

CITY OF AMITY
AGENDA OF THE CITY COUNCIL
April 3, 2019
City Hall
109 Maddox Avenue, Amity, Oregon
REGULAR SESSION

CALL TO ORDER/FLAG SALUTE 7:00 p.m.

COUNCIL ROLL CALL: Robert Andrade, Ryan Lehman, Caralyn Miller, Joshua Simonson, Max Walker, Nickolas Wilkinson, and Mayor Michael Cape

1. CONSENT AGENDA: *In order to make more efficient use of meeting time, resolutions, minutes, bills and other items which are routine in nature and for which no debate is anticipated, shall be placed on the Consent Agenda. Any item placed on the Consent Agenda may be removed at the request of any council member prior to the time a vote is taken. All remaining items of the Consent Agenda are then disposed of in a single motion to adopt the Consent Agenda. This motion is not debatable. The secretary to the council will then poll the council members individually by a roll call vote. If there are any dissenting votes, each item on the Consent Agenda is then voted on individually by a roll call vote.*

- a. [Review of Bills for March 2019](#)
- b. Minutes – [Regular Meeting February 6, 2019](#)

Regular Meeting March 6, 2019

2. CITIZEN COMMENTS/QUESTIONS An opportunity to present items not on the regular agenda. Please state your name and address and limit your comments to five (5) minutes.

- a. DIG Report
- b. Tourism Committee Report

3. OLD BUSINESS:

- a. [Ordinance No. 656 – Online NW Franchise Agreement Ordinance– 2nd and Final Reading and Adoption](#)
- b. [Donations as Recommended by Finance Committee](#)
- c. [Appoint Council President](#)
- d. [Appoint Budget Officer for 2020 Fiscal Year](#)
- e. Update on City Administrator Recruitment

4. NEW BUSINESS:

- a. [Appoint Budget Committee Members](#)
- b. [Walker Resignation](#)

5. DEPARTMENT REPORTS

- a. [City Recorder Report by Natasha Johnson](#)
- b. Public Works Report by Gary Mathis
- c. Law Enforcement Report by Sheriff's Office
- d. Library Report by Marcia Robbins
- e. City Engineer Billing Report
- f. [City Attorney Report](#)
- g. [City Planner Report](#)

6. BUSINESS FROM THE MAYOR & CITY COUNCILORS

- a. Mayor Report by Mayor Michael Cape
- b. Councilor Caralyn Miller & Community Engagement Committee
- c. Councilor Ryan Lehman & Water & Sewer Committee
- d. Councilor Robert Andrade & Police Committee
- e. Councilor Nickolas Wilkinson & Ordinance Committee
- f. Councilor Joshua Simonson & Finance Committee

ADJOURNMENT

CITY OF AMITY

CHECK DETAIL

March 1-28, 2019

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
00 1001 First Federal Checking						
03/01/2019	Check	121271	LIUNA, Local 320	City of Amity Dues		-60.00
				Union Dues - C. Pasto, G. Bacon, N. Johnson		-60.00
03/01/2019	Check	121272	OR Department of Justice	CSP #067AAAL50741		-282.50
				CSP 067AAAL50741 - C. Pasto		-282.50
03/01/2019	Check	Electronic	*First Federal	93-6002115		-2,111.10
				Federal Withholding		-591.00
				Medicare Company		-144.07
				Medicare Employee		-144.07
				Social Security Company		-615.98
				Social Security Employee		-615.98
03/01/2019	Check	Electronic	Oregon Department of Revenue	0512081-6		-584.97
				OR - Unemployment Company		-9.93
				OR - WBF Assessment Co.		-5.52
				OR - WBF Assessment Emp.		-5.52
				OR - Withholding		-564.00
03/01/2019	Check	121286	Oregon Laborers-Employers Trust Funds	07732		-5,900.00
				Union Medical Coverage - Feb 2019 Hours		-5,900.00
03/01/2019	Check	121273	Yamhill County Sheriff's Office	March 2019 Contracting Svcs		-19,531.03
				March 2019 Contracting Svcs		19,531.03
03/01/2019	Check	121274	Yamhill Communications Agency			-1,604.25
				YCOM-March 2019 User Fee, Inv FY19-08-AMI		1,604.25
03/01/2019	Check	121275	OGFOA	Member #22593831, Conference Registration		-360.00
				Admin Conf. OGFOA Annual Spring Conf. N. Johnson		360.00
03/01/2019	Check	121276	OGFOA	Member #22593831 Annual Dues		-55.00
				Admin Org. Dues, Annual Due OGFOA N. Johnson		55.00
03/01/2019	Check	121277	O.A.M.R.	Natasha Johnson		-60.00
				Annual Dues 2019, Invoice 01699		60.00

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
03/01/2019	Check	121278	Mid-Willamette Valley Council of Gov.	Planner Fees/Annual Dinner		-1,104.54
				COG Planner Inv #1819255- General/Misc/Coelho Application		1,034.54
				COG Planner Inv 1819267 - Annual Dinner M. Cape, M. Walker		70.00
03/01/2019	Check	121279	Metropolitan Agencies	Collection Fees		-134.63
				Collection on Acct #101737, Breedlove, Charity		50.40
				Collection on Acct #101808, Bucher, Kimberly		58.97
				Collection on Acct #101558, Matthiesen, Patty		25.26
03/01/2019	Check	121280	Metereaders, LLC.			-654.72
				Water Meters Read In February, Inv 8712		327.36
				Water Meters Read In February, Inv 8712		327.36
03/01/2019	Check	121281	Keystone Builders LLC	Water/Sewer refund for act #102468		-44.68
				Water Deposit		-70.00
				Sewer Deposit		-80.00
				Water Collections		41.65
				Sewer Collections		50.67
				Street Collections		2.00
				Line Replacement Collections		1.00
				Public Safety Fee Collections		10.00
03/01/2019	Check	121282	Frontier- 0667-111413-5			-39.41
				Swr Telephone - Due 3/18/19		39.41
03/01/2019	Check	121283	Express Services, Inc.	Acct #19490649		-636.48
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21958951		95.47
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21958951		127.30
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21958951		63.65
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21958951		31.82
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21958951		127.30
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21958951		127.30
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21958951		63.64
03/01/2019	Check	121284	Wave			-25.00

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
				Admin Internet Services - Inv 08006908		25.00
03/01/2019	Check	121285	NW Natural Gas			-262.35
				Admin Electric - Due 03/14/19		262.35
03/04/2019	Check	121287	Amity Bakery			-75.00
				Council Goal Setting Meals		75.00
03/05/2019	Check	121288	Lopez, Amber			-60.00
				Admin 3 hours cleaning - (Tues 3/5/19)		60.00
03/05/2019	Check	121289	Employment Dept. - UI Tax	Business ID 0512081-6		-59.56
				Adm. Unemployment - QTR/YR 4/18		59.56
03/05/2019	Check	121290	Metropolitan Agencies	Collection Fees		-35.15
				Collection on Acct #101269, Blum Heather		35.15
03/05/2019	Check	121291	Frontier- 0169-010406-5			-41.74
				Swr Telephone - Due 03/21/19		41.74
03/05/2019	Check	121292	Flora, Tim	Water/Sewer Deposit Refund Act 102403		-14.45
				Water Deposit		-70.00
				Water Collections		52.55
				Line Repl Collections		3.00
03/05/2019	Check	121293	Gaeta, Pamela	Water Refund for overbilled act #102440		-67.42
				P. Gaeta overbilled water, refund		67.42
03/14/2019	Check		QuickBooks Payroll Service	Created by Payroll Service on 03/08/2019		-7,555.44
				Direct Deposit Transmission Fee		3.00
				Fee for 8 direct deposit(s) at \$1.75 each		14.00
				Direct Deposit		7,538.44
03/15/2019	Check	121303	LIUNA, Local 320	City of Amity Dues		-60.00
				Union Dues - C. Pasto, G. Bacon, N. Johnson		-60.00
03/15/2019	Check	121304	OR Department of Justice	CSP #067AAAL50741		-282.50
				CSP 067AAAL50741 - C. Pasto		-282.50
03/15/2019	Check	Electronic	*First Federal	93-6002115		-2,157.36
				Federal Withholding		-622.00
				Medicare Company		-145.51
				Medicare Employee		-145.51

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
				Social Security Company		-622.17
				Social Security Employee		-622.17
03/15/2019	Check	Electronic	Oregon Department of Revenue	0512081-6		-585.79
				OR - Unemployment Company		-10.05
				OR - WBF Assessment Co.		-4.87
				OR - WBF Assessment Emp.		-4.87
				OR - Withholding		-566.00
03/15/2019	Check	121294	Gary Bacon	Direct Deposit	R	0.00
				PW Utility Worker		266.38
				PW Utility Worker		799.15
				PW Utility Worker		532.76
				PW Utility Worker		177.59
				Per's Employer		22.19
				Per's Employer		66.57
				Per's Employer		44.38
				Per's Employer		14.79
				Per's Employer		147.93
				Per's Employee		15.97
				Per's Employee		47.95
				Per's Employee		31.97
				Per's Employee		10.66
				Per's Employee		106.55
				Union Medical Coverage		177.00
				Union Medical Coverage		531.00
				Union Medical Coverage		354.00
				Union Medical Coverage		118.00
				Union Medical Coverage		1,180.00
				Life Insurance		0.23
				Life Insurance		0.70
				Life Insurance		0.47
				Life Insurance		0.16
				Life Insurance		1.56
				Union Dues		20.00
				OR - WBF Assessment Co.		0.13
				OR - WBF Assessment Co.		0.43
				OR - WBF Assessment Co.		0.29
				OR - WBF Assessment Co.		0.10
				OR - WBF Assessment Co.		0.95
				OR - WBF Assessment Emp.		0.95
				Medicare Employee Addl Tax		0.00
				OR - Statewide Transit Tax Emp.		1.78
				Federal Withholding		96.00
				Social Security Company		16.52
				Social Security Company		49.55
				Social Security Company		33.03
				Social Security Company		11.01
				Social Security Company		110.11
				Social Security Employee		110.11
				Medicare Company		3.85

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
				Medicare Company		11.59
				Medicare Company		7.73
				Medicare Company		2.58
				Medicare Company		25.75
				Medicare Employee		25.75
				OR - Withholding		105.00
				OR - Unemployment Company		0.27
				OR - Unemployment Company		0.80
				OR - Unemployment Company		0.53
				OR - Unemployment Company		0.18
				OR - Unemployment Company		1.78
				Direct Deposit		-1,416.29
03/15/2019	Check	121295	Patricia R. Desmarteau	Direct Deposit	R	0.00
				Librarian III New Hourly		146.44
				OR - WBF Assessment Co.		0.17
				OR - WBF Assessment Co.		0.17
				OR - WBF Assessment Emp.		0.17
				Medicare Employee Addl Tax		0.00
				OR - Statewide Transit Tax Emp.		0.15
				Federal Withholding		0.00
				Social Security Company		9.08
				Social Security Company		9.08
				Social Security Employee		9.08
				Medicare Company		2.12
				Medicare Company		2.12
				Medicare Employee		2.12
				OR - Withholding		0.00
				OR - Unemployment Company		0.15
				OR - Unemployment Company		0.15
				Direct Deposit		-134.92
03/15/2019	Check	121296	Anne S Jenkins	Direct Deposit	R	0.00
				Librarian II New Hourly		183.20
				OR - WBF Assessment Co.		0.19
				OR - WBF Assessment Co.		0.19
				OR - WBF Assessment Emp.		0.19
				Medicare Employee Addl Tax		0.00
				OR - Statewide Transit Tax Emp.		0.18
				Federal Withholding		0.00
				Social Security Company		11.36
				Social Security Company		11.36
				Social Security Employee		11.36
				Medicare Company		2.66
				Medicare Company		2.66
				Medicare Employee		2.66
				OR - Withholding		0.00
				OR - Unemployment Company		0.19
				OR - Unemployment Company		0.19
				Direct Deposit		-168.81

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
03/15/2019	Check	121297	Natasha M. Johnson	Direct Deposit	R	0.00
				City Clerk		255.87
				City Clerk		341.18
				City Clerk		170.59
				City Clerk		85.29
				City Clerk		341.18
				City Clerk		341.18
				City Clerk		170.59
				Per's Employee		15.34
				Per's Employee		20.47
				Per's Employee		10.24
				Per's Employee		5.12
				Per's Employee		20.47
				Per's Employee		20.47
				Per's Employee		10.24
				Per's Employee		102.35
				Per's Employer		10.27
				Per's Employer		13.72
				Per's Employer		6.86
				Per's Employer		3.43
				Per's Employer		13.72
				Per's Employer		13.72
				Per's Employer		6.86
				Per's Employer		68.58
				Union Medical Coverage		177.00
				Union Medical Coverage		236.00
				Union Medical Coverage		118.00
				Union Medical Coverage		59.00
				Union Medical Coverage		236.00
				Union Medical Coverage		236.00
				Union Medical Coverage		118.00
				Union Medical Coverage		1,180.00
				Life Insurance		0.07
				Life Insurance		0.10
				Life Insurance		0.05
				Life Insurance		0.03
				Life Insurance		0.10
				Life Insurance		0.10
				Life Insurance		0.05
				Life Insurance		0.50
				Life Insurance-voluntary		11.83
				Union Dues		20.00
				OR - WBF Assessment Emp.		0.86
				OR - WBF Assessment Co.		0.13
				OR - WBF Assessment Co.		0.17
				OR - WBF Assessment Co.		0.09
				OR - WBF Assessment Co.		0.04
				OR - WBF Assessment Co.		0.17
				OR - WBF Assessment Co.		0.17
				OR - WBF Assessment Co.		0.09
				OR - WBF Assessment Co.		0.86

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
				Medicare Employee Addl Tax		0.00
				OR - Statewide Transit Tax Emp.		1.71
				Federal Withholding		109.00
				Social Security Company		15.86
				Social Security Company		21.15
				Social Security Company		10.58
				Social Security Company		5.29
				Social Security Company		21.15
				Social Security Company		21.15
				Social Security Company		10.58
				Social Security Company		105.76
				Social Security Employee		105.76
				Medicare Company		3.71
				Medicare Company		4.95
				Medicare Company		2.47
				Medicare Company		1.24
				Medicare Company		4.95
				Medicare Company		4.95
				Medicare Company		2.47
				Medicare Company		24.74
				Medicare Employee		24.74
				OR - Withholding		106.00
				OR - Unemployment Company		0.26
				OR - Unemployment Company		0.34
				OR - Unemployment Company		0.17
				OR - Unemployment Company		0.09
				OR - Unemployment Company		0.34
				OR - Unemployment Company		0.34
				OR - Unemployment Company		0.17
				OR - Unemployment Company		1.71
				Direct Deposit		-1,325.98
03/15/2019	Check	121298	Loretta Kirkpatrick	Direct Deposit	R	0.00
				Librarian IV		62.76
				OR - WBF Assessment Co.		0.07
				OR - WBF Assessment Co.		0.07
				OR - WBF Assessment Emp.		0.07
				Medicare Employee Addl Tax		0.00
				OR - Statewide Transit Tax Emp.		0.06
				Federal Withholding		0.00
				Social Security Company		3.89
				Social Security Company		3.89
				Social Security Employee		3.89
				Medicare Company		0.91
				Medicare Company		0.91
				Medicare Employee		0.91
				OR - Withholding		9.00
				OR - Unemployment Company		0.07
				OR - Unemployment Company		0.07
				Direct Deposit		-48.83

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
03/15/2019	Check	121299	Gary N. Mathis	Direct Deposit	R	0.00
				PW Superintendent (Frmly Ld Op)		427.58
				PW Superintendent (Frmly Ld Op)		641.38
				PW Superintendent (Frmly Ld Op)		855.17
				PW Superintendent (Frmly Ld Op)		213.79
				Per's Employee		25.66
				Per's Employee		38.48
				Per's Employee		51.31
				Per's Employee		12.83
				Per's Employee		128.28
				Per's Employer		17.19
				Per's Employer		25.78
				Per's Employer		34.38
				Per's Employer		8.59
				Per's Employer		85.94
				Union Medical Coverage		236.00
				Union Medical Coverage		354.00
				Union Medical Coverage		472.00
				Union Medical Coverage		118.00
				Union Medical Coverage		1,180.00
				Life Insurance		0.10
				Life Insurance		0.15
				Life Insurance		0.20
				Life Insurance		0.05
				Life Insurance		0.50
				OR - WBF Assessment Co.		0.17
				OR - WBF Assessment Co.		0.27
				OR - WBF Assessment Co.		0.36
				OR - WBF Assessment Co.		0.09
				OR - WBF Assessment Co.		0.89
				OR - WBF Assessment Emp.		0.89
				Medicare Employee Addl Tax		0.00
				OR - Statewide Transit Tax Emp.		2.14
				Federal Withholding		60.00
				Social Security Company		26.51
				Social Security Company		39.77
				Social Security Company		53.02
				Social Security Company		13.26
				Social Security Company		132.56
				Social Security Employee		132.56
				Medicare Company		6.20
				Medicare Company		9.30
				Medicare Company		12.40
				Medicare Company		3.10
				Medicare Company		31.00
				Medicare Employee		31.00
				OR - Withholding		98.00
				OR - Unemployment Company		0.43
				OR - Unemployment Company		0.64
				OR - Unemployment Company		0.86
				OR - Unemployment Company		0.21

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
				OR - Unemployment Company		2.14
				Direct Deposit		-700.00
				Direct Deposit		-1,113.33
03/15/2019	Check	121300	Chad C Olsen, Jr.	Direct Deposit	R	0.00
				Administrator Hourly		954.00
				Administrator Hourly		212.00
				Administrator Hourly		212.00
				Administrator Hourly		530.00
				Administrator Hourly		212.00
				OR - WBF Assessment Co.		0.30
				OR - WBF Assessment Co.		0.06
				OR - WBF Assessment Co.		0.06
				OR - WBF Assessment Co.		0.16
				OR - WBF Assessment Co.		0.06
				OR - WBF Assessment Co.		0.64
				OR - WBF Assessment Emp.		0.64
				OR - Statewide Transit Tax Emp.		2.12
				Medicare Employee Addl Tax		0.00
				Federal Withholding		221.00
				Social Security Company		59.16
				Social Security Company		13.14
				Social Security Company		13.14
				Social Security Company		32.86
				Social Security Company		13.14
				Social Security Company		131.44
				Social Security Employee		131.44
				Medicare Company		13.84
				Medicare Company		3.07
				Medicare Company		3.07
				Medicare Company		7.69
				Medicare Company		3.07
				Medicare Company		30.74
				Medicare Employee		30.74
				OR - Withholding		125.00
				OR - Unemployment Company		0.96
				OR - Unemployment Company		0.21
				OR - Unemployment Company		0.21
				OR - Unemployment Company		0.53
				OR - Unemployment Company		0.21
				OR - Unemployment Company		2.12
				Direct Deposit		-1,609.06
03/15/2019	Check	121301	Christopher C Pasto	Direct Deposit	R	0.00
				PW Utility Worker		256.04
				PW Utility Worker		768.11
				PW Utility Worker		512.08
				PW Utility Worker		170.69
				Union Medical Coverage		177.00
				Union Medical Coverage		531.00
				Union Medical Coverage		354.00

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
				Union Medical Coverage		118.00
				Union Medical Coverage		1,180.00
				CSP 067AAAL50741		282.50
				Life Insurance		0.10
				Life Insurance		0.32
				Life Insurance		0.21
				Life Insurance		0.07
				Life Insurance		0.70
				Union Dues		20.00
				Per's Employee		15.36
				Per's Employee		46.09
				Per's Employee		30.73
				Per's Employee		10.24
				Per's Employee		102.42
				Per's Employer		10.29
				Per's Employer		30.88
				Per's Employer		20.59
				Per's Employer		6.86
				Per's Employer		68.62
				Medicare Employee Addl Tax		0.00
				OR - WBF Assessment Co.		0.14
				OR - WBF Assessment Co.		0.41
				OR - WBF Assessment Co.		0.27
				OR - WBF Assessment Co.		0.09
				OR - WBF Assessment Co.		0.91
				OR - WBF Assessment Emp.		0.91
				OR - Statewide Transit Tax Emp.		1.71
				Federal Withholding		136.00
				Social Security Company		15.88
				Social Security Company		47.62
				Social Security Company		31.75
				Social Security Company		10.58
				Social Security Company		105.83
				Social Security Employee		105.83
				Medicare Company		3.70
				Medicare Company		11.14
				Medicare Company		7.43
				Medicare Company		2.48
				Medicare Company		24.75
				Medicare Employee		24.75
				OR - Withholding		114.00
				OR - Unemployment Company		0.25
				OR - Unemployment Company		0.77
				OR - Unemployment Company		0.51
				OR - Unemployment Company		0.17
				OR - Unemployment Company		1.70
				Direct Deposit		-1,021.22
03/15/2019	Check	121302	Marcia K Robbins			-171.47
				Head Librarian		195.84
				OR - WBF Assessment Co.		0.19

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
				OR - WBF Assessment Co.		0.19
				OR - WBF Assessment Emp.		0.19
				Medicare Employee Addl Tax		0.00
				OR - Statewide Transit Tax Emp.		0.20
				Federal Withholding		0.00
				Social Security Company		12.14
				Social Security Company		12.14
				Social Security Employee		12.14
				Medicare Company		2.84
				Medicare Company		2.84
				Medicare Employee		2.84
				OR - Withholding		9.00
				OR - Unemployment Company		0.19
				OR - Unemployment Company		0.19
03/18/2019	Check	121305	US Bank -4485594555553880			-199.80
				Admin email, brinkster		74.83
				Admin, Adobe		29.98
				Wtr Adobe		3.75
				Swr Adobe		3.75
				Street Adobe		3.75
				Park Adobe		3.74
				Park Gas, Lincoln Store		80.00
03/18/2019	Check	121306	US Bank -4485594555578176			-480.49
				Wtr Fuel		160.16
				Swr Fuel		160.16
				Str Fuel		160.17
03/18/2019	Check	121307	Express Services, Inc.	Acct #19490649		-1,432.08
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21988153		95.47
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21988153		127.30
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21988153		63.65
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21988153		31.82
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21988153		127.30
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21988153		127.30
				B147- City Clerk/Receptionist - Torres, Irma- Inv #21988153		63.64
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22020415		119.34
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22020415		159.12
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22020415		79.56
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22020415		39.78

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22020415		159.12
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22020415		159.12
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22020415		79.56
03/18/2019	Check	121308	Mid-Willamette Valley Council of Gov.	Planner Fees/Annual Dinner		-1,826.46
				COG Planner Inv #1819289- General		791.92
				COG Planner Inv#1819310- General/bldg permits/applications, s. coelho, T. Haworth		1,034.54
03/18/2019	Check	121309	DEQ	Facility ID#2772		-1,230.00
				Case #WQ/M-WR-2018-092, Civil Penalty		1,230.00
03/18/2019	Check	121310	Demco			-84.38
				Lib. Office Supplies Inv#6535260, Bind Tape, Book Covers		84.38
03/18/2019	Check	121311	Marcia K Robbins	Re-imbursement		-36.86
				Lib Misc Expense, Inv 05678, Reimb M. Robbins, Books Amazon		36.86
03/18/2019	Check	121312	Royal Flush Portables, Inc			-75.00
				Rent Montly 2/4/19-3/3/19- Invoice #A-23161		75.00
03/18/2019	Check	121313	Recology -1080044131			-171.57
				401 E 3rd - Str Garbage		57.19
				401 E 3rd - Wtr Garbage		57.19
				401 E 3rd - Swr Garbage		57.19
03/18/2019	Check	121314	Recology -1080008185			-144.48
				Amity Park Garbage		144.48
03/18/2019	Check	121315	P.G.E.- 3098870000			-596.53
				Street Lights - Due 3/25/19		596.53
03/18/2019	Check	121316	P.G.E.- 6759480000			-344.46
				809 Oak St - Due 03/18/19		344.46
03/18/2019	Check	121317	P.G.E.- 3604520000			-114.45
				1209 Jellison - Due 03/18/19		114.45
03/18/2019	Check	121318	P.G.E.- 0023270000			-29.87
				10903 SW Bellevue Hwy - Due03/18/19		29.87

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
03/18/2019	Check	121319	P.G.E.- 2835170000			-3,583.11
				306 E 3rd Ave - Due 04/01/19		3,583.11
03/18/2019	Check	121320	P.G.E.- 2028731000			-1,787.61
				19918 SW Briedwell Rd- Due 04/01/19		1,787.61
03/18/2019	Check	121321	P.G.E.- 8133850000			-122.54
				304 E 3rd Ave - Due 04/01/19		122.54
03/18/2019	Check	121322	P.G.E.- 2735201000			-21.68
				SE Amity Vineyards Rd - Due 04/01/19		21.68
03/18/2019	Check	121323	Oregon Department of Revenue- court fees			-485.00
				Court Assessments - Feb 2019		485.00
03/18/2019	Check	121324	News Register	Act #3015 Year Renewal		-47.11
				Admin Advertisement, Inv #91405, C. Administrator Posting		47.11
03/18/2019	Check	121325	McMinnville Immediate Health Care	City of Amity		-152.00
				Plc Vac. Inv 344K1814, K. Victor Hep B Shot		152.00
03/18/2019	Check	121326	League of Oregon Cities	Acct #200178		-1,430.20
				Admin Org Dues, Inv 2019- 200178, Membership Due		1,430.20
03/18/2019	Check	121327	John Deere Financial			-589.66
				Wtr Equip - Tractor Payment due 3/23/19		294.83
				Swr Equip - Tractor Payment due 3/23/19		294.83
03/18/2019	Check	121328	AT&T Mobility			-237.66
				Wtr Telephone - Due 04/01/19		95.43
				Swr Telephone - Due 04/01/19		95.43
				Admin Telephone - Due 04/01/19		46.80
03/18/2019	Check	121329	Frontier- 0107-010392-5			-121.78
				Wtr Telephone - Due 04/6/19		121.78
03/18/2019	Check	121330	Frontier- 0674-052704-5			-40.80
				Swr Telephone - Due 04/6/19		40.80
03/18/2019	Check	121331	Frontier- 9016-050297-5			-81.84
				Swr Telephone - Due 4/05/19		81.84

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
03/18/2019	Check	121332	Frontier- 8181-021204-5			-84.96
				Library Telephone - Due 03/25/18		84.96
03/18/2019	Check	121333	Comcast- 0580166			-191.38
				Wtr Internet due3/25/19		34.98
				Swr Internet due 3/25/19		34.98
				Wtr Telephone due 3/25/19		60.71
				Swr Telephone due3/25/19		60.71
03/18/2019	Check	121334	Comcast- 0580141			-266.12
				Admin Internet due 3/25/19		69.95
				Admin Telephone due 3/25/19		196.17
03/18/2019	Check	121335	CNA Surety			-350.00
				Bond #58303245, Comp #0601		350.00
				City Admin, City Recorder, City Clerk Bond		
03/18/2019	Check	121336	Gormley Plumbing			-1,306.18
				CLIENT #4822		1,306.18
				Inv #756218, Water Heater rental house		
03/18/2019	Check	121337	Edge Analytical Laboratories			-589.60
				Swr Analysis, Invoice 19-04357		153.60
				Swr Analysis, Invoice 19-05035		30.00
				Swr Analysis, Invoice 19-05675		30.00
				Swr Analysis, Invoice 19-05678		161.60
				Swr Analysis, Invoice 19-06844		30.00
				Wtr Analysis, Invoice 19-05677		16.00
				Wtr Analysis, Invoice 19-07549		67.20
				Wtr Analysis, Invoice 19-07551		67.20
				Wtr Analysis, Invoice 19-07722		17.00
				Wtr Analysis, Invoice 19-08428		17.00
03/18/2019	Check	121338	Yamhill County Public Works			-899.97
				Wtr Veh maint, Inv #0089216, Oil Change		239.87
				Wtr Veh Maint, Inv #0089283, Ball joint, Speaker		660.10
03/18/2019	Check	121339	GPEC			-2,175.65
				Wtr Maint, Inv #5792, WTP Soda Ash		677.86
				Swr Maint, Inv #5799, Compressor Fan		532.29
				Swr Maint, Inv #5829, Telemetry Not Working		212.50
				Str Utilities, Inv#5841, Street Lights		753.00
03/18/2019	Check	121340	Outdoor Fence Company			-85.00
				Cust Id #4278		85.00
				Swr Misc, Inv #97249, Gate Operator		

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
03/18/2019	Check	121341	Cascade Columbia Dist Co			-3,661.67
				Wtr Chemicals - inv 744131		1,774.99
				Swr Chemicals, Inv 744130		1,886.68
03/18/2019	Check	121342	Primisys			-50.00
				Swr Computer Maint, Inv 99544394		50.00
03/18/2019	Check	121343	Wilco Farmers			-41.89
				Wtr Maint, Inv 554929/1, PVC Adapters		1.90
				Wtr Clothing, Inv 554929/1, Hoodie		39.99
03/18/2019	Check	121344	Lowe's Companies, Inc.			-129.54
				Wtr maint, Inv 908158, Wood, Pvc		23.60
				Swr Office Supplies, Inv 908158, T. Paper, Lysol, Febreeze		37.57
				Wtr Maint, Inv 910561, Pipe, Adapter		6.06
				Wtr Safety Equip, Inv 910561, Earplugs		23.75
				Wtr Maint, Inv 908707, Plastic, Timer		21.51
				Wtr Office Supplies, Inv 908707, Tide Pods		17.05
03/18/2019	Check	121345	Chuck Colvin Auto Center			-32.65
				Cust #143913		-32.65
				Wtr Veh. Maint, Inv FOQS474356		32.65
03/18/2019	Check	121346	BOLI			-250.00
				Project #93021		-250.00
				Rice Lane Oak Ave #93021		250.00
03/18/2019	Check	121347	USA Bluebook			-604.88
				Customer #389574		-604.88
				Wtr Analysis, Inv 815084		353.04
				Wtr maint, Inv 815084		158.15
				Wtr Analysis, Freight Inv 815084		46.85
				Swr Analysis, Freight Inv 815084		46.84
03/18/2019	Check	121348	ORE VAC, Inc.			-1,170.00
				Wtr Maint, Inv 4478, Vac-x Wtr Srv 5th St		1,170.00
03/18/2019	Check	121349	Cascade Water Works, Inc			-371.00
				Wtr Maint, Inv #2019021, Filter Overflow		371.00
03/18/2019	Check	121350	Hach Company			-504.62
				Acct #111431		-504.62
				Swr Analysis, Inv 11345402, Hach Colitag 100 pack		504.62

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
03/18/2019	Check	121351	Correct Equipment			-348.58
				Meter Repl, Inv 38398, Parts, FlowIQ		348.58
03/18/2019	Check	121352	Haworth, Inc.			-7,746.00
				Wtr Maint, Inv 56362, Removal River Water Pump		7,746.00
03/18/2019	Check	121353	DEQ			-614.00
				Facility ID#2778 Wtr Llc, Inv WQ19IND-0700, Annual Invoice		614.00
03/18/2019	Check	121354	Natasha M. Johnson			-73.39
				Reimbursements Reimb Meals N. Johnson Sunriver Conference		49.25
				Reimb Travel N. Johnson, Mileage 41.60 x .58 to/fm Independence		24.14
03/18/2019	Check	121355	Pacific Office Automation			-417.98
				Customer #2000013386 Admin Folder Office Eq., Inv #33213384		99.82
				Admin Contract Svcs Inv #33213383, Sharp Copier		318.16
03/18/2019	Check	121356	Richard A. Howard Sr.			-845.00
				Wtr Contract Services Inv #12, Rpts, Cert Charge, DMR		422.50
				Swr Contract Services Inv #12, Rpts, Cert Charge, DMR		422.50
03/18/2019	Check	121357	Innova NW			-329.55
				Cust. #2090 Wtr contract services Inv #17949, 2000 Briedwell monitoring Services		119.85
				Swr Contract Service, Inv #17949, 401 E 3rd St, 312 3rd St, Monitoring Services		209.70
03/18/2019	Check	121358	City of Carlton			-224.00
				Judge Judge, March 2019		224.00
03/18/2019	Check	121359	Amiel, Christine			-40.00
				Interpreter Services March 2019 Interpreter Services		40.00
03/20/2019	Check	121360	Lopez, Amber			-60.00
				Admin 3 hours cleaning - (Tues 3/19/19)		60.00
03/20/2019	Check	121361	Postmaster			-55.00
				Roll of Stamps Admin Stamps		55.00

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
03/27/2019	Check	121362	Yamhill County Sheriff's Office	March 2019 Contracting Svcs		-19,531.03
				April 2019 Contracting Svcs		19,531.03
03/27/2019	Check	121363	Yamhill Communications Agency	YCOM-April 2019 User Fee, Inv FY19-10-AMI		-1,604.25
						1,604.25
03/27/2019	Check	121364	Washington State University- Conference Management	Reference #38614578, City of Amity, N. Johnson		-525.00
				Conf. N. Johnson, NCI Clerks, Inv 38614578		525.00
03/27/2019	Check	121365	P.G.E.- 9381950000			-1,041.27
				14006 SW Bellevue Hwy - Due 03/06/19		1,041.27
03/27/2019	Check	121366	P.G.E.- 7263511000			-30.72
				ABT 312 Stanley St - Due 03/06/19		30.72
03/27/2019	Check	121367	P.G.E.- 7049520000			-222.54
				313 4th St (Park Host) Due 04/1/19		222.54
03/27/2019	Check	121368	P.G.E.- 6497700000			-57.89
				307 S Trade St - Due 04/04/19		57.89
03/27/2019	Check	121369	P.G.E.- 2988660000			-165.27
				Nursery St and S Trade St - Due 04/6/19		165.27
03/27/2019	Check	121370	P.G.E.- 1341911000			-473.13
				200 N Trade - Due 04/06/19		473.13
03/27/2019	Check	121371	P.G.E.- 1636060000			-330.70
				401 S Trade St - Due 04/6/19		330.70
03/27/2019	Check		P.G.E.- 1636060000			-320.55
				401 S Trade St - Due 04/6/19		320.55
03/27/2019	Check	121372	P.G.E.- 3121980000			-164.28
				307 S Trade - Due 4/6/19		164.28
03/27/2019	Check	121373	P.G.E.- 9590310000			-26.07
				ABT 312 Stanley st - Due 04/04/19		26.07
03/27/2019	Check	121374	News Register	Act #3056		-1,158.18
				Admin Posting Inv 91924, Environmental Assessment		1,158.18
03/27/2019	Check	121375	Metereaders, LLC.			-655.68

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
				Water Meters Read In March, Inv 8750		327.84
				Water Meters Read In March, Inv 8750		327.84
03/27/2019	Check	121376	Innova NW	Cust. #2090		-329.55
				Wtr contract services Inv #18864, 2000 Briedwell monitoring Services		119.85
				Swr Contract Service, Inv #18864, 401 E 3rd St, 312 3rd St, Monitoring Services		209.70
03/27/2019	Check	121377	Express Services, Inc.	Acct #19490649		-1,646.80
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22049472		119.34
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22049472		159.12
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22049472		79.56
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22049472		39.78
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22049472		159.12
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22049472		159.12
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22049472		79.56
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22081317		127.68
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22081317		170.24
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22081317		85.12
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22081317		42.56
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22081317		170.24
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22081317		170.24
				B147- City Clerk/Receptionist - Torres, Irma- Inv #22081317		85.12

REGULAR MEETING OF THE COUNCIL
CITY OF AMITY, OR

Minutes

A Regular Meeting of the City of Amity City Council was held at 7:00 p.m. on Wednesday, February 6, 2019 in the Council Chambers, City Hall, 109 Maddox, Amity, Oregon.

Councilors Present

Councilor Robert Andrade, Councilor Ryan Lehman, Councilor Caralyn Miller, Councilor Joshua Simonson, Councilor Max Walker, and Mayor Michael Cape.

Councilors Absent

Councilor Rudy van Soolen

Staff Present

City Treasurer/Recorder Jackie Loos, Public Works Superintendent Gary Mathis, and City Clerk Natasha Johnson. Also, present was COG City Attorney Bill Monahan and City Planner Holly Byram.

CONSENT AGENDA:

Councilor Walker moved to approve the consent agenda, which consisted of bills from January 2019 and minutes from regular session dated January 2, 2019, minutes from special meeting dated January 19, 2019 and minutes from special meeting dated January 30, 2019. Councilor Miller seconded the motion. With no discussion, the consent agenda was approved 4-1 with Councilor Lehman opposing.

CITIZEN COMMENTS/QUESTIONS:

Eve Silverman with Amity DIG gave report. Eve discussed the Daffodil Festival and DIG will be putting it on this year and everything that will be taking place at the Daffodil Festival. Next DIG meeting will be February 15 at 11am.

Shannon Trunde had a question regarding the railroad tracks. She said there are lots of trash and glass. She wants to know who is in charge of keeping it cleaned up. She is concerned someone will get cut or hurt. Mayor Cape explained to Shannon that it is up to property owners to clean property. City will contact property owners and talk with the Sheriff Department about enforcing.

Barbara Bond with Tourism Committee gave report. Barbara discussed the primary focus of Tourism Committee. TC received grant and goal of project is to develop brand identity for Amity. TC sent survey to Amity Citizens and they received 50 responses. Barbara went over survey results. TC had a public meeting on January 21 and there were at least 50 people that attended. She went over the primary concerns which included parking, safe crossing and bike lanes. She said TC notices that no one from City and Council attended. Mayor Cape brought up that it is important for the council to go. Mayor Cape also said as far as adding lights to 99 it is up to ODOT and ODOT says they just don't have the funds. Mayor asked if any more comments. Rob Kistler wanted to encourage the council to go to the website and check the survey results.

Mayor Cape added two items to the agenda under new business. Added item H and I COG Item related to CDBG Grant and SEP Bids. There were no objections.

Mayor Cape talked about Rudy Van Soolen resignation and presented him with a plaque. Mayor Cape presented Jackie Loos with a plaque and talked about her resignation. Mayor Cape discussed will be hiring recorder and council.

Old Business:

- a. Appoint Budget Officer for 2020 Fiscal Year – Councilor Walker moved to appoint Chad Olsen as the Budget Officer for fiscal year 2019-2020. Councilor Lehman seconded the motion. With no discussion, the motion passed 5-0.

NEW BUSINESS:

- a. Audit Presentation by Grove, Mueller & Swank- Tom Gilgal presented 2017-2018 audit. Tom handed out financial ratios and went over them. There were no questions regarding this.
- b. Ordinance 660 – An ordinance Amending the Amity Comprehensive Plan Map and the Amity Zoning Map. Max Walker moved to approve ordinance 660 amending the comp map and zoning map. Caralyn Miller seconded the motion. With no discussion, the motion passed 5-0.
- c. Overview of the CBD ZC Process – Holly Byram, Planner, went over memo and design standards/options. 1st option would be no action; 2nd option would be to do a zone change which would cost around \$4,000 and would be about a 6-month process; 3rd option would be to change code for GC & LI, there is a grant for this option; 4th option would be to have volunteers help. The City would still need professional help and will take longer. Holly went over the next steps and questions the city follow to move forward. Holly asked if any questions. Councilor Simonson asked if could do two of the options. Holly said yes city could but could be some drawbacks. Mayor Cape asked about option 4 regarding volunteers, could that go back to the Planning Commission. Holly said yes, the Planning Commission could do a lot of the work. Mayor Cape is concerned going for another big grant when we already have big grant projects going on and no Administrator at this time. Holly said she isn't sure how the County is handling there grants this year. Mayor Cape suggested not doing option 3 but interested in option 2 with a smaller grant and to have the Planning Commission get involved. Mayor Cape suggested maybe a year from now re-visit this. Councilor Walker asked if we need a motion and Mayor Cape explained he doesn't think we need a motion, but to instruct staff to find out about the County Grant and get stuff ready for the Planning Commission. Councilor Walker direct staff to work on option 2. Councilor Lehman asked if this will all be prepared by the COG. Holly said it could be. Mayor Cape explained City isn't bound to have COG do the work. If City gets the grant, then City could look into who will do the work and would need Council approval. Councilor Simonson asked if need to instruct staff to instruct Planning Commission to start process. Mayor Cape explained matter getting pieces together and presented to the Council. Holly asked for clarification that the Council move to option 2 only if grand or funding available and, in the meantime, have the Planning Commission start brainstorming the process. Council yes that is correct.
- d. Disposal of Surplus Property – 2012 Dodge Charger – VIN:2C3CDXAG3CH131949; Councilor Walker moved to declare 2012 Dodge Charger as surplus property and direct City Administrator to dispose of property and to deposit proceeds to the police reserve funds. Councilor Lehman seconded the motion. Councilor Simonson asked clarification that there is a police reserve fund and not going to Sheriff's contract, Councilor Walker said not yet, the motion passed 5-0.

- e. 4th Street Repair Project: Approve \$7500 4th St. Repair project. Councilor Walker made motion to approve 4th Street Repair Project up to \$7500. Councilor Lehman seconded the motion. Mayor Cape asked if discussion from Councilors. Councilor Walker asked Public Works Gary Mathis if just to pave between the tracks. Gary Mathis said yes, it is just to pave between the tracks. Mayor Cape asked if anymore discussion. There were none. Without further discussion motion passed 5-0.
- f. Fire Hydrant Easement: Councilor Walker moved to approve Fire Hydrant Easement. Councilor Lehman seconded motion. With no discussion motion passed 5-0.
- g. Van Soolen Resignation – Councilor Walker moved to accept Councilor Rudy Van Soolen resignation. Councilor Miller seconded motion. With no discussion motion passed 5-0.
- h. CDBG Amendment: Bill Monahan, City Attorney, went over the Grant and when the project needs to be completed. The project needs to be completed by July 12, 2019. There is a change to the budget page adding install reservoir valve but no increase to the budget. Asking for approval to amendment 3 on the CBG Grant. Councilor Walker moved to approve amendment 3 to the CDBG Grant. Councilor Lehman seconded the motion. Mayor Cape asked if there is discussion from the Council. Councilor Walker asked for clarification that this is for extension of date to be completed and adding back to install the reservoir valve. Councilor Andrade asked question regarding the extension and the process. Bill went over the extension formality. Mayor Cape asked what the previous deadline was. Bill said there was no specific date, just needed to be completed within 36 months. Mayor Cape is concerned we still won't meet the extension date. Council Simonson asked why we picked that date. Bill explained not sure but thinking that is the 36-month mark. Mayor Cape said we will be filing for the extension. Without further discussion motion passed 5-0.
- i. SEP Bids: Gary Mathis, Public Works Superintendent, explained the SEP Bids. Instead of paying a violation, City can do a project instead of paying the violation. Project would be to work on the backup generator and need to pick a project now and wait for the budget. Mayor Cape asked clarification that 80% of fine amount would go to project, which would be around \$4,000. Gary asked Richard Howard, Contracted DRC, to explain. Richard explained the project. Councilor Walker asked if all the same project why such different amounts from the three bids. Gary explained GPEC can do all the work and not hire out. Where the other two bids would need to hire some of the job out. Mayor Cape asked if the current facilities at Oak and Trade would have any need for the generator or are there backup generators. Gary said they have backup generators. Councilor Lehman asked bids from GPEC excluded fuel for the generator. If go with them then need to find other means to provide the fuel. Richard explained it is easy to provide fuel to the generator. Richard suggest move forward with DEQ for their approval to use generator for the project then make motion at the next council meeting. Mayor Cape said wouldn't need motion just need to put in the budget. Mayor Cape asked council if agree use generator as the project. Councilor Miller asked if backup projects in case generator gets denied. Richard explained one of backup projects is taking Trade St. lift station and working on it. Mayor Cape told Public Works to go ahead and submit the paperwork.

DEPARTMENT REPORTS:

Interim City Administrator by Chad Olsen: Olsen submitted a written report and was absent at the meeting. Mayor Cape asked if anyone had anything to add to his report and he did include his timesheet. There were no questions for Olsen.

City Recorder by Jackie Loos: Loos submitted a written report and had nothing to add. Councilor Andrade asked who is on the interview process and when do they start. Mayor Cape said interviews were scheduled for the 13th but that is Court so looking at another date and Councilor Walker, Councilor Lehman and Councilor Miller were on the interview panel. Councilor Miller asked how many applicants, Loos said around 6 or 7 and that it is closed. Mayor Cape asked if any more questions for Loos. There were no more questions for Loos.

Public Works Report by Gary Mathis: Public Works Superintendent Mathis submitted a written report. Richard Howard, Contracted DPC, introduced himself and talked about SPEP Grants. Went over a lot of things that are contracted out and one of them being the lab testing. Explained how the City can do that in house and save some money in the long run. Talked about getting Gary Mathis certified and that it will take about 2-3 years to do that. Richard said he will stay on as long as it takes for Gary to get certified. Mayor Cape asked if there is a charge to become a certified lab. Richard explained, no it doesn't cost to become a certified lab, just the cost to get an employee certified to be able to do them. Mayor Cape asked if any one had any questions. There were no more questions for Richard.

City Engineer Billing Report: There was a billing report submitted. There were no questions for the City Engineer.

City Planner Report: an itemized invoice was presented to the Council. There were no questions for the City Planner.

Library Report by Marcia Robbins: Head Librarian Robbins submitted a report and presented to Council a request to think about getting a new library. Robbins explained the reasons why needing a new library. Mayor Cape explained some of the ideas the City has thought about in the past and that Chemeketa's requirements are strict to stay in the Chemeketa system. He understands nothing will happen if the City doesn't try. Robbins explained that there are grants available. Mayor Cape suggested maybe doing a work session in the spring and discuss it. There were no questions for Robbins.

Law Enforcement Report by Sheriff's Office: Todd Whitlow with SO submitted report along with pictures of the decals for the SO cars. Whitlow asked if any questions from the Council. Councilor Simonson asked how log traffic citations. Whitlow explained they are not logged reports. Whitlow went over substation renovations and SO wanting to do an Open House. Whitlow went over ordinances and updated on properties in town that had some ordinance complaints. Whitlow mentioned needing to update City's Ordinance Book. Whitlow suggested checking with local volunteers to help with cleaning up properties in town. Councilor Miller had question for SO regarding National Night Out and if SO will take over. Whitlow said SO would be happy to help with it. There were no more questions for Whitlow.

REPORTS FROM MAYOR AND COUNCILORS:

Mayor Cape- Mayor Cape submitted a written report and reminded Council about the Goal Setting scheduled on Saturday at 8:30. Also Council think of ideas and share them with Mayor Cape regarding committees. There were no questions for the mayor.

Councilor Walker- Chairperson for the Ordinance Committee submitted a written report and had nothing to add. There were no questions for Councilor Walker.

Councilor Miller- Chairperson for the Community Engagement Committee did not submit a report but was present and talked about the City-Wide Cleanup and coordinating with PW Mathis. The date for City Wide cleanup will be June 1 at 8 am. There were no questions for Councilor Miller.

Councilor Simonson- Chairperson for the Finance Committee did not have anything to report. There were no questions for Councilor Simonson.

Mayor Cape asked if Councilor Lehman or Councilor Andrade had anything they wanted to add since not assigned to a Committee. Councilor Lehman had a question regarding the first payment to the SO and if it was for 1 month or 2 months. Recorder/Treasurer Loos explained we were waiting for an invoice and that didn't realize SO doesn't invoice so City had to pay 2 months' worth.

Mayor Cape asked Council if anything else to add. There was nothing else to add from the Council

Councilor Walker moved to adjourn. Councilor Lehman seconded the motion. Motion passed 5-0.

Approved by City Council April 3, 2019

Michael Cape, Mayor

Attest:

Natasha Johnson, City Recorder

REGULAR MEETING OF THE COUNCIL
CITY OF AMITY, OR

Minutes

A Regular Meeting of the City of Amity City Council was held at 7:00 p.m. on Wednesday, March 6, 2019 in the Council Chambers, City Hall, 109 Maddox, Amity, Oregon.

Councilors Present

Councilor Robert Andrade, Councilor Ryan Lehman, Councilor Caralyn Miller, Councilor Joshua Simonson, and Mayor Michael Cape.

Councilors Absent

Councilor Max Walker

Staff Present

City Treasurer/Recorder Natasha Johnson, Public Works Superintendent Gary Mathis.

CONSENT AGENDA:

Councilor Miller moved to approve the consent agenda, which consisted of bills from February 2019. Councilor Lehman seconded the motion. With no discussion, the consent agenda was approved 4-0.

CITIZEN COMMENTS/QUESTIONS:

- A. Amity Fire District/McMinnville Fire District IGA Briefing: Chief Leipfert with McMinnville Fire Department gave briefing regarding IGA. Leipfert explained Amity Fire Chief Bruce Hubbard will be retiring July 2019. Leipfert wanted to brief the City that AFD will be having McMinnville provide services administrative requirements. AFD will remain the same but McMinnville will be in charge. MFD just wanted City to be aware of what is going on. AFD will be having an open house on March 16th. Mayor Cape asked if someone will be at AFD during business hours. FD explained there will be someone there along with a medic.
- b. Juliette's House Proclamation Request – National Child Abuse Prevention Month: Eli Cox gave a presentation regarding Child Prevention Month. Juliette's House is wanting the City to approve a proclamation declaring April as National Child Abuse Prevention Month. With making April NCAPM it's letting the community know what the month is about, and the national color is blue. They will be having a rally on April 10th in McMinnville. Juliette's House would like a donation from the City to help with supplies. Mayor Cape suggested to Council to donate \$200 towards supplies and check with leadership group at High School to help. Councilor Miller asked if it's something the City to put out the pinwheels and ribbon. Eli said they can do the work. Mayor Cape said he would really like the schools to help with it. Eli will talk with Kimi R. at the High School. Chad Olsen said City will type up proclamation on letter head and have Mayor Cape sign it and get them hung up. Eli will provide city with invoice. Citizen Rob Kistler donated \$20 to Juliette's House. Councilor Miller made motion to approve Juliette's House Proclamation in support of National Child Abuse Prevention Month with amendments updating showing City of Amity. Councilor Miller seconded motion. With no discussion, motion passed 4-0.

- C. Dig Report: Erin Rainey with DIG provided report. Updated Council on Daffodil Festival. DIG is finishing up finalizing and will be on March 16th at the Community Center. There will be vendors and plant sale. Erin mentioned News Register puts out a Visitor Guide and DIG is working on putting an ad in the Guide.
- D. Tourism Committee Report: Erin Rainey with the TC provided report. Councilor Andrade asked if there is an Amity Shirt. Erin said not yet, but there will be past Daffodil T-Shirts at the Festival.

Old Business:

- a. City Council Vacancy – Mayor Cape went over the 2 applicants that applied to be on the Council. The first Applicant Jerry Kizer didn't qualify due to not living in Amity City Limits. 2nd applicant Nickolas Wilkinson attended meeting and introduced himself. Mayor Cape asked Council if any questions for Nickolas. Councilor Lehman asked why he decided to move to Amity. Nickolas explained where they bought first house and will be here for a while. Mayor Cape explained being a Councilor can be busy. Went over all the meetings that are happening. Mayor Cape asked Nickolas his thoughts on the Public Safety Fee. Mayor Cape explained the Public Safety Fee. Nickolas thoughts on the fees are if collecting historically then he is for it. Councilor Lehman Moved to appoint Nickolas Wilkinson to the open council position. Councilor Andrade seconded motion. Mayor Cape asked if discussion. Councilor Simonson brought up making sure not conflict that they are neighbors. Chad Olsen said not conflict. There was no further discussion. Motion passed 4-0. Mayor Cape invited Nickolas to come to the Council Goal Setting on Saturday.
- b. Ordinance No. 660 Amending the Amity Comprehensive Plan Map and the Amity Zoning Map – 2nd and Final Reading and Adoption: Mayor Cape asked if any discussion. With no discussion motion passed 3-1

NEW BUSINESS:

- a. Ordinance No. 656 – Online NW Franchise Agreement- First Reading: Kathy Tate, CEO with Online NW gave presentation on what ONW is wanting to do in Amity. ONW is wanting to bring Fiber internet to Amity, starting with Amity Schools. Chad Olsen, Interim City Administrator went over agreement. Mayor Cape read ordinance first reading. Citizen Erin Rainey had question wants the wires to be underground and not on the poles. Erin wants to know who makes the decision? Mayor explained will have engineer see where can put the wires. Citizen Rob Kistler asked if city can dictate if Fiber goes underground or above ground. Chad Olsen explained can make determination for public improvement. Council Simonson asked how much wires they will be adding. Kathy Tate said they will just be adding one strand. ONW has been a local company for 20 years. Council Simonson asked what the estimated time is to offer to the public. Kathy Tate explained must have it available to the schools by July. ONW wants to come to Amity, just need to make sure enough customers will sign up. Mayor Cape asked anymore discussion. There was none. City will have on the April Agenda with second and final reading and a motion.

- b. Ratify Action Regarding Amendment No. 5 to Keller Task Order – WSI Project: Ratify amendment No. 5 to Keller task order – WSI Project. Mayor approved Geotech Engineering. Mayor Cape needs council to approve of the agreement. Mayor Cape explained what it is and to start construction on the water intake project. Council Lehman made motion to authorize the City Administrator to execute the attached Amendment No. 5 to the Keller Associates Task Order for the WSI Project in the amount of \$29,848. Councilor Miller seconded motion. Mayor asked if there was any discussion. Mayor Cape explained council that it will be about 3 months to get the report from Geotech. Chad Olsen explained what all Geotech is going to be doing and why the price change. Council Simonson asked if the new line will be where the old line is. Chad Olsen explained no, it will be a new line. With no further discussion Motion passed 4-0.
- c. Merseau Shannon Engagement Agreement: Chad Olsen explained what the agreement is. City will be hiring them to be City's bond council for the water bond. Council Lehman made motion to authorize City Administrator to execute the attached engagement letter with Merseau Shannon to act as the City's bond counsel for the Water System Improvement Project. Council Miller seconded motion. With no discussion motion passed 4-0.
- d. Authorize a New List of Check and Safety Deposit Box Signers: Mayor Cape said regarding check signers to strike President Max Walker, due to his resignation the Mayor received. Change the recommendation to not include Council Walker and to update City Clerk Natasha Johnson to Treasurer Natasha Johnson. Councilor Miller made motion to move to update the list of authorized check signers on the City of Amity's First Federal checking account to include Mayor Michael Cape, Finance Committee Members Caralyn Miller and Joshua Simonson and City Treasurer Natasha Johnson, contingent on passing the bank's credit Check and remove any and all others. In addition, update safety deposit box signers to include Mayor Michael Cape and City Treasurer Natasha Johnson contingent on passing a bank's credit check and remove any and all others. Councilor Robert Andrade seconded motion. Without further discussion motion passed 4-0.
- e. Donations as Recommended by Finance Committee: Mayor Cape explained in the past we get request to donate to different organizations. The Council goes over the request a couple of times a year. Mayor Cape asked Councilor Simonson if received any request. Councilor Simonson explained just received one from Homeward Bound Pets for \$500. Councilor Simonson wanted to know if can pull from police funds since this is where dogs go. Mayor Cape asked Councilor Simonson if he found out if can do that. Councilor Simonson said not at the time he didn't find out. Mayor Cape suggested tabling until Aprils Meeting to give time for Councilor Simonson to find out.

DEPARTMENT REPORTS:

Interim City Administrator by Chad Olsen: Olsen submitted a written report. Mayor Cape explained to Council that Chad Olsen sent email out regarding his contract and not being the Interim City Administrator. Mayor Cape talked with Recorder/Treasurer Natasha Johnson regarding staffing. Mayor Cape explained contract states give 30 days and Chad Olsen gave 7-10 days and that Mayor Cape is ok with the shorter notice. Councilor Simonson asked what the hiring process is looking like for the new Administrator. Mayor Cape explained where at with the process and contracting with Sean O'Day with Cog taking over the hiring process and the cost is around \$4500. Councilor Lehman only concern in releasing Chad Olsen early is making sure City will still be on track with the water project. Mayor Cape asked Sean O'Day to discuss with Renate with Cog and if she would be able to provide us with the assistance. Sean explained to Mayor that he would discuss it over with her. Councilor Simonson asked PW Superintendent Gary Mathis how comfortable he was with the Project. Gary said that he and Richard will be able to keep it going.

Mayor Cape said it is more with the financing part of the Grant that we would need help with. Councilor Miller asked if there would be a cost with having help from COG. Mayor Cape explained yes there will be a cost but will still have the same cost if have Administrator do the work. Councilor Miller just concerned with the budget coming up and Recorder Johnson needing help with it this year and what the cost would look like. Mayor Cape Council could look into having another interim for 2 months, but not sure how successful that will be. Councilor Lehman suggest Chad Olsen stays the 30 days as stated in the contract as it is what would be best in the interest of the city and keep the ball rolling with the project. Councilor Miller only question is would council have more information at the goal setting on Saturday. Mayor Cape explained Chad said he can wrap up anything with the project in the next 5-10 days. Mayor Cape confident City can get thru the process. Mayor Cape is confident that Recorder Johnson can learn and reach out for the budget at the training she is attending next week. Mayor Cape biggest concern is the project. Renate with COG knows about the grants and helping with them. Councilor Simonson went over the figures of having an administrator. If go with Renate would be around the same. Chad explained would be around the same. Councilor Simonson asked Chad if went over applications and if anyone would be interested in being an interim. Chad explained City wouldn't want to do that. Mayor Cape explained that when someone is ready to leave a job to let them and, in this case, would be the best and that he recognizes Councilor Lehman's concerns. Mayor Cape is asking the Council to approve the contract with COG and set Chads final day. Mayor Cape explained according to city charter if the City doesn't have an administrator then the duties do fall on the mayor. Mayor Cape is willing to pick up as much as he can but can't do all of it. Chad Olsen is offering to stay on to help oversee the water project, budget and finish out the first part of the hiring process. Councilor Simonson asked if it would be remote or would Chad come in. Chad said he would only come in when needed and he is willing to do it until the City finds an administrator. Chad isn't sure if need to amend his contract, just the City would know Chad wouldn't be doing the daily duties. Councilor Simonson said that seems the easiest to keep Chad on. Councilor Lehman stated he would feel more comfortable keeping Chad on and releasing his obligation early and have Chad just help with certain project. Mayor Cape wanted to make the recruitment process clear. Chad would help thru March with the rakings then Sean would take on from there. Chad would still be managing projects then hand off project to the new Administrator. Chad explained the budget process and that Recorder Johnson could do the budget but that she never has done one before and can be hard the first year. Mayor Cape suggested that City should still contract with COG for the recruitment process and Sean will give us the final cost on what it will be. Mayor Cape explained he thinks Chad can work the Recorder Johnson on the budget and the Water Project but wants to make sure respectful to Chad's decision and that city says goodbye on good terms. Councilor Simonson said would give Chad more time to focus just on the projects. Councilor Simonson asked what the purpose would be behind hiring cog for the recruitment. Chad Olsen explained very time consuming and the rest of the process with hiring. Councilor Simonson asked if Chad is willing to continue to do it and Chad explained he would be if Recorder Johnson will help coordinate and he would delegate to Johnson. Chad said he would prefer not to do the recruitment process and suggest having Sean continue or the Mayor. Mayor Cape would feel safer if have something with the COG if anything for backup if Chad decides doesn't want to do it. Councilor Lehman made suggestion the city contract with cog to handle recruitment and to have Chad Olsen continue with Water Project and to assist with budget as needed. Councilor Simonson agrees with it. Councilor Lehman says that allows the City to release him of his obligations. Chad said he would be as needed for the budget and water project but would also be proactive as needed. Councilor Lehman says city can terminate the agreement at any time with 30 days' notice. Councilor Simonson made motion for Mayor Cape to contract with COG for the City Administrator Recruitment and to negotiate with Chad Olsen as needed to manage the projects. Councilor Lehman seconded motion. Without further discussion motion passed 4-0. Mayor Cape asked Chad Olsen how many applications the City has received as of now. Chad Olsen said around 20-25 applications.

City Recorder by Natasha Johnson: Johnson submitted a written report and had nothing to add. Mayor Cape announced that Natasha Johnson is the official City Recorder/Treasurer for the City of Amity. As part of all the changes there will be a lot of added duties to Recorder Johnson and fair to compensate Johnson for all the extra work. Johnson for the last month was doing the Recorder/Treasurer duties as the City Clerk. Mayor Cape is proposing a onetime bonus of \$1000 and look at another bonus potentially around May when done with the recruitment process and go over all the extra work Recorder Johnson put in and if work load is exceptional then look at a possible bonus. Councilor Miller made motion to give Recorder Natasha Johnson a onetime bonus of \$1000 for the work done in February. Councilor Andrade seconded motion. Citizen Erin Rainey asked if going to replace Natasha Johnson's City Clerk Position. Mayor Cape explained Natasha Johnson is the department head and up to her on what would like to do. As of now the City has a temp filling in the City Clerk Position. Councilor Simonson made motion to approve the \$1000 bonus for the month of February for Natasha Johnson. Councilor Miller seconded motion. Councilor Lehman asked Natasha Johnson is currently now getting paid Recorder/Treasurer pay. Mayor Cape explained getting paid step one on the Recorder/Treasurer scale. Without further discussion motion passed 4-0. There were no more questions for Johnson.

Public Works Report by Gary Mathis: Public Works Superintendent Mathis submitted a written report. Gary Mathis had nothing to add to his report. Chad Olsen asked Mathis if anything has happened. Mathis said nothing has happened. Councilor Simonson asked if there was a plan where the apartments are for them to patch the road back. Mathis explained yes, they will fix it. Councilor Andrade asked about the bridge leaving Amity by the park and if plans to fix it, Mathis said there are plans to replace the whole bridge in 2022. Mathis explained the hold up and that ODOT would have to close the whole bridge and would add 10-15 minutes to Fire Calls. Councilor Simonson asked if they know how long to keep it closed. Mathis said from around May to September. Mayor Cape asked Mathis to touch base before head to the meeting. Mayor Cape asked if any one had any questions. There were no more questions for Richard.

Law Enforcement Report by Sheriff's Office: Todd Whitlow with SO submitted report. Whitlow went over the Crime Report for February. The remodel of the office is all done and wanting to do an open house in May two hours before council meeting. Whitlow asked if the council is aware of the drug take back policy. Explained that the vault at the FD will be brought down to SO in Amity and if anyone has medications to get rid of, they can bring it to SO in Amity. SO, will be having a radar trailer in Amity and it is operated on a solar panel and will record the speed of every car that goes by and the average of the speed. Whitlow went over Ordinances and what SO is focusing on. Whitlow gave Recorder Johnson a copy of a sample of a door hanger to hand out for violation of ordinances. Mayor Cape let SO know that the comments Mayor is seeing have been positive. There were no more questions for Whitlow.

Library Report by Marcia Robbins: Head Librarian Robbins submitted a report. There were no questions for Robbins.

City Engineer Billing Report: There was a billing report submitted. There were no questions for the City Engineer.

City Planner/Attorney Report: an itemized invoice was presented to the Council. There were no questions for the City Planner.

REPORTS FROM MAYOR AND COUNCILORS:

Mayor Cape- Mayor Cape submitted a written report and that it has been a busy month. Mayor Cape reminded Council about the Goal Setting scheduled on Saturday at 8:30. Mayor Cape reminded Council to look over survey results and if have any questions to bring them. Citizen Erin Rainey asked if it is a public meeting. Mayor Cape let her know that it is a public meeting. There were no questions for the mayor.

Councilor Miller- Chairperson for the Community Engagement Committee did not submit a report but was present and talked about the City-Wide Cleanup and coordinating with PW Mathis. The date for City Wide cleanup will be June 1 at 8 am. Whitlow asked if City would like a work crew and supervisor to assist with helping and to let Whitlow know. Councilor Miller asked if send email and Whitlow said yes on the email. There were no questions for Councilor Miller.

Councilor Simonson- Chairperson for the Finance Committee did not have anything to report. The only thing that was discussed were the donations. There were no questions for Councilor Simonson.

Councilor Lehman – Councilor Lehman had nothing to report. There were no questions for Councilor Lehman.

Councilor Andrade- Councilor Andrade had nothing to report. There were no questions for Councilor Andrade.

Councilor Walker – Mayor Cape went over Councilor Walker's report. Councilor Walker was working on the Council Rules and submitted what he had. Mayor Cape will send out what has been done on the Council Rules to the Council. There were no questions for Councilor Walker.

Mayor Cape asked Council if anything else to add. There was nothing else to add from the Council

Councilor Lehman moved to adjourn. Councilor Andrade seconded the motion. Motion passed 4-0.

Approved by City Council April 3, 2019

Michael Cape, Mayor

Attest:

Natasha Johnson, City Recorder

REPORT TO THE AMITY CITY COUNCIL FROM THE TOURISM COMMITTEE
Prepared by Barbara Bond for committee meeting on April 3, 2019

Amity's Tourism Committee is working to finalize a brand tagline and to define options for a logo. The Committee met on February 13 and selected two possibilities for a tagline from the options presented by our consultants, the Lookout Co. The next meeting is scheduled for noon on April 3 – the same day as the City Council meeting. We will present a summary of the the April 3 Tourism Committee meeting to share at the City Council meeting.

Meanwhile, several members of the Tourism Branding Team have reviewed notes and results from the public survey and public meeting that was conducted on January 31. Several concerns as well as a great deal of enthusiasm emerged from those public exchanges. As we noted in the Tourism Committee Report to the City Council on Feb. 5, two issues that are most significant to tourism as well as to the community are: 1) increasing public parking in the downtown area, and 2) increasing pedestrian safety, especially across Hwy 99. We realize that these are very difficult issues, but they MUST be resolved. We request that the City Council work with the Tourism Committee and Branding Team so that we be of help to resolve these issues.

Finally, I was not able to come to the City Council meeting last month because I went with another member of the Branding Team, Deb Conrad, to a meeting in the City of Yamhill. With help from SEDCOR, a community group in Yamhill is working with the RDI on a "grass roots" city improvement process. Deb and I were intrigued that a sub-committee of this group in Yamhill is organizing a city cleanup initiative, and we were invited to "listen in" on one of their planning meetings. Amity of course already has its own annual clean up event, but we think there might be ways to rally community support to expand this effort. Improving the appearance of the community was another top issue that arose at our community meeting on January 31.



CITY OF AMITY

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AGENDA ITEM

To: Mayor and Members of the City Council
From: Natasha Johnson, City Recorder/Treasurer
Date: April 3, 2019
Action Requested: Ordinance No. 656: Franchise Agreement with Online NW – **2nd Reading**

Background

Online Northwest requested a franchise agreement to provide telecommunication services within the City limits. The company has been awarded a new contract for services at Amity School District and part of the agreement includes constructing fiber to the Elementary School and the High School which will require some construction in the public right of way. The contract begins July 1st, 2019 so the company desires to have construction completed before that.

The attached ordinance provides the terms and conditions for the proposed franchise agreement and includes standard terms and conditions including:

- | | |
|------------|---|
| Section 1. | Definitions |
| Section 2. | Grant of Authority |
| | <ul style="list-style-type: none">• 10-year term; Non-exclusive rights; 3rd year franchise review option to City |
| Section 3. | Standards of Service |
| | <ul style="list-style-type: none">• Restoration of ROW; Relocation of facilities at City request; Relocation for a 3rd party; Undergrounding; Extensions for service; Maintenance; Safety requirements; system standards; Customer service standards |
| Section 4. | Regulation by the Franchising Authority |
| | <ul style="list-style-type: none">• Franchise fee (5% of annual gross revenue or \$2,500 per year, whichever is greater); Regulation of rates; Audit of franchise fee payments; Inspections for compliance; Franchise renewal; Transfer of franchise |
| Section 5. | Books, Records and Maps |
| | <ul style="list-style-type: none">• City access to books, records and maps |
| Section 6. | Insurance and Indemnification |
| Section 7. | Enforcement and Termination of Franchise |
| Section 8. | Miscellaneous Provisions |

The ordinance has been reviewed and approved by City Attorney Monahan.

Exhibits

[Ordinance No. 656 granting a franchise agreement to McMinnville Access Company \(Online NW\)](#)

Recommendation

Staff respectfully recommends the following: "Move to approve on second and final reading Ordinance No. 656; an ordinance granting McMinnville Access Company, an Oregon corporation a franchise to conduct general telecommunications business and granting a right to use public rights of way within the City."

ORDINANCE NO. _____

AN ORDINANCE GRANTING MCMINNVILLE ACCESS COMPANY, INC., AN OREGON CORPORATION DBA ONLINE NW, A FRANCHISE TO CONDUCT GENERAL TELECOMMUNICATIONS BUSINESS AND GRANTING A RIGHT TO USE PUBLIC RIGHTS OF WAY WITHIN THE CITY

RECITALS:

WHEREAS, pursuant to federal law, state statutes, City Charter, and local ordinances, the City of Amity is authorized to grant non-exclusive franchises to occupy "public rights-of-way" (sometimes referred to as "Public Ways" in this Franchise), in order to construct, operate, and maintain a telecommunication system within the municipal boundaries of the City of Amity ("Franchise Area");

WHEREAS, the City has found that McMinnville Access Company, Inc., dba Online NW, the Franchisee, meets all lawful requirements to obtain a franchise, and therefore approves the application;

WHEREAS, both the City and the Franchisee expressly reserve all rights they may have under law to the maximum extent possible; neither the City nor the Franchisee shall be deemed to have waived any federal or state constitutional or statutory rights they may now have or may acquire in the future by entering into this agreement.

THE CITY OF AMITY ORDAINS AS FOLLOWS:

Section 1. Definitions

For the purpose of this Franchise Agreement, terms, phrases, words, and abbreviations shall have the meanings ascribed to them in common usage except as otherwise defined herein.

Section 2. Grant of Authority

2.1. Grant. The City of Amity ("Franchising Authority" or "City") hereby grants to McMinnville Access Company dba Online NW ("Franchisee" or "Grantee") a franchise and nonexclusive right to conduct a general telecommunications business within the City and nonexclusive right to place, erect, lay, maintain and operate in, upon, under and over public rights of way ("public ways") within the City poles, wires, cables, fiber optics, conduit and other appliances and conductors (collectively, facilities} for the transmission of light, electricity, or other impulses for telecommunications purposes, including the provision of telecommunications, private line, and Internet access services (collectively, telecommunications services}. Such facilities may be strung upon poles and other fixtures above ground or may be laid underground in pipes and conduits or otherwise protected. This ordinance does not grant Grantee authority to use its facilities to provide any non-telecommunications services. The facilities installed pursuant to the terms hereof shall be located so as to cause a minimum of interference with the proper use of public ways and with the rights and reasonable convenience of property owners who own property that adjoins any of such public ways.

2.2 Other Ordinances. The Grantee agrees to comply with the terms of any lawfully adopted generally applicable local ordinance. In the event of a conflict between City of Amity ordinances that are in effect as of the date of this ordinance and this Franchise, City ordinances shall control, and the Grantee is subject to the lawful exercise of the police power of the Franchising Authority, including all provisions of City ordinances. In the event of a conflict between this Franchise and any amendment to City ordinances effective after the date of this Franchise, except for provisions relating to health, safety, building and specialty codes adopted by the City, this Franchise shall control. The City will administer this Franchise in a uniform, non-discriminatory manner with respect to other telecommunications franchises.

2.3 Non-Exclusive. The Franchising Authority reserves the right to grant one (1) or more additional franchises or other similar lawful organizations to provide telecommunications or telecommunications services within the Franchise Area.

2.4. Term. The Franchise granted hereunder shall be for a term of ten (10) years commencing on the effective date of the acceptance of this ordinance by Grantee, unless otherwise lawfully terminated in accordance with the terms of this Franchise.

2.5. Franchise Review. Upon the commencement of sale of telecommunications services within the City, and within sixty (60) days of the third anniversary or any of the subsequent anniversaries of the commencement of the sale of telecommunications services within the City, the Franchising Authority may, but is not required to, conduct a limited review of the Franchise. The purpose of the review, if undertaken, shall be to ensure, with the benefit of full opportunity for public comment, that the Grantee continues to effectively serve the public in light of new developments in telecommunications technology together with related developments in telecommunications law and regulations, and community needs and interests. Both the Franchising Authority and Grantee agree to make a full and good faith effort to participate in the review.

If after, completion of the review, the Franchising Authority and Grantee agree that the public interest will be served by modifying certain franchise obligations and/or extending the term of the Franchise, the Franchising Authority, with the express written agreement of the Grantee, shall modify the obligations and/or extend the term of the Franchise accordingly.

Section 3. Standards of Service

3.1 Conditions of Occupancy.

- A. The telecommunications system installed by the Grantee pursuant to the terms hereof shall be located so as to cause a minimum of interference with the proper use of Public Ways. Prior to the commencement of any construction, extension or relocation of Grantee's telecommunications services in the Public Ways, Grantee agrees to obtain the necessary and required approvals from the Franchising Authority, including a right-of-way permit, and make payment of applicable fees.

B. Grantee's services shall be constructed and maintained in such a manner as not to interfere with sewers, water pipes, or any other property of the City, or with any other pipes, wires, conduits, cables or other facilities that may be in the Public Way by or under the City's authority. Grantee and City shall work together during any design process affecting the Public Ways to establish suitable locations for Grantee's facilities, provided however, that all new installations serving new development shall access new lots and parcels through utility easements delineated on the approved partition or subdivision plat for such development.

3.2 Restoration of Public Ways. If during the course of the Grantee's construction, operation, or maintenance of the telecommunications services there occurs a disturbance of any Public Way by the Grantee, Grantee shall replace and restore such Public Way to a condition reasonably comparable to the condition of the Public Way existing immediately prior to such disturbance. In the event Grantee fails to restore the Public Way to a condition reasonably comparable to the condition existing immediately prior to such disturbance, the Franchising Authority may restore or cause to restore such Public Way at the expense of Grantee; provided, that the Franchising Authority provides Grantee with reasonable notice to restore and grantee fails to restore such Public Way within the time period given by the franchising authority.

3.3 Relocation at Request of the Franchising Authority. Grantee, at its own expense, shall protect, support, temporarily disconnect, relocate in or remove from the Public Way, any property of the Grantee when lawfully required by the Franchising Authority by reason of traffic conditions, public safety, street abandonment, freeway and street construction, change or establishment of street grade, installation of sewers, drains, gas or water pipes, or any other type of structures or improvements by the Franchising Authority which are not used to compete with the Grantee's services, provided that:

- A. The City Engineer or designee first makes a reasonable determination that such relocation, removal, disconnection, protection or support is convenient or necessary for a public purpose or a City improvement project;
- B. The City provides Grantee with at least forty-five (45) days prior written notice describing the schedule for such relocation, removal, disconnection, protection or support; provided, however, that in the event of an emergency, the City shall only be obligated to give Grantee written notice as soon as practicable under the circumstances; and
- C. The City provides Grantee with copies of pertinent portions of the plans and specifications for such improvement project and a proposed location for Grantee's Facilities so that Grantee may relocate its Facilities in other City Rights-of-Way or other location in order to accommodate such improvement, provided however, that nothing in this section shall require City to obtain or guarantee the availability of an alternative location or compensate Grantee therefor.

3.4 Relocation for a Third Party. The Grantee shall, on the request of any Person holding a lawful permit issued by the Franchising Authority, protect, support, raise, lower, temporarily disconnect, relocate in or remove from the Public Way as necessary any property of Grantee, provided:

- A. the expense of such shall be paid by the Person benefiting from the relocation, including, if required by the Grantee, making such payment in advance; and
- B. the Grantee is given reasonable advance written notice to prepare for such changes. For purposes of this Section 3.4, "reasonable advance written notice" shall be no less than ten (10) business days in the event of a temporary relocation, and no less than 120 days for a permanent relocation.

3.5 Trimming of Trees and Shrubbery. Subject to acquiring prior written permission of the Franchising Authority including any required permit, the Grantee shall have the authority, but not the obligation, to trim trees that overhang a Public Right of Way of the Granter so as to prevent the branches of such trees from coming in contact with its facilities, in accordance with applicable codes and regulations.

3.6 Safety Requirements. Construction, operation, and maintenance of the telecommunications services shall be performed in an orderly and workmanlike manner. All such work shall be performed in substantial accordance with generally applicable federal, state, and local regulations, in compliance with all adopted building, construction safety and fire codes and standards and the National Electric Safety Code. The telecommunications services shall not endanger or unreasonably interfere with the safety of Persons or property.

3.7 Underground Construction. Construction, operation, and maintenance of the telecommunications services shall be performed in an orderly and workmanlike manner. All such work shall be performed in substantial accordance with generally applicable federal, state, and local regulations, in compliance with all adopted building, construction safety and fire codes and standards and the National Electric Safety Code. The telecommunications services shall not endanger or unreasonably interfere with the safety of Persons or property.

3.8 Placement of Facilities Underground; Access to Open Trenches. Should it become a matter of public interest and convenience that a certain portion of the Grantee's aerial facilities and aerial facilities of other users of the Public Ways be placed underground, the Franchising Authority shall conduct a hearing to determine whether the underground placement of such facilities will serve said public interest and convenience. The Franchising Authority shall provide written notice of this hearing to Grantee, who shall be afforded a meaningful opportunity to comment at the hearing.

3.9 Required Extensions of the Telecommunications Services for Residential Service. If Grantee initiates telecommunications services to residential subscribers within the Service Area as depicted in Exhibit A, Grantee agrees to provide telecommunications to all residents in the Service Area subject to the density requirements specified in this Section 3.9.

If the Grantee receives a request for telecommunications service from a Residential Subscriber in a contiguous unserved area and there are at least 12 residences within 1320 cable-bearing strand feet (one quarter cable mile) from the portion of Grantee's trunk or distribution cable which is to be extended, it shall extend its telecommunications services to such Residential Subscriber at no cost to said Residential Subscriber for the telecommunications services extension, other than the publicized Standard/non-Standard Installation fees charged to all Residential Subscribers.

Notwithstanding the foregoing, the Grantee shall have the right, but not the obligation, to extend the telecommunications services into any portion of the Service Area, where another operator is providing telecommunications service. Except for the specified Service Area, Franchisee shall not be required to extend to any other areas within the Franchise Area during the term of this Franchise or any Renewals thereof. If Franchisee desires to add Additional Service Areas within the Franchise Area, Franchisee shall notify Franchising Authority in writing of such Additional Service Area at least ten (10) calendar days prior to providing services in such areas.

3.10 Subscriber Charges for Extension of the Telecommunications Services for Residential Service. If Grantee initiates telecommunications services to Residential Subscribers within the Service Area as depicted in Exhibit A, Grantee agrees to provide telecommunications as specified in this Section 3.10. No Residential Subscriber shall be refused service arbitrarily. However, if any area does not meet the density requirements of Section 3.9 above, the Grantee shall only be required to extend the telecommunications services to Residential Subscriber(s) in that area if the Residential Subscriber(s) are willing to share the capital costs of extending the telecommunications services. Specifically, the Grantee shall contribute a capital amount equal to the construction cost per mile, multiplied by a fraction whose numerator equals the actual number of residences per 1320 cable-bearing strand feet from Grantee's trunk or distribution cable, and whose denominator equals (12). Residential Subscribers who request service hereunder shall bear the remaining cost to extend the telecommunications services on a pro rata basis. The Grantee may require that payment of the capital contribution in aid of construction borne by such potential Residential Subscribers be paid in advance. Residential Subscribers shall also be responsible for any Standard/non-Standard Installation charges to extend the telecommunications services from the tap to the residence.

3.11 Businesses Within Residential Areas. Service provided to a business is not considered residential service even if the business is located in an individual's home.

3.12 System Standards. The telecommunications services shall meet or exceed all applicable technical and performance standards. The Grantee shall also comply with all applicable testing requirements. Upon request, Grantee shall advise the Franchising Authority of schedules and methods for testing the telecommunications services to determine compliance with the provisions of applicable technical standards. Representatives of the Franchising Authority may witness the tests. This first paragraph of this Section 3.12 will apply only if and when federal or state law imposes technical and performance standards on the telecommunications services provided by Grantee, and Grantee and the City acknowledge that no such standards apply to telecommunications services as of the date of this Franchise.

Written records of all system tests required by applicable federal or state law to be performed by or for the Grantee shall be maintained at Grantee's business office and shall be available for inspection during Grantee's normal business hours by the Franchising Authority upon written request. Grantee, upon written request of Franchising Authority, shall provide a summary or complete copy of such test results. Whenever it is necessary to shut off or interrupt service for the purpose of making repairs or maintaining the telecommunications services, Grantee shall do so at such times that will cause the least amount of inconvenience to Subscribers, and unless such interruption is unforeseen and immediately necessary, it shall give reasonable notice thereof to Subscribers. Notwithstanding anything to the contrary, Grantee's obligation to provide, replace, construct, maintain or operate the telecommunications services under this Franchise shall be excused for any period during which such service is prevented or interrupted by causes beyond the control of Grantee including acts of nature, fire, flood, unavoidable casualty, extraordinary delays in transportation, strikes or power interruption or regulations. Telecommunications service shall thereafter be restored as soon as reasonably possible.

- 3.13 Customer Service Standards/Complaint Resolution. Should a Subscriber have an unresolved complaint regarding telecommunications service with Grantee, the Subscriber may file a complaint with the Franchising Authority and thereafter to meet or discuss jointly with the representatives of the Franchising Authority and grantee within 30 days of filing the complaint with the Franchising Authority to address and resolve the Subscriber's complaint. For purposes of this paragraph, a "complaint" is a grievance related to the telecommunications service provided by the Grantee that is reasonably remedied by Grantee but does not include customer contacts resulting in routine service calls that resolve the subscriber's problem satisfactorily to subscriber.

Section 4. Regulation by the Franchising Authority

4.1 Franchise Fee; Regulation of Rates.

- A. The Grantee shall pay to the Franchising Authority a franchise fee equal to the greater of five percent of annual Gross Revenue or \$2,500.00. "Gross Revenues" shall mean any revenue received by Grantee from the provision of telecommunications services in the City, provided, however, that such phrase shall not include:
- (1) any tax, fee or assessment of general applicability collected by Online NW from subscribers for pass-through to a government agency;
 - (2) any revenue derived from the provision of Internet access services where such franchise revenue is expressly prohibited by federal or state law; and

(3) unrecovered bad debt.

The franchise fee payment shall be due quarterly and payable within forty-five days after the close of the preceding calendar quarter. Each payment shall be accompanied by a brief report prepared by a representative of the Grantee showing the basis for the computation. The percentage amount of the franchise fee may change, at the discretion of the Franchising Authority, if provided for by new federal law and upon ninety days' notice to Grantee by Franchising Authority.

With the approval of the Franchising Authority, Grantee may, in lieu of all or a portion of the minimum franchise fee payment required under Section 4.1 (A), provide telecommunications or other services to the City. Any agreement for the provision of such services will be as mutually agreed by the parties in separate documentation and the offset value of any such services provided to the City will be determined based on the standard rates Grantee charges to third party customers for substantially equivalent services.

B. Audit of Franchise Fee Payments

B.1. Franchising Authority or its designee may conduct an audit or other inquiry in relation to payments made by Grantee no more than once every two years during the Term. As a part of the audit process, Franchising Authority or Franchising Authority's designee may inspect Grantee's books of accounts relative to Franchising Authority at any time during regular business hours and after thirty (30) calendar days' prior written notice.

B.2. All records deemed by Franchising Authority or Franchising Authority's designee to be reasonably necessary for such audit shall be made available by Grantee in a mutually agreeable format. Grantee agrees to give its full cooperation in any audit and shall provide responses to inquiries within thirty (30) calendar days of written request. Grantee may provide such responses within a reasonable time that is mutually agreeable, after the expiration of the response period above, so long as Grantee has made a good faith effort to procure any such tardy response.

B.3. If the results of any audit undertaken which included gross revenue from the sales of telecommunications services within the City indicate that Grantee (i) paid the correct franchise fee, (ii) overpaid the franchise fee and is entitled to a refund or credit, or (iii) underpaid the franchise fee by five percent (5%) or less, then the Franchising Authority shall pay the costs of the audit. If the results of the audit indicate Grantee underpaid the franchise fee by more than five percent (5%), then Grantee shall pay the reasonable, documented, independent third-party costs of the audit, which costs shall be limited to seven thousand five hundred dollars (\$7,500). If any audit discloses an underpayment of the franchise fee in any amount, Grantee shall pay Franchising Authority the amount of the underpayment, together with interest computed from the applicable due date, at a rate per annum equal to the highest Bank Prime Rate during the period of delinquency plus one percent (1%). The Bank Prime Rate shall mean the prime lending rate as it appears in the Wall Street Journal during the period of delinquency.

- C. Franchising Authority may regulate rates for the provision of telecommunications services and equipment as expressly permitted by federal or state law.

4.2 Inspections for Compliance. The Franchising Authority may inspect the telecommunications services, during reasonable times and in a manner that does not unreasonably interfere with the normal business operations of Grantee, in order to determine compliance with standards imposed by applicable federal or state law. Except in emergency circumstances, such inspections may be undertaken only after giving no less than five (5) days advance notice thereof and after giving Grantee an opportunity to be present during such inspections. In the event such inspection determines that Grantee's telecommunications services have substantially failed to comply with the applicable standards, the cost of the inspection shall be borne by the Grantee. Except in emergency circumstances, the Franchising Authority agrees that such inspection shall be undertaken no more than annually, and that the results thereof shall be provided to Grantee.

4.3 Renewal of Franchise.

- A. The Franchising Authority and the Grantee agree that any proceedings undertaken by the Franchising Authority that relate to the renewal for the Grantee's Franchise shall be governed by and comply with this Franchise or any ordinance which addresses such renewal procedures.
- B. Notwithstanding anything to the contrary set forth in this Section 4.3, the Grantee and the Franchising Authority agree that at any time during the term of the then current Franchise, while affording the public appropriate notice and opportunity to comment, the Franchising Authority and the Grantee may agree to undertake and finalize informal negotiations regarding renewal of the then current Franchise and the Franchising Authority may grant a renewal thereof.

4.4. Transfer of Franchise. The Grantee's right, title, or interest in the Franchise shall not be sold, transferred, assigned, or otherwise encumbered, other than to an entity controlling, controlled by, or under common control with the Grantee, without the prior consent of the Franchising Authority. Notwithstanding the foregoing, Grantee may, without the City's consent, pledge the Franchise to its lenders solely for the purpose of securing indebtedness, except that the City's consent shall be required before the lender assumes the Franchise.

Section 5. Books, Records and Maps

5.1 Books and Records. The Grantee agrees that the Franchising Authority, upon thirty (30) days written notice to the Grantee, may review such of its books and records at the Grantee's business office, during normal business hours and on a non-disruptive basis, as is reasonably necessary to ensure compliance with the terms of this Franchise. Such notice shall specifically reference the section of the Franchise which is under review, so that the Grantee may organize the necessary books and records for easy access by the Franchising Authority.

Alternatively, if the books and records are not easily accessible at the local office of the Grantee, Grantee may, at its sole option, choose to pay the reasonable travel costs of the Franchising Authority's representative to view the books and records at the appropriate location or to provide opportunity for the Franchising Authority to view certain books and records in electronic format.

The Grantee shall not be required to maintain any books and records for Franchise compliance purposes longer than three (3) years. The Franchising Authority agrees to treat any information disclosed by the Grantee as confidential under applicable federal and state law, and only to disclose it to employees, representatives, and agents thereof that have a need to know, or in order to enforce the provisions hereof.

5.2 Maps. Grantee shall maintain "as built" drawings for the facilities at Grantee's business office and make them available to the Franchising Authority for inspection during normal business hours upon written request. "As built" drawings shall be updated as changes occur in the facilities. Upon written request of the Franchising Authority, Grantee shall provide the Franchising Authority copies of strand and trench maps showing the location of Grantee's lines within the Public Ways within sixty (60) days of request for the same. The Franchising Authority recognizes that the information contained in such maps is confidential and proprietary and remains the property of the Grantee. The Franchising Authority shall safeguard such information to the extent permitted under the Oregon Public Records Law."

Section 6. Insurance and Indemnification

6.1 Insurance Requirements. The Grantee shall maintain in full force and effect at its own cost, and expense, during the term of the Franchise, insurance as required by City in connection with personal service contracts between Franchising Authority and service providers.

6.2 Indemnification. The Grantee agrees to indemnify, save and hold harmless, and defend, the Franchising Authority, its officers, boards, council members, agents, consultants and employees, from and against any liability for damages and for any liability or claims resulting from property damage or bodily injury (including accidental death), which arise out of Grantee's construction, operation, or maintenance of its facilities.

6.3 Bonds and Other Surety. Except as may be required for construction purposes by City of Amity ordinances, no bond or other surety shall be required of the Grantee at the inception of the Franchise. In the event Grantee is required by the Franchising Authority to obtain a bond or other surety in the future, the Franchising Authority agrees to give Grantee at least sixty (60) days advance written notice thereof stating the specific reasons for such requirement.

Section 7. Enforcement and Termination of Franchise

- 7.1 Notice of Violation. In the event that the Franchising Authority believes that the Grantee has not complied with the terms of the Franchise, the Franchising Authority shall informally discuss the matter with Grantee. If these discussions do not lead to resolution of the problem, the Franchising Authority shall notify the Grantee in writing of the exact nature of the alleged noncompliance.
- 7.2 The Grantee's Right to Cure or Respond. The Grantee shall have thirty (30) days from receipt of the notice described in Section 7.1:
- A. to respond to the Franchising Authority, contesting the assertion of noncompliance, or
 - B. to cure such default, or
 - C. in the event that, by the nature of default such default cannot be cured within the thirty (30) day period, initiate reasonable steps to remedy such default and notify the Franchising Authority of the steps being taken and the projected date that they will be completed.
- 7.3 Public Hearing. In the event that the Grantee fails to respond to the notice described in Section 7.1 pursuant to the procedures set forth in Section 7.2, or in the event that the alleged default is not remedied within thirty (30) days or the date projected pursuant to 7.2(C) above, or if it intends to continue its investigation into the default, then the Franchising Authority shall schedule a public hearing, which specifies the time, place and purpose of such hearing, and provide Grantee the opportunity to be heard.
- 7.4 Enforcement. Subject to applicable federal and state law and pursuant to City Charter and local ordinances, in the event the Franchising Authority, after the hearing set forth in Section 7.3, determines that the Grantee is in default of any provision of the Franchise, the Franchising Authority may:
- A. Seek specific performance of any provision, which reasonable lends itself to such remedy, as an alternative to damages; or
 - B. Commence an action at law for monetary damages or seek other equitable relief; or
 - C. In the case of a substantial default of material provision of the Franchise, seek to revoke the franchise in accordance with Section 7.5.
- 7.5 Revocation. Should the Franchising Authority seek to revoke the Franchise, the Franchising Authority shall give written notice to the Grantee of its intent. The notice shall set forth the exact nature of noncompliance. The Grantee shall have ninety (90) days from such notice to object in writing and to state its reasons for such objection. In the event the Franchising Authority has not received a satisfactory response from the Grantee, it may then seek termination of the Franchise at a public hearing. The Franchising Authority shall cause to be served upon the Grantee, at least thirty (30) days prior to such public hearing, a written notice specifying the time and place of such hearing and stating its intent to revoke the Franchise.

At the designated hearing, Grantee shall be provided a fair opportunity for full participation, including the right to be represented by legal counsel, to introduce relevant evidence, to require the production of evidence, to call the relevant officials, agents, employees or consultants of the Franchising Authority as permitted by law, to compel the testimony of other persons as permitted by law. A complete record consisting of all written exhibits, minutes and an audio tape shall be made of the hearing by the Franchising Authority.

Following the hearing, the Franchising Authority shall determine whether the Franchise shall be revoked. If the Franchising Authority determines that the franchise shall be revoked, Grantee may appeal such determination to an appropriate court, which shall have the power to review the decision of the Franchising Authority de novo. Grantee shall be entitled to such relief as the court finds appropriate. Such appeal to the appropriate court must be taken within sixty (60) days of the issuance of the determination of the Franchising Authority.

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

- 7.6 Force Majeure. The Grantee shall not be held in default under, or in noncompliance with, the provisions of the Franchise, nor suffer any enforcement or penalty relating to noncompliance or default, where such noncompliance or alleged defaults occurred or were caused by circumstances reasonable beyond the ability of the Grantee to anticipate and control. This provision includes work delays caused by waiting for utility providers to service or monitor their utility poles to which the Grantee's facilities is attached, as well as unavailability to materials and/or qualified labor to perform the work necessary.

Furthermore, the parties hereby agree that it is not the Franchise Authority's intention to subject Franchisee to penalties, fines, forfeitures or revocation of the Franchise for violations of the Franchise where the violation was a good faith error that resulted in no or minimal negative impact on Subscribers, or where strict performance would result in practical difficulties and hardship being placed upon Franchisee which outweigh the benefit to be derived by the Franchise Authority and/or Subscribers.

- 7.7 Removal of Facilities after Revocation, Termination or Expiration of Franchise. After revocation, termination or expiration of the franchise, and upon reasonable notice from the Franchising Authority, Grantee shall remove from the public ways all or a portion of its telecommunications services and property. The Franchising Authority's notice shall be in writing and shall state whether all or a portion of Grantee's facilities must be removed and the date by which removal shall be completed.

Section 8. Miscellaneous Provisions

- 8.1 Actions of Parties. In any action by the Franchising Authority or the Grantee that is mandated or permitted under the terms hereof, such party shall act in a reasonable, expeditious, and timely manner. Furthermore, in any instance where approval or consent is required under the terms hereof, such approval or consent shall not be unreasonable withheld.
- 8.2 Entire Agreement. When accepted in accordance with Section 8.6, this Franchise constitutes the entire agreement between the Grantee and the Franchising Authority. Amendments to this Franchise shall be valid if mutually agreed to in writing by the parties.
- 8.3 Notice. Unless expressly otherwise agreed between the parties, every notice or response require by this Franchise to be served upon the Franchising Authority of the Grantee, shall be in writing and shall be deemed to have been duly given to the required party when placed in a properly sealed and correctly addressed envelope; a) upon receipt when hand delivered with receipt acknowledgement, b) upon receipt when sent certified, registered mail, or c) within five (5) business days after having been posted in the regular mail.

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

City Administrator
City of Amity
109 Maddox Street
PO Box 159
Amity, OR 97101

Notices or responses to the Grantee shall be addressed as follows:

Online NW
Attn: Kathy Tate
1305 NE Lafayette Avenue
PO Box 1357
McMinnville, OR 97128

The Franchising Authority and the Grantee may designate such other address or addresses from time to time by giving notice to the other in the manner provided for in this Section.

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

8.5 Severability. If any section, sentence, paragraph, term, or provision hereof is determined to be illegal, invalid, or unconstitutional, by any court of competent jurisdiction or by any state or federal regulatory authority having jurisdiction thereof, such determination shall have no effect on the validity of any other section, sentence, paragraph term or provision hereof, all of which will remain in full force and effect for the term of the franchise.

8.6 Acceptance of Franchise. This ordinance does not grant a franchise unless it is accepted in writing by Franchisee within sixty (60) days after its enactment.

ADOPTED by the City Council on _____, 2019, by the following votes:

AYES: _____ **NAVES:** _____ **ABSENT:** _____ **ABSTAIN:** _____

APPROVED and signed by the Mayor on _____, 2019.

TO THE CITY COUNCIL OF THE CITY OF AMITY, OREGON:

McMinnville Access Company, Inc. dba Online NW, an Oregon corporation, hereby unconditionally accepts the right, privilege and franchise granted unto it, its successors and assigns, by that certain franchise passed by the City Council of the City of Amity, Oregon, on the ____th day of _____ 2019, designated as Ordinance No. 2018-716 and entitled:

"ORDINANCE GRANTING A FRANCHISE TO MCMINNVILLE ACCESS COMPANY, INC., AN OREGON CORPORATION DBA ONLINE NW, TO CONDUCT A GENERAL TELECOMMUNICATIONS BUSINESS AND GRANTING A RIGHT TO USE PUBLIC RIGHTS OF WAY WITHIN THE CITY."

DATED this ____ day of _____ 2019.

MCMINNVILLE ACCESS COMPANY, INC. DBA ONLINE NW, an Oregon corporation

By:

Title:

Receipt of within and foregoing acceptance by MCMINNVILLE ACCESS COMPANY, INC. DBA ONLINE NW is hereby acknowledged on this ____day of _____, 2019.

CITY OF AMITY, OREGON

By: Michael Cape, Mayor

Attest:

Natasha Johnson, City Recorder

EXHIBIT A
Map of Service Area



CITY OF AMITY

109 Maddox Avenue
P.O. Box 159
Amity, OR 97101

Ph: (503) 835-3711
Fax: (503) 835-3780

AGENDA ITEM

Subject: Donations
Date: April 3, 2019
Origin: Natasha Johnson, City Recorder/Treasurer
Action Requested: Approve Donations

Background:

Council decided several years ago that all donation requests would be referred to the finance committee and once a year the committee would make a recommendation to the council. The committee met and has made the following recommendations:

Amity DIG Summer Fun:	\$300	_____
Homeward Bound Pets	\$500	_____ (Pull from Police Funds?)
Juliette's House	\$200	_____ (will send invoice)

Exhibits: None

Staff recommends the following motion:

Move to approve donations as recommended.



CITY OF AMITY

109 Maddox Avenue
P.O. Box 159
Amity, OR 97101

Ph: (503) 835-3711
Fax: (503) 835-3780

AGENDA ITEM

Subject: Council President
Date: April 3, 2019
Origin: Natasha Johnson, City Recorder
Action Requested: Elect a Council President

Background: The City Charter States: "At its first meeting each year, the council must elect a president from its membership."

Exhibits: None

Recommendation: Staff recommends the following:

Nominate and vote on a councilor to be named the Council President for 2019.



CITY OF AMITY

109 Maddox Avenue
P.O. Box 159
Amity, OR 97101

Ph: (503) 835-3711
Fax: (503) 835-3780

AGENDA ITEM

To: Mayor and Members of the City Council
From: Natasha Johnson, City Treasurer/Recorder
Date: April 3, 2019
Action Requested: Appoint Budget Officer

Background

1. Oregon Local Budget Law requires that each jurisdiction appoint a budget officer to oversee the preparation of the fiscal year budget. At the Council meeting held on February 6, 2019, Council recommended appointing Chad Olsen, Interim City Administrator as the Budget Officer for Fiscal Year 2019-2020, which was approved. Since that time, Chad Olsen has ended his contract as Interim City Administrator from the City of Amity. Staff now recommends Council appoint a new budget officer for Fiscal Year 2019-2020.
-

Exhibits

None

Recommendation

Staff respectfully recommends the following:

Move to appoint _____ as the Budget Officer for fiscal year 2019-2020.



CITY OF AMITY

109 Maddox Avenue
P.O. Box 159
Amity, OR 97101

Ph: (503) 835-3711
Fax: (503) 835-3780

AGENDA ITEM

Subject: Appoint Budget Committee Members
Date: April 3, 2019
Origin: Natasha Johnson, City Recorder
Action Requested: Appoint Budget Committee Members

Background: The city currently has five vacancies on the budget committee. Staff has attempted to recruit members by listing it on our website, advertising on the city's Facebook page and electronic message board and posting flyers at city hall and the post office. We have received two (2) application. Any late applications could be considered at a special session just before the first budget committee meeting if the council chose to do so.

Exhibits: [Doug McMullen Application](#); [Judy McMullen Application](#)

Staff recommends the following options for consideration:

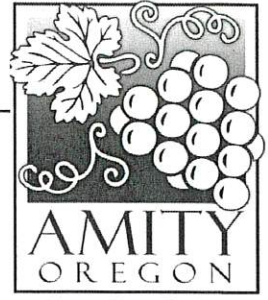
Appoint to the Amity Budget Committee.

MAR 04 2019

CITY OF AMITY

109 Maddox Avenue
P.O. Box 159
Amity, OR 97101

Ph: (503) 835-3711
Fax: (503) 835-3780



BUDGET COMMITTEE APPLICATION

* REQUIREMENTS - You must be a registered voter in Oregon and reside within the city limits of Amity

Applicant Name: Doug McMullen Phone: 971-259-9087

Mailing Address: P.O. Box 577 Amity, Oregon 97101

Physical Address: 312 Stanley St. Amity

Number of Years(s) Lived in Amity: 55 years Occupation: Truck driver

Email Address (if Applicable): djr.mcmullen@comcast.net

Please list your previous volunteer positions (if any):

Booster Club Volunteer - Pancake breakfast volunteer
School kitchen volunteer - Coached T-ball - SOLV
Reach the beach volunteer - boy scouts leader

State briefly why you are interested in a position on the Budget Committee:

General concern/interest of how the city money
is spent

What qualifies you to serve on the Budget Committee?

Overall numbers person -

Please provide any additional attributes here:

Resident of 55 years
Raised our family in Amity

CITY OF AMITY

109 Maddox Avenue
P.O. Box 159
Amity, OR 97101

Ph: (503) 835-3711
Fax: (503) 835-3780



BUDGET COMMITTEE APPLICATION

* REQUIREMENTS - You must be a registered voter in Oregon and reside within the city limits of Amity

Applicant Name: Judy McMillen Phone: 971-259-9096

Mailing Address: P.O. Box 577 Amity, OR 97101

Physical Address: 312 Stanley St. Amity OR 97101

Number of Years(s) Lived in Amity: 38 Occupation: Retired

Email Address (if Applicable): djrmcmullen@comcast.net

Please list your previous volunteer positions (if any):

Arts Booster Club President - Pancake breakfast Volunteer
Reach the beach - coached T-ball - SOLV
Smart program - boy scouts leader

State briefly why you are interested in a position on the Budget Committee:

General concern/interest of how the city money
is spent

What qualifies you to serve on the Budget Committee?

I was the manager of the local school kitchen -
ran the kitchen under a budget

Please provide any additional attributes here:

Resident of 38 years
Raised our family in Amity



CITY OF AMITY

109 Maddox Avenue
P.O. Box 159
Amity, OR 97101

Ph: (503) 835-3711
Fax: (503) 835-3780

AGENDA ITEM

Subject: Max Walker Resignation
Date: April 3, 2019
Origin: Natasha Johnson, City Recorder
Action Requested: Accept Max Walker Resignation

Background: Max Walker has resigned from Position 5 of the Amity City Council as of March 5, 2019. Position 5 term expires December of 2020.

Exhibits: Resignation Letter

Staff recommends the following options for consideration:

Move to accept Councilor Max Walker resignation effective March 5, 2019.

Zimbra

njohnson@ci.amity.or.us

Fwd: Resignation from City Council

From : mcape@ci.amity.or.us
Subject : Fwd: Resignation from City Council
To : njohnson <njohnson@ci.amity.or.us>

Thu, Mar 28, 2019 06:31 PM

 1 attachment

Here is the email from Max regarding his resignation for the agenda.

Michael

From: "Max Walker" <mwalker@ci.amity.or.us>
To: "mcape" <mcape@ci.amity.or.us>
Sent: Monday, March 4, 2019 9:12:54 PM
Subject: Resignation from City Council

Mayor Cape,

The intent of this letter is to inform you of my decision to resign from the Amity City Council, effective immediately. I have wrestled with this over the last several months. Due to personal matters in my family, I am finding it increasingly difficult to find balance in my life. It has been a great experience for me to serve with you.

I continue to hope for the very best for this community. Please find attached the suggestions I have made for the council rules, I hope this is a good start for the council to finish during work sessions.

Sincerely,
Max Walker

 **Council Rules-MaxWorkingCopy.rtf**
513 KB

CITY OF AMITY

109 Maddox Avenue
P.O. Box 159
Amity, OR 97101

Ph: (503) 835-3711
Fax: (503) 835-3780



Monthly Report from City Recorder/Treasurer

April 2019 for March 2019

Respectfully Submitted by: Natasha Johnson

Regular Tasks:

- Payroll- 2X (Prepared and paid liabilities, PERS Reports, per pay period, print checks, get signed, and distribute OR send to payroll center for direct deposit)
- Reconciliations (LGIP Account, First Federal Account), Deposit Entries
- Paid city bills
- Minutes for City Council Meetings
- Council Packets, Council Meeting Follow-up ~ completed tasks as requested
- Miscellaneous walk-in customers, response letters, etc.
- Human Resource Items (set up new employees, update employee files, close out former employees, insurance claims, etc.)
- Completed March billing for water/sewer and April newsletter

Other Items

- Training Temp for City Clerk.
- Worked on new planning, building files.
- Started training with Consultant Kathy Taylor on budget and updating QB software.



**Yamhill County Sheriff's Office
Crime Summary for AMITY
From 3/1/2019 to 3/31/2019**

City	UCR Description	3/1/2018 to 3/31/2018	3/1/2019 to 3/31/2019	Percentage Change	YTD	Prior Year
AMITY						
Part 1						
	Aggravated Assault	0	0			2
	Burglary-Business	0	0			2
	Burglary-Non-Residence	0	0			4
	Burglary-Residence	0	1		1	4
	Larceny	5	3	-40.00 %	11	48
	Motor Vehicle Theft-Auto	0	0			5
	Rape	0	0			1
Part 1 Total		5	4	-20.00 %	12	66
Part 2						
	All Other	0	0		1	10
	Disorderly Conduct	4	0		2	14
	Drug Laws	2	0			14
	DUII	1	0			4
	Family Offenses	0	0			2
	Forgery	0	0			1
	Fraud	2	0			9
	Kidnapping	0	0			1
	Liquor Laws	0	0			4
	Runaway	1	0		3	7
	Sex Offenses	2	0			11
	Simple Assault	1	0		4	19
	Tresspass/Prowler	2	1	-50.00 %	3	13
	Vandalism	0	0		1	24
	Weapons	0	0			1
Part 2 Total		15	1	-93.33 %	14	134
Part 3						
	All Other	5	1	-80.00 %	12	63
Total For AMITY		41	17	-58.54 %	74	400

Amity City Council

Library Report

March, 2019

Staff Hours: 99

Volunteer Hours: 48

Computer Users: 55

Library News:

1. Long time employee, Loretta Kirkpatrick, has decided to retire from the library. She will no longer be a paid staff member, but will plan to volunteer at the library on occasion. A huge thank you to her for all her wonderful help with the library over the years. She is a jewel. We will begin to look for a replacement for her soon.
2. Children are beginning to register for the Summer Reading Program. It will be each Wednesday from June 19 to July 31. All our performers are lined up, including a reptile man, puppets, space adventures, and others.

Marcia Robbins, Library Director



February 28, 2019

City of Amity
Chad Olsen
P.O. Box 159
Amity, OR 97101



Transmitting Invoice No. 18, Streets Infrastructure Services

Dear Mr. Olsen:

Please find attached invoice in the amount of \$697.50. During the month of January, Keller Associates completed the following engineering services:

- SCA Grant questions and research
- RRFB coordination
- HB 2017 road/bridge assessment coordination
- BOLI form and WH 81 support for SCA grant

If you have any questions, please do not hesitate to contact me at 503.364.2002.

Sincerely,

KELLER ASSOCIATES, INC.

Peter Olsen, P.E.
Salem Office Manager



City of Amity
Attn: Chad Olsen
P.O. Box 159
Amity, OR 97101

February 19, 2019
Project No: 215108-004
Invoice No: 0000018

Project 215108-004 Amity - Streets Infrastructure Services

Project Manager: *Chad Olsen*

Professional Services from January 1, 2019 to January 31, 2019

Professional Personnel

	Hours	Rate	Amount	
Olsen, Peter	1.75	170.00	297.50	
Stone, Cody	4.00	100.00	400.00	
Totals	5.75		697.50	
Total Labor				697.50
Total this Invoice				<u>\$697.50</u>

Outstanding Invoices

Number	Date	Balance
0000017	1/15/2019	330.00
		330.00

Billings to Date

	Current	Prior	Total
Labor	697.50	15,647.50	16,345.00
Expense	0.00	420.00	420.00
Totals	697.50	16,067.50	16,765.00

Project	215108-004	Amity - Streets Infrastructure Services	Invoice	0000018
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Billing Backup

Tuesday, February 19, 2019

Keller Associates, Inc.

Invoice 0000018 Dated 2/19/2019

3:38:12 PM

Project	215108-004	Amity - Streets Infrastructure Services
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Professional Personnel

			Hours	Rate	Amount	
00031	Olsen, Peter	1/7/2019	.25	170.00	42.50	
	SCA 2019 questions					
00031	Olsen, Peter	1/8/2019	.25	170.00	42.50	
	RFFB coordination					
00031	Olsen, Peter	1/15/2019	.25	170.00	42.50	
	HB 2017 road/bridge assessment					
00031	Olsen, Peter	1/16/2019	1.00	170.00	170.00	
	RRFB coordination and HB2017 coordination					
00218	Stone, Cody	1/7/2019	.75	100.00	75.00	
	Searching for SCA Information					
00218	Stone, Cody	1/16/2019	.50	100.00	50.00	
	reading emails from Chad and Jenna about an RRFB installation in Amity					
00218	Stone, Cody	1/29/2019	2.75	100.00	275.00	
	Filling out BOLI Form WH 81 for Gary					
	Totals		5.75		697.50	
	Total Labor					697.50
				Total this Project		\$697.50
				Total this Report		\$697.50



245 Commercial St SE, Suite 210
Salem, OR 97301
(503) 364-2002

March 22, 2019

City of Amity
Chad Olsen
P.O. Box 159
Amity, OR 97101

MAR 25 2019

Transmitting Invoice No. 19, Streets Infrastructure Services

Dear Mr. Olsen:

Please find attached invoice in the amount of \$920.00. During the month of February, Keller Associates completed the following engineering services:

- Project management
- RRFB coordination
 - Site visit and meeting
 - Correspondence
 - Discussion about funding and location
 - Requirements research
 - Review of Transportation System Plan

If you have any questions, please do not hesitate to contact me at 503.364.2002.

Sincerely,

KELLER ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "Peter Olsen", is written over the printed name.

Peter Olsen, P.E.
Salem Office Manager



City of Amity
Attn: Chad Olsen
P.O. Box 159
Amity, OR 97101

March 11, 2019

Project No: 215108-004

Invoice No: 0000019

Project 215108-004 Amity - Streets Infrastructure Services

Project Manager: *Chad Olsen*

Professional Services from February 1, 2019 to February 28, 2019

Professional Personnel

	Hours	Rate	Amount
Lewis, Stephen	.50	190.00	95.00
Olsen, Peter	2.50	170.00	425.00
Stone, Cody	4.00	100.00	400.00
Totals	7.00		920.00
Total Labor			920.00

Total this Invoice \$920.00

Outstanding Invoices

Number	Date	Balance
0000018	2/19/2019	697.50
		697.50

Billings to Date

	Current	Prior	Total
Labor	920.00	16,345.00	17,265.00
Expense	0.00	420.00	420.00
Totals	920.00	16,765.00	17,685.00

Project	215108-004	Amity - Streets Infrastructure Services	Invoice	0000019
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Billing Backup

Keller Associates, Inc.

Invoice 0000019 Dated 3/11/2019

Monday, March 11, 2019

4:20:43 PM

Project	215108-004	Amity - Streets Infrastructure Services
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Professional Personnel

			Hours	Rate	Amount	
00112	Lewis, Stephen	2/15/2019	.50	190.00	95.00	
	RRFB installation					
00031	Olsen, Peter	2/7/2019	.50	170.00	85.00	
	RRFB site visit coordination, PM					
00031	Olsen, Peter	2/12/2019	2.00	170.00	340.00	
	RRFB mtg and site visit with Chad and Gary					
00218	Stone, Cody	2/7/2019	.25	100.00	25.00	
	Emails to Chad coordinating a meeting time next week					
00218	Stone, Cody	2/12/2019	2.00	100.00	200.00	
	Meeting with Chad/Gary/Peter/Conference					
00218	Stone, Cody	2/15/2019	1.75	100.00	175.00	
	Phone call to Jenna about RRFB funding and location					
	Call to Steve Lewis					
	Call to Coral about RRFB installation requirements					
	Reading the TSP					
	Totals		7.00		920.00	
	Total Labor					920.00
				Total this Project		\$920.00
				Total this Report		\$920.00



March 22, 2019

MAR 25 2019

City of Amity
Chad Olsen
P.O. Box 159
Amity, OR 97101

Transmitting Invoice No. 4 – GIS Grant Support

Dear Mr. Olsen:

Please find attached invoice in the amount of \$117.50. During the month of February, Keller Associates completed the following engineering services:

- Preparation for GIS intern including equipment setup (connecting to State satellite system)

If you have any questions, please do not hesitate to contact me at 503.364.2002.

Sincerely,

KELLER ASSOCIATES, INC.

Peter Olsen, P.E.
Project Manager



City of Amity
Attn: Chad Olsen
P.O. Box 159
Amity, OR 97101

March 11, 2019
Project No: 215108-008
Invoice No: 0000004

Project 215108-008 Amity - GIS Grant Support
Project Manager: *[Signature]*

Professional Services from February 1, 2019 to February 28, 2019

Professional Personnel

	Hours	Rate	Amount
Olsen, Peter	.25	170.00	42.50
Thorley, Elizabeth	.75	100.00	75.00
Totals	1.00		117.50
Total Labor			117.50

Billing Limits

	Current	Prior	To-Date
Total Billings	117.50	1,725.00	1,842.50
Limit			3,000.00
Remaining			1,157.50

Total this Invoice \$117.50

Outstanding Invoices

Number	Date	Balance
0000003	2/19/2019	640.00
		640.00

Billings to Date

	Current	Prior	Total
Labor	117.50	1,725.00	1,842.50
Totals	117.50	1,725.00	1,842.50

Project	215108-008	Amity - GIS Grant Support	Invoice	0000004
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Billing Backup

Keller Associates, Inc.

Invoice 0000004 Dated 3/11/2019

Monday, March 11, 2019

4:40:04 PM

Project	215108-008	Amity - GIS Grant Support
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Professional Personnel

			Hours	Rate	Amount	
00031	Olsen, Peter	2/26/2019	.25	170.00	42.50	
00211	Thorley, Elizabeth	2/25/2019	.50	100.00	50.00	
00211	Thorley, Elizabeth	2/26/2019	.25	100.00	25.00	
	Totals		1.00		117.50	
	Total Labor					117.50

Total this Project	\$117.50
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Total this Report	\$117.50
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Project	215108-005	Amity - Water System Improvements	Invoice	0000025
			Total this Task	0.00
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Task	005	Construction		
Task 5A: Construction Admin. (Tasks 5.1 - 5.4) Lump Sum				
Fee				
Total Fee	152,900.00			
Percent Complete	0.00	Total Earned	0.00	
		Previous Fee Billing	0.00	
		Current Fee Billing	0.00	
		Total Fee		0.00
			Total this Task	0.00
<hr/>				
Task 5B: Construction Observation (Task 5.5) T&M				
Billing Limits		Current	Prior	To-Date
Total Billings		0.00	0.00	0.00
Limit				47,853.00
Remaining				47,853.00
			Total this Task	0.00
			Total this Task	0.00
<hr/>				
Task	006	Intake Study		
Fee				
Total Fee	35,000.00			
Percent Complete	100.00	Total Earned	35,000.00	
		Previous Fee Billing	35,000.00	
		Current Fee Billing	0.00	
		Total Fee		0.00
			Total this Task	0.00
<hr/>				
Task	007	Permitting		
Professional Personnel				
		Hours	Rate	Amount
Nelson, Jake		.25	105.00	26.25
Stone, Cody		2.00	100.00	200.00
Thorley, Elizabeth		3.50	100.00	350.00
Totals		5.75		576.25
Total Labor				576.25
Billing Limits		Current	Prior	To-Date
Total Billings		576.25	69,776.95	70,353.20
Limit				70,000.00
Adjustment				-353.20
			Total this Task	\$223.05
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Task	008	Interim Corrosion Control, Grant, and Water Rights Support		

Project	215108-005	Amity - Water System Improvements	Invoice	0000025
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Professional Personnel

	Hours	Rate	Amount	
Olsen, Peter	5.50	170.00	935.00	
Zoebelein, Conor	55.00	105.00	5,775.00	
Totals	60.50		6,710.00	
Total Labor				6,710.00

Billing Limits	Current	Prior	To-Date	
Total Billings	6,710.00	49,902.50	56,612.50	
Limit			50,000.00	
Adjustment				-6,612.50
			Total this Task	\$97.50

Task	009	Water Quality Sampling/Testing		
Fee				
Total Fee	9,600.00			
Percent Complete	29.00	Total Earned	2,784.00	
		Previous Fee Billing	2,400.00	
		Current Fee Billing	384.00	
		Total Fee		384.00
		Total this Task		\$384.00

Task	010	Archaeology and Geotechnical Services		
Fee				
Total Fee	34,848.00			
Percent Complete	0.00	Total Earned	0.00	
		Previous Fee Billing	0.00	
		Current Fee Billing	0.00	
		Total Fee		0.00
		Total this Task		0.00
		Total this Invoice		<u>\$4,929.55</u>

Outstanding Invoices

Number	Date	Balance
0000023	1/15/2019	17,637.50
0000024	2/19/2019	11,323.75
		28,961.25

Billings to Date

	Current	Prior	Total
Fee	4,609.00	142,550.00	147,159.00
Labor	320.55	89,526.25	89,846.80
Consultant	0.00	30,153.20	30,153.20
Totals	4,929.55	262,229.45	267,159.00

Project	215108-005	Amity - Water System Improvements	Invoice	0000025
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Billing Backup

Friday, March 22, 2019

Keller Associates, Inc.

Invoice 0000025 Dated 3/11/2019

1:00:39 PM

Project	215108-005	Amity - Water System Improvements
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Task	007	Permitting
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Professional Personnel

			Hours	Rate	Amount
00184	Nelson, Jake	2/7/2019	.25	105.00	26.25
00218	Stone, Cody	2/12/2019	2.00	100.00	200.00
00211	Thorley, Elizabeth	2/1/2019	2.25	100.00	225.00
00211	Thorley, Elizabeth	2/4/2019	.25	100.00	25.00
00211	Thorley, Elizabeth	2/6/2019	.50	100.00	50.00
00211	Thorley, Elizabeth	2/11/2019	.25	100.00	25.00
00211	Thorley, Elizabeth	2/14/2019	.25	100.00	25.00
	Totals		5.75		576.25
	Total Labor				576.25

Total this Task \$576.25

Task	008	Interim Corrosion Control, Grant, and Water Rights Support
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Professional Personnel

			Hours	Rate	Amount
00031	Olsen, Peter	2/4/2019	.50	170.00	85.00
00031	Olsen, Peter	2/5/2019	2.00	170.00	340.00
00031	Olsen, Peter	2/6/2019	1.00	170.00	170.00
00031	Olsen, Peter	2/7/2019	1.00	170.00	170.00
00031	Olsen, Peter	2/11/2019	1.00	170.00	170.00
00183	Zoebelein, Conor	2/1/2019	2.00	105.00	210.00
00183	Zoebelein, Conor	2/4/2019	2.75	105.00	288.75
00183	Zoebelein, Conor	2/5/2019	4.25	105.00	446.25
00183	Zoebelein, Conor	2/6/2019	5.25	105.00	551.25
00183	Zoebelein, Conor	2/7/2019	6.25	105.00	656.25
00183	Zoebelein, Conor	2/8/2019	7.50	105.00	787.50
00183	Zoebelein, Conor	2/11/2019	4.75	105.00	498.75
00183	Zoebelein, Conor	2/12/2019	5.25	105.00	551.25
00183	Zoebelein, Conor	2/13/2019	1.00	105.00	105.00
00183	Zoebelein, Conor	2/13/2019	.25	105.00	26.25
00183	Zoebelein, Conor	2/14/2019	.25	105.00	26.25
00183	Zoebelein, Conor	2/14/2019	3.00	105.00	315.00
00183	Zoebelein, Conor	2/15/2019	1.50	105.00	157.50
00183	Zoebelein, Conor	2/18/2019	1.50	105.00	157.50
00183	Zoebelein, Conor	2/19/2019	3.50	105.00	367.50
00183	Zoebelein, Conor	2/20/2019	1.50	105.00	157.50
00183	Zoebelein, Conor	2/21/2019	.75	105.00	78.75
00183	Zoebelein, Conor	2/21/2019	.75	105.00	78.75
00183	Zoebelein, Conor	2/22/2019	1.00	105.00	105.00
00183	Zoebelein, Conor	2/25/2019	.75	105.00	78.75
00183	Zoebelein, Conor	2/26/2019	1.25	105.00	131.25
	Totals		60.50		6,710.00
	Total Labor				6,710.00

Project	215108-005	Amity - Water System Improvements	Invoice	0000025
			Total this Task	\$6,710.00
			Total this Project	\$7,286.25
			Total this Report	\$7,286.25



March 22, 2019

City of Amity
Chad Olsen
P.O. Box 159
Amity, OR 97101

MAR 25 2019

Transmitting Invoice No. 20 - Municipal Planning Services

Dear Mr. Olsen:

Please find attached invoice in the amount of \$1,810.00. During the months of January through February, Keller Associates completed the following engineering services:

- Meetings and correspondence
- Amity Heights (\$730)
 - Air testing sewer line
 - Review of CCTV, mandrill test requirements
 - Plan review
- Trade Street Apartments (\$1,080)
 - Lift station review
 - Hot tap coordination
 - Correspondence to reroute sewer
 - Plan review and comments

If you have any questions, please do not hesitate to contact me at 503.364.2002.

Sincerely,

KELLER ASSOCIATES, INC.

Peter Olsen, P.E.
Salem Office Manager



City of Amity
Attn: Chad Olsen
P.O. Box 159
Amity, OR 97101

March 11, 2019
Project No: 215108-003
Invoice No: 0000020

Project 215108-003 Amity - Municipal Planning Services

Project Manager: *[Signature]*

Professional Services from January 1, 2019 to February 28, 2019

Professional Personnel

	Hours	Rate	Amount
Gaddi-Nguyen, Neamh	10.50	100.00	1,050.00
Olsen, Peter	.50	170.00	85.00
Owens, Mark	3.75	180.00	675.00
Totals	14.75		1,810.00
Total Labor			1,810.00

Total this Invoice \$1,810.00

Billings to Date

	Current	Prior	Total
Labor	1,810.00	31,362.50	33,172.50
Totals	1,810.00	31,362.50	33,172.50

Project	215108-003	Amity - Municipal Planning Services	Invoice	0000020
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Billing Backup

Monday, March 11, 2019

Keller Associates, Inc.

Invoice 0000020 Dated 3/11/2019

4:18:49 PM

Project	215108-003	Amity - Municipal Planning Services
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Professional Personnel

			Hours	Rate	Amount
00213	Gaddi-Nguyen, Neamh 2/18/2019		5.00	100.00	500.00
	Morning: Hoses froze for air testing, rescheduled for afternoon. Afternoon: 2 of 5 lengths failed, mitigate tomorrow morning and inspect again tomorrow afternoon.				
00213	Gaddi-Nguyen, Neamh 2/19/2019		3.50	100.00	350.00
	Air testing, completed, passed				
00213	Gaddi-Nguyen, Neamh 2/20/2019		2.00	100.00	200.00
	Review Amity standards, mandrill, CCTV				
00031	Olsen, Peter 2/21/2019		.50	170.00	85.00
	coordination for Trade Street Apartments hot tap				
00222	Owens, Mark 2/12/2019		.25	180.00	45.00
	Trade Street Apartments - Lift Station Review				
00222	Owens, Mark 2/14/2019		.25	180.00	45.00
	Correspondence Trade Street - Reroute Sewer				
00222	Owens, Mark 2/15/2019		.25	180.00	45.00
	Correspondence AKS Trade Lift Station				
00222	Owens, Mark 2/19/2019		1.00	180.00	180.00
	Amity Heights 0.5 hr, Trade Street Apartment 0.5 hrs				
00222	Owens, Mark 2/20/2019		.50	180.00	90.00
	Trade Street 0.25, Amity Heights .25				
00222	Owens, Mark 2/21/2019		.25	180.00	45.00
	Amity Heights				
00222	Owens, Mark 2/25/2019		.25	180.00	45.00
	Trade Street Plan review				
00222	Owens, Mark 2/27/2019		1.00	180.00	180.00
	Trade Street lift station plan review and comments				
	Totals		14.75		1,810.00
	Total Labor				1,810.00
		Total this Project			\$1,810.00
		Total this Report			\$1,810.00

KELLER
ASSOCIATES



245 Commercial St SE, Suite 210
Salem, OR 97301
(503) 364-2002

March 22, 2019

City of Amity
Chad Olsen
P.O. Box 159
Amity, OR 97101

MAR 25 2019

Transmitting Invoice No. 11 - Sewer System Services

Dear Mr. Olsen:

Please find attached invoice in the amount of \$85.00. During the month February, Keller Associates completed the following engineering services:

- Trade Street apartment sewer issue

If you have any questions, please do not hesitate to contact me at 503.364.2002.

Sincerely,

KELLER ASSOCIATES, INC.

Peter Olsen, P.E.
Salem Office Manager

Project	215108-002	Amity - Sewer System Services	Invoice	0000011
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Billing Backup

Monday, March 11, 2019

Keller Associates, Inc.

Invoice 0000011 Dated 3/11/2019

4:16:31 PM

Project	215108-002	Amity - Sewer System Services
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Professional Personnel

			Hours	Rate	Amount	
00031	Olsen, Peter	2/11/2019	.50	170.00	85.00	
	Trade Street Apartments sewer issue					
	Totals		.50		85.00	
	Total Labor					85.00

Total this Project **\$85.00**

Total this Report **\$85.00**



March 22, 2019

City of Amity
Chad Olsen
P.O. Box 159
Amity, OR 97101

MAR 25 2019

Transmitting Invoice No. 25 - Water System Improvements

Dear Mr. Olsen:

Please find attached invoice in the amount of \$4,929.55. During the month of February, Keller Associates completed the following engineering services:

- Project management
- Correspondence and meetings
- Contract administration
- Subconsultant contracting
- PMP development
- MWVCOG coordination
- Water quality data processing
- Intake review, comments and coordination
- Combined topography drawings
- Review of water rights and wetland delineation
- Sub agreements and right of entry, scheduling, permitting, coordination with property owner
- Archeologist survey coordination
- Coordination and review of survey data
- Base map design
- Water quality sampling plan update and coordination
- Wetland survey coordination and delineation map
- Geotech study planning and coordination
- Permitting coordination
- Water rights coordination

If you have any questions, please do not hesitate to contact me at 503.364.2002.

Sincerely,

KELLER ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "Peter Olsen".

Peter Olsen, P.E.
Salem Office Manager



City of Amity
Attn: Chad Olsen
P.O. Box 159
Amity, OR 97101

March 11, 2019
Project No: 215108-005
Invoice No: 0000025

Project 215108-005 Amity - Water System Improvements
Project Manager: *Chad Olsen*

Professional Services from February 1, 2019 to February 28, 2019

Task 001 Project Management

Fee

Total Fee	15,000.00			
Percent Complete	95.00	Total Earned	14,250.00	
		Previous Fee Billing	14,250.00	
		Current Fee Billing	0.00	
		Total Fee		0.00
		Total this Task		0.00

Task 002 Pre-Design Services

Fee

Total Fee	88,000.00			
Percent Complete	100.00	Total Earned	88,000.00	
		Previous Fee Billing	88,000.00	
		Current Fee Billing	0.00	
		Total Fee		0.00
		Total this Task		0.00

Task 003 Final Design Services

Fee

Total Fee	285,000.00			
Percent Complete	2.50	Total Earned	7,125.00	
		Previous Fee Billing	2,900.00	
		Current Fee Billing	4,225.00	
		Total Fee		4,225.00
		Total this Task		\$4,225.00

Task 004 Bidding Services

Fee

Total Fee	35,900.00			
Percent Complete	0.00	Total Earned	0.00	
		Previous Fee Billing	0.00	
		Current Fee Billing	0.00	
		Total Fee		0.00

Mid-Willamette Valley
Council of Governments
100 High Street SE Suite 200
Salem, Oregon 97301
Phone (503) 540-1604
Fax (503) 588-6094



INVOICE

City of Amity
Justin Hogue, City Administrator
PO Box 159
Amity, OR 97101

Date: March 4, 2019
Invoice No: 1819289

Payee #	Project	Revenue	Amount
2061	302440	41863	\$791.92

Description	Amount
Legal Services	
General - 4.8 hrs	
4.8 hrs @ \$150/hr	\$720.00
124 miles @ .58/mile	\$71.92
Total	\$791.92

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**Mid-Willamette Valley
Council of Governments**
100 High Street SE Ste 200
Salem, Oregon 97301
Phone (503) 540-1604
Fax (503) 588-6094

MAR 13 2019

INVOICE

City of Amity
PO Box 159
Amity, OR 97101

Date: March 11, 2019
Invoice No: 1819310

Payee #	Project	Revenue	Amount
2061	340061	41863	\$1,034.54

Description	Amount
Land Use Planning Services for FY 2018-2019	
Land Use Planning Services for the month of February, 2019	
12.5 hrs Land Use Planner @ \$81.00/hr	\$1,012.50
38 miles @ .58/mile	\$22.04
Total	\$1,034.54

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March 28, 2019

I feel as though I have been swamped this month with items to work on for the city. I suppose that is to be expected given the circumstances.

During the first week of the month I spent time working on the promotion of Tasha to City Recorder/Treasurer. I am very pleased with the outcome and the job that Tasha has done so far.

On Saturday, the 9th was the 2nd Council Goal Setting Session. I was happy that we were able to get through the annual survey and set the Cities goals for the coming year. We also were able to interview Kathy Taylor for the Consulting CFO position. I contacted the City Attorney to review her contract and to get those items prepared for the council.

On March 15th I had a meeting with our Public Works department, specifically Gary Mathis and Richard Howard. We had a discussion about how we were going to proceed without the Interim City Administrator. Of concern was the CDBG grant project, what role each party would have and how everyone would work together to keep the project moving forward. This was after a conference call with USDA-RD that lasted for over 1 ½ hours about utility rates and requirements for additional funding.

I met with Sean O'Day of the MWVCOG to discuss the City Administrator recruitment. I brought him up to speed with where the city was at with the recruitment and he provided me with some more details and his expectations. We laid out the ground work and path for both groups to move forward. On the morning of March 18th we met again to discuss the applicants for the City Administrator position. I believe we received 24 applications. I was and still am impressed with the overall quality of applicants that we received during this recruitment. Sean and I discussed each candidate and how he came to rank the applications, his methodology and reasoning. I agreed with much that he stated and we agreed upon a top 10 list that would be presented to the council. We even agreed that some of the most qualified applicants probably would not be a good fit for Amity.

On March 19th, I attended the MWVCOG Board of Director's Meeting. This meeting was held at the COG office's from 3:30 – 6:00.

On March 20th was the Special City Council Meeting. During this meeting we approved the contract with Kathy Taylor (I called her and informed her of the stipulation of receiving a City Business License and she agreed). We had a discussion about the CDBG Grant and the USDA-RD opportunities/requirements and the need for a rate increase to get that funding. We then went into Executive Session to discuss the City Administrator Applicants.

On March 27th the City Administrator Interview Committee met in Executive Session in order to do the phone interviews and narrow the applicant pool down to a list of finalist. At the time I am writing this report, I am not sure that the applicants have been all notified yet, so I will not mention any names, but I am extremely happy with the process thus far and the 3 finalists chosen.

I have had several conversations with Tasha by email and over the phone about several topics during the month. Again, she is doing very well. I have had several other conversations via email/phone with Chad Olson, Keller Associates, Richard and Gary and the COG about the CDBG grant project.