

Mayor Ila Skyberg

Council Members:

*Rita Baller, Council President
Gary Hill
Katie Vinson
Heather Stritzke
Allan Bramall
Theresa McKnight*

City Staff:

*City Recorder: Debbie Bernard
Accountant: Marilyn Coates
Office Coordinator: Rania Conover
Office Specialist: Karen Justen
Library: Melissa Hansen & Amber Deibel
Public Works Director: Jeff Brown
Code Enforcement: vacant*

WILLAMINA CITY COUNCIL REGULAR MEETING AGENDA

Thursday, January 14, 2016

7:00 PM recorded meeting

- I. **Roll Call**
- II. **Flag Salute**
- III. **Approval of Agenda & Approval of the Minutes**
December 10, 2015 City Council Regular Meeting
December 22, 2015 Special City Council Meeting
January 5, 2016 Finance Committee Minutes
- IV. **Public Input**
 - Communication from
Doug Colton regarding rates/billing
 - Complaint form regarding West end of Barber past Fir St.
- V. **Old Business**
EID ordinance second reading Ordinance 659
Report from Keller on Left Turn Lane
 - Notices to Residence near Oaken Hill regarding the change on Oaken Hill and
Request for CommentsCity Manager Contract
- VI. **New Business**
Mutual Aid and Assistance Agreement Related to water and wastewater
Delegated Authority – Resolution #15.16-007 – Ross Schultz
Liquor License Renewal 2016
- VII. **Mayor's Report**
 - Report on meetings Mayor attended throughout the Month of December
- VIII. **Council Liaison Reports**
Chamber Liaison (Ila Skyberg absent)
Library Board (Heather Stritzke)

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YCOM Board (Councilor Baller)

IX. Council Committee Reports

Check Registers – December 1-30, 2015 (*information only*)

Planning Commission Report (Commissioner Ulrich)

X. Reports of City Officers

City Recorder – (memo)

- Willamina Civic Center/Senior Center
- City Projects 2015 2016
- Stipends are now Monthly
- Melissa Hansen Vacation request for Vacation August 15 thru October 1, 2015
- Martin Luther King January 18th day off for all union staff
- Update on the hire of Richard Winkel CPA – working review update – Verbal report from Kathy Taylor

Code Enforcement Report

Monthly Report (*vacant position advertisement in the news register*)

Public Works

Monthly Report – (*verbal report*)

Library

Senior Librarians Monthly Report (*handout attached*)

Sheriff's Office

- Crime Summary – December 2015 (*handout attached*)

XI. Next Council Meeting Dates

Special Meeting & Work Session – January 28, 2016 (7:00 pm)

Regular Session – February 11, 2016

Persons with hearing, visual or manual impairments who wish to participate in the meeting should contact the City of Willamina at least 48 hours prior to the meeting date in order that appropriate communication assistance can be arranged. The City of Willamina Council Chambers are accessible to the disabled. Please let us know if you need any special accommodations to attend this meeting.

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 Public Works Superintendent: *Jeff Brown*

MEMO TO: CITY COUNCIL

DATE: JANUARY 14, 2016

FROM: DEBBIE BERNARD, CITY RECORDER

**SUBJECT: CONTINUATION OF THE ECONOMIC IMPROVEMENT DISTRICT
 SECOND READING OF ORDINANCE #659**

Background:

1. In December 2015, City Council received a draft ordinance presented for the Continuation of the Economic Improvement District. This ordinance was prepared for review by the Council to motion to approve the EID organization and members and taxing district.
2. Council directed staff to bring back Ordinance No. 659 for the first reading of the Continuation of the Economic Improvement District.
3. The ordinance may be read by title only if no member of the governing body present at the meeting request that the ordinance be read in full; this process is as follows per Chapter 30 (3) of the City Charter which allows the ordinance to be adopted by reading title only.

STEP 1: A motion to adopt ordinance being read by title only.

STEP 2: A member of Council makes a motion to adopt the ordinance, reading by title only and seconded. "Ordinance #659"

STEP 3: Mayor asks that the title of the ordinance be read and calls for the vote.

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STEP 4: Mayor then states whether the ordinance passed or failed.

Action Requested

That City Council adopt Ordinance #659.

“An ordinance continuing an economic improvement district which make assessments, authorizing the collection of said assessments each year for a period of five years beginning January 1, 2016 to December 31, 2020 and assessing the cost thereof against the identified and benefited real property.”

Attachments

ORDINANCE NO. 659

AN ORDINANCE CONTINUING AN ECONOMIC IMPROVEMENT DISTRICT, MAKING ASSESSMENTS, AUTHORIZING THE COLLECTION OF SAID ASSESSMENTS EACH YEAR FOR A PERIOD OF FIVE YEARS BEGINNING JANUARY 1, 2016 THROUGH DECEMBER 31, 2020, AND ASSESSING THE COST THEREOF AGAINST THE IDENTIFIED AND BENEFITTED REAL PROPERTY

- A. WHEREAS**, the City Council of the City of Willamina (hereafter called "City") called for a public hearing on December 10, 2015, to receive testimony concerning the continuation of an Economic Improvement District (hereafter called "EID"). In accordance with state law and Ordinance No.641, the City Recorder prepared and mailed on November 10, 2015, to affected property owners a notice of hearing and information pertaining to the area to be assessed, the rates to be charged various properties and the estimated budget of the district (attached hereto as Exhibit A and by this reference made a part hereof); and
- B. WHEREAS**, at the City Council meeting held on December 10, 2015, the scheduled hearing was conducted. The City Council voted to proceed with the continuation of the district and called for a continuation of the public hearing to be held at the January 14, 2016 City Council Meeting; and
- C. WHEREAS**, at the public hearing scheduled and conducted on December 10, 2015 received testimony from proponents and hearing none from any opponents of the proposed economic improvement district continuation nor receiving any written objections to the project.

NOW, THEREFORE, the City of Willamina, Oregon, ordains as follows:

- 1. The City Council for the City of Willamina makes and enters the following findings of fact based upon the evidence presented to it, including the oral and written testimony received at the public hearing:
 - a. Written notices stating the time and place of the public hearing were mailed 30 days prior to the hearing to the affected property owners;
 - b. The area within the proposed district is zoned commercial or industrial;
 - c. No residential real property or any portion of a structure used for residential purposes is assessed;
 - d. No written objections to the proposed district were received at or before the public hearing were less than 33 percent of the total assessments to be levied; and
 - e. The rate to be assessed each benefited and assessed property is in proportion to the benefits it may derive from the district.
- 2. The City Council of the City hereby approves and continues the Willamina EID for the purpose of promoting within said district economic improvements by:

The planning and management of development or improvement activities;
Landscaping or other maintenance of public areas;

Promotion of commercial activity of public areas;
Activities in support of business recruitment and development;
Improvements in parking system or parking enforcement; and
Any other economic improvement activity for which an assessment may be made on property specially benefitted thereby.

3. The Willamina EID shall be in effect for five (5) consecutive years commencing January 1, 2016 and ending on December 31, 2020. The City Council explicitly intends for this ordinance to apply retroactively to January 1, 2016.
4. All properties in the City of Willamina that are zoned as either commercial or industrial are included in the EID and such properties shall be assessed as follows:
 - a. Fully benefitted commercial properties on Main Street shall be assessed $\frac{1}{4}$ of 1.0% of their assessed valuation.
 - b. Commercial properties on side Streets B, C, D, E, F, Oaken Hills Drive, Lamson, Baker, Barber, Polk, and James shall be assessed $\frac{1}{8}$ of 1.0% of their assessed valuation.
 - c. Commercial properties that are in industrial use shall be assessed $\frac{1}{8}$ of 1.0% of assessed valuation.
 - d. Commercial properties that also include residential property shall be prorated.
 - e. A limit of EID taxation, as provided in Ordinance No. 626, calls for a maximum of \$500 and a minimum of \$50.00 per property owner.
5. Each year by July 15th, the City Recorder shall secure the assessed value of each property to be assessed and shall forward a listing of each property and the prescribed rate to be levied to the County Assessor of the County in which the property is located, who shall cause the prescribed rate to be levied.
6. The City Recorder shall disburse funds to the EID as they are received for the duration of the district to accomplish the purposes set forth in Section 2 above. No funds shall be distributed if the EID ceases to exist or the purposes set forth in the bylaws of the organization are amended so as to be in conflict with the enabling legislation contained in ORS Chapter 223 or in Section 2 of this ordinance.
7. Funds shall be allocated and expended by the EID in accordance with the following conditions:
 - a. Any and all changes in officers, bylaws or other governing procedures will be submitted to the City as soon as these changes take place.
 - b. A report of the activities and programs undertaken and accomplished by the EID shall be filed with the City Recorder as of June 30 of each year of operation.

- c. A financial report will be submitted by the treasurer of the EID to the City Recorder as of June 30 of each year of operation detailing all receipts and expenditures of funds provided by EID assessments.
 - d. All receipts, expenditures, invoices and other supporting documents concerning the EID shall be made available to the City Recorder in conjunction with the annual City audit.
8. An advisory committee for the EID shall continue, consisting of five (5) individuals who are either owners of property or managers of businesses located within the EID. The committee members shall serve a one-year term.
- a. The City Council shall receive nominees for members of the advisory committee and shall give due consideration to the nominees presented to the Council by local business organizations.
 - b. The advisory committee shall have the responsibility to allocate expenditures of monies for economic improvement activities within the scope of this ordinance.
9. This ordinance shall be in full force and effect from and after its passage and approval for the term established in Section 3 above.

First Reading: 12.10.15

Second Reading _____

PASSED and adopted by the City Council of the City of Willamina on this _____ day of _____, 2016, by the following votes and providing an **effective date of January 1, 2016**.

AYES: _____ NAYS: _____

Approved by the Mayor this ____ day of _____, 2016.



Ila Skyberg, Mayor

ATTEST:

Debbie Bernard, City Recorder

Attachment – Exhibit A



Mayor Ila Skyberg

Council Members:

Rita Baller, Council President
Gary Hill
Katie Vinson
Heather Stritzke
Allan Bramall
Theresa McKnight

City Staff:

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**City of Willamina
Minutes of the 2nd Thursday Meeting of the City Council
December 10, 2015
7:00 PM corrected 1/11/16**

Location of Meeting:

City of Willamina City Hall
411 NE "C" St
Willamina, Oregon 97396

Present at Meeting:

Mayor Ila Skyberg
Councilor President Rita Baller
Councilor Allan Bramall
Councilor Theresa McKnight
Councilor Heather Stritzke
Councilor Katie Vinson

Absent:

Councilor Gary Hill

Other Attendees: City Recorder, Debbie Bernard, Public Works Superintendent Jeff Brown, Planning Commissioner Dennis Ulrich, City Engineer Peter Olson, and New Register Reporter Paul Daquilante, Bob Burr President of the EID, and Genevieve Wymore Treasurer of the EID were also in attendance.

The regular meeting of the City Council of City of Willamina was called to order at 7:00 PM on December 10, 2015 at City of Willamina City Hall by Mayor Ila Skyberg. The City Recorder called roll call and a quorum was present.

I. Approval of Agenda

The agenda for the meeting was distributed and unanimously approved.

II. Review of Previous Minutes

The minutes of the previous meeting were reviewed and unanimously approved.

III. Consideration of Open Issues

1. Public Hearing - Renewing Economic Improvement District
Mayor Skyberg
Mayor Skyberg opened the public hearing:

PUBLIC HEARING SCRIPT

ECONOMIC IMPROVEMENT DISTRICT RENEWAL

Good Evening ☐“

This is the time and place scheduled for a public hearing for the purpose of obtaining public comment on the proposed renewal of the City Economic Improvement District for an additional 5 years. The EID was originally established in 1991 and has been renewed every 5 years since that time. Its purpose is to promote economic improvements within the District by planning and managing development or improvement activities; landscaping or other maintenance of public areas; promotion of commercial activity or public areas; activities in support of business recruitment and development; improvements in parking systems or parking enforcement; and any other economic improvement activity for which an assessment may be made on property specifically benefitted thereby.

TESTIMONY FROM PROPONENTS “Now is the time for any persons in support of the renewal to speak.

Mr. Bob Burr spoke and gave a history and background of the EID. He described what the money can be used for and gave these examples: Landscaping, and Promotion of public events like the art tour.

He said it has been 25 years since they passed the EID. He added that it takes 66 % needed for passage and 34% can vote it down.

In addition he said that there have been a few changes over the years. The maximum a business has to pay is not more than \$500.00 and no business pays less than \$50.00.

Some of the \$500.00 payers are, Skyberg’s, Ralph Jenne from PEP, the Burrs and Sheldon Oil is a few that pay \$500.00 to the EID.

Bob then added, for the past 25 years the EID has taken in around \$6000 a year and put a total of \$125,000 back into the community with these specific projects:

- Painted the City Clock
- The 2 three log signs
- The Christmas lights
- Rusty the Logger

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- The Galloping Goose
- The support of the Mud Drags
- The support of the flower baskets

The EID meets once a month at 8:00 am at Coyote Joes. There are 5 people on the EID committee and those 5 determine what projects will be supported. Bob said “if you look at Willamina without the EID it would look pretty different.”

Katie asked if there were money for businesses to borrow money. Bob responded yes and it is the Downtown Loan Fund which is at less than 1% of prime and still viable, however, no one has applied for it. The loan has to be used for outside beautification. Mayor Skyberg publicly thanked Bob Burr and Genevieve Wymore, secretary and treasurer of the EID for their public service.

TESTIMONY FROM OPPONENTS “ Now is the time for any persons in opposition of the renewal to speak.

None.

GENERAL TESTIMONY “ Now is the time for any general comments from any persons in the audience regarding the EID Renewal.

CLOSE THE PUBLIC HEARING.

OPEN COUNCIL DELIBERATIONS ON HOW TO PROCEED. IF THERE ARE NO WRITTEN OBJECTIONS TO THE RENEWAL, OR IF THOSE WRITTEN OBJECTIONS REPRESENT LESS THAN 33% OF THE TOTAL ASSESSMENTS TO BE LEVIED, THE RENEWAL CAN PROCEED. IF MORE THAN 33%, IT CANNOT.

RECOMMEND ANY ADJUSTMENTS TO THE EID FOR PROPERTIES THAT ARE NO LONGER ZONED COMMERCIAL OR INDUSTRIAL.

DIRECT STAFF TO PREPARE THE APPROPRIATE ORDINANCE FOR FIRST READING JANUARY, SECOND READING & ADOPTION IN FEBRUARY 2015.

2. Approval of Agenda and Approval of Minutes

Mayor Skyberg

Mayor Skyberg asked for approval of the minutes of November 12, 2015 Regular Meeting and if there were any questions. Councilor Baller had a couple of comments and referred to page 2 bottom paragraph and asked for clarification. The City recorder responded that the Dennis was present and could explain the statement that “he was forging ahead with absolute minutia.”

Planning Commissioner Dennis Ulrich stood and clarified that it was absolutely correct and it meant drag out boring. Rita also referred to page 3 on the Mayor's report which states attended instead of attending and on page 4 correct spelling of public works. Rita also questioned a motion on vacation. It states one year and she felt it should state one year "only". The City recorded noted the requested corrections.

MOTION: Councilor Baller motion to accept the minutes with corrections. Councilor Stritzke seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, McKnight and Vinson voting aye. Councilor Hill was absent.

MOTION: Councilor Baller motion to accept the minutes of November 23, 2015 Finance Committee as written. Councilor Stritzke seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, McKnight and Vinson voting aye. Councilor Hill was absent.

MOTION: Councilor Baller motion to accept the minutes of November 30, 2015 Special City Council Meeting as written. Councilor Stritzke seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, McKnight and Vinson voting aye. Councilor Hill was absent.

3. Public Input Marlena Bertram, Executive Director Your Community Mediators Of Yamhill County

Marlena Bertram, Executive Director

Marlena gave a Holiday Greeting to Council and said it was the time of year she visits Councils to give them an update on activities the organization is doing for the Cities.

She described an 11-month update and the number and type of cases the mediators have addressed in 2014 as compared to 2013. She described a total of 4 and 5 cases during the last two years for Willamina where it came to the mediation table. Marlene added that she believed those cases were very successful and hopes everyone involved learned new skills.

Rita asked Marlene if the mediators have received support from the schools. Marlene responded no not at the present time.

Marlene explained that when the schools see supporting or partnering for mediation services she could see that working, however, it takes funding and staff. She shared that she is the only full time staff member with the Mediators, therefore it would take more trained mediators and staff to address those services. Also, it would take support from people in the communities and support in the schools for the program.

4. Old Business Keller Associates Street Projects

Peter Olson

Peter asked Debbie to start. She responded Peter was present tonight to ask Council to pay for overages. The Sidewalk Grant Project went over budget. Debbie said the sidewalk project was completed and she witnessed it as she drove into town each day and saw the compacting of the gravel. It was the compacting that caused the overages.

Debbie then said she would let Peter explain further why the overage happened and what his recommendation is for a solution.

Peter told the Council that the reason for his visit is not pleasant.

Peter said the project is complete with the exception of 2 punch list items. Rita asked what those are. Peter responded striping and 2 panels that have cracks. The overages are due to excessive rock; 3/4-inch gravel. When they do a contract they put in a certain number for gravel. The cost of over excavation to put in better material is the reason for the 3/4 inch gravel. At the beginning of the project his understanding of the specification of units of quantity needed to be higher. So that clarification could have been handled better.

The amount the contractor is asking to be paid is a lot higher. Peter said that he has tried negotiation with the contractor and they have reduced the unit price a little bit. Not as much as he would like. At the end of the day, we find ourselves at a request in excess of the line item for construction.

The construction overage would take it over \$19,000 over what has been awarded by ODOT. Peter said the grant amount is \$208,000. Debbie responded it is actually \$209,000 stated in the contract documents. Peter said we had discussion with Sheila from ODOT. He noted that Debbie was not in that conversation but Ila was.

Ila then stated that there was phone conference with ODOT yesterday and she was surprised that the city attorney was not in on that conference. She said she was also surprised that a contractor was awarded the bid with 1/2-inch gravel then changed to 3/4 inch.

Dennis asked who approved the overage. Ila said no one.

Ila asks Debbie if we have \$6000 available in the budget. Debbie responded yes and that she had been in communication with the city attorney and received advice in regard to spending sidewalk funds.

Debbie had asked Peter to put in writing what happen, why it happened and what is the resolution for the City Attorney Paul Elsner to review. Debbie shared that Paul's opinion

was that the City was not at fault and an error occurred that was not the cities fault; Paul also advised that the City should not share the total burden and others should step up. The others would be ODOT to adjust the grant amount or the burden would fall onto Keller Associates. All in all, Paul Elsner asked the City to get a communication in writing that the City would not be effected negatively for future grants.

Paul also gave the example if the Council looks at it as if we were notified appropriately would they have approved a change order given the opportunity to approve it.

The City Attorney communicated to Debbie that he does not feel the city should carry the total burden of the loss and asked Keller Associates to step up on their end to solve the problem.

Ila said well we are not ready to decide as there has been nothing presented in black in white. Heather ask so what is the total overage. Peter responded \$19,000. Peter said the contractor has given a deadline of Monday.

Katie said isn't it correct that the bids presented could be more accurate in the beginning.

Peter responded yes. Peter responded the contractor has given a deadline of this Monday or it may go to mediation. Peter said Sheila's asked Keller to talk to the Council and see what they will do and return to a conference the morning after Council and prior to ODOT saying what they will do. Jeff added one of Sheila's concerns is if we go to arbitration the cost to the city would go up. Peter said there are monies that have not been spent for example monies into the engineering budget that can be applied. Heather asked if Council should schedule a meeting for the Monday deadline just in case.

Heather asked when did the contractor submit the initial invoice. Peter said it has been several weeks. Debbie asked so what did Keller Associates discuss in having to participate. Peter said in talking to his boss they lose their fees and at the end of the day the city has the product. So if the city is asking Keller associates to contribute they could cut down their November invoice. Dennis Ulrich Planning Commissioner who was in the audience said he had to break in; they bid the project at \$209,000 and they were the low bid; so they have to accept it. Peter responded it is not as simple as that. Dennis said this is called a scam. Peter responded they were directed to do certain work. So the contractor went with the direction they were given. Dennis asked Peter who gave the directions. Peters responded Keller's Engineer. Dennis then stated it sound like you bought it.

Mayor Skyberg ask the Council what is your favor? Katie responded the City does not have money sitting around; she said it is a beautiful sidewalk, however, if it were bid correctly there wouldn't be a problem and the city does not have monies to put toward it.

Ila said the long and short of it is we do not have the money to put toward it. Ila asked Debbie do we have \$6000 in streets. Debbie responded yes and that the Attorney did not want to see the street line item depleted as it is early in the year.

Rita noted so should we see what ODOT will do and wait for the results of the conference call.

Heather asked that the City Recorder post a meeting for Monday in case the Council needs to come back to the table. Rita then said she feels it is important that the City get information from ODOT in writing that the city will be held harmless as it is not something the City did. It was decided there would be a 9:00am Special Meeting if needed. Jeff added hopefully the meeting with Sheila will make up the difference. Peter surmised so due to uncertainty with the budget the City is unable to participate. Ila told Peter that the City appreciates all his work for the City.

5. Peter Olsen introduced Robert Kippee their new Engineer who was assigned to the Oaken Hills project of the Oaken Hills turn lane. Roberts stated that it is feasible and the City would have to assign no parking for the entire block up to 3rd. Robert added he looked at standard practices and it looks like the residences have other options for parking on other streets and in garages. Heather asked has the school taken financial responsibility for the project. Debbie responded no not yet. She asked Jeff who was present what part were they participating. Ila added that in the beginning Mr. Bazinski a staff member from the high school offered to pay for it all. Jeff acknowledged, yes that right. Debbie noted there is a draft resolution and a staff report that will come back in January.
6. Next is the Mayor Report.
Ila stated she attended a CIS grant writing class at the City of Newport on November 3rd and learned a lot about grant writing. She added there is a lot of grants out there however, the City has to be caught up on their audits to apply for grants.
On Tuesday December the 1st, Jenny Mercer and Commissioner Springer presented the City with a grant check for \$1700. The monies are to be used for the old department store roof.
On Thursday December 3rd Ila said she and other Councilors attended the City County Dinner at the Grand Ronde Confederated Tribe.
On December 4th there was a special meeting at her home. In attendance were City Recorder Debbie Bernard, Rita Baller, Katie Vinson and Theresa McKnight for a meeting with Ross Schultz; a candidate for City Administrator.
On December 10th there was a meeting at the old department store. A structural engineer was doing an on-site inspection and will soon provide the Council with a report.
7. Jeff asked if there had to be a motion on the EID.

Return of the discussion Debbie summarized that there does have to be a 3-part approval.

MOTION: Councilor Vinson motion to approve the EID budget proposal. Councilor McKnight seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, McKnight and Vinson voting aye. Councilor Hill was absent.

MOTION: Councilor Baller motion to accept the election of EID offers. Councilor Stritzke seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, McKnight and Vinson voting aye. Councilor Hill was absent.

MOTION: Councilor Stritzke motion to approve the EID organization. Councilor Baller seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, McKnight and Vinson voting aye. Councilor Hill was absent.

Debbie thanked Jeff.

8. Library Board

Councilor Stritzke

Heather reported that the library board had not heard back on any approval on a volunteer application for a man name Ken Covington and wanted a copy of all applications. Also Heather said there was a miscommunication on the girl that is working with Amber which Melissa was not made aware of her application. In addition, Heather added the library had a wonderful puppet show during the month. There was a book returned to the library that was checked out in 1944. They also wanted to know the status of the grant monies for the façade and if there were any concrete plans.

Also, the Board wanted to start fund raising. Ila responded to Heather they are not a 501C3 and cannot just start fund raising. Ila added that the grant monies are still whole and waiting to be used for the façade.

Heather responded that she is not sure as to what happened with the Friends of the Library, however, they did not maintain the proper notification with the state and no longer have a nonprofit standing. So basically they have to start the whole process over again. Dennis Ulrich stated "come talk to Kiwanis" they can use our 501C3.

9. YCOM Board

Councilor Rita Baller

Rita reported that their director Janice retired. The new director name is Patty Sires. Janice is helping the new director however only coming in when needed.

10. Check Registers

Katie asked Debbie how many porta-potties are there? Debbie responded that she would have to get back to her on that. Jeff responded that public works added one for Lamson Park.

11. Planning Commissioner Report

Dennis said just more of the same.

12. City Recorder Report

Caselle Conversion

Debbie reported that she is working on the Court conversion which is the last module needing to be converted. Debbie also reported that staff trained on the backflow module last week; she added that the cities are testing a little over 200 backflow units.

Debbie also reported that she would be bringing Ross Schultz's resume and recommendation to Council in a Special Meeting giving them the opportunity to review his background and qualification.

13. Code Enforcement Report

Mayor Skyberg asked Debbie if there was any response to the request for him to come to council. Debbie said John did respond and said he felt he took care of that with the luncheon he had with Councilor Baller and the Mayor. There was also a pizza party for John on his last day.

In addition, Debbie added that Sargent Whitlow was not present as he was receiving a special award as Supervisor of the Year in Bend.

14. Public Works

Jeff Brown

Jeff reported that public works needs to repair and replace blowers and would bring them to Council in January. He contacted DEQ because water entered the wells. He also reported that Public works reached a panic level on not being able to make water; however, they put in a new pump and that helped out and they overcame that problem. Jeff added that the staff would be manning the plant on 8 hours shifts. Katie asked Jeff is there any possibility to use rain water when there is a shortage of water. He responded it had been discussed over the years.

In addition, Jeff noted that there has been talk about emergency preparedness and he had set up a meeting on December 19th with the High School, Fire Department, and Sue Lamb for a preliminary meeting with a core group to start the ball rolling on emergency preparedness.

15. Councilor Baller asked about the Budget Calendar. Debbie responded she and the accountant are schedule for budget training in January.
16. Mayor said motion to adjourn. Everyone responded yes.

V. Agenda and Time of Next Meeting

The next meeting will be held at 7:00 PM on January 14, 2016 at:
City Of Willamina
411 NE "C" Street
Willamina, Oregon 97396

The meeting was adjourned at 9:30PM by Mayor Ila Skyberg.

Minutes submitted by: City Recorder, Debbie Bernard
_____.

Minutes approved by: Mayor Ila, Skyberg _____.



Mayor Ila Skyberg

Council Members:

*Rita Baller, Council President
Gary Hill
Katie Vinson
Heather Stritzke
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Theresa McKnight*

City Staff:

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Accountant: Marilyn Coates
Office Coordinator: Rania Conover
Office Specialist: Karen Justen
Library: Melissa Hansen & Amber Deibel
Public Works Director: Jeff Brown
Code Enforcement: vacant*

**City Of Willamina Special Meeting
Minutes of the Monthly Meeting of the City Council
December 22, 2015
7:00pm PM**

Location of Meeting:

City Of Willamina
411 NE "C" Street
Willamina, Oregon 97396

Present at Meeting:

Mayor Ila Skyberg
City Council President Rita Baller
Councilor Gary Hill
Councilor Heather Stritzke
Councilor Allan Bramall
Councilor Theresa McKnight

Absent:

Councilor Katie Vinson

Other Attendees: City Recorder, Debbie Bernard, Public Works Superintendent Jeff Brown, and New Register Reporter Paul Daquilante were also in attendance.

The regular meeting of the City Of Willamina Special Meeting December 22, 2015 was called to order at 7:00 PM on December 22, 2015 at City of Willamina by Mayor Ila Skyberg. Roll call was taken by the City Recorder Debbie Bernard and a quorum was present.

I. Approval of Agenda

The agenda for the meeting was distributed and unanimously approved.

II. Review of Previous Minutes

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willaminaoregon.gov*

The minutes of the previous meeting were not presented for approval.

III. Consideration of Open Issues and Old Business

1. Public Input

Mayor Skyberg

The Mayor asked if there were public input there was none. Jackie Haworth was in the audience. She stated that she did not have any input at that time.

2. Old Business

Office Specialist Placement

Mayor Skyberg asked the City Recorder to begin the discussion. Debbie responded by stating she was asking Council to approve Karen Justen as the Office Specialist permanent full time at the pay rate of \$13.15. She said Karen is an asset to the City and has excellent customer service skills and has proven in the last 6 months that she can do the job.

Debbie also said she checked with the union regarding using the hire scale. Also, the position was advertised in house and in the News register.

Rita stated she had a concern. While she believes the girls in the office are doing a good job she thinks that the Council should wait for the new City Administrator and the focus should be on getting him hired as soon as possible. She said she thinks it would be slap in the face if the Council were to do things he would do. Heather responded and she disagreed. Heather said she does not believe it has any bearing on the hire of the City administrator.

Jackie Haworth citizen present in the audience spoke and asked if she could comment. Jackie noted that she was on the Budget committee and that this was the first time she had anything to do with Cities business. Jackie wanted to know how long it has been since there has been a City Administrator. She also said you talking about him as if he has been approved for hire. Ila responded that the man they will be talking about tonight would be part-time and a person that would go after grants for the City and attend meetings for the city. The City Recorder asked the audience member to state her name for the record responded Jacqueline Haworth. The Mayor added by stating that the City Recorder has a lot jobs and the Council does not want to wear her out. The Mayor then asked Council if there were more discussion.

MOTION: Councilor Stritzke moved to approve the hire of Karen Justen at the pay rate of \$13.15 an hour. Council McKnight seconded the motion. Motion carried unanimously, with Councilors Stritzke, Baller, Bramall, Hill, McKnight voting aye. Councilor Vinson was absent.

4. Accountant Position

City Recorder Debbie Bernard

Debbie introduced the discussion by stating that the accountant position is now a permanent part of finance. The Accountant Marilyn Coates had just work thru a conversion to Caselle which took a great deal of focus and concentration; Marilyn was very successful in taking on the position as she came from private sector and is learning government fund accounting. Debbie went on to say that Express Personnel was very keen on sending Marilyn to the City; she also added that Kathy Taylor submitted a letter of recommendation for Marilyn to share with the Council on her behalf.

Heather asked if Marilyn planned to stay in the area as she heard she was new. Debbie responded and said that she believed Marilyn would be staying as she purchased a new home. Debbie also added that Marilyn likes the area and has told her she enjoys the job and the staff and would very much like to stay.

Gary asked Debbie where in the budget the job is covered. Debbie responded that the Accountant position is in the budget. Gary again asked can we extend her contract. Heather asked if we have to buy out her contract; Debbie responded no because the contract has ended. Heather then asked if Marilyn is qualified to do the job as written. Debbie responded yes. Heather added that she does not know what she is struggling with; she said if we are going to her I guess we should hire.

The Mayor asked if there were any further questions.

Debbie stated there is an investment in time that we already invested. Ila asked for a motion. Rita said she liked extending the contract on a temporary basis pending the hire of the administrator. Heather then said is there way to make it an understanding that the job description stay as is until further. Heather said she felt everyone was getting hung up on the job description.

Debbie said yes and added make the hire as the job description is with no changes.

MOTION: Councilor Stritzke moved to approve the hire of Marilyn Coates at the pay rate of \$24.50 an hour with the no change to the existing job description as full time permanent hire. Council Hill seconded the motion. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, Hill, McKnight voting aye. Councilor Vinson was absent.

5. City Administrator

Ila Skyberg & Debbie Bernard

Mayor Skyberg started out and said that this is interim City Administrator. Ila apologizes to the Gary Hill and Allan who were not in attendance for the meeting where we met Ross Schultz.

Ila then said that Ross Schultz resume shows that he knows everything there is to know about running a city. Ila added that she talked to Kathy Taylor as whether or not we can afford a City Administrator and Kathy responded yes as she would be phasing out. Debbie added that she talked to Paul Elsner regarding Ross and he had positive things to say. Debbie then said her opinion is 2 fold. When we go fishing we get what we get; and it is hard to find a candidate with Government experience. Debbie gave her recommendation.

MOTION: Councilor Baller moved to approve the hire Ross Schultz rate of \$100.00 an hour as the City Administrator. Council Hill seconded the motion. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, Hill, McKnight voting aye. Councilor Vinson was absent.

Ila then stated that we will direct Debbie to contact Ross Schultz.

Debbie then asked the Council for approval to close early on Christmas Eve. Rita responded 2:00 pm sound like a good hour to let folks head home.

Paul from the News Register asked for a clarification of pay rate. Debbie responded that Ross will be paid a pay rate of \$100 plus mileage.

MOTION: Councilor Baller moved to adjourn. Councilor Hill seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, Hill, McKnight voting aye. Councilor Vinson was absent.

Agenda and Time of Next Meeting

The next meeting will be held at 7:00 PM on January 28, 2016 at:
City Of Willamina
411 NE "C" Street
Willamina, Oregon 97396

The meeting was adjourned at 8:00 PM by Mayor Ila Skyberg.

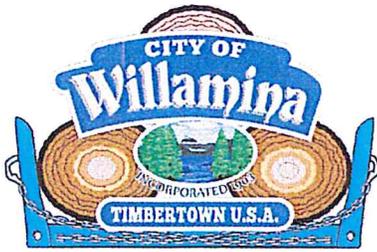
Minutes submitted by: Debbie Bernard, City Recorder _____.

Minutes approved by: Ila Skyberg, Mayor _____.

Z:\CITY COUNCIL\CC Agendas\2015-2016\2016.01.14.16.CC.REGULAR MEETING

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Mayor Ila Skyberg

Council Members:

*Rita Baller, Council President
Allan Bramall
Gary L Hill, Jr
Theresa McKnight
Heather Stritzke
Katie Vinson*

City Staff:

*City Recorder: Debra Bernard
Accountant: Marilyn Coates
Office Specialist: Karen Justen
Officer Coordinator: Rania Conover temp
Librarian: Melissa Hansen
Library Admin Clerk: Amber Deibel
Public Works Director: Jeff Brown
Code Enforcement Officer: vacant*

**City of Willamina Finance Committee
Minutes of the First Tuesday Meeting of the Finance Committee
January 5, 2016
7:00 PM corrected 1/11/16**

Location of Meeting:

City of Willamina
411 NE "C" St
Willamina, Oregon 97396

Present at Meeting:

Councilor Gary Hill
Councilor Rita Baller
City Recorder Debbie Bernard

Absent:

Councilor Katie Vinson

The regular meeting of the Finance Committee of City of Willamina Finance Committee was called to order at 7:21 PM on January 5, 2016 at City of Willamina by Councilor Gary Hill. Roll call was taken and a quorum was present.

I. Approval of Agenda

The agenda for the meeting was distributed and unanimously approved. Additional items were discussed under committee members and concerns.

II. Review of Previous Minutes

There were no minutes of the previous meeting to approve.

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III. Consideration of Open Issues

1. Express Bill Pay
City Recorder, Debbie Bernard
The City Recorder re-introduced the Proposal from Express Bill Pay to do the online bill pay which is supported by Caselle. At their November 3, 2015 meeting the Finance Committee met to discuss express bill pay and at that time Councilor Hill wanted to do research to see if the City could get a better rate as he had worked in that industry. Returning to the table Councilor Hill stated that Express Bill pay had the best rate and to move forward. Rita supported Gary in his recommendation.

2. Petty Cash
Councilor Gary Hill
Gary started a discussion of Petty Cash. He asked the City Recorder to bring the new line item to council for approval.
Background:
Debbie shared that on December 2, 2015 The accountant issued a check for \$300 made out to cash. The purpose was to be used for petty cash.
The need arose when Finance needed to send a check priority mail so it could be tracked. There was another example of Richard needing to mail a package and requested monies for postage. At this time finance has only used the cash two times; both purchases were for postage. It has been reconciled at month end by counting the cash remaining and adding the cash balance to the total of December receipts. Councilor Baller asked Debbie to request council to approve the line item for petty cash.

3. Water Pump
Councilor Gary Hill
Gary started a discussion referencing a pump for Public Works. It was not on the agenda. Debbie stated she received a PO for \$6200 for a water pump today. She immediately called Jeff and asked for additional information and whether or not it was an emergency. Debbie advised Jeff to send an email stating it was needed and an emergency. Council Baller stated to make sure that the email is received from Jeff and attached the PO.

4. Budget Officer
Councilor Gary Hill
Councilor Hill asked who the Budget Officer is. Debbie responded Marilyn Coates our Accountant. Councilor Hill advised Debbie that Council needs to approve the budget officer and to bring that recommendation to Council on the 14th.

5. Old City Shop
Councilor Baller

Rita asked the City Recorder as to where at City Hall would the new staff be seated. Debbie explained her plan to remodel the upstairs. She said she planned to move boxes to storage then clean and paint one of the upstairs room. After that set up a desk, computer and phone. Councilor Baller suggested moving file storage boxes to the Old City Shop building.

6. Dog Park

Councilor Rita Baller

Councilor Baller shared with the Committee that the Chamber of Commerce had a discussion on creating a dog park at the far end of the Pond. Gary responded that is not a bad idea. The City Recorder also supported that the idea and expressed it is definitely a need that could be satisfied in the perfect place if maintain. Rita stated she heard that the Chamber would do the maintenance for example keeping the bags for dog waste stocked.

IV. Consideration of New Business

1. Notice of Resignation Finance Committee Chair Gary Hill

Councilor Gary Hill

Gary announced that he would be stepping down as the Finance Committee Chair effective February 2016. **He said in addition, he would also be leaving his Council seat.**

V. Agenda and Time of Next Meeting

The next meeting will be held at 7:00 PM on February 2, 2016 at:
City of Willamina
411 NE "C" St
Willamina, Oregon 97396

The meeting was adjourned at 9:30 pm by Councilor Gary Hill.

Minutes submitted by: City Recorder Debbie
Bernard _____.

Minutes approved by: Councilor Gary
Hill _____.

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DUE DATE		AMOUNT ENCLOSED
12/15/15		87.29

ADDRESSEE

DOUG COLTON
PO BOX 764
WILLAMINA OR 97396-0764

REMIT TO

CITY OF WILLAMINA
411 NE C STREET
WILLAMINA, OR 97396

Douglas C Colton
Po Box 764
Willamina, OR 97396

5654
96-7031/3232

12-15-15
Date

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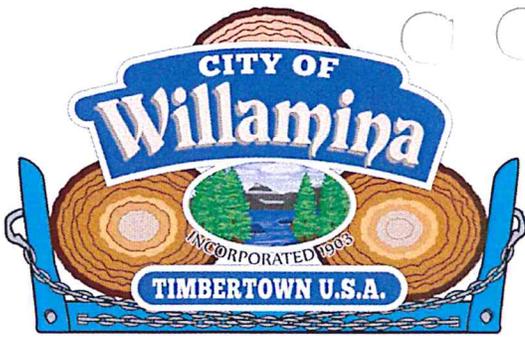
For AC# 1573.01 Douglas C. Colton MP

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Harland Clarke

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2-2



Mayor Ila Skyberg

Council Members:

*Rita Baller, Council President
Gary Hill
Katie Vinson
Heather Stritzke
Allan Bramall
Theresa McKnight*

City Staff:

*City Recorder: Debbie Bernard
Accountant: Marilyn Coates
Office Specialist: Karen Justen
Office Coordinator: Rania Conover
Library: Melissa Hansen & Amber Deibel
Public Works Director: Jeff Director
Code Enforcement: vacant*

CITY OF WILLAMINA, OREGON

RESOLUTION NO. R15.16-007

A RESOLUTION OF THE WILLAMINA CITY COUNCIL ADOPTING DELEGATED AUTHORITY FOR CITY STAFF

WHEREAS, Staff has reviewed its expense authorization process and created the attached document, exhibit A; and,

WHEREAS, Willamina City Council has reviewed staff recommendations for Delegated Authority in exhibit A; and

WHEREAS, The Willamina City Council finds the staff recommendations appropriate;

NOW THEREFORE, BASED ON THE FOREGOING, the Willamina City Council hereby resolves to adopt Delegated Authority as described in attached exhibit A.

This resolution is effective immediately upon its passage by the Council.

ADOPTED this 14th day of January, 2016.

Ilya Skyberg
Mayor

Date of Signing

ATTESTED:

Debbie Bernard,
City Recorder

Date of Enactment

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willaminaoregon.gov

Department Finance
Policy Title Delegated Authority – City of Willamina
Origination Date January 14th, 2016

Purpose

This policy is intended to:

- Provide appropriate authority for and control of expenditures
- Ensure compliance with local budget law

Definitions

- *Capital Project*: A group of related activities and/or purchases that result in the acquisition of a long-term asset for the City such as land, land improvements, buildings and infrastructure.
- *Project Budget*: The sum of all direct and indirect costs of a capital project, including costs for materials, consultants and contractors; City employees; City overhead; and allowance for contingency. Project budgets can span multiple years.
- *Adopted Budget*: The Adopted Budget is the annual budget and any changes adopted by the City Council. Changes are defined by Oregon Budget Law (ORS 245) and include budget reductions, resolution transfers, and supplemental budgets.
- *Budget Expenditure*: A proposed expenditure which would exceed the adopted budget or project budget.

Authorization of expenditures

This policy defines authorization of expenditures, which is different from award of contracts and is therefore in addition to Local Contract Review Board Rules. Local Contract Review Board Rules require that the City Council approve awards of bids or proposals, which are by definition expenditures of \$75,000 or more. Contract rules apply to all awards, regardless of how the expenditure is defined per this policy. This policy deals with authorization of expenditures; authorization should occur before bids or proposals are requested.

Expenditures are to be authorized as follows;

<u>Authorization Required</u>	<u>Budgeted</u>	<u>Unbudgeted</u>
City Council	\$15,000 or more	\$5,000 or More
City Manager	Up to \$15,000	Up to \$5,000
Directors	Up to \$10,000	Up to \$2,000
Managers	Up to \$5,000	Up to \$1,000

Notes:

Directors are those responsible for an appropriated budget. This includes the City Recorder, and Public Works Director.

Managers are those who have budgetary responsibilities delegated by directors or City Manager. This includes the Public Works Manager, the Accounting Manager.

Authorization is not required for anything a purchase order is not required for, i.e. payroll related expenditures, debt service and utilities.

Staff Authorizes by Purchase Order; Council authorizes by Consent agenda.

Examples –

1. A purchase order of \$8,000 needs to be signed by the appropriate director, but not the City Manager.
2. A purchase order for an unbudgeted expenditure of \$8,000 needs to be signed by the Director, City Manager and approved on the consent agenda.

Notes;

- The Recorder signs all purchase orders.
- For all expenditures over \$5,000 approved by the City Manager according to this policy will be reported on the weekly report.

Compliance with Budget Law

Local budget law requires that actual appropriations not exceed budgeted appropriations. Council approval is required to change appropriations; local budget law specifically requires that any movement from contingency budget to any other appropriation be done by resolution or ordinance.

At levels other than the level of appropriations, the City Manager has discretion;

- The Manager may move budgeted resources between months
- The Manager may increase or decrease individual revenue accounts within a fund, when the net effect is to leave the total unchanged
- The Manager may increase or decrease individual expenditure accounts, when the net effect is to leave the total unchanged at the legal level of control (except, however, that payroll related expenditures cannot be changed without a personnel action form and specific approvals)

If a proposed expenditure will exceed the budget at a level other than the level of appropriations, the Manager must change the budget prior to issuing a purchase order or check. The process is to give the Finance Department a request for change, detailing the affected accounts; Finance will approve and post the change to the appropriate accounts.

If a proposed expenditure will cause exceeded appropriations, a change to the budget must be adopted by the City Council prior to expenditure. The process is to give the Finance Department a request for change, detailing the affected accounts; Finance will prepare the Resolution for City Council. To keep the process simple, these budget resolutions will be proposed twice a year in January and in May. If expenditure needs to be made prior to adoption of a budget change, it must be paid from an existing appropriation.



Mayor Ila Skyberg

Council Members:

*Rita Baller, Council President
Allan Bramall
Gary L Hill, Jr
Theresa McKnight
Heather Stritzke
Katie Vinson*

City Staff:

*City Recorder: Debbie Bernard
Accountant: Marilyn Coates
Office Specialist: Karen Justen
Office Coordinator: Rania
Conover temp
Library: Melissa Hansen & Amber
Deibel
Public Works Director: Jeff Director*

MEMO TO: CITY COUNCIL
DATE: JANUARY 14, 2016
FROM: DEBBIE BERNARD, CITY RECORDER
SUBJECT: LIQUOR LICENSE RENEWAL PROCESS 2016

Background:

1. Each year the City receives a memo entitled "OLCC License Renewals" from Oregon OLCC. The attached memo renewal notification list processes and various businesses listed in the City that has Liquor Licenses that must be renewed by March 31, 2016 (copy attached).

The renewal form for these licenses has changed and no longer requires individual sign-off from the local government.
2. The memo from the OLCC listed three options for the local government that must be done by 3/3/2016:
 - A) Provide a written renewal recommendation to the OLCC for any or all of the licenses on this list.
 - B) Make a written request for additional time to investigate a specific renewal or renewals. The request must set forth the reason additional time is needed, state that the local government is considering making an unfavorable recommendation, and state the specific grounds being considered toward an unfavorable recommendation.
 - C) Take no action. After 3/3/2016, the OLCC will process the renewal application as if the Council made a favorable recommendation.
3. Renewal applications must pay a renewal fee of \$35.00 to the City. Staff needs direction from Council about how to process these applications. I know of no reason why Council would be considering an unfavorable recommendation for any of these businesses. If I am correct, does Council wish to make a written renewal recommendation for all of these licenses or take no action?

Action Requested

Council decision on recommendation for Liquor License Application Renewals for 2015-16.

Attachment



City of Willamina
WILLAMINA
PO Box 629
Willamina, OR 97396

RENEWAL NOTIFICATION PROCESS

It's time again for liquor license renewals in your area. Liquor licenses are due to expire **3/31/2016**. Attached is the list of licensees who are required to submit their renewal application to local government for comment. According to our records you charge:

\$35.00 Renewal Fee for ON-PREMISES \$0.00 Renewal Fee for OFF-PREMISES

We told applicants to mail your local government fees to the address on this letter.
PLEASE NOTIFY US IMMEDIATELY IF THE FEE(S) OR ADDRESS ARE INCORRECT

HOW TO MAKE A RECOMMENDATION

You have until **3/3/2016** to make your recommendation. Below are your options for renewals:

RECOMMEND APPROVAL

1. **DO NOTHING.** If you do not submit a recommendation by **3/3/2016**, the OLCC will process the renewal application as a favorable recommendation.

RECOMMEND DENIAL (see additional information on page 2)

1. File an unfavorable recommendation, stating the grounds for the unfavorable (must meet the denial criteria on back of form); **OR**

Make a written request for additional time to complete an investigation. The request must state: 1) you are considering making an unfavorable recommendation; 2) the specific grounds being considered. **The grounds must be one referenced in Oregon Administrative Rule 845-005-0308(3).** If your request is granted you will be given a 45-day extension to file your unfavorable recommendation. Unfavorable means recommending denial of a license or requesting restrictions be placed on a license.

If you need assistance or would like to discuss a specific application, please contact your local OLCC office for help. Please send renewal recommendation correspondence to OLCC.Renewals@oregon.gov or OLCC License Renewals, P.O. Box 22297, Portland, OR 97269-2297. If you have questions, contact our license renewal section at 503.872.5138 or toll free at 1.800.452.6522 ext 5138.

REASONS WE MAY DENY OR RESTRICT A LICENSE
ORS 471.313(4)(5), OAR 845-005-0320, 845-005-0321, 845-005-0322
845-005-0325, 845-005-0326(4)(5) or 845-005-0355

The following is a list of problems relating to the **APPLICANT** or **BUSINESS** that OLCC can consider to refuse or restrict a license:

1. Applicant has a habit of using alcohol or drugs to excess
2. Applicant makes a false statement to OLCC (must be related to a refusal basis)
3. Applicant has been convicted of local, state or federal laws that are substantially related to the fitness of holding a liquor license
4. Applicant has demonstrated poor moral character
5. Applicant has a poor record of compliance when previously licensed by OLCC
6. Applicant is not the legitimate owner of the business
7. The business has a history of serious and persistent problems at this location. The problems can include:

obtrusive or excessive noise, music or sound vibrations
public drunkenness
fights or altercations
harassment
unlawful drug sales
alcohol or related litter

OLCC is not able to consider the following issues when deciding to renew a liquor license:

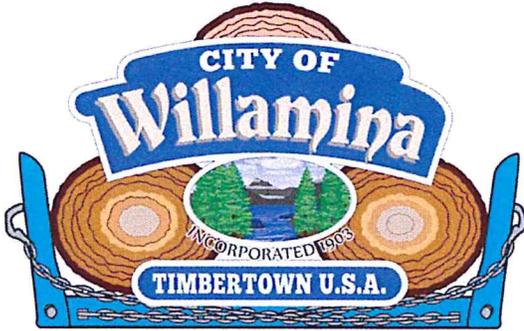
lack of parking
increase in traffic
too many licenses in a specific area (saturation)
entertainment type - nude dancing, gambling, live bands, etc.
increased noise
zoning issues

Visit www.oregon.gov/olcc/ to see the full text of ORS and OAR referenced above. In order for an unfavorable recommendation from a local government to be valid, the grounds must be found in the license refusal bases of ORS 471.313(4), 471.313(5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

License No./ Premises No.		Tradename/Licensee/License Type	Premises Address & Phone	Premises Mailing Address
Lic. 216309		CENTER MARKET #5	180 NE MAIN ST	
Prem. 36139		RAMAN INC O - OFF-PREMISES SALES	WILLAMINA, OR 97396 503-876-7700	
Lic. 215387		COYOTE JOE'S	142 MAIN ST	PO BOX 349
Prem. 24684		COYOTE JOE'S INC L - LIMITED ON-PREMISES SALES	WILLAMINA, OR 97396 503-876-3003	WILLAMINA, OR 97396
Lic. 215453		DILLON'S BAR & GRILL	161-181 NE MAIN ST	4252 BROOKS AVE NE
Prem. 3495		CAROLYN J. CANNON F-COM - FULL ON-PREMISES SALES	WILLAMINA, OR 97396 503-932-7976	KEIZER, OR 97303
Lic. 217755		WILDWOOD CAFE	150 NE MAIN ST	41100 TINDLE CR
Prem. 38377		WILDWOOD SERVICES INC F-COM - FULL ON-PREMISES SALES	WILLAMINA, OR 97396 503-876-7897	WILLAMINA, OR 97396
Lic. 217261		WILLAMINA SELECT MARKET	112 W MAIN ST	PO BOX 125
Prem. 3494		SMJ LLC O - OFF-PREMISES SALES	WILLAMINA, OR 97396 503-638-2421	SHERIDAN, OR 97378
Lic. 216595		WILLAMINA SHELL & GROCERY	692 NE MAIN ST	2801 3RD ST
Prem. 51563		SHELDON OIL COMPANY O - OFF-PREMISES SALES	WILLAMINA, OR 97396 503-842-2172	TILLAMOOK, OR 97141

Count for WILLAMINA

6



Mayor Ila Skyberg

Council Members:

*Rita Baller, Council President
Gary Hill
Katie Vinson
Heather Stritzke
Allan Bramall
Theresa McKnight*

City Staff:

*City Recorder: Debbie Bernard
Accountant: Marilyn Coates
Office Specialist: Karen Justen
Office Coordinator: Rania Conover
Library: Melissa Hansen & Amber Deibel
Public Works Director: Jeff Brown*

MEMO TO: CITY COUNCIL

DATE: JANUARY 14, 2016

FROM: DEBBIE BERNARD, CITY RECORDER

SUBJECT: MUTUAL AID AND ASSISTANCE AGREEMENT

BACKGROUND:

Mutual Aid and Assistance Agreement Related to water and wastewater agreement is attached for your review. The agreement is the Oregon Water/Wastewater Agency Response Network.

Membership is free and there is never any obligation for utilities to provide aid.

Becoming a member utility

ORWARN member utilities assist each other by listing emergency equipment and trained personnel available for use by other members during an emergency.

1. Complete and sign the agreement. Mail to:

Ken Schlegel
Clean Water Services
2550 SW Hillsboro Highway
Hillsboro, OR 97123
schlegelk@cleanwaterservices.org

About ORWARN

The Oregon Water/Wastewater Agency Response Network (ORWARN) is composed of member utilities providing voluntary assistance to each other during an emergency incident.

A Mutual Aid Agreement signed by participating members promotes:

- Increased emergency planning and coordination
- Enhanced access to specialized and vital resources
- Expedited arrival of aid to respond and recover quickly from a disaster
- Reduced administrative conflict
- A mutual assistance program consistent with the National Incident Management System (NIMS)
- A sense of hope among survivors due to emphasis on restoration of utility services

<u>Member</u>	<u>City</u>	<u>County</u>
1	Boring Water District No. 24	Boring
2	Canby Utility	Canby
3	Cannon Park View Water	Arch Cape
4	City of Albany	Albany
5	City of Banks	Banks
6	City of Bay City	Bay City
7	City of Beaverton	Beaverton
8	City of Corvallis	Corvallis
9	City of Dallas	Dallas
10	City of Dayton	Dayton
11	City of Detroit	Detroit
12	City of Dundee	Dundee
13	City of Estacada	Estacada
14	City of Fairview	Fairview
15	City of Forest Grove	Forest Grove

Equal Opportunity Employer TTY Dial 7-1-1 or 1-800-735-2900

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willaminaoregon.gov

<u>Member</u>	<u>City</u>	<u>County</u>
16	City of Garibaldi	Garibaldi
17	City of Gates	Gates
18	City of Gladstone	Gladstone
19	City of Gresham	Gresham
20	City of Harrisburg	Harrisburg
21	City of Hillsboro	Hillsboro
22	City of Idanha	Idanha
23	City of Independence	Independence
24	City of Keizer	Keizer
25	City of Lake Oswego	Lake Oswego
26	City of Manzanita	Manzanita
27	City of McMinnville	McMinnville
28	City of Mill City	Mill City
29	City of Molalla	Molalla
30	City of Monmouth	Monmouth
31	City of Newberg	Newberg
32	City of North Plains	North Plains
33	City of Oregon City	Oregon City
34	City of Philomath	Philomath
35	City of Portland Environmental Services	Portland
36	City of Portland Water Bureau	Portland
37	City of Salem	Salem
38	City of Sandy	Sandy
39	City of Seaside	Seaside
40	City of Sheridan	Sheridan

<u>Member</u>	<u>City</u>	<u>County</u>
41	City of Sherwood	Sherwood
42	City of Silverton	Silverton
43	City of St Helens Public Works Dept.	St Helens
44	City of Sweet Home	Sweet Home
45	City of Tigard	Tigard
46	City of Tillamook	Tillamook
47	City of Toledo	Toledo
48	City of Troutdale	Troutdale
49	City of Tualatin	Tualatin
50	City of Turner	Turner
51	City of Waldport	Waldport
52	City of West Linn	West Linn
53	City of Wilsonville	Wilsonville
54	City of Wood Village	Wood Village
55	City of Yachats	Yachats
56	Clackamas County Water Environment Services	Clackamas
57	Clackamas River Water	Clackamas
58	Clean Water Services	Hillsboro
59	Corbett Water District	Corbett
60	Government Camp Sanitary District	Government Camp
61	Joint Water Commission	Hillsboro
62	LA Water Co-Op	Gaston
63	Lusted Water District	Troutdale
64	Mulino Water District No. 1	Mulino
65	Multnomah County Drainage District No. 1	Portland

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<u>Member</u>	<u>City</u>	<u>County</u>
66	North Clackamas County Water Commission	Oregon City
67	Oak Lodge Sanitary District	Milwaukie
68	Oak Lodge Water District	Milwaukie
69	Raleigh Water District	Portland
70	Rhododendron Water Association	Rhododendron
71	Rivergrove Water District	Lake Oswego
72	Rockwood Water People's Utility District	Portland
73	Seal Rock Water District	Seal Rock
74	South Fork Water Board	Oregon City
75	Southwood Park Water District	Beaverton
76	Suburban East Salem Water District	Salem
77	Sunrise Water Authority	Happy Valley
78	Tillamook County Creamery Association	Tillamook
79	Tillamook County Public Works	Tillamook
80	Timberline Rim Water Company	Rhododendron
81	Tone Water District	Tillamook
82	Tualatin Valley Water District	Beaverton

Action:

Motion to approve becoming a ORWARN member and motion to have the Mayor sign the Mutual Aid and Assistance Agreement.

**MUTUAL AID AND ASSISTANCE AGREEMENT FOR THE PROVISION OF
EMERGENCY SERVICES RELATED TO WATER AND WASTEWATER
UTILITIES**

This Mutual Aid and Assistance Agreement ("Agreement") establishes a Mutual Aid Assistance Program among signatories to this Agreement, and contains procedures and standards for a water and wastewater utility Mutual Aid and Assistance Program.

AGREEMENT

This Agreement is entered into by the Members that have, by executing this Agreement, manifested their intent to enter into a Mutual Aid and Assistance Program through the Oregon Water/Wastewater Agency Response Network (ORWARN). Associate Members may also become affiliated with ORWARN by executing this Agreement. A list of all Members and Associate members shall be maintained by the Governing board and is available upon request from a Governing Board.

**ARTICLE I.
PURPOSE**

Recognizing that emergencies may require assistance in the form of personnel, equipment, and supplies from outside the area of impact, the Members hereby establish a Mutual Aid and Assistance Program. Through the Mutual Aid and Assistance Program, Members may, in their discretion, coordinate response activities and share resources during emergencies. This Agreement sets forth the procedures and standards for the administration of the Mutual Aid and Assistance Program.

**ARTICLE II.
DEFINITIONS**

A. Associate Members Any public or private entity that desires to be affiliated with ORWARN may become an Associate Member. Associate Members may attend board meetings, attend general membership meetings, attend training exercises, receive general information regarding the organization and participate in other activities deemed appropriate by the Governing Board. Associate Members may not request assistance or respond to a request for assistance under the Agreement. Further, Associate Members may not vote and

are ineligible to serve on the Governing board.

B. Authorized Official Employees or officers of a Member that are authorized to: (1) request assistance; (2) offer assistance; (3) refuse to offer assistance or (4) withdraw assistance under this Agreement.

C. Confidential Information Any document shared with any signatory of this Agreement that is marked confidential, including but not limited to any map, report, notes, papers, opinion, or e-mail which relates to the system vulnerabilities of a Member.

D. Emergency Any human caused or natural event or circumstance causing, or imminently threatening to cause, loss of life, injury to person or property, human suffering or financial loss, and includes, but is not limited to, fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of oil or hazardous material as defined in ORS 466.605, contamination, utility or transportation emergencies, disease, blight, infestation, civil disturbance, riot, intentional acts, sabotage and war that is, or could reasonably be believed to be beyond the control of the services, personnel, equipment, and facilities of a Member.

E. Member Any municipal corporation, quasi-municipal corporation, department or agency of a municipal corporation, department or agency of a quasi-municipal corporation, service district, political subdivision or private utility company that participates in the Mutual Aid and Assistance Program by executing this Agreement. If any municipal corporation, quasi-municipal corporation, department or agency of a municipal corporation, department or agency of a quasi-municipal corporation, service district, political subdivision or private utility company has separate water and wastewater operations, each one, if contracting separately, shall be deemed to be a Member for purposes of this Agreement.

F. National Incident Management System (NIMS) A national, standardized approach to incident management and response that sets uniform processes and procedures for emergency response operations.

G. Non-Responding Member A Member that does not provide assistance during a Period of Assistance under the Mutual Aid and Assistance Program.

H. Period of Assistance A period of time during which a Responding Member assists a Requesting Member. The period commences when personnel, equipment, or supplies depart from a Responding Member's facility and ends when the Responding Member no longer supplies personnel, equipment, supplies or services to the Requesting Member.

I. Requesting Member A Member that requests assistance under the Mutual Aid and Assistance Program.

J. Responding Member A Member that responds to a request for assistance under the Mutual Aid and Assistance Program.

ARTICLE III. ADMINISTRATION

A. A Governing Board shall be established to organize and maintain the Mutual Aid and Assistance Program. The Governing Board shall be elected by ballot by a majority vote of the Members of this Agreement. Each Member shall have one vote. Associate Members are ineligible to vote and may not serve on the Governing Board.

B. The Governing Board shall consist of 5 Members. The Governing Board will elect the following officers: a Chair; a Vice Chair; and a Secretary. The term of all board members shall be 2 years, except that in the first year the Agreement is in effect, the term of the Vice Chair and other board members shall be 1 year. A quorum shall be a majority of the Members of the Governing Board.

C. The Governing Board shall meet at least twice each year, at a meeting place designated by the Governing Board. The Governing Board may make, establish and alter rules and regulations for its procedure consistent with generally recognized principles of parliamentary procedure. The Governing Board shall have the power to carry out the purposes of this Agreement, including but not limited to the power to: adopt bylaws; develop specific procedures and protocol for requesting assistance; develop specific procedures and protocol for responding to a request for assistance; organize meetings; operate a website; disseminate information; create informational brochures; create subcommittees; maintain membership lists; maintain equipment and supply inventory lists; and deal with membership issues.

ARTICLE IV. REQUESTS FOR ASSISTANCE

A. Member Responsibility: Members shall designate Authorized Official(s); provide contact information including emergency 24-hour contact information; and maintain resource information made available by the utility for mutual aid and assistance response. Such information shall be updated annually or when changes occur and provided to the Governing Board.

In the event of an Emergency, a Member's Authorized Official may request mutual aid and assistance from a participating Member. Requests for assistance can be made orally or in writing. When made orally, the request for

personnel, equipment, and supplies shall be provided in writing as soon as practicable. Requests for assistance shall be directed to the Authorized Official of the participating Member. The Governing Board shall develop specific protocols for requesting aid in bylaws, as amended from time to time.

B. Response to a Request for Assistance: After a Member receives a request for assistance, the Authorized Official evaluates whether resources are available to respond to the request for assistance. Following the evaluation, the Authorized Official shall inform, as soon as possible, the Requesting Member whether it has the resources to respond. If the Member is willing and able to provide assistance, in its sole discretion, the Member shall inform the Requesting Member about the type of available resources and the approximate arrival time of such assistance.

C. Discretion of Responding Member's Authorized Official: Execution of this Agreement does not create any duty to respond to a request for assistance. When a Member receives a request for assistance, the Authorized Official shall have sole and absolute discretion as to whether or not to respond to the request, and the availability of resources to be used in any such response. All Authorized Official's decisions on the availability of resources shall be final unless overridden by the Member's governing body.

ARTICLE V. RESPONDING MEMBER PERSONNEL

A. National Incident Management System: When providing assistance under this Agreement, the Requesting Member and Responding Member will use the organizational principles set forth in the National Incident Management System.

B. Control: Responding Member personnel shall remain under the direction and control of the Responding Member. The Requesting Member's Authorized Official shall coordinate response activities with the designated supervisor(s) of the Responding Member(s). Whenever practical, Responding Member personnel must be self sufficient for up to 72 hours.

C. Food and Shelter: When possible, the Requesting Member shall supply reasonable food and shelter for Responding Member personnel. If the Requesting Member does not provide food and shelter for responding personnel, the Responding Member's designated supervisor is authorized to secure the resources reasonably necessary to meet the needs of its personnel. Except as provided for below, the cost for such resources must not exceed the State per diem rates for that area. To the extent Food and Shelter costs exceed the State per diem rates for the area, Responding Member must demonstrate that the additional costs were reasonable and necessary under the circumstances. Unless otherwise agreed to in writing, the Requesting Member remains

responsible for reimbursing the Responding Member for all reasonable and necessary costs associated with providing food and shelter, if such resources are not provided.

D. Communication: The Requesting Member shall provide Responding Member personnel with radio equipment as available, or radio frequency information to program existing radio equipment, in order to facilitate communications with local responders and utility personnel.

E. Licenses and Permits: To the extent permitted by law, Responding Member personnel who hold valid licenses, certificates, or permits evidencing professional, mechanical, or other skills shall be allowed to carry out activities and tasks relevant and related to their respective credentials during the specified Period of Assistance.

F. Right to Withdraw: The Responding Member's Authorized Official retains the right to withdraw some or all of its resources at any time for any reason in the Responding Member's sole and absolute discretion. Responding Member(s) shall have no liability from a decision to withdraw. Notice of intention to withdraw must be communicated to the Requesting Member's Authorized Official as soon as is practicable under the circumstances.

ARTICLE VI

COST REIMBURSEMENT

A. Cost Reimbursement: Unless otherwise mutually agreed by the Requesting Member and the Responding Member, the Requesting Member shall reimburse the Responding Member for each of the following categories of costs incurred while providing aid and assistance during the Period of Assistance.

B. Personnel Costs: Responding Member personnel costs shall be the amount to be paid for work performed by the Responding Member's personnel during a Period of Assistance under the terms and conditions of the Responding Member's individual employment contracts with such personnel. The Responding Member's designated supervisor(s) shall keep accurate records of work performed by personnel during the Period of Assistance. Requesting Member reimbursement to the Responding Member shall include all personnel costs incurred by the Responding Member, including, but not limited to, salaries or hourly wages, costs for fringe benefits, and indirect costs.

C. Costs of Equipment: The Requesting Member shall reimburse the Responding Member for the use of equipment during a Period of Assistance, including, but not limited to, reasonable rental rates, all fuel, lubrication, maintenance, transportation, and loading/unloading of loaned equipment. All

equipment shall be returned to the Responding Member as soon as is practicable and reasonable under the circumstances. Generally, rates for equipment use will be based on the Federal Emergency Management Agency's (FEMA) Schedule of Equipment Rates. If a Responding Member uses rates different from those in the FEMA Schedule of Equipment Rates, the Responding Member must provide such rates orally or in writing to the Requesting Member prior to supplying equipment. Mutual agreement on which rates are used must be reached in writing prior to dispatch of the equipment. Reimbursement for equipment not referenced on the FEMA Schedule of Equipment Rates must be developed based on actual recovery of costs. In the event loaned equipment is damaged while being dispatched to Requesting Member, or while used during a Period of Assistance, and such damage is not due to negligence or intentional acts of the Responding Member, Requesting Member shall reimburse Responding Member for the reasonable cost of repairing such damaged equipment. If the damaged equipment cannot be repaired, then Requesting Member shall reimburse Responding Member for the reasonable cost of replacing such damaged equipment with equipment that is of equivalent age, condition and of at least equal capability. If Responding Member must lease a piece of equipment while its equipment is being repaired, Requesting Member shall reimburse Responding Member for such rental costs.

D. Costs of Materials and Supplies: The Requesting Member must reimburse the Responding Member in kind or at actual replacement cost, plus handling charges, for Responding Member's use of expendable or non-returnable supplies during the Period of Assistance. The Responding Member must not charge direct fees or rental charges to the Requesting Member for supplies and reusable items that are returned to the Responding Member in a clean, damage-free condition. Reusable supplies that are returned to the Responding Member with damage shall be treated as expendable supplies or non-returnable for purposes of cost reimbursement.

E. Payment Period: The Responding Member must provide an itemized bill to the Requesting Member for all expenses incurred by the Responding Member in providing assistance under this Agreement, not later than ninety (90) days following the end of the Period of Assistance. The Responding Member may request additional periods of time within which to submit the itemized bill, and Requesting Member shall not unreasonably withhold consent to such request. The Requesting Member shall pay the bill in full on or before the forty-fifth (45th) day following the billing date. The Requesting Member may request additional periods of time within which to pay the itemized bill, and Responding Member shall not unreasonably withhold consent to such request, provided, however, that all payment shall occur not later than one-year after the date a final itemized bill is submitted to the Requesting Member.

F. Records: Each Responding Member and their duly authorized representatives shall have access to a Requesting Member's books, documents, notes, reports, papers and records which are directly pertinent to this Agreement for the purposes of reviewing the accuracy of a cost bill or making a financial, maintenance or regulatory audit. Each Requesting Member and their duly authorized representatives shall have access to a Responding Member's books, documents, notes, reports, papers and records which are directly pertinent to this Agreement for the purposes of reviewing the accuracy of a cost bill or making a financial, maintenance or regulatory audit. Such records shall be maintained for at least three (3) years or longer where required by law.

ARTICLE VII. DISPUTES

If a dispute arises between Members under this Agreement, the disputing Members shall first attempt to resolve the dispute by negotiation, followed by mediation and finally by filing an action in a court of competent jurisdiction.

Step One: The disputing Members shall authorize a person ("Authorized Official") to negotiate on their behalf. If the dispute is resolved at this step, there shall be a written determination of such resolution, signed the disputing Members' Authorized Official and ratified by each governing body, if required. Step One will be completed when notice is delivered in writing to all disputing Members.

Step Two: If the dispute cannot be resolved within fifteen (15) business days at Step One, the disputing Members shall submit the matter to mediation. The disputing Members shall attempt to agree on a mediator. If they cannot agree, the disputing Members shall request a list of five (5) mediators from an entity or firm providing mediation services. The disputing Members will mutually agree on a mediator from the list provided. If the disputing Members cannot mutually agree upon a mediator, the disputing Members shall alternatively strike one name from the list until one mediator remains. The remaining mediator shall be the mediator for the dispute. Any common costs of mediation shall be borne equally by the disputing Members who shall each bear their own costs and fees. If the issue is resolved at this step, a written determination of such resolution shall be signed by each Authorized Official and ratified by their respective governing bodies, if necessary.

Step Three: If the disputing Members are unsuccessful at Steps One and Two, the dispute shall be resolved by a State of Oregon

court of competent jurisdiction. Venue shall be in the jurisdiction of the Responding Member, subject to statutory limitations.

ARTICLE VIII.
DUTY OF REQUESTING MEMBERS TO INDEMNIFY

Subject to the Oregon Constitution, the limits imposed under the Oregon Tort Claims Act, and laws of the state of Oregon applicable to local governments, the Requesting Member shall assume the defense of, fully indemnify, save and hold harmless, all Members, and their board, directors, commissioners, officers, agents and employees, from all claims, suits, actions, loss, damage, injury, and liability of every kind, nature, and description, directly or indirectly arising from any Responding Member's act or omission during a specified Period of Assistance, except for claims arising out of the willful misconduct or gross negligence of a Responding Member, its board, directors, commissioners, officers, agents and employees.

ARTICLE IX.
SIGNATORY INDEMNIFICATION

To the extent not addressed in Article VIII, and subject to the Oregon Constitution and limits imposed under the Oregon Tort Claims Act, a Requesting Member shall have a duty to defend, indemnify, save and hold harmless all Non-Responding Members and Associate Members, their officers, agents and employees from any liability, claim, demand, action, or proceeding of whatever kind or nature arising out of a Period of Assistance.

ARTICLE X.
WORKER'S COMPENSATION CLAIMS

Each Responding Member shall provide worker's compensation benefits and administering worker's compensation for its own personnel.

ARTICLE XI.
NOTICE

A Member or Associate Member that becomes aware of a claim or suit that in any way, directly or indirectly, contingently or otherwise, affects or might affect other Members or Associate Members of this Agreement shall provide prompt and timely notice to the Members or Associate Members that may be affected by the suit or claim. Each Member and Associate Member reserves the right to participate in the defense of such claims or suits as necessary to protect its own interests.

**ARTICLE XII.
INSURANCE**

Members and Associate Members of this Agreement shall maintain an appropriate insurance policy or maintain a self-insurance program that covers activities that it may undertake by virtue of membership in the Mutual Aid and Assistance Program.

**ARTICLE XIII
CONFIDENTIAL INFORMATION**

To the extent provided by law, Members and Associate Members shall maintain in the strictest confidence and shall take all reasonable steps necessary to prevent the disclosure of any Confidential Information disclosed under this Agreement. If any Member, Associate Member, third party or other entity requests or demands, by subpoena or otherwise, that a Member or Associate Member disclose any Confidential Information disclosed under this Agreement, the Member or Associate Member shall immediately notify the owner of the Confidential Information and shall take all reasonable steps necessary to prevent the disclosure of any Confidential Information by asserting all applicable rights and privileges with respect to such information and shall cooperate fully in any judicial or administrative proceeding relating thereto.

**ARTICLE XIV.
EFFECTIVE DATE AND PROCESS TO ADD NEW MEMBERS**

This Agreement shall be effective after two (2) or more entities' authorized representatives execute the Agreement. Membership shall become effective upon executing this Agreement. A list of all Members and Associate Members shall be maintained by the Governing board and is available upon request from a Governing Board.

**ARTICLE XV.
TERM**

Unless restricted by Oregon statutes, municipal Charters and corporate Charters, the term of this Agreement shall be for 5 years and shall be automatically renewed for additional terms of five years each, unless terminated by Majority vote of the Governing Board. Termination of this Agreement shall in no way affect a Requesting Member's duty to reimburse a Responding Member for cost incurred during a Period of Assistance, or for any other costs voluntarily incurred during the withdrawing Member's membership, which duty shall survive such

termination.

**ARTICLE XVI.
WITHDRAWAL**

A Member or Associate Member may withdraw from this Agreement by providing written notice of its intent to withdraw to the Governing Board. Withdrawal takes effect 60 days after the Governing Board receives notice. Withdrawal from this Agreement shall in no way affect a Requesting Member's duty to reimburse a Responding Member for cost incurred during a Period of Assistance, which duty shall survive such withdrawal.

**ARTICLE XVII.
MODIFICATION**

No provision of this Agreement may be modified, altered, or rescinded by individual Members or Associate Members of the Agreement. Modifications (except Modifications to Article III and Article XVII) require a majority vote of the Members of the Governing Board (3) or a majority vote of the Members of this Agreement. Modifications to Article III and Article XVII require a majority vote of the Members to this Agreement. Approved modifications take effect 60 days after the date upon which notice is sent to the Members, except that the addition of a new Member or Associate Member becomes effective upon execution of this Agreement.

**ARTICLE XVIII.
NO THIRD PARTY BENEFICIARIES**

The signatories to this Agreement are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide, any benefit or right, whether directly, indirectly or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement.

**ARTICLE XIX.
WAIVER**

No provision of this Agreement may be waived except in writing by the Member waiving compliance. No waiver of any provision of this Agreement shall constitute waiver of any other provision, whether similar or not, nor shall any one waiver constitute a continuing waiver. Failure to enforce any provision of this Agreement shall not operate as a waiver of such provision or of any other

provision.

ARTICLE XX.
SEVERABILITY

The parties agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.

ARTICLE XXI.
EXECUTION IN COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be an original, and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, an authorized representative of a Member or Associate Member has duly executed this Mutual Aid and Assistance Agreement as of the date referenced below. An ORWARN representative will acknowledge receipt of the Mutual Aid and Assistance Agreement and return a copy to the Member or Associate Member.

MEMBER

APPROVED AS TO FORM:

By: _____

Date: _____

Title: _____

Print Name _____

ASSOCIATE MEMBER

APPROVED AS TO FORM:

By: _____

Date: _____

Title: _____

Print Name _____

Affiliation or Interest in water / wastewater industry _____



ORWARN ACKNOWLEDGMENT

By: _____

Date: _____

Title: _____

Print Name _____



Mayor Ila Skyberg

Council Members:

*Rita Baller, Council President
Gary Hill
Katie Vinson
Heather Stritzke
Allan Bramall
Theresa McKnight*

City Staff:

*City Recorder: Debbie Bernard
Accountant: Marilyn Coates
Office Specialist: Karen Justen
Office Coordinator: Rania Conover
Library: Melissa Hansen & Amber Deibel
Public Works Director: Jeff Director
Code Enforcement: vacant*

MEMO TO: CITY COUNCIL
DATE: JANUARY 14, 2016
FROM: DEBBIE BERNARD, CITY RECORDER
SUBJECT: CITY RECORDER REPORT

Willamina Civic Center/Senior Center

Myrtle Barber the President of the Willamina Civic Center met with Mayor Skyberg and Debbie Bernard City Recorder on December 29, 2015 at 2:00pm in City Hall to discuss the transfer of doing the bookkeeping for the Willamina Civic Center/Senior Center as Myrtle no longer can do the work. Donna Barber was also present. Many of the members have passed. They Mayor, City Recorder, and Myrtle all agreed that the organization is a part of the City and can continue.

During the meeting it was agreed that the City Recorder with very little interruption could do the task of paying the bills. In addition, it was discussed the Organization itself be transferred to the City which includes all property. The Deed of property and Organization details has been given to the City Attorney for review and advice as to how to move forward.

City Projects 2015 2016

Attached is a list of ongoing projects and status. There are sorted alphabetically.

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