall not apply to Facilities in place pursuant to private easement held by Avista, regardless of whether such Facilities are also located within the Franchise Area. In the event the City requests relocation of Facilities that are in place pursuant to an existing easement, said relocation shall be treated in the same manner as a relocation requested by third parties under Section 5.2, below.

5.2 Relocation of Facilities Requested by Third Parties^[Steve V28]

City acknowledges that Avista is obligated to provide gas service and related line extension or relocation of Facilities for the benefit of its customers and to require compensation for such services on a non-preferential basis in accordance with applicable Tariffs.

If Facilities are to be relocated at the request of or for the primary benefit of a third party, the City shall not require Avista to relocate its Facilities until such time as a suitable location can be found and the third party has entered into an agreement to reimburse Avista for its reasonable costs of relocation.

5.3 Availability of Other Funds^[Steve V29]

In the event federal, state or other funds are available in whole or in part for utility relocating purposes, the City agrees to use reasonable efforts to apply for such funds, provided such funds do not interfere with the City's right to obtain the same or similar funds, or otherwise create any expense or detriment to the City. The City may recover all costs, including internal costs, associated with obtaining such funds.

SECTION 6.0 INDEMNITY

6.1 Indemnification of City^[Steve V30]

Avista agrees to defend and indemnify the City, its appointed and elected officers and employees or agents, from any and all liabilities, claims, causes of action, losses, damages and expenses, including costs and reasonable attorneys fees, that the City may sustain, incur, become liable for, or be required to pay, as a consequence of or arising from the negligent acts or omissions of Avista, its officers, employees or agents in connection with Avista's obligations under this Franchise; provided, however, that this indemnification provision shall not apply to the extent that said liabilities, claims, damages and losses were caused by or result from the negligence of the City, elected officers and employees or agents.

6.2 Indemnification of Avista^[Steve V31]

To the extent permitted by law, City agrees to defend and indemnify Avista, its officers and employees, from any and all liabilities, claims, causes of action, losses, damages and expenses, including costs and reasonable attorneys fees, that Avista may sustain, incur, become liable for, or be required to pay, as a consequence of or arising from the negligent acts or omissions of the City, its appointed and elected officers and employees or agents in connection with City's obligations under this Franchise; provided, however, that this indemnification provision shall not apply to the extent that said liabilities, claims, damages, losses and so forth were caused by or result from the negligence of Avista, its employees or agents.

SECTION 7.0 FRANCHISE DISPUTE RESOLUTION^[Steve V32]

7.1 Non-waiver

Failure of a Party to declare any breach or default of this Franchise immediately upon the occurrence thereof, or delay in taking any action in connection therewith, shall not waive such breach or default, but the Party shall have the right to declare any such breach or default at any time. Failure of a Party to declare one breach or default does not act as a waiver of the Party's right to declare another breach or default. In addition, the pursuit of any right or remedy by the City shall not prevent the City from thereafter declaring a revocation and forfeiture for breach of the conditions of the Franchise.

7.2 Dispute Resolution by the Parties

Disputes regarding the interpretation or execution of the terms of this Franchise that cannot be resolved by department counterparts representing the Parties, shall be submitted to the City's Attorney and an attorney representing Avista for resolution. If a mutually satisfactory or timely resolution cannot then be reached by the above process, prior to resorting to a court of competent

jurisdiction, the Parties shall submit the dispute to a non-binding alternate dispute resolution process agreed to by the Parties.

7.3 Right of Enforcement

No provision of this Franchise shall be deemed to bar the right of the City or Avista to seek judicial relief from a violation of any provision of the Franchise to recover monetary damages for such violations by the other party or to seek enforcement of the other Party's obligations under this Franchise by means of specific performance, injunctive relief or any other remedy at law or in equity pursuant to Section 7.4. Any litigation between the City and Avista arising under or regarding this Franchise shall occur, if in the state courts, in a court of competent jurisdiction, and if in the federal courts, in the United States District Court for the District of Oregon.

7.4 Attorneys' Fees and Costs

Each Party shall pay for its own attorneys' fees and costs incurred in any dispute resolution process or legal action arising out of the existence of this Franchise.

SECTION 8.0 GENERAL PROVISIONS [Steve V33]

8.1 Franchise as Contract, No Third Party Beneficiaries

This Franchise is a contract between the Parties and binds and benefits the Parties and their respective successors and assigns. This Franchise does not and is not intended to confer any rights or remedies upon any persons, entities or beneficiaries other than the Parties.

8.2 Force Majeure

In the event that Avista is delayed in or prevented from the performance of any of its obligations under the Franchise by circumstances beyond Avista's control (Force Majeure) including, without limitation, third party labor disputes, fire, explosion, flood, earthquake, power outage, acts of God, war or other hostilities and civil commotion, then Avista's performance shall be excused during the period of the Force Majeure occurrence. Avista will use all commercially reasonable efforts to minimize the period of the disability due to the occurrence. Upon removal or termination of the occurrence Avista will promptly resume performance of the affected Franchise obligations in an orderly and expeditious manner.

8.3 Prior Franchises Superseded

As of the Effective Date this Franchise shall supersede all prior gas franchises for the Franchise Area previously granted to Avista or its predecessors by City, and shall affirm, authorize and ratify all prior installations authorized by permits or other action not previously covered by franchise. Termination of the prior Franchise shall not, however, relieve the Parties from any obligations which accrued under said Franchise prior to its termination, including but not limited to, any outstanding indemnity, reimbursement or administrative fee payment obligations.

8.4 Severability

The Franchise is granted pursuant to the laws of the State of Oregon relating to the granting of such rights and privileges by City. If any article, section, sentence, clause, or phrase of this Franchise is for any reason held illegal, invalid, or unconstitutional, such invalidity shall not affect the validity of the Franchise or any of the remaining portions. The invalidity of any portion of this Franchise shall not abate, reduce, or otherwise affect any obligation required of Avista.

8.5 Changes or Amendments

Changes or amendments to this Franchise shall not be effective until lawfully adopted by the City and agreed to by Avista.

8.6 Supremacy and Governing Law

This Agreement shall be interpreted, construed and enforced in all respects in accordance with the laws of the State of Oregon. In the event of any conflict between this Franchise and any City ordinance, regulation or permit, the provisions of this Franchise shall control. In the event of a conflict between the provisions of this Franchise and Avista's applicable Tariff on file with the Commission, the Tariff shall control.

8.7 Headings

The headings or titles in this Franchise are for the purpose of reference only and shall not in any way affect the interpretation or construction of this Franchise.

8.8 Acceptance of Franchise.

Avista shall, within 30 days after passage of this Ordinance, file with the City Recorder, its acceptance of the terms and conditions of this Franchise.

8.9 Abandonment or Suspension of Franchise Rights and Obligations

Avista may abandon or amend the rights and authorities granted hereunder, provided that six (6) months' written notice of intention to abandon is given to City. In addition, pursuant to Section 8.6 and in the event a conflict exists between the terms of this Franchise and Avista's Tariff with the Commission that cannot be resolved, Avista may suspend or abandon the rights and obligations of this Franchise upon reasonable notice to the City.

8.10 Franchise Effective Date

The Effective Date of this Franchise shall be _____, 2016, after passage and approval of this ordinance as provided by law, and provided that it has been duly accepted by Avista as specified above.

City's Language Attesting to Approval and Passage of the Ordinance

PASSED by the City Council on _____, 2016

ATTEST:

City Recorder, City of Union

APPROVED by me on _____, 2016

Mayor, City of Union

Letter of Acceptance by Avista

HONORABLE MAYOR AND CITY COUNCIL
CITY OF UNION, COUNTY OF UNION, OREGON

IN RE: City of Union Ordinance No. _____

“Granting a Franchise to Avista Corporation for the Construction, Operation and Maintenance of Natural Gas Facilities Within the City.”

Avista Corporation dba Avista Utilities, for itself, its successors and assigns, hereby accepts the terms and conditions of the Franchise Agreement contained in the subject Ordinance and files this written acceptance with the City of Union. This acceptance is executed on _____, 2016.

Avista Corporation dba Avista Utilities

By: _____
Dennis Vermillion
President, Avista Utilities

Copy Received for the City of Union

On: _____

By: _____

City Representative – Name

GAS FRANCHISE ORDINANCE SUMMARY

NOTICE: CITY OF UNION PROPOSED FRANCHISE ORDINANCE NO. _____ SUMMARY

Ordinance No. _____ will grant Avista Corporation dba Avista Utilities a non-exclusive public utility franchise to locate, construct, install, own, maintain, repair, reconstruct, operate and use facilities within the City's public right of way [the Franchise Area] for the purposes of the transmission, control and distribution of natural gas within the City for a term of 10 years. Avista agrees to meet accepted industry standards and conform with applicable federal and state laws, as well as the regulations of the appropriate state regulatory body with jurisdiction, in the conduct of its operations under the Franchise. The City reserves the right to make reasonable rules and regulations pertaining to the conduct of Avista's operations within the Franchise Area. Avista must not interfere with any existing facilities of other utilities. Avista is authorized to make necessary excavations within the Franchise Area; excavations must be carried out with reasonable dispatch, and the area restored, with as little interference to the public as may be reasonable. Avista must relocate its facilities in the franchise area at the City's request. Avista may remedy encroachment of vegetation in connection with franchised activities. Provisions are made for informal dispute resolution.

(Final Reading of Ordinance _____ is anticipated to be held before the Union City Council on _____, 2016 ___ at 7:00 p.m. in the City Council Chambers).

**UNION, OREGON GAS FRANCHISE
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CITY OF UNION RESOLUTIONS

RESOLUTION NO. 2016-10

A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR OF JULY 1, 2016 TO JUNE 30, 2017, MAKING APPROPRIATIONS, LEVYING, AND CATEGORIZING TAXES

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF UNION:

Section 1. Appropriations for the City of Union Municipal Budget for the fiscal year 2016-2017, are in the amount of \$4,533,029.00 and Unappropriated Ending Fund Balances for the fiscal year 2016-2017 are in the amount of \$153,067.00, with a budget total of \$4,686,096.00 is hereby adopted.

Section 2. Appropriations and Unappropriated Ending Fund Balances for the fiscal year July 1, 2016 to June 30, 2017 are hereby made as follows:

GENERAL FUND

Administrative Department

Personal Services	\$83,401.00	
Materials and Services	\$62,780.00	
Capital Outlay	\$6,000.00	
Total Administrative Department		\$152,181.00

Police Department

Personal Services	\$14,920.00	
Materials and Services	\$98,700.00	
Total Police Department		\$113,620.00

Library Department

Personal Services	\$59,561.00	
Materials and Services	\$10,439.00	
Total Library Department		\$70,000.00

City Park Department

Materials and Services	\$14,850.00	
Capital Outlay	\$0.00	
Total Park Department		\$14,850.00

Municipal Court Department

Personal Services	\$3,937.00	
Materials and Services	\$2,350.00	
Total Municipal Department		\$6,287.00

Transfer Station Department

Personal Services	\$0.00	
Materials and Services	\$3,050.00	
Total Transfer Station Department		\$3,050.00

Planning Department

Materials and Services	\$13,150.00	
Total Planning Department		\$13,150.00

Non-Departmental

Transfers	\$0.00	
Contingency	\$0.00	
Total Non Department		\$0.00

TOTAL GENERAL FUND**\$373,138.00****UTILITY FUND****Water Department**

Personal Services	\$207,300.00	
Materials and Services	\$186,800.00	
Capital Outlay	\$0.00	
Transfers	\$390,500.00	
Contingency	\$64,000.00	
Total Water Department		\$848,600.00

Sewer Department

Personal Services	\$212,331.00	
Materials and Services	\$199,400.00	
Capital Outlay	\$0.00	
Debt Service - Reveue Bond	\$0.00	
Transfers	\$390,000.00	
Contingency	\$48,000.00	
Total Sewer Department		\$849,731.00

WATER RESERVE

Capital Outlay	\$200,000.00	
Contingency	\$135,000.00	
Total Water Reserve		\$335,000.00

SEWER RESERVE

Capital Outlay	\$50,000.00	
Contingency	\$70,000.00	
Total Sewer Reserve		\$120,000.00

SEWER DEBT SERVICE FUND - GO

Debt Service - General Obligation Bond	\$26,650.00	
Total Sewer Debt Service Fund		\$26,650.00

SEWER DEBT SERVICE FUND - LOAN

Debt Service - Loan Payment	\$362,000.00	
Total Sewer Debt Service Fund		\$362,000.00

SYSTEM SYSTEM SYSTEM SYSTEM SYSTEM D SYSTEM DEVEL SYSTEM DEVELOPME

Capital Outlay	\$75,000.00	
Contingency	\$41,400.00	
Total System Development Fund		\$116,400.00

STREET FUND

Personal Services	\$40,762.00	
Materials and Services	\$72,062.00	
Capital Outlay	\$75,000.00	
Transfers	\$37,000.00	
Contingency	\$50,000.00	
Total Street Fund		\$274,824.00

BIKE PEDESTRIAN PATH FUND

Capital Outlay	\$16,525.00	
Total Bike Pedestrian Path Fund		\$16,525.00

PARK RESERVE FUND

Capital Outlay	\$12,000.00	
Contingency	\$12,000.00	
Total Park Reserve Fund		\$24,000.00

EMERGENCY SERVICES FUND**Fire Department**

Personal Services	\$29,987.00	
Materials and Services	\$42,200.00	
Capital Outlay	\$51,353.00	
Total Fire Department		\$123,540.00

Ambulance Department

Personal Services	\$26,962.00	
Materials and Services	\$64,450.00	
Capital Outlay	\$30,000.00	
Total Ambulance Department		\$121,412.00

Non-Departmental

Transfers	\$100,000.00	
Contingency	\$106,808.00	
Total Non Department		\$206,808.00
TOTAL EMERGENCY SERVICES FUND		\$451,760.00
RANGER STATION FUND		
Personal Services	\$19,647.00	
Materials and Services	\$17,320.00	
Capital Outlay	\$2,800.00	
Transfers	\$3,500.00	
Contingency	\$8,723.00	
Total Ranger Station Fund		\$51,990.00
VEHICLE/EQUIPMENT RESERVE FUND		
Materials and Services	\$0.00	
Capital Outlay	\$117,000.00	
Transfers	\$0.00	
Contingency	\$100,000.00	
Total Vehicle/Equipment Reserve Fund		\$217,000.00
Total BUILDING MAINTENANCE RESERVE FUND		\$100,000.00
Capital Outlay	\$110,050.00	
Contingency	\$0.00	
Total Building maintenance Reserve Fund		\$110,050.00
EMS VEHICLE/EQUIPMENT RESERVE FUND		
Capital Outlay	\$156,550.00	
Contingency	\$0.00	
Total EMS Vehicle/Equipment Reserve Fund		\$156,550.00
DOWNTOWN REVOLVING LOAN FUND		
Materials and Services	\$14,125.00	
Total Downtown Revolving Loan Fund		\$14,125.00
Special Revenue Fund Tree		
Capital Outlay	\$9,750.00	
Total Special Revenue Fund Tree		\$9,750.00

Section 3. The City of Union hereby imposes taxes as provided for in the adopted budget at the rate of \$1.5752 per \$1,000.00 of assessed value for operations; and in the amount of \$14,325.00 for Sewer General Obligation Bonds. A rate of \$.45 per \$1,000.00 of assessed value for library operations. Said taxes are imposed and categorized for the 2016-2017 tax year upon the assessed value of all taxable property within the City of Union.

Section 4. The said taxes are categorized as follows:

	Subject to the General <u>Governmental Limitation</u>	Excluded from <u>Limitation</u>
General Fund	\$1.5752 per \$1,000.00	

The said taxes are categorized as follows:

	Subject to the General <u>Governmental Limitation</u>	Excluded from <u>Limitation</u>
Library Operations	\$.45 per \$1,000.00	
Sewer Debt Service Fund		\$15,000.00

Section 5. This Resolution shall be in effect from and after its passage by the City

ADOPTED by ____ members of the Common Council voting therefore, and approved by the Mayor of the City of Union, this 15th day of June, 2016.

Approved:

Attest:

Ken McCormack, *Mayor*

Sandra Patterson, *Administrator/Recorder*

City of Union
COUNCIL ACTION FORM

Council Meeting Date: March 14, 2016

June 13, 2016

Subject: Support to change the number of members that sit on the Wallowa Union Railroad board

Subject of requested action: Approve Resolution

Presenter of request: Terry Edvalson 541-377-6355

Council action request: request to pass resolution to Union and Wallowa will lower the number of members on the Wallowa Union Railroad board to a reasonable number.

Explanation: Please see attached email from Terry Edvalson. If you have any further questions please feel free to call him. He will be at the meeting to present the resolution for your consideration.

<i>Office Use</i>	Council Action		
<input type="checkbox"/> Ordinance Adopted	<input type="checkbox"/> Resolution Passed	<input type="checkbox"/> Motion Passed	_____
<input type="checkbox"/> First Reading	<input type="checkbox"/> Resolution Failed	<input type="checkbox"/> Motion Failed	_____
<input type="checkbox"/> Second Reading	<input type="checkbox"/> Needs Corrections	<input type="checkbox"/> Action Tabled	_____
<input type="checkbox"/> Needs Corrections			_____

Subject: Agenda Item Request

From: terry <tedvalson@eoni.com>

Date: 5/26/2016 10:22 AM

To: Sandra Patterson City of Union <admin@cityofunion.com>

CC: Mark Davidson <mdavidson@union-county.org>

Mrs. Patterson,

I left a message on your answering machine about the possibility of getting the request of the Wallowa Union Railroad Authority (WURA) for the Union City Council to consider a passing a resolution to change the WURA Intergovernmental Agreement and Charter, Article III, 3.5. The requested change will make the quorum requirement five members instead of seven members. The nine member WURA board has had an unfilled position held for the Oregon Railroad Authority for a number years. Consequently, having only eight board members meant getting a quorum could be difficult. Organizations having regular business with WURA requested the board make the change and that the Union and Wallowa county commissioners jointly appoint a board member to fill the vacant position.

Attached is an example resolution I mentioned in my phone message. I will be present to make a very brief presentation and answer any questions that might arise.

Please call or e-mail to confirm the matter will be placed on the 13 June city council agenda or if you require additional information.

Terry Edvalson

700 H Avenue

La Grande, OR 97850

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

**RESOLUTION ACTING ON THE REQUEST OF THE
WALLOWA UNION RAILROAD AUTHORITY TO APPROVE
AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT**

The Wallowa Union Railroad Authority Intergovernmental Agreement and Charter was established in 2002 by Union County and Wallowa County to jointly pursue the ownership, maintenance, repair, and modernization of the "Elgin-Joseph Rail Line with the concurrence of a majority of City Council within Wallowa County and Union County. The City Councils approved the terms and conditions of the Intergovernmental Agreement for the governance of the jointly owned railroad.

WHEREAS, the Wallowa Union Railroad Authority Board of Directors has found that conducting the business of the railroad and working with organizations and the public having business with the railroad without being able to regularly convene with a quorum is difficult and a disservice to the public.

WHEREAS, the Wallowa Union Railroad Authority Board of Directors has found it difficult to convene a quorum at regularly scheduled meetings, they voted at the May 10, 2016 to amend Article III, Section 3.5 of the Intergovernmental Agreement and Wallowa-Union Railroad Authority Charter.

WHEREAS, the Wallowa Union Railroad Authority Board of Directors will request Wallowa County and Union County Boards of Commissioners jointly appoint a ninth board member to fill the position held for an Oregon Railroad Authority representative, but not filled.

WHEREAS, the Wallowa Union Railroad Authority is requesting a change to the Intergovernmental Agreement and Wallowa-Union Railroad Authority Charter be approved by City Council within the two counties:

NOW THEREFORE, the City Council of City of Union, Oregon approves amending ARTICLE III, 3.5 to change the number from seven members of the nine member Board of Directors to five members of the nine member Board of Directors to constitute a quorum. ARTICLE III, 3.5 will be, "A quorum shall consist of five (5) members."

Adopted by _____ members of the City Council voting therefore, and approved by the Mayor of the City of Union this 13th day of June 2016.

Approved:

Attest:

Ken McCormak, Mayor

Sandra Patterson, Administrator/Recorder

**CITY OF UNION RESOLUTIONS
RESOLUTION NO. 2016-12**

**A RESOLUTION SUPPORTING THE CITY OF UNION'S APPLICATION FOR
THE TRANSPORTATION AND GROWTH MANAGEMENT GRANT PROGRAM
AND FUNDING OF WALKING AND BICYCLING MASTER PLAN**

Whereas, the Union City Council supports the development of a walking and bicycling master plan which will create a vision, build community support, prioritize projects and programs, set technical standards and identify funding sources; and

Whereas, in an effort to generate public input, the City Council authorizes the city administrator to proceed with signing of the application to the Transportation and Growth Management Grant Program to fund a walking and bicycling master plan; and

Now, therefore, let it be known that the City Council supports the Transportation and Growth Management TGM grant for the 2016-2017 funding year.

BE IT RESOLVED by the Union City Council that,

Adopted by _____ members of the City Council voting therefore, and approved by the Mayor of the City of Union this 13th day of June 2016.

Approved:

Attest:

Ken McCormack, Mayor

Sandra Patterson, Administration/Recorder



OREGON LIQUOR CONTROL COMMISSION
LIQUOR LICENSE APPLICATION

RECEIVED
MAY 16 2016

BY: JP

Application is being made for:		CITY AND COUNTY USE ONLY	
LICENSE TYPES	ACTIONS	Date application received: <u>5-16-16</u>	
<input type="checkbox"/> Full On-Premises Sales (\$402.60/yr)	<input type="checkbox"/> Change Ownership	The City Council or County Commission:	
<input type="checkbox"/> Commercial Establishment	<input type="checkbox"/> New Outlet	<u>City of Union</u>	
<input type="checkbox"/> Caterer	<input type="checkbox"/> Greater Privilege	(name of city or county)	
<input type="checkbox"/> Passenger Carrier	<input type="checkbox"/> Additional Privilege	recommends that this license be:	
<input type="checkbox"/> Other Public Location	<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Granted <input type="checkbox"/> Denied	
<input type="checkbox"/> Private Club		By: <u>Sandra Patterson</u>	
<input checked="" type="checkbox"/> Limited On-Premises Sales (\$202.60/yr)		(signature) (date)	
<input type="checkbox"/> Off-Premises Sales (\$100/yr)		Name: <u>Sandra Patterson</u>	
<input type="checkbox"/> with Fuel Pumps		Title: <u>City Administrator</u>	
<input type="checkbox"/> Brewery Public House (\$252.60)		OLCC USE ONLY	
<input type="checkbox"/> Winery (\$250/yr)		Application Rec'd by: _____	
<input type="checkbox"/> Other: _____		Date: _____	
90-DAY AUTHORITY		90-day authority: <input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority			
APPLYING AS:			
<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Corporation	<input checked="" type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Individuals

- Entity or Individuals applying for the license: [See SECTION 1 of the Guide]
 - ① Union Stoplight L.L.C. ③ _____
 - ② _____ ④ _____
- Trade Name (dba): Union Stoplight
- Business Location: 126 South Main Union, Union OR 97883
(number, street, rural route) (city) (county) (state) (ZIP code)
- Business Mailing Address: PO Box 67 Cove OR 97824
(PO box, number, street, rural route) (city) (state) (ZIP code)
- Business Numbers: 541-562-5700 (phone) (fax)
- Is the business at this location currently licensed by OLCC? Yes No
- If yes to whom: _____ Type of License: _____
- Former Business Name: _____
- Will you have a manager? Yes No Name: Amber PARKER
(manager must fill out an Individual History form)
- What is the local governing body where your business is located? Union
(name of city or county)
- Contact person for this application: Amber PARKER 541 805 1148
(name) (phone number(s))
1703 Orchard Cove OR 97824
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① Amber Parker Date 3-29-16 ② _____ Date _____

③ _____ Date _____ ④ _____ Date _____