CITY COUNCIL MEETING PACKET

JANUARY 12, 2016

City of Madras
Work Session
City Council Chambers

January 12, 2016
6:00 p.m.

AGENDA

I Call to Order

II Discussion - Citizens Interested in Serving on City Council

Cheryl "Kris" Elliott
Bartt Brick
Larry Easter

City Administrator, Gus Burril

III Marijuana Issues - Discussion

City Administrator, Gus Burril
City Attorney, Jeremy Green

IV Adjourn

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the above referenced meeting; however, the agenda does not limit the ability of the City Council to consider additional subjects. Meetings are subject to cancellation without notice.

This meeting is open to the public and interested citizens are invited to attend. This is an open meeting under Oregon Revised Statutes, not a community forum; audience participation is at the discretion of the Council. The meeting may be audio taped. Minutes of this and all public

meetings are available for review at the Madras City Hall. The meeting place is handicapped accessible. Those needing assistance should contact the City Recorder two (2) days in advance of the meeting.

Executive Sessions are not open to the public; however, members of the press are invited to attend.

The City of Madras is an Equal Opportunity Provider.

City of Madras
City Council Work Session
City Council Meeting
City Council Chambers

January 12, 2016
6:00 p.m.
7:00 p.m.

AGENDA

I Call to Order

II Pledge of Allegiance and Prayer

III Consent Agenda

All matters listed within the Consent Agenda have been distributed to each member of the Madras City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussions. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request.

A. Approval of Vouchers

B. Approval of Revised Meeting Minutes to Correct Formatting Only

1. October 27, 2015, City Council Meeting
2. November 2, 2015, Special City Council Meeting
3. November 10, 2015, City Council Meeting

C. Approval of Minutes From the December 7, 2015 Special City Council Meeting

D. Approval of Minutes From the December 8, 2015 City Council Meeting

E. Ratification of Unprogrammed Community Grant Request Madras High School JROTC (Junior Reserve Officer Training Corp)

F. Approval of Contract Change Order No. 1 - H.A. McCoy Engineering and Surveying
Design and Construction Services - Time Extension to March 31, 2016
H Street Pedestrian Improvement Project #2015-10

G. Approval of Appointment of Stan Nowakowski to Urban Forestry Commission
Term: January 1, 2016 to December 31, 2018

H. Approval of Work Order No. 1 to City Engineer of Record Contract
Harper, Houf, Peterson, and Righellis, Inc.
Review and Update of Public Improvement Design and Construction Standards

I. Approval of Completion of Street Light Installation Project at the Intersection
of 3rd and Culver Highway - Project #2015-07

J. Approval of Contract Change Order No. 1 - Latham Excavation
Extension of Construction Services Contract to June 1, 2016
Madras Municipal Airport West Access Road Project #2015-09

K. Approval of Century West Airport Engineer Contract, Task Order No. 1
Development of Airport Noise Protection Regulations

IV Visitor Comments

V Possible Appointment of City Council Member

Mayor Royce Embanks

VI Oath of Office for Individual That is Appointed

City Recorder, Karen J. Coleman

VII Diversity Coalition Presentation

Courtney Snead, Interim Diversity Coordinator

VIII Ordinances

A. Ordinance No. 882

An ordinance of the City of Madras repealing Madras Ordinance No. 860; and declaring an emergency.

1) Motion by Council to read Ordinance No. 882 by title only. Vote is then taken on the motion.

City Attorney or his designee will read Ordinance No. 882 by title only.

2) Motion by Council to approve and adopt Ordinance No. 882 (if Council so chooses).

City Recorder will then need to take a roll call vote.

City Administrator, Gus Burril / City Attorney, Jeremy Green

B. Ordinance No. 883

An ordinance of the City of Madras amending Ordinance No. 870, an ordinance establishing time, place, and manner regulations concerning Medical Marijuana dispensaries, to address the sale of limited Marijuana retail products from Medical Marijuana dispensaries; and declaring an emergency.

1) Motion by Council to read Ordinance No. 883 by title only. Vote is then taken on the motion.

City Attorney or his designee will read Ordinance No. 883 by title only.

2) Motion by Council to approve and adopt Ordinance No. 883 (if Council so chooses).

City Recorder will then need to take a roll call vote.

City Administrator, Gus Burril / City Attorney, Jeremy Green

C. Ordinance No. 884

An ordinance of the City of Madras declaring a ban on Recreational Marijuana producers, Recreational Marijuana processors, Recreational Marijuana Wholesalers, and Recreational Marijuana Retailers; referring ordinance, and declaring an emergency.

1) Motion by Council to read Ordinance No. 884 by title only. Vote is then taken on the motion.

City Attorney or his designee will read Ordinance No. 884 by title only.

2) Motion by Council to approve and adopt Ordinance No. 884 (if Council so chooses).

City Recorder will then need to take a roll call vote.

City Administrator, Gus Burril / City Attorney, Jeremy Green

D. Ordinance No. 885

An ordinance of the City of Madras imposing a three percent tax on the sale of Marijuana items by a Marijuana retailer; and referring ordinance.

1) Motion by Council to read Ordinance No. 885 by title only. Vote is then taken on the motion.

City Attorney or his designee will read Ordinance No. 885 by title only.

2) Motion by Council to approve and adopt Ordinance No. 885 (if Council so chooses).

City Recorder will then need to take a roll call vote.

City Administrator, Gus Burril / City Attorney, Jeremy Green

IX Resolutions

A. Resolution No. 01-2016

A resolution establishing an ice control and snow removal policy within the City of Madras, prohibiting parking along designated snow routes during snow storms and snow removal operations, and superseding and replacing Resolution No. 23-2007 and Resolution No. 26-2015,

Public Works Director, Jeff Hurd

X Award of Professional Services Contract - H.A. McCoy Engineering and Surveying Design and Construction Services for Bard Lane Improvement Project - Phase II

Public Works Director, Jeff Hurd

XI Intergovernmental Agreement Between Jefferson County and the City of Madras For the Transfer of Certain Roads Within the City Limits

Public Works Director, Jeff Hurd

XII City Council Training Workshop "Lunch and Learn" Opportunities

HR and Administrative Coordinator - Sara Puddy

XIII City of Madras to Host "Coffee Cuppers" - January 22, 2016

HR and Administrative Coordinator - Sara Puddy

XIV Boards, Commissions, and Committee Appointment - Discussion

Mayor Royce Embanks

XV Additional Comments, Announcements, and Department Reports

XVI Adjourn

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the above referenced meeting; however, the agenda does not limit the ability of the City Council to consider additional subjects. Meetings are subject to cancellation without notice.

This meeting is open to the public and interested citizens are invited to attend. This is an open meeting under Oregon Revised Statutes, not a community forum; audience participation is at the discretion of the Council. The meeting may be audio taped. Minutes of this and all public meetings are available for review at the Madras City Hall. The meeting place is handicapped accessible. Those needing assistance should contact the City Recorder two (2) days in advance of the meeting.

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DISBURSEMENTS LIST - December 2015

For Council Review and Approval

101-106	General Fund - Police	12,245.96
204	Transportations Operations Fund	42,978.35
206	Parks Fund	4,428.65
207	Tourism/Economic Development	35.00
306	Debt Service Fund	0.00
401	SDC Street Improvement Fund	0.00
402	SDC Park Improvement Fund	0.00
403	SDC Wastewater Improvement Fund	0.00
404	Airport Construction Fund	0.00
405	SDC Water Fund	0.00
406	SDC Stormwater Construction Fund	0.00
407	SDC Wastewater Reimbursement Fund	0.00
408	SDC Street Reimbursement Fund	0.00
409	Improvement Fee Fund	0.00
502	Water Operations Fund	10,927.73
503	Wastewater Operations Fund	50,791.89
504	Industrial Site Fund	446.74
505	Community Development Fund	8,878.18
509	Airport Operations Fund	110,568.87
802	Internal Services Fund-Central Services	30,901.56
803	Internal Services Fund-Public Works Staff	24,331.47
804	Internal Services Fund-Buildings	10,995.98
805	Internal Services Fund-Fleet	33,741.53
999	Tresurer's Cash-Customer Refunds	17.10
	General Fund Totals	**341,289.01**
701	MRC-General Fund	30,922.06

GRAND TOTAL **372,211.07**

** Council Review and approval of payments made in the previous month**

Report Criteria:
Report type: Summary

Check Issue Date	Payee	Description	Check Amount
12/08/2015	HIGH DESERT AGGREGATE & PAVING	Municipal Airport Runway 16-34 Improvements	98,614.74
12/22/2015	ECO NORTHWEST	Urban Revitalization Action Plan Update	28,039.56
12/21/2015	HARPER, HOUF, PETERSON,	Madras Wastewater Master Plan Update	25,956.31
12/21/2015	Mountain Sky Landscaping, Inc	Construction Services for Hwy 26 Irr. Upgrade	21,613.64
12/21/2015	PACIFIC POWER & LIGHT	1838 NW Demers Drive Shop	20,680.34
12/21/2015	GSA-Auburn	Federal Surplus Veh. 2005 Chevy, 2005 Ford F350	17,060.00
12/21/2015	DESCHUTES VALLEY WATER	Cherry Lane and Hwy 26 (New Meter)	11,061.73
12/08/2015	JEFFERSON COUNTY SHERIFF	Dispatch Fees- December 2015	8,324.32
12/21/2015	GREEN THUMB INDUSTRIES LLC	PO 10827: Remove/Replace Pin Oak Tree (Accident)	7,752.00
12/21/2015	CENTURY WEST ENGINEERING CORPO	Madras Municipal Airport Environmental/Cultural Resources	7,283.13
12/29/2015	PORTLAND STATE UNIVERSITY	PO 10267: S.Puddy Master's Degree: 6 Credits: Winter2016	5,121.00
12/21/2015	NORTH UNIT IRRIGATION DST	PO 10096: Irr.Water: 35 Acres: CR, 40 Acres: Des. Co.	4,441.90
12/21/2015	HARDY SYSTEMS CORPORATION	PO 10761: 6MR Gardner Denver Sutorbilt Blower	4,165.36
12/21/2015	Brainerd Appraisals, Inc	PO 10094: Appraisal for Skate Park & Fishing Pond	3,400.00
12/21/2015	MID OREGON PERSONNEL SERVICES	PO 10825: Parks Temp Help: 11/25-11/07	3,390.02
12/21/2015	HEFFERNAN, DANIEL 'DJ'	Madras EOA Update	3,132.75
12/08/2015	MID OREGON PERSONNEL SERVICES	PO 10427: Comm. Dev. Temp: Nov 2015	2,902.51
12/21/2015	JEFFERSON COUNTY PUBLIC WORKS	November PD Fuel: 422.80 GAL Unleaded	2,691.52
12/21/2015	HIGH DESERT AGGREGATE & PAVING	Retainage Correction Payment: Runway Proj. 16-34	2,000.00
12/21/2015	RICOH USA INC	Plotter Lease: Dec 2015	1,678.96
12/08/2015	BERG, ROB	Airport Management Services (December)	1,500.00
12/21/2015	FCS GROUP	Transportation Utility Formation study	1,425.00
12/21/2015	4-R EQUIPMENT, LLC	PO 10824: 10 Trucks- 3/4" Gravel Base (170 Tons)	1,365.84
12/08/2015	CHIDDIX ENTERPRISES INC	PO 10095: N. Hanger Wind Damage Roof Repair	1,360.00
12/08/2015	ARROWHEAD PROFESSIONAL SERVICE	Janitorial Services- October Billing: All Buildings	1,215.00
12/21/2015	CASCADE NATURAL GAS	226 NW B Street- November 2015	1,039.40
12/08/2015	TUSCAN ENTERPRISES INC.	PO 10388: (2) Complete PD Vehicle Graphics	876.00
12/21/2015	DEPT OF ADMINSTRATIVE SERVICES	Admin Fees: 2005 Ford 350, 2007 Chevrolet 2500	853.00
12/08/2015	U S POST OFFICE	Postage for Utility Management Bills (Dec)	575.00
12/21/2015	RESERVE ACCOUNT (PITNEY BOWES)	Reserve Acct. Postage-Comm. Dev (Dec)	500.00
12/21/2015	SILVER STAR TELECOM	Police Department- December Services	434.06
12/21/2015	Net Assets Corp.	November 2015 Lien Searches	402.00
12/08/2015	CENTURY WEST ENGINEERING CORPO	Madras Municipal Airport Environmental Screening	393.00
12/21/2015	DEJARNATT LAND SURVEYS INC.	Measure Stock Pile at PW Office	300.00
12/08/2015	BUREAU OF LABOR & INDUSTRY	Contract Fee: US Hwy 26 Irr.-Earl St. to N. Unit Canal	250.00
12/08/2015	MIDDLETON SEPTIC & PORTABLE TOILETS LLC	Delivery Fee and (2) Toilet Rentals	250.00
12/21/2015	BUREAU OF LABOR & INDUSTRY	BOLI Fee-Airport Runway improvements	249.79
12/08/2015	Quinn, Michele	Mileage Reimbursment: Grant Writing Training	234.06
12/21/2015	JEFFERSON COUNTY COMMUNITY JUSTICE	ADJ Work Crew Program: Sidewalks	200.00
12/08/2015	Jeff. Co. Faith Based Network	Traffic Cone Deposit Refund	200.00
12/08/2015	Madras Aquatic Center	Traffic Cone Deposit Refund	200.00
12/21/2015	Special Events Deposit Refunds	Dep. Ref. Traffic Equip.: MADras Runners	200.00
12/08/2015	GCSAA	2015 Pest Management Seminar	190.00
12/21/2015	OREGON DEPARTMENT OF REVENUE	Bail Funds Distribution- November 2015	183.00
12/23/2015	EMBANKS, ROYCE	Mileage/Meal Reimbursement: Japanese Ball	165.55
12/08/2015	OUTDOOR ADVERTISING SIGN PROGRAM	NW Hess Street Sign Permit	160.00
12/21/2015	KIWANIS CLUB OF MADRAS	2015-16 Membership Dues	150.00
12/21/2015	CELLULAR SALES OF OREGON	Refund for Business License App	125.00
12/21/2015	Stephanie Hanvey	WA/Sewer Refund- S. Hanvey	116.84
12/22/2015	Benitez, Mayra	Interpretation Services: Dec	112.50
12/08/2015	CERTIFIED LANGUAGES INTERNATIONAL LLC	Town Hall Meeting Document Translation	100.00
12/08/2015	Life Line Screening	Room Rental Deposit Refund	100.00
12/08/2015	Sturgeon Electric	Room Rental Deposit Refund	100.00

Check Issue Date	Payee	Description	Check Amount	
12/08/2015	Charles and Kathy Seymour	WA/Sewer Refund- C. Seymour	95.98	
12/21/2015	CORIANT LLC	2015 1099 and W-2's	95.42	
12/22/2015	BESTCARE TREATMENT SERVICES	Urban Revitalization Plan Meeting: Childcare	90.00	
12/21/2015	JEFFERSON COUNTY TREASURER	Court assessment: November 2015	88.00	
12/21/2015	Denzel Morgan	Overpayment: D. Morgan	84.36	
12/21/2015	Allen King	Sewer Refund- A. King	66.32	
12/08/2015	WEBB, STEVE	S. Webb-Clothing Allowance	59.98	
12/08/2015	Eli Den Arend	Sewer Refund- E. Arend	57.30	
12/21/2015	Keri & Martti Rahi	Sewer Refund- K. Rahi	56.37	
12/21/2015	Jim Meeks	Sewer Refund- J. Meeks	53.61	
12/21/2015	BROWN, TOM	Mileage Reimbursement for OLCC Meeting	51.87	
12/21/2015	Deanna Comfort	Sewer Refund- D. Comfort	36.50	
12/21/2015	Chris Monroe	Sewer Refund-D. Monroe	36.27	
12/21/2015	Ashley Blodgett	Sewer Refund- A. Blodgett	35.91	
12/08/2015	CASH	Petty Cash Reim. - City Hall Christmas Tree	35.00	
12/08/2015	Penne Sue Ellen Phifer	Sewer Refund- P. Phifer	33.30	
12/07/2015	OLIVERA, MEGAN	sewer deposit refund-M. Olivera	30.97	
12/21/2015	ONE CALL CONCEPTS INC.	Oregon Utility Notification Center Tickets (Nov)	29.40	
12/08/2015	CIS	2015 Fall Supervisor Training: G. Wood	25.00	
12/21/2015	CERTIFIED LANGUAGES INTERNATIONAL LLC	Transalation Services: Front Desk: Oct-Dec	24.75	
12/08/2015	Jordan Caldera	Overpayment: J. Caldera	17.10	
12/21/2015	Kahseuss Jackson	Sewer Refund-K. Jackson	7.09	
12/08/2015	QLT	Extension bell	5.56	
12/21/2015	Alicia Booren	Overpayment-A. Booren	2.82	
12/21/2015	Jaimie Crockett	Overpayment-J. Crockett	2.41	
12/21/2015	Megan Olivera	Sewer Refund- M. Olivera	.00	V
12/21/2015	Megan Olivera	Sewer Refund- M. Olivera	.00	V
12/18/2015	Jaimie Crockett	Overpayment-J. Crockett	2.41-	V
12/16/2015	Alicia Booren	Overpayment-A. Booren	2.82-	V
12/16/2015	Kahseuss Jackson	Sewer Refund-K. Jackson	7.09-	V
12/07/2015	OLIVERA, MEGAN	sewer deposit refund-M. Olivera	30.97-	V
12/16/2015	Chris Monroe	Sewer Refund-D. Monroe	36.27-	V
12/17/2015	Denzel Morgan	Overpayment: D. Morgan	84.36-	V
12/21/2015	CELLULAR SALES OF OREGON	Refund for Business License App	125.00-	V
12/21/2015	JEFFERSON COUNTY COMMUNITY JUSTICE	ADJ Work Crew Program: Sidewalks	200.00-	V
12/29/2015	OMAR INDUSTRIES	14' flat lawnmower rental-Airport	400.00-	V
Grand Totals:			295,067.20	

Report Criteria:
Report type: Summary

M = Manual Check, V = Void Check

Bank of America Purchase Cards
December 2015

Date	Payee	Description	Amount
12/18/2015	SGA CPAS CONSULTANTS	SGA CPAS CONSULTANTS - Audit Payment	$10,280.00
12/8/2015	WIDGI CREEK GOLF CLUB	WIDGI CREEK CLUB - PO 10815:1999 Toro Greens Mower	$3,300.00
12/9/2015	ON SITE STORAGE SOLUTION	ON SITE STORAGE - PO 10821: Storage Container 40 x 8	$2,806.75
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Central Services Miscellaneous	$2,451.50
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Daimler Trucks Project	$2,352.00
12/4/2015	TS & S FORD	TS & S FORD - PO 10393: Veh 901/L2 Leaking Head Gasket	$2,140.79
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Time, Place, Manner	$1,836.00
12/17/2015	CENTRAL OREGON HEATING	CENT. OR HEATING/COOLING - PO 10858: Quarterly Inspection	$1,822.00
12/18/2015	THOMPSON PUMP MADRAS	THOMPSON PUMP - PO 10857- #08 Water Pump	$1,799.00
12/1/2015	CENTRAL ELECTRIC CO INC	CENTRAL ELECTRIC - Dogwood, Runway, Beige BL (Nov)	$1,653.71
12/2/2015	COVENANT TECHNOLOGY SOLUTIONS	COVENANT TECH - Public Works Services (Dec)	$1,538.88
12/8/2015	PACIFIC TRUCK CENTERS RED	PACIFIC TRUCK - PO 10854: Replace #147 Ford Taurus Heater	$1,533.07
12/2/2015	COVENANT TECHNOLOGY SOLUTIONS	COVENANT TECH - Police Services (Dec)	$1,302.13
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - CET Agreement	$1,176.00
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - CET Agreement	$1,176.00
12/15/2015	PLATT ELECTRIC	PLATT ELECTRIC - PO 10859: LED Bulbs for 4th/5th St	$1,086.43
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Marijuana Tax	$1,040.00
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Councilor Recall	$1,024.00
11/26/2015	CASELLE	CASELLE - Monthly Services (December)	$987.67
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Golf Course Mgmt. Agreement	$980.00
12/18/2015	PETERSON REDMOND	PETERSON - PO 10864: # 134 Cat Roller: Suspension Seats	$840.72
12/2/2015	COVENANT TECHNOLOGY SOLUTIONS	COVENANT TECH - Central Services Services (Dec)	$828.62
12/22/2015	CENTRAL OREGON HEATING	CENTRAL OREGON HEATING - PO 10607: Fix Heaters	$805.50
12/1/2015	LES SCHWAB	LES SCHWAB - PO 10392: Veh1301: Winter Tires	$787.76
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV-Lease Agreement: Keith Manuf.	$768.00
12/7/2015	TS & S FORD	TS & S FORD - PO 10854: #147 Ford Taurus Heater	$756.35
12/19/2015	CARSON	CARSON - 152 GAL ULSD #1 Dyed, 168 GAL Biodiesel	$711.29
12/10/2015	ECIVIS	ECIVIS - PO 10265: 1 Year-Online Grant Database	$690.00
12/23/2015	CALHOUN DEJONG INC	CALHOUN DEJONG - CO5: Aquacon Filters	$689.95
12/10/2015	CALHOUN DEJONG INC	CALHOUN DEJONG - Bonding Reel- 50' Cable: COV Project.	$600.86
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Bean Foundation	$592.00
12/17/2015	LAWSON PRODUCTS	LAWSON PROD. - PO 10863: Electrical Connectors, Shop Supp.	$565.04
12/16/2015	DESCHUTES WINDOW AND DOOR	DESCHUTES WINDOW/DOOR - Airport Door Latch Replace	$560.00
12/9/2015	TS & S FORD	TS & S FORD -111 Waste Water Truck: Starter Assembly	$529.80
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Warm Springs Truck Stop	$528.00
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Warm Springs Truck Stop	$528.00
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Prospective Petition	$512.00
12/17/2015	PAYPAL UNITEDWAYDC	UNITED WAY - PO 10562: N. Snead Public Innovation Train. Registry	$500.00
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Business License Application	$490.00
12/10/2015	TRAFFIC SAFETY SUPPLY CO	TRAFFIC SAFETY SUPPLY - Street Signs and Hardware	$477.67
12/16/2015	GOWDY BROS ELECTRIC INC	GOWDY BROS-Annual City Hall Fire Alarm/Security Monitoring	$469.00
12/4/2015	USA BLUE BOOK	USA BLUE BOOK - Blower Grease/ Oil	$454.54
12/8/2015	PDH ONLINE PDH CENTER	PDH ONLINE - G.Burril: Webinar Registry: PE Credits	$440.00
12/17/2015	OWEN EQUIPMENT COMPANY	OWEN EQUIP - Tk 74A: Center Broom Elgin	$416.45
12/3/2015	CARSON OIL	CARSON OIL - PO 10749: 90 GAL Motor Oil (w/ 749.67 credit)	$369.56
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Community Dev. Miscellaneous	$368.00
12/6/2015	AWWA.ORG	AMERICAN WATER WORKS ASSOC. - Annual Membership	$355.00
11/30/2015	USA BLUE BOOK	USA BLUE BOOK - 12" Sewer Plug NWWTF	$331.64
12/7/2015	TRAFFIC SAFETY SUPPLY CO	TRAFFIC SAFETY SUPPLY - Safe hit Post/Base	$329.40
12/3/2015	MADRAS AUTO PARTS	MADRAS AUTO - Shop Battery Charger	$319.99
12/7/2015	MADRAS SANITARY - OFFICE	MADRAS SANITARY - Shops Services (Dec)	$300.86
12/22/2015	MADRAS PAINT AND GLASS	MADRAS PAINT AND GLASS - Veh 1301: Replace Windshield	$295.00
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Temp Agency Agreement	$288.00
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Temp Agency Agreement	$288.00
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Public Contracting Updates	$288.00
12/1/2015	CONSOL SUPP	CONSOL SUPP - #100 3rd & H St Storm Pipe Adjustment	$269.37
11/24/2015	WW GRAINGER	GRAINGER - Safety Glasses	$264.24
12/15/2015	SKILLPATH NATIONAL	SKILLPATH -PO 10856: M. Hansen: Excel Training Registry	$249.00
12/15/2015	SKILLPATH NATIONAL	SKILLPATH - PO 10856: K. Hollyman: Excel Training Registry	$249.00
12/9/2015	STAPLES DIRECT	STAPLES -	$246.53
12/8/2015	MADRAS AUTO PARTS	MADRAS AUTO #69 Pickup: Turn Signal Repair	$240.39
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Misc. Land Use	$240.00
12/8/2015	STAPLES DIRECT	STAPLES - Central Services Ink	$239.57

12/2/2015	COVENANT TECHNOLOGY SOLUTIONS	COVENANT TECH - Community Dev. Services (Dec)	$236.75
12/3/2015	RICOH USA, INC	RICOH USA - City Hall/ PW Printer Copies (Nov)	$230.53
12/7/2015	FERRELLGAS L	FERRELLGAS - 137 GAL Propane	$222.01
12/1/2015	CENTRAL ELECTRIC COO INC	CENTRAL ELECTRIC - LIG (Nov)	$218.19
12/7/2015	MADRAS SANITARY - OFFICE	MADRAS SANITARY - Airport Services (Dec)	$214.76
11/30/2015	SQ COVE ELECTRIC, INC.	COVE ELECTRIC - Wire in pump at the NWWTP	$214.00
12/3/2015	RICOH USA, INC	RICOH USA - City Hall/ PW Printer Copies (Nov)	$213.48
12/3/2015	NORTHSIDE FORD TRUCKS	NORTHSIDE FORD - # 55 Sander Truck Door Handle	$207.15
12/7/2015	CENTRAL OREGON HEATING	CENTRAL OREGON HEATING - Diagnostic of City Hall Fan	$202.95
12/11/2015	CENTRAL OREGON HEATING	CENTRAL OR HEATING - City Hall/PD Quarterly Inspection	$202.95
12/12/2015	VARIDESK	VARIDESK - Ergonomics Desk for B.McNamee	$200.00
12/10/2015	SQ OREGON DEVELOPM	OREGON DEVELOP. - M.Brown Leadership Training	$199.00
12/17/2015	BENDBROADBAND BEND, OR	BEND BROADBAND - Monthly Internet (Dec)	$195.00
11/24/2015	WW GRAINGER	GRAINGER - Safety Glasses	$189.96
12/18/2015	NAPA AUTO	NAPA AUTO - Blower Belts	$189.16
12/1/2015	IN TREASURE VALLEY COFFE	TREASURE VALLEY - Creamer, Cups, Coffee	$189.00
12/10/2015	IN OREGON ASSOCIATION OF	OR ASSOC OF CLEAN WATER AGENCIES - 2016 Membership	$177.00
12/3/2015	SQ COVE ELECTRIC, INC.	COVE ELEC. - Wire Outdoor GFCI at SWWTF Influent Box	$172.50
12/1/2015	BENDBROADBAND BEND, OR	BEND BROADBAND - Public Works Services (Dec)	$168.02
11/25/2015	EDGE ANALYTICAL INC	EDGE ANALYTICAL - BOD Test, Total Suspended Solids	$162.00
12/4/2015	EDGE ANALYTICAL INC	EDGE ANALYTICAL INC - BOD Test, Total Suspended Solids	$162.00
12/21/2015	EDGE ANALYTICAL INC	EDGE ANALYTICAL INC - BOD Test, Total Suspended Solids	$162.00
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Sign Ordinance Revisions	$160.00
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Review of Auditors Letter	$160.00
12/3/2015	RICOH USA, INC	RICOH USA - City Hall/ PW Printer Copies (Nov)	$147.88
12/11/2015	TRAFFIC SAFETY SUPPLY CO	TRAFFIC SAFETY SUPPLY - Pipe Post, Tube Flat	$147.27
11/25/2015	OMG NATIONAL MARKETING	OMG NATIONAL - Sticker Police Badges	$142.50
12/2/2015	OMG NATIONAL MARKETING	OMG NATIONAL - Sticker Police Badges	$142.50
12/1/2015	BENDBROADBAND BEND, OR	BEND BROADBAND - Police Department Services (Dec)	$142.16
12/3/2015	NAPA AUTO	NAPA AUTO 0023005 - Blower Belts	$141.87
12/3/2015	RICOH USA, INC	RICOH USA - City Hall/ PW Printer Copies (Nov)	$137.47
12/18/2015	TERMINIX	TERMINIX - Spot Treated Interior and Exterior of City Hall	$135.00
11/30/2015	AMAZON MKTPLACE PMTS	AMAZON - Wastewater Operator Textbooks	$133.02
11/30/2015	BI-MART	BI-MART - Trailer Tarps	$132.11
12/15/2015	AMAZON.COM AMZN.COM/BILL	AMAZON - Barcode Scanner for Public Works	$127.17
11/24/2015	SAFEWAY FUEL	SAFEWAY - F250 Plow Fuel	$125.00
12/1/2015	IN TREASURE VALLEY COFFE	TREASURE VALLEY - City Hall Coffee Supplies	$123.05
12/7/2015	PLATT ELECTRIC	PLATT ELECTRIC - GA Lighting Repair	$122.04
12/2/2015	COVENANT TECHNOLOGY SOLUT	COVENANT TECH - Airport Ops Services (Dec)	$118.37
12/1/2015	SQ COVE ELECTRIC, INC.	COVE ELECTRIC - Underground Wire Locate (KFC/O-Reilly)	$116.93
11/24/2015	PLATT ELECTRIC	PLATT ELECTRIC - Decorative Street Light Reducers	$116.07
12/11/2015	OWEN EQUIPMENT COMPANY	OWEN EQUIPMENT - #74-A Sweeper: Drive Bushing, Shaft	$115.80
12/9/2015	CLIFFS REPAIR AND AUTO	CLIFFS - Veh 1002 Reinstall Heater Hose and Anti Freeze	$113.25
12/16/2015	MADRAS TIRE FACTORY	MADRAS TIRES - #104 Loader Flat Repair	$112.23
12/7/2015	MADRAS SANITARY - OFFICE	MADRAS SANITARY - Police Dept/City Hall Services (Dec)	$109.11
12/7/2015	USA BLUE BOOK	USA BLUE BOOK - Nitrile Gloves	$107.00
12/10/2015	CENTURYLINK	CENTURYLINK - Sewer Efficient Services (Dec)	$105.98
12/18/2015	TERMINIX	TERMINIX - Spot Treated Interior and Exterior of PW Building	$104.00
12/8/2015	HALFMOON EDUCATION	HALFMOON EDUCATION - G. Burril: PE Webinar Credits	$100.00
12/4/2015	AMAZON MKTPLACE PMTS	AMAZON - Wastewater Operator Textbooks	$97.14
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Grant Research Platform	$96.00
12/18/2015	MADRAS MEDICAL GROUP	MADRAS MEDICAL - CDL Physical Class A Test	$96.00
12/23/2015	VALEW WELDING & FABRICATI	VALEW WELDING - #08 Water Truck Sprayer Diaphragms	$94.84
12/22/2015	DAILY JOURNAL OF COMMERCE	DAILY JOURNAL- RFP publication for Hwy 97/L St. Project	$94.30
12/9/2015	AG WEST SUPPLY MADRAS	AG WEST SUPPLY MADRAS -Muck boots	$93.50
12/11/2015	BENDBROADBAND BEND, OR	BENDBROADBAND - Airport Services (Nov-Dec)	$91.90
12/1/2015	BENDBROADBAND BEND, OR	BEND BROADBAND - Central Services Services (Dec)	$90.47
12/22/2015	TS & S FORD	TS & S FORD - Veh 1301: Winter Tires	$90.00
12/10/2015	SQ COVE ELECTRIC, INC.	COVE ELECTRIC - GFCI Outlet Replacement Public Works	$89.00
12/3/2015	RICOH USA, INC	RICOH USA - PW Building Printer Copies (Nov)	$85.72
12/2/2015	TIMEVALUE SOFTWARE	TIMEVALUE SOFTWARE - B. McNamee Laptop Rebuild	$85.00
12/18/2015	SW OFFICE SUPPLY/CASCADE	CASCADE OFFICE - Pens, Pads, Flags	$82.79
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Nuisance Property: 179 D ST.	$80.00
12/4/2015	COURTYARD LLOYD	COURTYARD LLOYD - meal per diem, two days valet parking	$76.00
12/2/2015	COMMUNITY NEWSPAPERS	PIONEER - Legal Sole Source Procurement	$75.56
12/7/2015	NORTHSIDE FORD TRUCKS	NORTHSIDE FORD - #08 Water Tank: Turn Signal	$74.87
12/7/2015	IN TREASURE VALLEY COFFE	TREASURE VALLEY - PW: Tang, Coffee	$74.15

11/24/2015	NAPA AUTO	NAPA - Flasher Relays for Tk55 Elgin Sweeper	$71.94
12/7/2015	MADRAS SANITARY - OFFICE	MADRAS SANITARY - SWWTP Services (Dec)	$71.15
12/4/2015	MADRAS OIL CENTER	MADRAS OIL CENTER - Oil Change: Veh 802	$68.94
12/5/2015	CENTURYLINK	CENTURYLINK - SWWTP Services (Dec)	$68.92
11/30/2015	CHAPPY'S AUTO PARTS	CHAPPY'S AUTO PARTS - Filters Golf Mowers	$68.66
12/3/2015	MADRAS TIRE FACTORY	MADRAS TIRES - Flat Repair #102 590 Back Hoe	$68.00
12/8/2015	STAPLES DIRECT	STAPLES - Airport Ink	$65.87
12/22/2015	HDS MAG: ENGINEERING N	HDS MAGAZINES: Annual ENR Subscription	$64.95
12/7/2015	NAPA AUTO	NAPA AUTO - #69 Pickup: Turn Signal Switch/Light Repair	$61.37
12/9/2015	STAPLES DIRECT	STAPLES - City Hall 2016 Calendars	$60.47
12/8/2015	AASHTO PUBS	AASHTO PUBS - MUTCD replacement for Wray Streets Dep.	$60.00
12/1/2015	ADT-PROTECT YOUR HOME	ADT-PROTECT YOUR HOME - Golf Shop Security	$59.99
12/3/2015	AMAZON MKTPLACE PMTS	AMAZON - Wastewater Operator Textbooks	$59.13
12/15/2015	GALLS	GALLS - Wallace Gloves/Knit Cap	$58.33
12/14/2015	LES SCHWAB	LES SCHWAB - Veh #501 Winter Change Over	$57.56
12/7/2015	MAIL COPIES & MORE LLC	MAIL COPIES & MORE- Overnight Shipping to OSP Lab	$57.37
12/7/2015	MISSION LINEN	MISSION LINEN - City Hall Mat Services (Dec)	$57.18
12/17/2015	MISSION LINEN	MISSION LINEN - City Hall/PD Mat Services (Dec)	$57.18
12/7/2015	STAPLES DIRECT	STAPLES - Calculator Tape, File Folders, Coin Envelopes	$55.95
12/3/2015	ALTABIRA CITY TAVERN	ALTABIRA CITY TAVERN - J. Burchell: Meal- Pesticide Training	$55.20
11/24/2015	MADRAS AUTO PARTS	MADRAS AUTO - Repair Ford Truck	$53.06
12/7/2015	PHILS HARDWARE	PHILS HARDWARE - N Hangar repairs	$52.29
12/3/2015	IN QUANTUM COMMUNICATION	QUANTUM COMMUNICATION - Ethernet Port to Jeff Co.	$50.00
12/7/2015	MADRAS SANITARY - OFFICE	MADRAS SANITARY - Park Litter Cans (Dec)	$50.00
12/4/2015	OR DEPT OF AGRICULTURE	OR DEPT OF AGRICULTURE - Ag License	$50.00
12/4/2015	OR DEPT OF AGRICULTURE	OR DEPT OF AG - Pesticide Applicator License Renewal	$50.00
12/21/2015	OR DEPT OF AGRICULTURE	OR DEPT OF AG - Pesticide License Renewal	$50.00
12/14/2015	PIZZA HUT	PIZZA HUT - Solar Eclipse Committee Meeting Meal	$48.97
12/16/2015	FIGAROS PIZZA	FIGAROS - Dinner for City/County PC City File PA-15-1	$48.47
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Employee Tuition Program	$48.00
12/22/2015	MADRAS AUTO PARTS	MADRAS AUTO - #104 515: Incandescent Loader Lights	$46.50
12/5/2015	ERICKSONS TW MADRAS	ERICKSONS - Christmas Parade Candy	$46.39
12/7/2015	MAZATLAN MEXICAN RESTAURANT	MAZATLAN - Parks Team Meeting	$46.29
12/10/2015	RIP Q SIGNS & GRAPHICS	RIP Q SIGNS & GRAPHICS - Water Tank Sign	$46.00
12/17/2015	WILBUR ELLIS MADRAS	WILBUR ELLIS - Soil Analysis: A & L Test (fields at Airport)	$46.00
12/8/2015	PHILS HARDWARE	ACE - Zip Ties for Electrical Cords per Safety Comm.: PW	$45.94
11/30/2015	EDGE ANALYTICAL	EDGE ANALYTICAL - Nitrate Sample from Well #3	$45.00
12/7/2015	MADRAS AUTO PARTS	MADRAS AUTO - #70 S-10 Pickup: Engine Tune-up	$42.75
12/7/2015	MADRAS SANITARY - OFFICE	MADRAS SANITARY - Fishing Pond (Dec)	$42.09
12/8/2015	THOMPSON PUMP MADRAS	THOMPSON PUMP MADRAS - Blower Hose	$41.25
11/27/2015	THE HOME DEPOT	THE HOME DEPOT Lights for Containers	$39.93
12/8/2015	D LAWLESS WHOLES	D LAWLESS - Metal Label Holder for CDD File Drawers	$39.90
12/9/2015	PHILS HARDWARE	PHILS HARDWARE - Flashlight, Batteries	$37.22
11/30/2015	PHILS HARDWARE	PHILS HARDWARE - Heat Tape	$36.97
12/7/2015	MISSION LINEN	MISSION LINEN - PW Mat Services (Dec)	$34.75
12/17/2015	MISSION LINEN	MISSION LINEN - PW Mat Services (Dec)	$34.75
12/22/2015	D LAWLESS WHOLES #0001	D LAWLESS - File Labels for CDD Drawers	$33.85
12/3/2015	MADRAS AUTO PARTS	MADRAS AUTO - Wiper Blades	$32.10
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Enterprise Zone Agreement	$32.00
12/11/2015	JUNIPER PAPER&SUPPLY	JUNIPER PAPER - Multifold Towels	$31.95
12/1/2015	OFFICE MAX	OFFICEMAX- Paper, Pens	$31.61
12/10/2015	PHILS HARDWARE	PHILS HARDWARE - Graffiti Removal	$30.46
11/25/2015	PLATT ELECTRIC	PLATT ELECTRIC - Batteries	$30.30
12/13/2015	HILTON HOTELS PORTLAND	HILTON - R. Embanks: Meal-Japanese Ball	$30.15
12/10/2015	PHILS HARDWARE	PHILS HARDWARE - Pump Cover Metal	$29.99
12/4/2015	PHILS HARDWARE	ACE - City Hall Holiday Lighting Hardware	$29.96
12/1/2015	MILLER LUMBER	MILLER LUMBER- R. Kathrien: Boot Chains	$28.49
12/4/2015	AMAZON MKTPLACE PMTS	AMAZON - Weight Limit Signs for Mezzanine at PW	$28.04
12/16/2015	MADRAS AUTO PARTS	MADRAS AUTO - Shop Supplies: Silicone	$27.89
11/23/2015	MAIL COPIES & MORE LLC	MAIL COPIES & MORE - Evidence Shipping	$27.27
11/30/2015	MILLER LUMBER	MILLER LUMBER - M. Rochelle: Boot Chains	$26.99
12/1/2015	BENDBROADBAND BEND, OR	BEND BROADBAND - Community Dev. Services (Dec)	$25.85
12/17/2015	RICOH USA, INC	RICOH - Wastewater Services (Nov-Dec)	$24.75
12/1/2015	MISSION LINEN	MISSION LINEN - Airport Mat Services (November)	$22.72
12/10/2015	MISSION LINEN	MISSION LINEN - Airport Mat Services (Nov)	$22.72
12/1/2015	CENTRAL ELECTRIC COO INC	CENTRAL ELECTRIC - Yarrow Round-a-bout (Nov)	$21.71
12/1/2015	CENTRAL ELECTRIC COO INC	CENTRAL ELECTRIC - Yarrow Round-a-bout (Nov)	$21.71

12/9/2015	PHILS HARDWARE	ACE - Kitchen Bags, Paint Strainer, Smart Straw	$21.46
12/15/2015	ERICKSONS TW MADRAS	ERICKSONS TW MADRAS - Water	$20.38
12/8/2015	PHILS HARDWARE	PHILS HARDWARE - Trash Can Liners	$19.99
12/15/2015	PHILS HARDWARE	ACE - Flooring Tape: Electrical Box- GAV building	$19.98
12/14/2015	AG WEST SUPPLY MADRAS	AG WEST SUPPLY # 72 Aqua Tec Hose Coupler	$19.35
12/8/2015	SNOWS CLEANERS	SNOWS CLEANERS - D. Farrester: Uniform Cleaning	$18.75
12/1/2015	CHAPPY'S AUTO PARTS	CHAPPY'S AUTO PARTS - Plugs Golf Mower	$18.70
12/10/2015	SAFEWAY	SAFEWAY - Cookies for Central OR PW Partnership meeting	$17.98
12/4/2015	PHILS HARDWARE	ACE - City hall Oil for Door, Extension Cord for Holiday Décor	$17.98
12/4/2015	PHILS HARDWARE	PHILS HARDWARE - Fastener/Nuts for Holiday Decor	$17.75
12/7/2015	AG WEST SUPPLY MADRAS	AG WEST SUPPLY MADRAS - Elbow Gloves	$17.50
12/1/2015	MISSION LINEN	MISSION LINEN - Wastewater Mat Services (November)	$17.10
12/10/2015	MISSION LINEN	MISSION LINEN - Wastewater Mat Services (Dec)	$17.10
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV -Amendment: Wilbur-Ellis Lease	$16.00
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - Lease Agreement: CAT AG	$16.00
12/17/2015	BI-MART	BI-MART - Headphones	$15.99
12/10/2015	PHILS HARDWARE	PHILS HARDWARE - Expanded metal	$14.99
12/1/2015	PHILS HARDWARE	PHILS HARDWARE - Antifreeze Parks Restroom	$12.99
12/9/2015	PDX LAURELWOOD	SSP AMERICA - Dinner R.Tombleson BOLI Conference	$12.95
12/7/2015	CHAPPY'S AUTO PARTS	CHAPPY'S AUTO PARTS - Plugs for Golf Cart	$12.87
12/14/2015	SNOWS CLEANERS	SNOWS CLEANERS - Farrester Uniform Clean/hash marks	$12.75
11/30/2015	MADRAS AUTO PARTS	MADRAS AUTO -Broom #210 F 935 Mower/Sweeper Filters	$12.55
12/18/2015	AG WEST SUPPLY MADRAS	AG WEST SUPPLY - Duct Tape	$11.99
11/30/2015	SNOWS CLEANERS	SNOWS CLEANERS - D. Farrester: Uniform Cleaning	$11.50
12/3/2015	MADRAS AUTO PARTS	MADRAS AUTO - Battery Clamps	$10.79
12/8/2015	STARBUCKS	STARBUCKS - Breakfast R.Tombleson BOLI Conference	$10.65
12/18/2015	PHILS HARDWARE	PHILS HARDWARE - Nuts and Bolts	$10.50
12/23/2015	PAYPAL WEBCUBE	PAYPAL- Micro SD Card Box Protectors for Karen	$10.30
12/7/2015	PHILS HARDWARE	PHILS HARDWARE - Marking Tape	$9.99
12/9/2015	THE HOME DEPOT	THE HOME DEPOT Wire for Ribbons	$9.76
12/16/2015	BI-MART	BIMART - Notebooks	$9.56
12/18/2015	SW OFFICE SUPPLY/CASCADE	CASCADE OFFICE - CD Disk Mailers	$9.49
12/7/2015	STARBUCKS	STARBUCKS - Breakfast R.Tombleson BOLI Conference	$9.40
12/1/2015	OFFICE MAX	OFFICEMAX - Pens	$9.31
12/7/2015	OREGON CAFE	Oregon Cafe - Lunch R. Tombleson BOLI Conference	$8.96
12/7/2015	MADRAS SANITARY - OFFICE	MADRAS SANITARY - Golf Course Services (Dec)	$8.50
12/7/2015	MADRAS SANITARY - OFFICE	MADRAS SANITARY - Transfer Station Tickets	$8.16
11/30/2015	BI-MART	BI-MART - Holiday Cards	$8.00
12/9/2015	PHILS HARDWARE	PHILS HARDWARE - carabiner	$7.99
12/3/2015	BURGERVILLE USA	BURGERVILLE - J. Burchell: Meal- Pesticide Mgmt Training	$7.79
12/2/2015	BURGERVILLE USA	BURGERVILLE - J. Burchell: Meal- Pesticide Mgmt Training	$7.09
12/15/2015	PHILS HARDWARE	PHILS HARDWARE - Tape for Range Target Training	$6.99
12/14/2015	MAIL COPIES & MORE LLC	MAIL COPIES & MORE LLC - Rubber bands	$5.14
12/2/2015	NAPA AUTO	NAPA AUTO -Electrical Tape	$4.19
12/10/2015	PHILS HARDWARE	PHILS HARDWARE - Glue to Fix Heater Knob	$3.49
12/10/2015	NAPA AUTO	NAPA AUTO - Scraper	$2.59
12/8/2015	TRIMET TVM	TRIMET - Train to Airport R.Tombleson BOLI Conf	$2.50
12/10/2015	PHILS HARDWARE	PHILS HARDWARE - Blower Blots	$2.32
12/19/2015	SAFEWAY	SAFEWAY - Water-Case Evidence 15-1266 Kathrein	$2.18
11/30/2015	MAIL COPIES & MORE LLC	MAIL COPIES & MORE - Holiday Cards Labels	$2.00
12/15/2015	SW OFFICE SUPPLY/CASCADE	CASCADE OFFICE - Paper Clips	$1.70
12/4/2015	COURTYARD LLOYD	COURTYARD LLOYD - Credit Card Test	$0.01
11/30/2015	MADRAS AUTO PARTS	MADRAS AUTO -Credit for # 99 Boi Spreader Battery	($30.00)
12/14/2015	TS & S FORD	TS & S FORD - Credit #111 Pickup: Starter Core	($75.00)
12/18/2015	PAPE MACHINERY	PAPE MACHINERY - Credit-Double Pymt for Fin Kit Spreader	($718.73)
			$74,463.87

MRC

December 2015

12/18/2015	SGA CPAS CONSULTANTS	SGA CPAS CONSULTANTS - MRC Audit Payment	$2,060.00
12/8/2015	BRYANT, LOVLIEN & JARV	BRYANT, LOVLIEN & JARV - MRC Auditors Letter Review	$160.00
12/3/2015	GENO'S ITALIAN GRI	GENO'S ITALIAN GRI - Gift Card or Madras Action Plan	$25.00
12/4/2015	EL RIO RESTAURANT	EL RIO RESTAURANT - Madras Action Plan Gift Card	$25.00
12/12/2015	EL RIO RESTAURANT	RIO REST - Credit card hold for URAP Meeting	$1.00
12/15/2015	EL RIO RESTAURANT	RIO REST - Dinner for URAP Community Meeting	$409.00
			$2,680.00

GRAND TOTAL WITH MRC **$77,143.87**

OFFICIAL MINUTES
REVISED
CITY COUNCIL, CITY OF MADRAS
OCTOBER 27, 2015

I. CALL TO ORDER

The City Council Meeting was called to order by Mayor Royce Embanks at 5:30 p.m. on Tuesday, October 27, 2015 in the Madras City Hall Council Chambers located at 125 S.W. "E" Street.

CITY COUNCIL MEMBERS IN ATTENDANCE WERE:
Mayor Royce Embanks and Councilors Bill Montgomery, Tom Brown, Gary Walker, Richard Ladeby, and Chuck Schmidt.

There is currently one vacancy on the Madras City Council.

CITY STAFF MEMBERS IN ATTENDANCE WERE:
City Administrator, Gus Burril; City Attorney, Jeremy Green, with the firm of Bryant, Lovlien and Jarvis PC; HR and Administrative Coordinator, Sara Puddy; Finance Director, Brandie McNamee; Police Chief, Tanner Stanfill; Public Works Director, Jeff Hurd; and Community Development Director, Nicholas Snead.

ABSENT WERE:
City Recorder, Karen J. Coleman.

VISITORS IN ATTENDANCE WERE:
Justin Gottlier; HDCC.; Rick Urbach; Gary Thompson; Skip and Christy Abbe; Steve Jansen; Jefferson County Sheriff Jim Adkins; Mike Boynton, Central Organics; Louise Muir; Annette Hildebrand; Jocelyn Anderson; Jamie Hurd; Shannon and Cassia Winegar; Mike Boyd, Central Organics; Margaret Kincaid, American Legion Auxiliary; Annette Mattson, PGE; Bill and Betty Hoff; Cory DeJarnatt, and Lyle Rehwinkel.

The Mayor, City Council members, City Attorney Green, City Administrator, and staff moved to the City Council Conference Room for the Executive Session.

II. EXECUTIVE SESSION – ORS 192.660 (2) (E)

The Executive Session was opened at 5:33 p.m. to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

The Executive Session was closed at 6:55 p.m.

No formal action was taken during or after the executive session was closed.

III. PLEDGE OF ALLEGIANCE AND PRAYER

IV. CONSENT AGENDA

Mayor Embanks communicated to those attending the meeting in the audience, which if they would like to address the council for any reason, to please fill out the address form and provide it to Sara.

Two items were added to the agenda: Item XV – Special Events Insurance; and Item XVI - Intergovernmental Agreement No. 31043 between the City of Madras and the Oregon Department of Transportation for Immediate Opportunity Funds for the Madras Municipal Airport West Access Road Project. Consent agenda items being approved in addition to the two added include the following:

A. Approval of Minutes From the October 13, 2015
City Council Meeting

B. Approval of Minutes From the October 21, 2015
City Council Work Session

C. Ratification of the Signing of Contract Change Order No. 4 - JAL Construction
Modification of Section 0180.50 (h)
S.E. Buff Street and McTaggart Road Bicycle and Pedestrian
Improvement Project No. 2011-01 (Safe Routes to School)

D. Approval of Informal Agreement With the Deer Ridge Correctional Institution for Sanding of Ashwood Road From the City Limits to the Entrance into the Deer Ridge Facility for the 2015-2016 Winter Season

E. Approval of Amendment No. 1 Oregon Department of Corrections (ODOC)
Inmate Work Program Work Order No. DRCI.14.548.01

F. Council Acceptance of Completion of the North World War II Hangar
Window Replacement Project - Phase II (City Project No. 2015-08)

G. Approval of Annual Cinder Exchange Agreement
With the Oregon Department of Transportation

H. Approval of Downtown Sidewalk Replacement Project
When Damaged by Street Trees

I. Council Authorization to Surplus Abandoned 1978 Manufactured Home
Located in the Madras Industrial Park

COUNCILOR RICHARD LADEBY MADE A MOTION TO APPROVE THE AGENDA AS AMENDED, AND THE MINUTES; THE MOTION WAS SECONDED BY COUNCILOR TOM BROWN AND PASSED UNANIMOUSLY, 5/0.

V. PRESENTATION – PELTON ROUND BUTTE HYDROELECTRIC PROJECT UPDATE BY PORTLAND GENERAL ELECTRIC AND CONFEDERATED TRIBES OF WARM SPRINGS

Representatives from both Portland General Electric (PGE) and Confederated Tribes of Warm Springs presented an update on the Pelton Round Butte Hydroelectric Project per the original project agreement signed by the City of Madras (in support of the project). Those that presented include Chad Croft and Megan Hill with PGE, and Jim Manion with Warm Springs. They explained that the purpose of the project was to encourage sustainable harvestable fish runs and fish management, water flows and respiration efforts. Mr. Croft and Ms. Hill communicated the quality of studying and planning that has been done with the project that is used to help make management and operational decisions for the fish habitat. They noted the partnership efforts and funding assistance that they've made to conservation groups and other non-profit organizations for both economic and environmental purposes. Mr. Croft encouraged the council to tour the project and operations, communicating that an actual tour date has not yet been setup. The council showed interest in touring the facility, and confirmed that they would schedule a tour in spring 2016 through Sara Puddy, HR and Administrative Coordinator for the City.

City Administrator Burril asked if, as a community member, how someone can make application for project funding. Mr. Croft said that there is a process through their corporate office in Portland, and if any community organization is interested in seeking funding, to communicate through the staff at PGE, and they would take the information to the corporate office for consideration.

Mr. Croft also communicated that PGE is invested in the local community by providing funding to various non-profit and local organizations.

VI. VISITOR COMMENTS

Margaret Kincaid representing the American Legion Auxiliary invited to attend come out on Veterans Day (November 11) at 11:00 a.m. to the Tommy Tucker Memorial where the American Legion would be present a wreath to the friends and family of Tommy Tucker.

Marijuana Testimony:

- *Bill Hoff (846 SE Turner Street in Madras):* Thank you for providing a comment opportunity (he offered a personal experience testimony). I estimated that probably ten percent of the Madras population would smoke marijuana, 34% of them think they ought to be able to, and 56% of us don't want it in town period. I hope that when the council votes, they will decide which constituency you represent.

- *Lyle Rehwinkel (1444 SW Rimrock Drive in Madras):* Strongly oppose marijuana in the City; I have an elected position as well. Talking to a lot of people that voted for me, and with having a business in town I hear from a lot of people and they strongly oppose it. I would say to make sure that when you vote, you are representing the community that supported you in your elected position.

- *Cory DeJarnatt (1095 SE Pecos Drive):* I would like to see the council follow suit with upcoming vote that will come from Jefferson County. I would like to see you enforce and follow along with the guidelines that we hold off on allowing businesses to come into effect at this time. Let the voters decide in November 2016. Majority of the county was against allowing recreational dispensaries, important that as a community, we support what the majority wants, and that would be to stay out of the marijuana business. Madras would look a lot better down the line.

- *Steve Leriche (2120 SE Dry Gulch Drive in Madras):* He reminded the council that Jefferson County had a ten percent lead vote against Measure 91 and each one of the councilor were elected, and elected to represent the constituents of Madras, not the State of Oregon. The City of Madras said no on Measure 91. You need to support the people that you campaigned that you would support. There is a clear majority and I am asking that the council would support the majority decision. All we have to do is look at the statistics coming out of the other legal states - rise in accidents and fatalities. What is the council doing to prepare for that. Have you hired a new drug expert, or additional police force? I

feel that the council has done nothing in preparation for these issues. Unless ready to jump in and get prepared for the outcomes resulting from recreational marijuana use, time to opt out and back off. Look at Colorado, emergency room visits that were marijuana related have more than doubled. There cannot be an explanation that marijuana has always been here and that it isn't going to be any different – it is going to be different; it's proven different looking at the statistics. It's going to be a cost to our community. On October 1st, highway 97 to watch a dancing joint and dancing marijuana leaf on our community highway for everyone to know what our city is about, is that what you want people to think of our community, the marijuana capitol? Please follow the constituents' voice.

- *Shirley Boettcher (94 SE Tracie Street in Madras):* At the last meeting when Jim Leach was here, the majority of those in the audience understood that this was a settled thing, that we were opting out, going to do what the people elected you to do, but instead we are surprised that reading in the paper that the next meeting, you changed your minds. The majority of the people of this city voted you in. The majority of this city also said no (to recreational marijuana). You did not take and follow what the people of this city wanted. All of you that that voted for it should be recalled. You didn't follow what you promised to follow, which was the majority of the people of this town. Now we have something to be ashamed of, not proud of.

  Mayor Embanks interjected that is wasn't that we didn't vote for it, we voted for an ordinance to be drafted, so when the ordinance came up, the vote had changed with Jim Leach gone, and therefore the ordinance was not adopted. And so the issue died there, as far as what was talked about earlier. It wasn't that we went to a secret meeting and changed anything; it was just part of the procedure and voting for these ordinances. I apologize if it seems that way, but that's just part of the democracy works, and it's all about voting.

- *Jamie Hurd (2055 SE Dry Gulch Drive in Madras):* Thank you to all the councilors and for volunteering your time meeting after meeting, it's not easy doing what you do. I am concerned about the legalizing the sale of recreational marijuana in our town. I value community health and legalizing recreational marijuana is a huge step back. How is this helping the positive growth of our town? How can you look at my children and say that this is a positive choice for them? Legalizing the sales of recreational marijuana supports a culture that does not enhance the health of our community. What legacy are you leaving for our children? Marijuana is a drug that impairs judgement and has negative effects on our health. How is that a positive choice for our community? Thank you.

- *Jocelyn Anderson (1100 SW Highway 97 in Madras):* thank the council for allowing our business to participate in the early recreational sales. We have been able to offer a safe, secure and compliant place for people over 21 to purchase cannabis legally. Each day we educate people on the strength they provide so they know the effects and are provided with information about what they are purchasing. I know that there still many members of the community that are not in favor of recreational cannabis, but I feel that many people are not educated on the topic or understand the strict rules and regulations we are required to follow from the State of Oregon. I hear many people make statements that are neither correct nor valid. I encourage people to do their research on cannabis and I am happy to give a presentation to people in the community in order to make things more clear and put them into perspective. Community members who are in opposition have never come to us to receive education or see how we operate a professional business. There are a lot of judgements being made before you are there and can actually see how our business works. After completing calculations on our first 27 days of recreational sales, I thought it was important that the council was aware of the tax benefit that the city will receive from allowing our sales of early recreational cannabis. The state is going to be taxing at 17% with full recreational licenses next October. The city, local municipalities have the option of adding a three percent tax on top of that. If Madras were to vote in the three percent tax, Plantae Health would be paying the City $24,000 a year in taxes, that's only with the limited early recreational sales that we have now. We expect this number to increase ten times when full recreational cannabis sale and product are available to those over 21. We are able to employee three times the amount of people in Madras compared to people in Prineville where a medical dispensary is currently allowed. We've already started our involvement in the community, we hosted a Coffee Cuppers with the Madras-Jefferson County Chamber of Commerce, we've also donated money to the retired sheriff officers and police officer's association, and we will be donating money to other community events. We are in the process of hosting a canned food drive at both of our stores. Thank you for your time and please feel free to reach out with any questions or concerns you have.

- *Gary Thompson (2737 N. Main Street, Prineville, OR 97754):* Provided career history at district Attorney Green, and established Crook and Jefferson County Drug Court. Explained that when people were at drug court, people were in them for a year, sometimes two years. The said that they were typically cross-addicted to things like methamphetamine, and almost always cross-addicted with marijuana. Marijuana is an addictive substance. For adults, it's a 9% addiction rate to 17% addiction rate for someone who starts using in their teenage years. It decreases their IQ by eight points, which is significant for most people. When

measure 91 was on the ballot, it allowed for an initiative to be come forward to negate that by either a City or a County. A local jurisdiction can initiate an initiative to disallow Measure 91 outcomes from the county or the City. When they had the legislative session, there was a compromise by both the democratic and republicans in which they passed HB 3400 and they allowed you to opt out. You are all aware of it, because you drafted an ordinance that concerned that, and you had the ability to opt out by an ordinance which stops it period (because the county voted against it at 55 percent or more). Or you can opt out and refer to a referendum to the voters in the fall of 2016. Counties that didn't pass it, like Deschutes County supported at 52 percent can still opt out and do a referendum too. There is a second bill SB 844 which allows you to opt out on retail sales that started October 1st, so I think you need to address that if you want to support the people in Jefferson County.

- *Christy Abbe (560 8th Street in Metolius):* Just here to remind the council that in the initial meetings, many people spoke against the recreational marijuana, and I believe at the time of that meeting it was the intent of the city council to opt out, and send this to the voters. How that got changed with the drafting of the ordinance doesn't really make sense to me because I believe that the intent of that meeting was to opt out. I would just ask that you do what you can to send this to the voters and that if there is an ability to opt out that that should be done because that was the intent of the meeting. OLCC is still changing laws – the last one I saw, they were separating medical and recreational marijuana, so does that mean that we will have twice as many dispensaries because they have to be separated? Do they have to be separated by distance, I don't know what is going on there. Some of the new OLCC rules allow delivery of marijuana. I don't know how that can be done safely or legally. A lot of the rules for the dispensaries have to do with safety, security, etc. I don't know how that can be done safety or enforced. To me, it would be a nightmare for the police to have to be looking into all of that. I think that there are way too many questions and the laws have not been developed enough and also the people of the City plainly voted against this. I would like to see that upheld.

- *Rick Urbach (641 SW Colfax Lane in Madras):* He communicated that he had been to council a few other times voicing his opposition against recreational marijuana. I have the privilege every Tuesday night of going up to the Jefferson County Jail and working with inmates. I get to hear them talk and laugh about the availability of marijuana just as soon as they get out of jail. What are we doing? We are trying to correct those people and help them but yet we make it so available for them when they get out. What are we doing with our kids at the high school? It just tears me up. And I believe in the democracy, I served in the

Marine Corps. And we as voters in this county voted that we wouldn't have marijuana. Yet, you the City, decided to supersede our vote and go for it. Well that's not how it works, so please reconsider.

- *Steve Jansen (Madras):* one of these dispensaries in particular, I have observed twice now, once today for an hour and 15 minutes, and the other time was last Monday on a complaint from one of my neighbors that they are using the parking lot as a thoroughfare into this business. I own three houses on that block, that block was rezoned from C-1 to R-2 so that we could start renovating the neighborhood. We got it looking pretty darn good. Now we have this drug center that for some reason someone in the City decided to allow them to use an alley in lieu of a driveway for access. Its pretty much taken over the neighborhood. Today I observed 18 cars going into that place. I'm not an expert on impaired driving, but I think that out of those 18, eight of them were impaired. I've also had my chain link fence hit already. I think that the City should reconsider on this. I would also like to get onto one of your agendas to talk about possibly vacating that alley. I'd like to know who told this property owner that if they didn't like it, to put up a fence. Why should a private property owner have to bear the expense of an error that the City made? I realize also that ODOT was part of it, because the driveway was too close to the highway, so they allowed them to use the alley. It's a dust bowl. (The dispensary) is turning my neighborhood back into a ghetto. Thank you.

- *Annette Hildebrand (225 NE 8th Street in Madras):* I'm talking about recreational marijuana, not the ones that really need help (referring to the medical marijuana). I'd like to confess that I have quite a few friends who really want and do smoke. It dawns on me that most of them are very capable people and their children are gone. They want to be able to relax when they can, and in a way that they prefer. But I'm here though to remind you of the way that the recreational relaxing would occur would be in a way that the air would be shared and I worry about the children. It's one thing for us as adults to make these decisions but when we do something that inherently will hurt the young ones that breathe that air, I am saddened. I want us to be responsible; we owe it to our children. You guys have a tough job, hang in there.

- *Louise Muir (549 NE Begonia Street in Madras):* I really would like to see the council not pass this ordinance. I do worry about the young children. Maybe adults can go, I have not been to one of these dispensaries to be educated. I'm not really interested. I don't need that to relax at night – never have, and never will. Medical, when people need it, I don't have a problem with that, but I really worry about people taking it home, having children around, and needing

something to relax and need to deal with their kids or whatever's happened during the day. I hope that they can find something else to relax with, and not put those small children and teenagers at risk. Look how they get guns, do you think that they aren't going to get marijuana if it's around the house? I don't think we have the police protection rather in the city or sheriff's department at this time with enough people that can cover all of this. One way or the other, are we going to bring in enough taxes for that type of protection? I would really ask you to think about the young kids, if for no other reason, that you don't want one of them ending up in our hospital like one already has, with an overdose. We don't need that kind of thing in Madras.

- *Shannon and Cassia Winegar (1735 Hilltop Lane in Madras):* I also spoke at the Jefferson County meeting, and I'd like to just use some of the examples that I spoke about there. I also want to say that this is an issue for us in this area, but we don't really need outside interests speaking into our issue, keep that in mind. As far as the comments on the rules and regulations, I don't think that it is very well monitored or regulated, even in the states that have already brought it in (recreational marijuana). In Oregon, I want to mention that the medical marijuana cards which we got first, here are some facts. We have about 70,000 medical card holders in Oregon. There are only a few doctors that write those. You can get a brief medical exam and it runs between $300-$350. The Oregon physicians have already earned as much as 21 million authorizing these cards. The federal law prohibits making transactions related to the trade. The state records for grows aren't that good. The cardholders in Oregon could not use all the medical pot grown in the state. They cannot possibly use 20% of the legal pot, even if they were stoned 24/7. So we have 80% medical pot left. How does that affect Jim Adkins? We know that this is a problem. There are issues that need to be dealt with. Please opt out for now, at least give the voters a chance to say, again, because I don't think this is good for our community or our kids. Please opt out.

- *Cassia Winegar:* I am 22 years old and I have worked with youth for the past five years. The thing that is my largest concern is when we as a community say that it is ok to use marijuana if you are over 21. Many youth do not hear "over 21." I believe that if we do as a community, say that this is acceptable under certain circumstances, that that meaning is conveyed very well. I just notice that youth are very influenced, not only by their peers but by young college students such as me and the adults. Their parents and teachers and those kinds of people in their lives. That is something that I would ask that you all consider. Thank you.

- *Jim Adkins (836 SE Sun Drive in Madras):* I'm your sheriff. I'm in my second term and I was elected with over 80% of the vote. This question is really easy for you

guys and for me. At the county commission, I called out Mike Ahern. He was the guy that was promoting legalizing marijuana thing. I said no, that's not right because I campaigned against this. The legislature gave us the opportunity. I'm tired of going down the road as Eugene and Portland, Clackamas area; the liberal side can stay over there. In Jefferson County, we are pretty darn conservative. We do have a few liberals. I am calling you guys out – it is your responsibility to go with what the voters voted, and that was no, don't legalize this, don't allow it. I've brought to you, the vote roster in Jefferson County. Only a couple of towns in Jefferson County approved Measure 91; Madras did not approve marijuana. You as the people that represent them, even some of you who have partaken in marijuana, I still have friends that do that, I am still against it, but you have a responsibility to do what the voters have said. I'm calling you guys out, who have voted for it in the past. You need to stand up now, the public is talking and I'm asking for you to stand with me and the rest of Jefferson County and just say no. At least give me an opportunity to go up against these people (indicating the communities that were for recreational marijuana) who don't even live here, who may own property in Jefferson County, but give me an opportunity to campaign vigorously against them next fall. That is what you need to give to me, and the rest of the people here. Respectfully said, thank you for your time.

- *Letter read into the record from Doug and Sara Harris (42 NE Hillcrest Street in Madras):* Dear members of the Madras City Council – thank you for your service to our city. We appreciate the time and effort each of you have put into the planning and working of our city. I know that our state has voted for allowing recreational marijuana; however this side of the mountain doesn't have the same mind set at the larger cities in western Oregon. We believe this to be more harmful than good for our city, especially the children. We ask you to please allow us to have the opportunity to vote on whether our city allows recreational marijuana or not. Thank you for enabling us to have input on putting this matter up to a vote of the people. Sincerely, Madras residents, Doug and Sara Harris.

VII. MARIJUANA ISSUES FOR DISCUSSION AND POTENTIAL ACTION –

a. MARIJUANA "OPT OUT" ORDINANCE (HB 3400) – VOTER REFERRAL
b. MEDICAL AND RECREATIONAL MARIJUANA TAXING ORDINANCE (HB 3400) – VOTER REFERRAL
c. REPEAL OR SUSPENSION OF ORDINANCE NO. 860- MARIJUANA TAXING ORDINANCE

d. ORDINANCE NO. 870 – MARIJUANA DISPENSARY TIME, PLACE AND MANNER REGULATION

City Attorney Jeremy Green: communicated that together, the council and staff have discussed HB 3400 and the potential referral ordinance probably more than six times, so you all the background that I believe you need to make an educated decision. I just want to point out a couple of things. The staff report indicates that you have 180 days to approve this opt out referral ordinance – that is not actually the case. The 180 time frame applies to an ordinance that you all adopted and do not refer to the voters. This ordinance could be adopted that a later date, I just wanted to point that out. With respect to the opt-out ordinance, you can apply or ban by virtue of the ordinance that would be referred to the voters. All of those recreational marijuana items, one of them, two or three of them, whichever you so choose, it's not an all or nothing proposition. And then, as it relates to the local option tax, there is reference in the staff report indicating that the preemptive language in HB 3400 operates to prohibit our ability to tax medical marijuana, and that's not the case either. The HB 3400 is specific to recreational marijuana, not medical marijuana. I just wanted to point those out. At this point in time, staff is requesting direction from the council as to whether or not to proceed with an opt-out ordinance that would be referred to the voters in Nov. 2016. And if so, direction then to bring that back to you and as of now, the ideal would to be include within that ordinance all four components of the recreational marijuana, unless you direct us otherwise.

Mayor Embanks: said that the comments would start at the far end with Councilor Schmidt.

Councilor Schmidt: asked if there are growers for recreational in areas of the City.

Police Chief Stanfill: answered that he would imagine that there are growers of recreational as we speak.

Councilor Schmidt: clarified asking if there are growers commercially.

Chief Stanfill: responded that no, that he is aware of.

Councilor Schmidt: said that apparently this ordinance then would have each one of these stipulations on whether or not you can grow any of the four items.

Attorney Green: reminded that they are recreational marijuana producers, processors, wholesalers and retailers, are the four pieces of the recreational marijuana ban.

Councilor Schmidt: to me, I believe that the voters are kind of saying what they mean here, so I don't have any problem referring it back to the voters on the recreational marijuana. Even though there will be some money lost or whatever to individuals who have setup shop and thought they had a "go" on it. OLCC I guess just came out with a 240 page document of new rules. Who knows that that's going to change again in the next legislative session so it's a moving target, always has been, I've always been reluctant for me to actually make a decision because it was a moving target and I figured it would all come into play sooner or later. I happen to have a family member who uses the medical marijuana and it's probably the only thing that gets her through the day, so I'm not opposed to that. I'm not really opposed to the recreational marijuana myself either, but I have listened to what is being said today, so I would opt to send to the voters in November 2016.

Councilor Montgomery: said that his feelings are similar to Councilor Schmidt's. I think that one of the things that are important to understand here is that nothing we can do can control the fact that it is legal to smoke it, and legal to possess it, and legal to grow it. All we are talking about it a retailer being in the business of selling it. My attitude has always been that we need to refer it and I would be willing to do it, but frankly, I think that we're dreaming to think that one way or another is going to change much in the city in terms of who uses it and how much is used. They don't have to drive far to get it. But that's all I've got tonight.

Councilor Ladeby: said that his opinion on it hasn't changed from day one. I want to opt out of it, I want the voters to have their say, and they've said it in several town meetings and gatherings in Jefferson County and our City. People have shown up and spoke loud and clear. I've heard them, I agree with them, and I would vote for opting out and letting the voters decide, but we don't need to be regulated by Portland, Eugene, the bigger cities. We live here, we don't live there. If you like the way that they vote in Portland, by all means, go to Portland. But you want your community to be the way it is, and we want our kids to grow up where it's safe. We already have a problem with the youth drinking alcohol. We are still going to have a problem with our youth having marijuana, that's not going to stop, but at least as adults, we are going to say that we don't want it here.

Mayor Embanks: said that he doesn't have a vote in this unless there is a tie, but I originally wanted this referred to the voters as well. I believe that that is how democracy works, and I think that the citizens have spoken loud and clear, and thank you all for coming here. I appreciate you testifying, it's part of our City, our democracy, so thank you for being here.

Councilor Walker: said that he has always for opting out. I would prefer to opt out of all of it, but I know that that's not possible. I believe that we should opt out whatever we can

and allow the citizens decide that in the fall (referring to the November 2016 election). Thank you all for coming out and sharing with us this evening.

Councilor Brown: said that he would choose to postpone the decision until later in the spring when the legislative session has gone through. We know that there is at least four different bills that are working their way through now that could well change anything we do now. The more time we spend on it now, the less time we will have to deal with it when it comes time to know what we are going to be able to do. Some of the people I've talked to, one of the things that they want to see addressed is the medical grows, and none of this has any effect on the medical grows. With a four card stack, that's a person with a medical card can get together with three other people and they can grow 24 plants in a residential district. That's something that we need to deal with. That's going to have to be done through land use and planning. Those are some of the things that we really need to work on, and I think that we need to postpone this vote until the spring. It can't be voted on until November of 2016 anyways, so no matter what, nothing is going to happen until that point in time.

An audience member interjected that no, the council has the ability to opt out in the meantime.

Councilor Brown: said that yeah, well I suppose you could. That's not my choice. Basically, that's where I am at with it I would postpone the vote until the spring. We have plenty of time to get the vote in to the November election.

Mayor Embanks: asked Attorney Green if they vote on this one now if someone makes a motion.

Attorney Green: said that yes, to answer your question, you could vote now to direct staff to move forward with the preparation of the opt-out ordinance.

Mayor Embanks: said that his understanding is that sale of recreational marijuana will still go on until the vote.

Attorney Green: said that basically, if you go ahead and adopt the ordinance and you refer it to the voters, we would then notify the state of the adoption and the referral, it would affectively prevent any retail establishment from being licensed and being able to operate inside the city limits, pending the outcome of that ordinance.

Mayor Embanks: asked if that means that recreational marijuana could be sold in the medical dispensaries?

Attorney Green: said that that is a great question, and that it's not answered specifically by the legislation, but that this particular ordinance would prohibit, again, any retail establishments. The dispensaries are technically medical marijuana establishments selling recreational marijuana. This is specific not to the product (i.e. recreational vs. medical) but the establishment through which the substance is being sold. So I will definitely most certainly confirm what the outcome is of adopting the ordinance as it relates to the early sales, but you all have the opportunity to adopt a ban as it relates to early sales under SB 460, and that would have prevented the recreational sales from the dispensaries. My suspicion is that because that ordinance was not adopted, the mere fact that you would adopt this ordinance would not prevent the dispensaries from continuing to sell recreational marijuana. Councilor Ladeby asked if the city could draft an ordinance since Ordinance 880 failed, could we not draft another ordinance to ban it until the voters have a chance to decide? Attorney Green said that yes, if the council wanted to, you could pursue an early sales ban despite the fact that you didn't adopt the first one.

Councilor Ladeby: said that that since we didn't vote on it, we would have the opportunity to try and get a second to the motion and vote on it.

Attorney Green: said that if you decided to go that direction.

Mayor Embanks: asked for any further comments or discussion? Is there a motion that anyone wants to make?

COUNCILOR RICHARD LADEBY MADE A MOTION TO DIRECT STAFF TO PREPARE A LETTER FOR THE COMMUNITY VOTE AND DECIDE IF AS A CITY, WE ARE GOING TO PERMIT RECREATIONAL MARIJUANA PRODUCERS, GROWERS, WHOLESALERS, AND RETAILS WITHIN THE CITY LIMITS OF MADRAS. MOTION WAS SECONDED BY COUNCILOR GARY WALKER. MOTION 2 TO 3; MOTION FAILED WITH COUNCILORS SCHMIDT, BROWN, AND MONTGOMERY VOTING IN OPPOSITION TO THE MOTION, AND COUNCILORS WALKER AND LADEBY VOTING IN FAVOR OF THE MOTION.

Mayor Embanks: asks if anyone wants to make a second motion.

Councilor Ladeby began to make a motion to direct staff to prepare for asking the voters to approve a 3% local tax on medical and recreational sales if the voters approve recreational on marijuana.

Mayor Embanks: voiced that the council didn't vote on the opt-out ordinance yet.

City Administrator Burril: communicated that we need to clarify position, and that he needs some real clarity. He said that he's hearing council say one thing and voting another way. I suggest we get real clear real quick here, he said. You need to clarify the motion, and we need to go one-by-one on the vote here until I understand where people are at he said.

Attorney Green: clarified that item no. 1 is the opt-out ordinance. Let's do it one at a time. As to whether or not the council is interested to direct staff to prepare the opt-out ordinance, and bring it back to the council for approval. That is the first vote. Richard, make a motion to direct staff to move forward with the adoption of the opt-out ordinance, and then have a second if the council so chooses, and then let's go through and have the vote.

COUNCILOR RICHARD LADEBY MADE A MOTION TO DIRECT STAFF TO PREPARE FOR LETTING THE COMMUNITY VOTE AND DECIDE, AS A CITY, WHETHER OR NOT IT'S GOING TO PERMIT RECREATIONAL MARIJUANA PRODUCERS, GROWERS, WHOLESALERS, AND RETAILERS WITHIN THE CITY LIMITS OF MADRAS. THE MOTION WAS SECONDED BY COUNCILOR GARY WALKER. ROLL CALL: COUNCILOR SCHMIDT: YES; COUNCILOR MONTGOMERY: YES; COUNCILOR LADEBY: YES; COUNCILOR WALKER: YES; AND COUNCILOR BROWN: YES; MOTION PASSED UNANIMOUSLY, 5/0.

Attorney Green: indicated that the staff will proceed with the preparation of the opt-out ordinance which will be referred to the voters in November 2016. Richard, the second question or issue is the early sales ban under SB 454, and if you want to go ahead and make a motion to that effect, that is fine.

COUNCILOR RICHARD LADEBY MADE A MOTION THAT THE CITY BAN RECREATIONAL MARIJUANA ACCORDING TO SB 460; MOTION WAS SECONDED BY COUNCILOR GARY WALKER. ROLL CALL: COUNCILOR SCHMIDT: NO; COUNCILOR MONTGOMERY: NO; COUNCILOR LADEBY: YES; COUNCILOR WALKER: YES; COUNCILOR BROWN: NO. MOTION FAILED, 3/2.

Attorney Green: confirmed that the early sale has failed so we're moving on to the next item, which is the marijuana tax. There is two issues here – first, start with the repeal or the suspension of the City's existing taxing ordinance No. 860. As currently put in place, we are taxing both recreational and medical marijuana. During our work session last week, staff suggested that perhaps the council consider under the circumstances, referring a taxing ordinance to the voters in November 2016 should the ban as it relates to rec sales fail. So what we need to do is discuss whether or not the council wants to direct staff to move forward with the appropriate ordinance that as of November or

December would repeal or suspend our existing taxing ordinance. Does everyone understand? Then we will deal with the referral component after this decision is made.

City Administrator Burril: recalled that the order of the action items on the agenda is a little backwards. What I suggested to the council if we are going to go to the voters, which you have decided to do so, is that if we are going to go to the voters and the community will vote one way or another. What we are asking the community in the vote, is HB 3400 says that you cannot establish your own tax but you can go to your community and say that if you are going to sell recreational marijuana, would you authorize a local tax. The city council has communicated the intention of that tax would be to support the police department for whatever dysfunction and abuse comes out of the use of this product that has been shared with us. So that's what the three percent would be for. I have shared information with council before on the taxes that the state proposes to share with us and they are very anemic. They are in the tune of about $1,500-$1,600 on their estimates. Even if that doubled, we are going to eat that up so fast in our officer's time with one or two incidents, that the state share is almost insulting. They've chose to send it to other places, and I'm not saying that those other places don't need it too, but big brother has told us that we get a little bit and they set the rules. If we are going to sell this in our community, we're asking the community to please support your local police department with managing the public safety that comes around, like we've managed with alcohol, we need to manage with this substance. Council, what staff is asking for, is if we go to the voters which you have said yes, if they do say yes as a community to recreational marijuana, we are asking for a three percent tax which has been set as the maximum by the state. We would correspondingly ask the community, would you approve three percent on medical as you have said, and the council has said, we don't want to tax medical more than recreational. To some degree, we anticipate legislation clarifying that the local taxation can't be more than recreational either, or something else. In light of that, we'd like to set ourselves up to ask the community, if we are going to go for the vote of selling recreational or not, let's go to the vote of taxing it or not, as allowed by the legislation. I want to keep that momentum of going to the people, can you also approve going to the people on the taxation for those two items at three percent.

Attorney Green: said that HB 3400, has specific authorization that would permit the council to refer that three percent recreational-based tax to the voters.

Mayor embanks: asked if we are going to take this in order, Item B.

Councilor Schmidt: said let's clarify this and make sure we understand this correctly. We're talking recreational and medical marijuana, correct?

Attorney Green: confirmed that that is correct, three percent for recreational. We have authority under HB 3400 to tax up to, but not to exceed three percent. HB 3400 does not speak to medical marijuana taxing. However staff has suggested and the council has identified the desire to have consistency, if not less than the amount applicable to recreational as it relates to medical.

Councilor Schmidt: asked so how does that work when it goes to the public? If the public says no on recreational, what does this have to do when it's combining both medical and recreational?

Attorney Green: replied that he'll draft the legislation the ordinance in such a way that it will contemplate some of those contingencies from happening or not happening.

Councilor Schmidt: asked what council's other option is.

Attorney Green: responded that we will get to the next option, and that's why I was trying to throw it all out at the same time, so you all have an idea or perspective as to how one decision might impact the other. The other action is to do no tax whatsoever, and that's the third item on this agenda, which is to repeal your tax and not even assess a tax. That could be repealed or suspended as it relates to both medical and/or recreational. My advice to you, in light of the legislation under HB 3400, at a minimum, you repeal the tax as it relates to recreational marijuana, because under HB 3400, unless you refer the taxing ordinance to the voters, municipalities can't tax for recreational sales.

Mayor Embanks: asked if we have already passed a taxation ordinance.

Attorney Green: confirmed that yes, we did already pass an ordinance for medical and recreational taxing. However, that was prior to HB 3400, and yes, we would have to at least repeal it as it relates to the recreational marijuana sales, or simply suspend it and don't collect the tax on the recreational sales.

Councilor Brown: said that it would be his choice to suspend it, not repeal it. Because if you repeal it and take it off the books, it could affect us getting other taxes.

Attorney Green: said that it could, and we just need to approach these all as one issue to come extent. There is an initiative that has been put forth that could impact your ability to later tax, we are all aware of that. There is the other issue as it relates to medical marijuana taxing particularly as it relates to the home roll charter authority and the grandfathering argument. As you all probably recall, when we were adopting that initial taxing ordinance, part of the reason behind adopting that so quickly was to put us in the

best position possible to argue grandfathering in addition to the home roll charter authority for purposes of providing us the legal authority to tax medical marijuana. If you repeal it, you may compromise the ability to later adopt tax at least as it relates to medical marijuana.

City Administrator Burril: reminded council, there is the idea that if we are going to create a new tax that the people vote on it, it may have benefit to us in other avenues if we go that route and so I want you to think about it. We have the sentiment of people we are allowing them to weigh in on if it's sold or not, and then if it is sold, would they support our local police and law enforcement with the tax. I understand some ideas of keeping standing, but don't lose sight of what the context is. The context is a new tax, so for what it's worth, I need to throw that out and have you weigh that in to your decision here.

Councilor Montgomery: said that his preference on this particular issue on taxation, he would prefer to not tax medical marijuana sales at all. I would like to separate out that from the other piece of it in some way.

Councilor Brown: said that back to suspending it, there's an initiative coming through that would bar medical from being taxed. So that's another question out there. If we change it, if we do too much rather than suspend it and not tax it, again, we could comprise ourselves.

Councilor Schmidt: asked so we could send it to the voters.

Councilor Brown: said that this is two different issues actually.

Attorney Green: confirmed that yes, the recreational three percent would be via an ordinance that would be referred to the voters.

Councilor Brown: noted that the suspension would be a completely different issue.

Attorney Green: agreed and said that right now, we've talked about both issues because I think that you have to have an understanding about both issues in order to make a decision as it relates to either and both. The first issue that is presented to the council is direction to city staff to either move forward with an ordinance that would refer to the voters a tax of three percent on both medical and recreational pot. That's the first issue that has to be decided. Then once that decision is made, I think to some extent the next issue becomes easier to resolve, and that is, what do we do with our existing taxing ordinance pending the outcome of the November 2016 vote.

COUNCILOR CHUCK SCHMIDT MADE A MOTION TO DIRECT STAFF TO MOVE FORWARD WITH AN ORDINANCE THAT WOULD REFER TO THE VOTERS A TAX OF THREE PERCENT ON RECREATIONAL MARIJUANA; THE MOTION WAS SECONDED BY COUNCILOR TOM BROWN. MOTION PASSED UNANIMOUSLY, 5/0.

Attorney Green: asked for clarification, we are going to refer to the voters at this point, an ordinance assessing a three percent tax on recreational marijuana sales only. We will proceed with the appropriate ordinance with that in mind. Then the next issue is what do we do with our existing taxing ordinance, and quite frankly, this becomes a very easy decision in my mind in light of your preceding decision. Currently, we are taxing both rec and medical. Obviously in light of HB 3400 it is problematic to tax recreational marijuana unless you have the approval of the voters. At a minimum, we need to suspend if not repeal the taxing ordinance as it relates to recreational sales. In light of the fact that you all have just decided not to tax medical marijuana sales, my suspicion is that it is likely probably prudent for you to repeal the taxing ordinance in its entirety or at a minimum, repeal it as it relates to medical and suspend as it relates to recreational, pending the outcome of November 2016. Does everyone understand the issues?

Mayor Embanks: communicated that if there are no further comments, would someone like to make a motion.

COUNCILOR TOM BROWN MADE A MOTION TO SUSPEND TAXING ON BOTH RECREATIONAL AND MEDICAL MARIJUANA SALES BECAUSE WE DON'T KNOW WHAT THE OUTCOME OF THE ELECTION WILL BE.

Attorney Green: confirmed, when you say suspend, then basically what I am envisioning is an ordinance that would identify that the tax will not be a requirement of the dispensaries to collect the tax and the city will not impose a legal obligation for the payment of tax. Councilor Brown confirmed his understanding. Attorney Green confirmed that it would remain on the books however?

Councilor Brown confirmed yes.

THE MOTION WAS SECONDED BY COUNCILOR CHUCK SCHMIDT. MOTION PASSED UNANIMOUSLY, 5/0.

City Administrator Burril: communicated that the finance director would feel much better if council could direct her at this point in time not to collect any local tax sales from the dispensaries just so that she is working under the authority of council to not move forward with that collection.

COUNCILOR TOM BROWN MADE A MOTION TO DIRECT THE FINANCE DIRECTOR NOT TO COLLECT THESE TAXES UNTIL WHICH TIME THE VOTE HAS SETTLED THE ISSUE; THE MOTION WAS SECONDED BY COUNCILOR CHUCK SCHMIDT. MOTION PASSED UNANIMOUSLY, 5/0.

Councilor Montgomery: said that he needed a quick clarifier on that. We are not going to be collecting that, so are we asking the dispensaries to collect the tax.

Attorney Green: said that no, the ordinance will specifically direct or identify that the dispensaries are not to collect it, and they are not to pay on a tax that isn't being collected.

Finance Director McNamee: asked for clarification, that for the dispensaries that are in the room, first quarter taxes were due by Oct. 30th 2015 for sales on medical marijuana from July 1, 2015 through Oct. 30, 2015. Based on the motion made, I will not be collecting the tax on those.

Councilor Brown: confirmed that that would be his intent.

Councilor Schmidt: communicated that as you can see, we've gone through this process, and it's not an easy thing. The end goal and the end product keep moving all the time. It's really hard to come up with a decision on exactly what you are going to do when the rules keeping changing each time the state comes in and makes some decision. This hasn't been an easy decision and I know that my fellow councilors feel the same way. It's a very emotional thing for all of you and for all of my neighbors, and I understand that. I think that we've listened, we've responded, and thank you.

Mayor Embanks: said that now we have Item D. This is regarding Ordinance No. 870 – marijuana dispensary time, place, and manner regulations.

Community Development Director Snead: said that staff would like specific direction from the council as to how you'd like to proceed on the development and ultimate consideration of such regulations. That way staff is efficiently working in a manner that's consistent with your guidance.

Mayor Embanks: said my understanding is that this is for if recreational marijuana were to pass on the November 2016 election.

Attorney Green: clarified that no, not necessarily, in fact currently there are early sales occurring of recreational marijuana. I believe Nick and City staff in general would like direction as to whether or not you would like us to modify your existing TMPs to address early sales of recreational pot or just leave it as-is. We discussed this during the work session as well.

Police Chief Stanfill: communicated I would like to see something happen with that, put together some ability for the police department to address medicinal marijuana. Now that we have early sales of rec we have nothing directly connected to early sales of recreational. We need to have something please because the other ordinance doesn't cover it.

Mayor Embanks: said that we discussed this at the work session, and I think the consensus was to leave it as-is. Is that correct?

Councilor Brown: communicated to do the same rules as we have for medical.

Mayor Embanks: recalled that that was what we had talked about.
Attorney Green: confirmed that that is correct, but we need that motion, similarly to what we are doing here. We need the direction from the council so that staff can proceed with the preparation of that document.

Mayor Embanks: asked for any further discussion. If not, does someone want to make a motion?

Councilor Brown: asked one additional question. He asked if there is something in there that we want to modify that we would want to make stronger?

Attorney Green: confirmed that he would work with Tanner and staff to address components of the existing TMP ordinance that do not address the recreational marijuana sales. My thought would be this – if we can simply expand the existing TMP ordinance to address recreational marijuana sales, I'd like to go that way to save time and money. Furthermore, this is a constant moving target with a changing goal post. It's possible that the OLCC may adopt additional regulations or in this particular situation, the OHA may adopt additional regulations as it relates to early recreational sales. I'd like to do as much as we can with as little as we can. If that's not an effective route, which I will determine with Nick, Tanner and Gus, then we will come back with a TMP ordinance that will resemble the existing marijuana ordinance but address the early sales. If you want us to come back with a time, place and manner regulations regarding early sales, so direct us today, and we will bring that back to the council.

COUNCILOR RICHARD LADEBY MADE A MOTION THAT STAFF WILL EVALUATE THE TIME, PLACE, AND MANNER ORDINANCE AND COME BACK AT A LATER DATE WITH AN ORDINANCE; THE MOTION WAS SECONDED BY COUNCILOR BILL MONTGOMERY. MOTION PASSED UNANIMOUSLY, 5/0.

VIII. REQUEST FOR AUTHORIZATION TO USE COMMUNITY CLEANUP FUNDS FOR NUISANCE ABATEMENT AT 661 SE 10TH STREET

CDD Snead: said that a citizen complaint was filed, and the City investigated to confirm that there was in fact an ordinance violation. The City sent notices to the owner about the violation, noting that youth and others had been occupying the vacation building and doing damage to the property. He noted that because the property owner has not responded, staff is requesting council authorization to clean up the property and utilize community clean up funds for cleanup efforts.

Councilor Brown: asked to understand more about the property owner.

CDD Snead: said that the property owner doesn't live in Jefferson County, he owns the adjacent property, and that the property is common to the City's nuisance and weed abatement ordinance for non-compliance in the past. In accordance with the ordinance, the expenses from the cleanup authorization will be liened on the property.

COUNCILOR RICHARD LADEBY MADE A MOTION THAT THE CITY COUNCIL AUTHORIZES NO MORE THAN $300 OF COMMUNITY CLEANUP FUNDS FOR NUISANCE ABATEMENT ON THE PROPERTY LOCATED AT 661 SE 10TH STREET WHICH IS ALSO IDENTIFIED AS TAX LOT 600 ON JEFFERSON COUNTY ASSESSOR'S MAP NO. 11-13-12 CA LOT 600; MOTION WAS SECONDED BY COUNCILOR TOM BROWN. MOTION PASSED UNANIMOUSLY, 5/0.

IX. ORDINANCE NO. 881

COUNCILOR RICHARD LADEBY MADE A MOTION TO READ ORDINANCE NO. 881 BY TITLE ONLY; MOTION WAS SECONDED BY COUNCILOR TOM BROWN

Attorney Green: read Ordinance No. 881 by title only – An ordinance naming a section of roadway, between US Highway 26 and US Highway 97 just north of Safeway, which currently serves Mazatlán, EconoLodge and the State Office, renaming sections of US Highway 97, and declaring an emergency.

ORDINANCE NO. 881 ROLL CALL: COUNCILOR BROWN: AYE; COUNCILOR LADEBY: AYE; COUNCILOR MONTGOMERY: AYE; COUNCILOR SCHMIDT: AYE; COUNCILOR WALKER: AYE. MOTION PASSED UNANIMOUSLY, 5/0.

X. PUBLIC CONTRACT REVIEW BOARD MEETING

A. AWARD OF CONTRACT FOR SODIUM HYPOCHLORITE (BLEACH) FOR THE NORTH AND SOUTH WASTEWATER TREATMENT PLANTS FOR THE REMAINDER OF FISCAL YEAR 2015-16, AND FISCAL YEARS 2016-17 AND 2017-18

1) STAFF REPORT

Public Works Director Hurd: gave background on the bid proposals and re-iterated current bid proposals. Staff recommends awarding the contract to Brenntag Pacific, Inc.

2) COMMENTS FROM THE PUBLIC

N/A

3) COUNCILOR DELIBERATIONS (QUESTIONS AND/OR COMMENTS)

N/A

4) COUNTIL TAKES FORMAL ACTION TO AWARD THE BID

COUNCILOR TOM BROWN MADE A MOTION THAT COUNCIL AWARD THE BID FOR NORTH AND SOUTH WASTEWATER TREATMENT PLANTS FOR THE REMAINDER OF FISCAL YEAR 2015-16, AND FOR FISCAL YEAR 2016-17 AND 2017-18 SODIUM HYPOCHLORITE TO BRENNTAG PACIFIC, INC. AT A COST OF $1.52 PER GALLON WITH A $40.00 PER LOAD DELIVERY; THE MOTION WAS SECONDED BY COUNCILOR GARY WALKER. MOTION PASSED UNANIMOUSLY, 5/0.

B. PROPOSED PURCHASE OF F-350 FORD SERVICE PICKUP FOR PUBLIC WORKS DEPARTMENT

1) STAFF REPORT

Public Works Director Hurd: communicated that he solicited for three bids, and two quotes were returned. The cost of the vehicle includes Public Works standard tool/equipment setup, including contingency in the

event something else that hadn't been considered in the bid can be included if necessary. He reminded that the cost is within the budgeted amount for the current fiscal year.

2) **COMMENTS FROM THE PUBLIC**
N/A

3) **COUNCILOR DELIBERATIONS (QUESTIONS AND/OR COMMENTS)**
N/A

4) **COUNCIL TAKES FORMAL ACTION TO AWARD THE BID**

COUNCILOR BILL MONTGOMERY MADE A MOTION THAT COUNCIL AUTHORIZES STAFF TO PURCHASE A ONE TON PICKUP FOR PUBLIC WORKS FROM THOMAS SALES AND SERVICE OF MADRAS IN THE AMOUNT NOT TO EXCEED $44,531.96; THE MOTION WAS SECONDED BY COUNCILOR CHUCK SCHMIDT. MOTION PASSED UNANIMOUSLY, 5/0.

XI. SUMMARY OF FIRST QUARTER FINANCIAL REPORT

Finance Director McNamee: provided an overview of the City's first quarter financials. She additionally gave kudos to her team and the Public Works staff that helped decorate City Hall and the plaza.

XII. QUARTERLY COMMUNITY DEVELOPMENT DEPARTMENT REPORT

Community Development Director Snead: provided his quarterly department report. He reviewed current projects, long-range projects, land use applications being processed, building permit activity, and code enforcement efforts. He noted that he has been dealing with some unique sign permits, and is conducting site plan review applications for two more medical marijuana dispensaries.

XIII. CONTINUING DISCLOSURE COMPLIANCE GUIDELINES

Finance Director McNamee: communicated that addressing the Continuing Disclosures requirements from 2011 through 2013 reporting were not compliant. During the 2015 refunding of wastewater debt, the City uploaded the required statistics from 2011 through 2014. To-date, the City is compliant now with the SEC. She noted that the

Continuing Disclosure compliance guidelines essentially centralize all the various disclosures that need to be disclosed annually by the City.

COUNCILOR RICHARD LADEBY MADE A MOTION TO ADOPT THE CONTINUED DISCLOSURE COMPLIANCE GUIDELINES AT ATTACHED IN THE STAFF REPORT; THE MOTION WAS SECONDED BY COUNCILOR GARY WALKER. MOTION PASSED UNANIMOUSLY, 5/0.

XIV. CITY COUNCIL PURCHASE CARD PROGRAM

Finance Director McNamee: summarized the City's purchase card program and provided an overview and reason for making the request to council as to whether or not they would like to receive individual City purchase cards for their travel and expenses incurred on behalf of the City. The consensus was that the councilors were satisfied with how staff is currently assisting and scheduling councilor trainings, and did not feel it was necessary to be issued individual cards. She reminded them that the City currently has two travel purchase cards, and to see Megan in finance when they need to check out a card for traveling.

XV. SPECIAL EVENTS INSURANCE (ADDED WITH APPROVAL OF AGENDA)

Finance Director McNamee: explained to the council that the City needs to consider special insurance liability as it relates to special event applications. She explained that the application that spurred this discussion was an application for the community Veterans' Day Parade. The City's special events application currently requires a two million dollar insurance policy. The applicants for the Veterans' Day Parade could only get one million. She asked if the council would be supportive of the City allocating $258.00 to assist with the additional cost of insurance that is necessary. She recommended the funds be expensed from the City's un-programmed community grants fund.

Attorney Green: added that the City's assistance with the funding would not create additional liability for the City, rather the permittee would still be liable. The council and staff discussed the decision to no longer charge for special events permits due to the compromise of the City's public space immunity. Additional discussion surrounded when the council decides whether or not to fund similar applications in the future. The council decided to consider each application individually, and encouraged community members to request these types of funding assistance during the annual budget process during which point the City takes community grant requests.

A MOTION WAS MADE BY COUNCILOR TOM BROWN THAT COUNCIL SUPPORT $258.00 FROM THE UN-PROGRAMMED COMMUNITY GRANT FUNDING TO ASSIST THE VFW TO PURCHASE AMPLE INSURANCE UP TO THE $2,000.000 BALANCE REQUIRED TO CONDUCT THE VETERANS' DAY PARADE ON NOVEMBER 11, 2015; THE MOTION WAS SECONDED BY COUNCILOR GARY WALKER. THE MOTION PASSED UNANIMOUSLY, 5/0.

XVI. INTERGOVERNMENTAL AGREEMENT NO. 31043 BETWEEN THE CITY OF MADRAS AND THE OREGON DEPARTMENT OF TRANSPORTATION FOR IMMEDIATE OPPORTUNITY FUNDS FOR THE MADRAS MUNICIPAL AIRPORT WEST ACCESS ROAD PROJECT (ADDED WITH APPROVAL OF AGENDA)

Public Works Director Hurd: offered the reasoning for Intergovernmental Agreement No. 31043 between the City of Madras and the Oregon Department of Transportation for Immediate Opportunity Funds for the Madras Municipal Airport West Access Road Project. This project resulted from the expansion commitment from Daimler Trucking. He noted that this agreement was the final document to get design and construction underway on the improvements.

COUNCILOR CHUCK SCHMIDT MADE A MOTION THAT COUNCIL APPROVE AND AUTHORIZE THE MAYOR AND TO SIGN INTERGOVERNMENTAL AGREEMENT NO. 31043 BETWEEN THE CITY OF MADRAS AND THE OREGON DEPARTMENT OF TRANSPORTATION FOR IMMEDIATE OPPORTUNITY FUNDS FOR THE CITY OF MADRAS MUNICIPAL AIRPORT WEST ACCESS ROAD PROJECT IN THE AMOUNT OF $880,745.00; THE MOTION WAS SECONDED BY COUNCILOR TOM BROWN. MOTION PASSED UNANIMOUSLY, 5/0.

XVII. ADDITIONAL COMMENTS, ANNOUNCEMENTS, AND DEPARTMENT REPORTS

CDD Snead: invited the council to attend a town hall meeting that is scheduled for November 2 from 4 to 6 p.m. as part of the Urban Revitalization Action Plan Update process.

Police Chief Stanfill: communicated that police officer training is continuing for the new officers. He also said that upcoming training would include patrol DUII training.

City Administrator Burril: thanked the council for working with staff through the topics of the evening. He noted that agreements are coming together, and will be presented to council in November and/or December.

XVIII. ADJOURN

The City Council Meeting was adjourned at 9:14 p.m.

Respectfully submitted by:

Sara Puddy, HR and Administrative Coordinator
and City Recorder Pro Tem

Mayor Royce Embanks

OFFICIAL MINUTES
REVISED
CITY COUNCIL, CITY OF MADRAS
SPECIAL CITY COUNCIL MEETING
NOVEMBER 2, 2015

I. CALL TO ORDER

A Special City Council Meeting was called to order by Mayor Royce Embanks at 1:00 p.m. on Monday, November 2, 2015 in the Madras City Hall Council Conference Room located at 125 S.W. "E" Street (as no one was in attendance from the public or the media for the meeting).

CITY COUNCIL MEMBERS IN ATTENDANCE WERE:
Mayor Royce Embanks Jr., and Councilors Bill Montgomery, Tom Brown, Richard Ladeby and Chuck Schmidt.

ABSENT WERE:
Councilor Gary Walker.

There is currently one vacancy on the Madras City Council.

CITY STAFF MEMBERS IN ATTENDANCE WERE:
HR and Administrative Coordinator Sara Puddy.

VISITORS IN ATTENDANCE WERE:
There were no visitors in attendance at this time.

II. EXECUTIVE SESSION – ORS 192.660 (2) (i)

The executive session was opened at 1:01 p.m. to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

The executive session was closed at 2:19 p.m.

No formal action was taken during or following the Executive Session.

III. ADJOURN

The Special City Council Meeting was adjourned at 2:20 p.m.

Respectfully submitted by:

Sara Puddy, HR and Administrative Coordinator and City Recorder Pro Tem

Mayor Royce Embanks

OFFICIAL MINUTES
REVISED
CITY COUNCIL, CITY OF MADRAS
NOVEMBER 10, 2015

I CALL TO ORDER

The City Council Meeting was called to order at 5:31 p.m. by Mayor Royce Embanks on Tuesday, November 10, 2015 in the Madras City Hall Council Chambers located at 125 S.W. "E" Street.

CITY COUNCIL MEMBERS IN ATTENDANCE WERE:
Mayor Royce Embanks Jr., and Councilors Bill Montgomery, Tom Brown, Gary Walker, Richard Ladeby and Chuck Schmidt.

There is currently one vacancy on the Madras City Council.

CITY STAFF MEMBERS IN ATTENDANCE WERE:
City Administrator, Gus Burril; City Attorney Jeremy Green, with the firm of Bryant, Lovlien and Jarvis PC; HR and Administrative Coordinator, Sara Puddy; Finance Director, Brandie McNamee; Police Chief, Tanner Stanfill; Public Works Director, Jeff Hurd, and Community Development Director, Nicholas Snead.

VISITORS IN ATTENDANCE WERE:
Bud Beamer, Jefferson County Health Department; Bill and Betty Hoff; Louise Muir; Shirley Boettcher; Mae Huston, Jefferson County Commissioners; Fred Beebee, Jefferson County; Pat Dismoor, Jefferson County; Jeffrey Carstensen, Indian Head Casino; Shannon Winegar; Pat Abernathy; Rick Allen, Indian Head Casino; Travis Wells, Indian Head Casino.

The Mayor, City Council members, City Administrator, and the HR and Administrative Coordinator moved to the City Council Conference Room for the Executive Session. The remaining staff members and visitors entered just prior to or during the meeting.

II EXECUTIVE SESSION – ORS 192.660 (2) (i)

The Executive Session was opened at 5:33 p.m. to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

The Executive Session was closed at 6:46 p.m.

No action was taken during or after the Executive Session was closed.

III PLEDGE OF ALLEGIANCE AND PRAYER

The Pledge of Allegiance was led by Councilor Ladeby; the Prayer was led by Mayor Embanks.

IV CONSENT AGENDA

One item was added to the agenda to follow existing agenda item VI: Madras Industrial Site – Trust Land Redevelopment Memorandum (Truck Stop). Agenda items being approved in addition to the one added include the following:

A. Approval of Vouchers

B. Approval of Minutes from the October 27, 2015 City Council Meeting

C. Approval of Minutes from the November 2, 2015 Special City Council Meeting

D. Ratification of Contract Change Order #6 - Construction Services Contract High Desert Aggregate and Paving for the Runway 16-34 Reconstruction Project No. 2011-10 (Part of the Connect Oregon V Project)

E. Ratification of Contract Change Order #2 - Construction Services Contract For Chiddix Enterprises Inc. for the Madras Municipal Airport Fuel Tank Replacement Project (Part of the Connect Oregon V Project #2013-07)

F. Approval of the Completion of the "B" Street Pump Replacement Project

G. Authorization to proceed through the process of sole source procurement with Xpress Bill Pay and Chase Paymentech

H. Authorization for the Public Works Director to approve expenditures for the 12th and A Storm Water Improvements

I. Letter of Support from the City of Madras to COIC for the STIP/Enhance and ConnectOregon VI Program

J. Un-programmed Community Grant Request for Seasonal Decorations

COUNCILOR TOM BROWN MADE A MOTION TO APPROVE THE AGENDA AS AMENDED, AND THE MINUTES; MOTION WAS SECONDED BY COUNCILOR RICHARD LADEBY. MOTION PASSED UNANIMOUSLY, 5/0.

V VISITOR COMMENTS

Mayor Embanks reminded the visitors present that they will each have three minutes to present. He indicated that the visitors would be called to speak in the order that the request forms were handed to him. Councilor Ladeby reminded that he will inform the speaker when they have 30 seconds remaining to present.

Dale Chase: 542 8th Street in Metolius: reminded that the citizens voted against recreational marijuana, and yet it's still happening. Think this is totally wrong. He voiced concern about the smell of those using and growing marijuana. Needs to be stopped, that is his opinion.

Becky Chase: 542 8th Street in Metolius: She is opposes to recreational marijuana because she is concerned about the minors in the households and their exposure to breathing it in. She wonders what this is going to do to their minds. She confirms that she is completely against it.

Shirley Boettcher: 94 SE Tracie Street in Madras: She says that in her 73 years, she has seen what drugs do to families and communities, and that it's not good. Right now, because marijuana is actually illegal, the news tonight reported that Portland is showing that they are already having problems because the money can't be put in the banks. Her take on this issue is that the council were elected to uphold the people's choice, not their own. She reminded that the people of the Madras community said that they don't want it in our town.

Fred Beebee: 256 SE Steele Street in Madras: He communicated that he is also opposed to the sale of recreational marijuana. He said that he has seen the effects in several situations, and he doesn't think that we don't need to open up our town to more problems. He also believes that the open sale of recreational marijuana sends the wrong message to our kids and grandkids. He communicated that he has seen what marijuana did to a lot of Vietnam veterans, and some were good friends of his. He said that some of them died because of their poor decision making, where marijuana was prevalent in Vietnam. He noted that in his opinion and by his observation, when people tend to use people make bad decisions. He confirmed his opposition to it.

Bud Beamer: 4441 NW Elm Street in Madras: He communicated that he has been a physician for 35 years, he is currently working for the Pendleton Department of Corrections where they run a clinic for inmate care. He is also a Jefferson County Health Officer. He communicated that he is involved in a youth character project, and educated the council on youth with stress-induced lifestyles and the effects. He discussed how stress affects youth's decision-making processes, and their willingness to take risks. He noted that he takes care of inmates at the Pendleton Prison, and said that he doesn't know of one inmate that didn't initially start on marijuana as a pre-teen or early teen, and as a result, made bad decisions. He said that the worst part is the apathy. The spectrum of effects of marijuana on education and youth development is significant. Mr. Beamer cited that studies show that the effects on the brain (neuropsychological) function effects are significant for ages up through 19 years of age. He reminded that if the council wants to make a good decision and help our community, they need to make the right decision, and oppose recreational marijuana.

VI REQUEST TO DISCUSS WITH COUNCIL

Shannon Winnegar presented on behalf of her and Mr. Rick Urbach. She noted that we have heard a lot of testimony about recreational marijuana from the overwhelming majority of the Madras community, and people that voted against it. She said that the councilors might say that 35 or 45 percent isn't that big of a deal, but like Steve LeRiche spoke last time, in political circles, that's considered a landslide. She informed that as she and Mr. Urbach went out into the community, about 98% of people she has talked to don't want it (recreational marijuana) here. She summarized that all the public meetings to-date has been reflective of citizens that don't want it here except for those that are selling it. She asked a question to the three councilors that voted not to opt out, on behalf of another citizen: Why do you want it here in Madras?

Councilor Schmidt responded that (recreational marijuana) is legal in the State of Oregon, legal for citizens in Madras, in Jefferson County, and every other county in the State.

Councilor Montgomery responded that he felt the same way as Councilor Schmidt. He noted that his position is that the City is better off allowing the sales through dispensaries so we can control it as best as we can. He communicated the abundance of marijuana grown in Oregon and that considering that Oregon is surrounded by high producing states, that there is an enormous amount of marijuana here in Oregon. He communicated that Oregon has almost the cheapest pot around, creating low price, high availability, and lots of people selling it right now, setting aside the idea of dispensaries.

He believes that part of the purpose of Measure 91 was to try and rein that in and get it off the streets. He noted that he is concerns about the children and the danger marijuana has on their brains. He feels that the City needs to do the best they can to manage it; hoping it goes away if we just say no to a couple of dispensary sales, is not going to get us anywhere.

Councilor Brown responded that he believes that there is a misconception about "wanting" marijuana; he said that no one ever set out to one day want to bring it here. He communicated that we were given this through the vote, and now we need to manage what's going to take place from here on out. He said that marijuana was an avalanche that started ten years ago, and you could see it small and see it coming. No one paid a lot of attention to begin with, but as time went by it got bigger, and with every vote it had less resistance, and finally with Measure 91, passed. Councilor Brown said that people can buy it now and use it. He posed the question, is Madras better off having it sold in a state-managed facility that is going to have cameras 24/7 so anyone that goes in there is filmed or are we better off having people buy it in the alley. He said that people are going to buy it one way or the other. We need to get control of it through regulating via a Time, Place and Manner ordinance. He said that the Council wants to make sure that there's no grow operations within the city limits, and to make sure that there's no processing. He said that we want to manage it as best we can. From his thoughts, Councilor Brown feels that it can be managed better by letting the people that are going to buy it, buy it in a managed facility than to have them buy it on the street. If people by it on the street, they will be less responsible.

Shannon Winnegar thanked the councilors for their comments. She continued that the councilors probably knew why she and Mr. Urbach were presenting on the subject. She commented that Dr. Beamer mentioned marijuana and its effects. She still believes it would be better to opt out than to manage recreational marijuana. She said that yes, it was passed in Portland, Salem, and Eugene, but communicated that those same jurisdictions also shove a lot of stuff at smaller communities such as Madras, that the community doesn't necessarily want. She reminded that Madras and Jefferson County voted not to have recreational marijuana here, and overwhelmingly, the Madras community has asked the council not to bring it. She believes that marijuana is a thief that steals kids' dreams, their lives and Madras doesn't need it here. She said that Madras has a lot of issues, and the community doesn't need another one. She reiterated that she and Mr. Urbach are asking the council one more time to opt. They don't believe it's good for our community. She recited the Councilor's motto "a vibrant, responsive community where you can thrive and grow." She feels that the medical marijuana is not being very well monitored for grows. She asked the councilors if they had learned from

the mistakes from Washington and Colorado. She asked again for the councilors to pot out tonight, or she and Mr. Urbach will pursue other options if they have to.

At this point, Ms. Winnegar read into the record on behalf of Mr. Urbach. The general intent of the letter communicated that the desires of the community had been breached and were not being upheld by the council with regard to recreational marijuana. The letter further asked for council's consideration to opt-out of early recreational marijuana sales until the voters have a chance to decide during the November 2016 election.

In addition, Ms. Winnegar provided letters from the Madras residents containing signatures in opposition of recreational marijuana to be entered into the record.

Mayor Embanks confirmed that as of tonight, there are still three councilors that are holding their positions to allow early recreational sales; and two councilors that voted to opt out; City Administrator Burril clarified that the Mayor does not vote unless there is a tie or to make quorum, per the City's Charter.

Mayor Embanks confirmed the council's position on the subject by asking if any of the three councilors that are in favor of allowing early recreational sales between now and November 2016, if there is any change of opinion for how they would vote; Councilor Schmidt said no; Councilor Montgomery said no; and Councilor Brown said no.

City Administrator Burril did clarify and confirm that the council has however, voted to take to the voters during the November 2016 election whether or not recreational marijuana will be produced, processed, wholesaled or retailed here, within the City limits. That is already agreed upon and documents are being prepared for that effort. The request is to ask for the council to stop recreational sales until that vote takes place – the request from Ms. Winnegar and Mr. Urbach. He wanted to confirm to the visitors in attendance that Council's intention is for voters to weigh in on this issue next fall (during the November 2016 general election).

Mayor Embanks thanked those in attendance for coming to speak.

City Administrator Burril suggested to the council that it might be appropriate to take a five minute break and regroup for the next presenter.

Mayor Embanks agreed, and noted that the Madras Industrial Site – Trust Land Redevelopment Memorandum (Truck Stop) discussion item will begin after the break to prevent folks in attendance from having to wait.

VII MADRAS INDUSTRIAL SITE – TRUST LAND REDEVELOPMENT MEMORANDUM (TRUCK STOP)

City Administrator Burril thanked Rick Allen for being in attendance, and noted that Mr. Allen would be introducing the people he has with him. Mr. Burril noted that a staff report was put together late today and placed in the Dropbox for Council. He noted that staff didn't purposely delay it so that there wasn't time to review the staff report; it was more of a request to potentially have the council review it tonight, visit it over with the council to keep the project on track and on to next steps. The memorandum being presented is a non-binding agreement that lays out general terms on how the City would approach working together with the Warm Springs Tribe. It identifies the general terms for the truck stop, restaurant, fuel station and the casino for development. Part of the memo includes a request that some of the City's rail property be made available for development. The city has included terms to provide a clear understanding of police services, transportation services, and sewer service from the City to the site. Water would be serviced by Deschutes Valley Water District. The presented memorandum includes provisions that both the City staff, legal counsel and the Tribe all feel comfortable with to bring to the Council Staff has reached the provisions in the memo that we feel comfortable with to bring to the council tonight, and we just essentially want to walk through them with council. The development location is near Cherry Lane and Highway 26, essentially looking at the old building used for lumber and rail transfer. That site is approx. 9.8 acres, 0.4 rail acres of rail spur property within it. City been working with Warm Springs reps since this summer to develop the agreement.

Rick *Allen* introduced Jeff Carstensen (General Manager of Casino Group) and Travis Wells (Project Manager). He reiterated that the non-binding agreement was drafted to put the project together; it creates a template for moving forward with the development. The agreement will walk the tribe and City through the process of the development.

Jeff Carstensen introduced himself and provided highlights of the project development. He noted that the project is in the design phase, and that preliminary drawings are going to his board Friday. He communicated that the tribe is working with Wells Fargo to obtain financing for the project, estimated at 6.5 million.

Rick Allen said that the tribe is planning to use local regional engineers and architects, and that the project will help fill a need for truck stops – a high priority for ODOT and the trucking industry.

Mayor Embanks said that he felt that the agreement looked like a good agreement for both parties. He noted that crafting ahead of time provided a good idea of what to look forward to, and felt that the project was going to be an asset for the area.

Councilor Ladeby asked if the truck stop casino was going to be in addition to the two existing casinos currently in Warm Springs.

Jeff Carstensen said that yes, it was in addition to. He explained the difference between the variable casino classes (II vs III), noting the differences in the way the games are generated.

Councilor Ladeby asked how many jobs the project was expected to generate.

Jeff Carstensen said that he is estimated between 40-50 jobs, depending on final project design elements.

Councilor Brown noted that he thinks it will be a great addition to the community.

A MOTION WAS MADE BY COUNCILOR TOM BROWN THAT THE CITY COUNCIL APPROVES THE MADRAS INDUSTRIAL SITE – TRUST LAND REDEVELOPMENT MEMORANDUM; SECONDED BY COUNCILOR RICHARD LADEBY; COUNCILOR CHUCK SCHMIDT ABSTAINED FROM VOTING (POTENTIAL CONFLICT OF INTEREST); MOTION PASSED, 4/0.

VIII CENTRAL OREGON INTERGOVERNMENTAL COUNCIL (COIC) UPDATE AND APPOINTMENT OF CITY COUNCIL MEMBER TO SERVE AS THE CITY'S PRIMARY REPRESENTATIVE ON THE COIC BOARD

Andrew Spreadborough, Executive Director of COIC, explained that he is requesting for council to appoint a new member of the City Council to serve on the COIC board, and he would also like to provide an update on current COIC on-going work. He noted that the existing two year term to fill expires December 31st. He noted that the time commitment for board members is once a month (the first Thursday of each month). Mr. Spreadborough's update included work resulting from COIC's first Annual Strategic Plan. He also included the long range plan to create sustainable funding for regional funding for transit services.

The council communicated that they had already appointed Councilor Montgomery to serve on the COIC board on behalf of the City, and that Councilor Ladeby would continue to serve as the backup representative.

Andrew Spreadborough communicated that he was appreciative of the appointment.

IX 2017 SOLAR ECLIPSE DISCUSSION WITH OMSI TEAM

Councilor Brown communicated his prior conversations with representatives with OMSI who is interested in organizing an event at the City airport during the 2017 solar eclipse event. OMSI representatives will be here in Madras on November 20th so he and others plan to sit down and visit with them at that time. He noted that OMSI wants to manage the airport area as a fundraising function and logistics such as ticketing, parking, etc. OMSI has communicated that they have the volunteer base to do it. Councilor Brown commented that this is going to cost the City money, so the City needs to understand what we need to get out of this to make it worthwhile.

City Administrator Burril communicated that there are councilors and staff currently sitting on a monthly solar eclipse action committee including other representatives from the county, fairgrounds, school district, and other parties that meet monthly that are programming to understand what coordinating needs to occur, safety plan coordination, and law enforcement preparations, etc. He said that the City is expecting anywhere from 15,000 to 30,000 people. He said that the committee is planning on people staying a few days over the weekend and/or some possibly for the week for the Airshow.

There was discussion about insurance requirements for City property as well as private property owners wishing to rent their own property.

Councilor Brown reminded that this influx of people is going to require a larger volunteer base than the Madras community has. The OMSI group would provide relief to the City.

X SUPPLEMENTAL BUDGET HEARING

A. AIRPORT OPERATIONS FUND

1) OPENED SUPPLEMENTAL BUDGET HEARING AT 8:06 P.M.

2) STAFF REPORT

Finance Director McNamee said that this hearing is needed to recognize the unanticipated revenue from the Immediate Opportunity Fund (IOF) grants that were received, and is standard protocol. The amount is $2,117,603.00.

3) COMMENTS FROM THE PUBLIC

There were no comments presented at this time.

4) CLOSED SUPPLEMENTAL BUDGET HEARING 8:09 P.M.

5) NO ACTION REQUIRED AT THIS TIME – FORMAL ACTION WILL BE BY RESOLUTION

XI RESOLUTION NO. 23-2015

Finance Director McNamee explained that Resolution No. 23-2015 includes the supplemental budget IOF revenue just presented, as well as an adjustment to the special revenue fund for Community Development. There was some carry over of professional service costs and in order to recognize in the correct fiscal year, this needs to be adjusted as well.

A MOTION WAS MADE BY COUNCILOR TOM BROWN TO APPROVE AND ADOPT RESOLUTION NO. 23-2015 AS PROPOSED; MOTION WAS SECONDED BY COUNCILOR GARY WALKER; MOTION PASSED UNANIMOUSLY, 5/0.

XII RESOLUTION NO. 24-2015

Public Works Director Hurd communicated that Resolution No. 24-2015 authorizes the City to apply for grant funding from ODOT through their Statewide Improvement Program (STIP) for 2018-2021 for non-highway projects. The project that he feels is most viable is the City's H Street Sidewalk: 2nd Street to Madras Bike and Skate Park Project. The project has been recommended by the Public Works and Parks Committee for approval as well. If approved, the City would apply for the grant through ODOT where total project would be $540,900 – $88,000 County funds; $65,000 City funds; and $388,000 ODOT STIP grant funds. The project would construct sidewalk, lighting, landscaping and trees along "H: Street, and would also pave "H" Street from Madison to Marshall Street.

Councilor Brown asked how and where the City funding would work.

Mr. Hurd explained that since the City match wouldn't occur until 2018 through 2021, he was planning to utilize the City's annual surface transportation program dollars from the state for the project. He said that the City historically receives between $68,000 and $72,000 annually from the program.

A MOTION WAS MADE BY COUNCILOR RICHARD LADEBY TO AUTHORIZE THE MAYOR TO SIGN, ON BEHALF OF THE CITY, RESOLUTION NO. 24-2015 AUTHORIZING THE CITY TO APPLY FOR 2018-2021 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM FOR THE H STREET SIDEWALK: 2ND STREET TO MADRAS BIKE AND SKATE PARK PROJECT IN THE AMOUNT OF $540,900.00. THE MOTION WAS SECONDED BY COUNCILOR CHUCK SCHMIDT; MOTION PASSED UNANIMOUSLY, 5/0.

XIII RESOLUTION NO. 25-2015

Finance Director McNamee communicated that Resolution No. 25-2015 was a result of an internal audit. She said that over the last year, staff audited its LID accounts against the county records and found approximately $14,000 worth of accounts that are not collectable by the City. This resolution enables the City to right off the uncollectable amount.

A MOTION WAS MADE BY COUNCILOR RICHARD LADEBY TO APPROVE AND ADOPT RESOLUTION NO. 25-2015 AS PROPOSED; MOTION WAS SECONDED BY COUNCILOR TOM BROWN. MOTION PASSED UNANIMOUSLY, 5/0.

XIV PUBLIC CONTRACT REVIEW BOARD MEETING

A) MADRAS MUNICIPAL AIRPORT WEST ACCESS ROAD – AUTHORIZATION TO ENTER INTO A CONSTRUCTION SERVICES CONTRACT BETWEEN THE CITY OF MADRAS AND LATHAM EXCAVATION FOR CRUSHING MATERIAL, AND EXPENDITURE OF PROJECT FUNDING TO CONSTRUCT THE SUBGRADE FOR THE ROADWAY

1) STAFF REPORT

Public Works Director Hurd communicated that with the Daimler Project was planning to begin construction in January. The City's contribution to the project is to build the subgrade for the entrance road, and in order to do that, we need a substantial amount of fill material (estimating about 6,000 yards). He said that he is trying to be proactive and wants to start working from the material estimates knowing that the amount will need to be tuned with the final plan design, but at least this will get the contractor going. Also, Mr. Hurd is asking for authorization to sign necessary documents to work with Deschutes Valley Water District to get the waterline constructed. He noted that anything signed will be brought back to be ratified by council at a later date. He said the main purpose for the pre-authorization is to work around the council's one meeting a month schedule for the next couple months.

2) COMMENTS FROM THE PUBLIC

There were no comments presented at this time.

3) COUNCILOR DELIBERATIONS (QUESTIONS AND/OR COMMENTS)

Councilor Brown said that he believes that it is a good idea to do this, and that he knows that they (Daimler) are ready to get going on construction.

4) COUNCIL TAKES FORMAL ACTION TO AWARD THE BID

A MOTION WAS MADE BY COUNCILOR GARY WALKER TO APPROVE THE CONSTRUCTION SERVICES CONTRACT BETWEEN THE CITY OF MADRAS AND LATHAM EXCAVATION FOR CRUSHING FILL MATERIAL FOR THE MADRAS MUNICIPAL AIRPORT WEST ACCESS ROAD PROJECT IN THE AMOUNT OF $35,700, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO SIGN THE NECESSARY DOCUMENTS AND EXPEND FUNDS TO CONSTRUCT SUBGRADE AND THE EIGHT INCH WATERLINE FOR THE PROJECT TO BE RATIFIED AT THE NEXT AVAILABLE COUNCIL MEETING SUBJECT TO NOTICE TO PROCEED APPROVAL FROM DAIMLER TRUCKS OF NORTH AMERICA; MOTION WAS SECONDED BY COUNCILOR TOM BROWN. MOTION PASSED UNANIMOUSLY, 5/0.

B) MADRAS WATER RATE – SDC STUDY

1) STAFF REPORT

Public Works Director Hurd communicated that this contract work comes directly from the City's current Annual Strategic Plan to study the City's monthly water user rate as well as the City's Water SDC rate. He said that he isn't sure if the SDC water rate has ever been analyzed before. He noted that he solicited to three firms that conduct this type of work, and received one responsive bid from FCS Group. Mr. Hurd reminded the Council that our agency has worked with them before, and that they came well within budget at $27,815.00 (budgeted is $29,000.00). He recommends we award the contract work to FCS Group.

2) COMMENTS FROM THE PUBLIC

There were no comments presented at this time.

3) COUNCILOR DELIBERATIONS (QUESTIONS AND/OR COMMENTS)

Councilor Walker noted that he believes that it's good to measure what we are doing.

4) COUNCIL TAKES FORMAL ACTION TO AWARD THE BID

A MOTION WAS MADE BY COUNCILOR TOM BROWN TO APPROVE THE PROFESSIONAL SERVICES CONTRACT WITH FCS GROUP FOR THE WATER RATE AND SYSTEM DEVELOPMENT CHARGE STUDY IN THE AMOUNT OF $27,815.00; THE MOTION WAS SECONDED BY COUNCILOR CHUCK SCHMIDT. MOTION PASSED UNANIMOUSLY, 5/0.

XV DAIMLER TRUCKS NORTH AMERICA – LEASE OF 87.0 ACRES MADRAS MUNICIPAL AIRPORT

City Administrator Burril communicated that this lease is exciting for the community. They are a long time lessee with the City. Staff has been meeting with the Daimler team every two weeks to refine this lease. Council has supported grant funding for infrastructure to support Daimler. It has taken time to establish the lease and refine it. The attorneys representing both parties have worked diligently and mutually to bring this to you. They are used to the amount of time that is required to create an agreement such as this. He communicated that he wanted it to be clear that Daimler is not upset at all at the time it has taken to refine the agreement. Mr. Burril noted a small wetland of 1.17 acres that Daimler wants to protect and build around. He said that that they are currently working with the FAA to complete forms for the clear airfield zone, and that the FAA is well aware of the project timeframe. Daimler is wanting to be up and running in January 2017. He said that the City is working closely with Daimler to issue the notice to proceed, and reminded of the various moving parts involved with this project. He said that from Daimler's perspective, the project is on-track and that the City is being responsive to their needs.

City Attorney Jeremy Green provided lease highlights including project due diligence period and entitlement conditions (permits, certifications from FAA, etc.) He said that the lease is a 20 year term with three ten year extensions. At each extension, the City will go through a fair market value analysis to ensure land value is accurately represented. He also noted that there are restrictions in the lease to protect the airshow event.

Councilor Brown said that he believes that Daimler is happy to be here, they like it here, and they are ready to go.

A MOTION WAS MADE BY COUNCILOR TOM BROWN TO APPROVE AN 87.0 ACRE AIRPORT GROUND LEASE TO DAIMLER TRUCKS NORTH AMERICA, LLC.

SUBJECT TO CITY ATTORNEY AND CITY ADMINISTRATOR FINAL NEGOTIATION APPROVAL; THE MOTION WAS SECONDED BY COUNCILOR GARY WALKER. MOTION PASSED UNANIMOUSLY, 5/0.

XVI CITY HALL EXTENDED HOURS

Finance Director McNamee communicated that there was interest for City Hall to be open during the lunch hour, so staff will be conducting a test period where they will hold extended hours (November 16th through December 8th) from noon to 1 p.m. She said that staff will track the number of customers that utilize the extended period of time to access City Hall, and our agency operating hours will be reviewed based on numbers of customers. She said that notice has been provided to the paper.

Councilor Brown reminded that when Mike Morgan was Administrator, the restricted lunch hour was intended to be temporary.

Finance Director McNamee explained the internal control use of staff and the need to have two finance staff available through the lunch hour.

Councilor Ladeby said that he is glad to see that we are doing this because it's nice for visitors to come in during the lunch hour.

XVII CITY HALL GIFTING TREE

Finance Director McNamee said that last year when we had the large tree located in the City Hall lobby, that there were several people that wanted to bring gifts to donate. Instead, staff thought of an idea, similar to what other utilities offer in town. A holiday tree utility giving program where people can pay or contribute on someone's behalf to their utility account, and it is kept confidential.

The council thought that that was a neat idea.

A MOTION WAS MADE BY COUNCILOR TOM BROWN APPROVE THE CITY TO PARTICIPATE IN THIS PROGRAM DURING THE HOLIDAY SEASON, DECEMBER 1 TO DECEMBER 24TH; MOTION WAS SECONDED BY COUNCILOR GARY WALKER. MOTION PASSED UNANIMOUSLY, 5/0.

XVIII CITIZEN INTEREST TO SERVE ON THE MADRAS CITY COUNCIL

Mayor Embanks communicated to the rest of the council that in light of other prospective people that are interested in serving on council, he would like to ask council to move this agenda item to the next meeting in December.

A MOTION WAS MADE BY COUNCILOR GARY WALKER TO WAIT AND SEE IF ADDITIONAL LETTERS ARE RECEIVED FOR CONSIDERATION BEFORE INTERVIEWING POTENTIAL COUNCIL CANDIDATES; MOTION WAS SECONDED BY COUNCILOR TOM BROWN. MOTION PASSED UNANIMOUSLY, 5/0.

XIX EMPLOYEE APPRECIATION DINNER

HR and Administrative Coordinator Puddy communicated that this year's Employee Appreciation Dinner is scheduled for Friday, January 8th from 6-8 p.m. at Crosskeys Station. She noted that in light of the busy December month and the challenge booking catering and facilities, the event was scheduled in January instead of December this year, and we'd see how well it is received. She reminded that the focus of the event is employee appreciation, not holiday party, so moving it to January shouldn't create an issue. She thanked Councilor Ladeby who is coordinating the meal and décor portion of the event, and once more details are finalized, she would be sending out more information to the council and staff.

XX ADDITIONAL COMMENTS, ANNOUNCEMENTS, DEPARTMENT REPORTS

Community Development Director Snead thanked the Police Department for their assistance this past week. He said that it is nice to have them available to help.

Public Works Director Hurd gave his hunting update.

Police Chief Stanfill communicated the importance of his officers' involvement in ordinance enforcement. He said that he is working with his new trainees and requires ordinance enforcement as part of their training focus. He also reminded that today is the Marine Corp Birthday, and that tomorrow is Veterans' Day.

Finance Director McNamee said that the finance department's priority is to wrap up audit. She reminded that the audit will be presented at the upcoming December meeting.

City Administrator Burril thanked Nick and Michele, and those who working on the urban renewal update work efforts. He also thanked Jeremy for his efforts drafting two major lease efforts and getting those moving forward.

Councilor Brown added that he thinks the council should consider making its council meeting recordings available online. He said that staff does a good job providing verbatim minutes, but that making the audio available would allow for summarized minutes.

Councilor Montgomery said that he would support that and that that effort would free up staff and create more efficiency.

Mayor Embanks added that word for word minutes are very time consuming.

The council as a whole was agreeable to summary-level minutes partnered with making the audio available online via the City's website.

Councilor Ladeby reminded that if the council moves that direction, that they need to be more professional when they speak and make sure they speak clearly and clarify their motions.

Mayor Embanks thanked everyone that came to the meeting and provided testimony. He acknowledged that doing that isn't always easy and that he appreciates it.

XXI ADJOURN

The City Council Meeting was adjourned at 8:42 p.m.

Respectfully submitted by:

Sara Puddy, HR and Administrative Coordinator
and City Recorder Pro Tem

Mayor Royce Embanks

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS
SPECIAL CITY COUNCIL MEETING
DECEMBER 7, 2015

I. CALL TO ORDER

A Special City Council Meeting was called to order by Mayor Royce Embanks at 5:00 p.m. on Monday, December 7, 2015 in the Madras City Hall City Council Conference Room located at 125 S.W. "E" Street (as no one was in attendance from the public for the meeting).

CITY COUNCIL MEMBERS IN ATTENDANCE WERE:
Mayor Royce Embanks, Jr. and Councilors Bill Montgomery, Tom Brown, Richard Ladeby, Chuck Schmidt, and Gary Walker.

There is currently one vacancy on the Madras City Council.

CITY STAFF MEMBERS IN ATTENDANCE WERE:
City Administrator, Gus Burril. No other staff members were required to be in attendance.

VISITORS IN ATTENDANCE WERE:
Holly Gill, News Editor with the Madras Pioneer.

II. EXECUTIVE SESSION – ORS 192.660 (2) (b)

The executive session was opened at 5:03 p.m. to consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.

The executive session was closed at 6:01 p.m.

No formal action was taken during or following the Executive Session.

III. ADJOURN

The Special City Council Meeting was adjourned at 6:03 p.m.

Respectfully submitted by:

Sara Puddy, HR and Administrative Coordinator and City Recorder Pro Tem

Mayor Royce Embanks

OFFICIAL MINUTES

CITY COUNCIL, CITY OF MADRAS
DECEMBER 8, 2015

I CALL TO ORDER

The City Council Meeting was called to order at 7:00 p.m. by Mayor Royce Embanks on Tuesday, December 8, 2015 in the Madras City Hall Council Chambers located at 125 S.W. "E" Street.

CITY COUNCIL MEMBERS IN ATTENDANCE WERE:
Mayor Royce Embanks Jr., and Councilors Bill Montgomery, Tom Brown, Gary Walker, Richard Ladeby and Chuck Schmidt.

There is currently one vacancy on the Madras City Council.

CITY STAFF MEMBERS IN ATTENDANCE WERE:
City Administrator, Gus Burril; City Attorney, Jeremy Green, with the firm of Bryant, Lovlien, and Jarvis PC; HR and Administrative Coordinator, Sara Puddy; Finance Director, Brandie McNamee; Police Chief, Tanner Stanfill; Public Works Director Jeff Hurd and Community Development Director, Nicholas Snead.

ABSENT WERE:
City Recorder, Karen J. Coleman.

VISITORS IN ATTENDANCE WERE:
Bartt Brick; Janet Henderson; Sara and Doug Harris; Larry Easter; Kris Elliott; Dorothy Burgess; and Tim Aires.

II PLEDGE OF ALLEGIANCE AND PRAYER

The pledge was led by Councilor Richard Ladeby, and the prayer was led by Mayor Royce Embanks.

III CONSENT AGENDA

All matters listed within the Consent Agenda have been distributed to each member of the Madras City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussions. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request.

1) Add Sale of 1993 Henderson Chief Sander Spreader to Jefferson County Public Works Department (agenda Item XV)

2) Remove Item C: Council Authorization to Surplus the Friendship Pole (add as agenda Item XVI)

3) Move Agenda Item XI: Consideration of City Councilor Appointment Letters of Interest to follow Agenda Item V.

City Attorney Jeremy Green reminded the councilors about declaring conflict and potential conflicts of interests when the councilors are voting to approve payment voucher lists to businesses that personally impact councilors.

A. Approval of Vouchers

B. Approval of Minutes from the November 10, 2015 City Council Meeting

C. Council Authorization to Surplus the Friendship Pole

This item was pulled from the Consent Agenda and placed on the regular meeting agenda for discussion.

D. Contract Change Order No. 1 to Mountain Sky for Landscaping: US Hwy 26 Irrigation Upgrade Project

E. IGA between City and ODOT to complete roadway improvements on Bard Lane in the amount of $264,000.00.

F. Approval of Xpress Pay Contract

G. Approval of Chase PaymentTech Contract

H. Approval of Updated Investment Policy

I. Addendum to IGA between City of Madras and Jefferson County for "Safe Routes to School" traffic enforcement program funding

COUNCILOR TOM BROWN MADE A MOTION TO APPROVE THE [CONSENT] **AGENDA** [AND REGULAR MEETING AGENDA] **AS AMENDED, AND THE MINUTES; MOTION WAS SECONDED BY COUNCILOR RICHARD LADEBY. COUNCILOR GARY WALKER ABSTAINED FROM THE VOTE COMMUNICATING A POTENTIAL CONFLICT OF INTEREST. THE MOTION PASSED, 4/0.**

IV VISITOR COMMENTS

There were no comments offered at this time.

V ANNUAL AUDIT PRESENTATION

Finance Director Brandie McNamee communicated to the council that the City's annual audit presentation would be presented by the City's auditor, Brenda Bartlett with SGA Certified Public Accountants & Consultants, and that the councilors had the ability to follow along as the audit report had been uploaded in Dropbox for the council's review. She noted that hard copies were available as well.

The City's audit for FY 2014-15 was presented by Brenda Bartlett with SGA Certified Public Accountants & Consultants, and a copy of the report is maintained at City Hall for review for the public upon request (and is available electronically on the City's website).

VI CONSIDERATION OF CITY COUNCILOR APPOINTMENT LETTERS OF INTEREST

Mayor Embanks communicated that since there were three individuals interested in serving on the Madras City Council, and they were all present at the meeting, that the council would request for each of them to please come forward and introduce themselves. As they came forward, the council would interview them and ask them about each individual's interest in serving on the council, but that the council's intent was to wait until the meeting in January to appoint someone to the vacant position.

The three individuals interested in serving on the Madras City Council that had submitted a letter of interest, and was present at the meeting included:

1) *Bartt Brick:* Mr. Brick said that he is fairly new to Madras but has been in Central Oregon for more than 20 years. He said that his wife's profession in Madras is what brought him to Madras, and that he himself worked for US Bank for most of his

professional career. He said that he understands that serving on council is an enormous responsibility and wants to provide a voice for underserved populations. He is currently active in Rotary, teaches a class at Deer Ridge Correctional Institute, and volunteers at the Madras Food Bank each Tuesday.

2) *Larry Easter:* Mr. Easter introduced himself to the council and said that he is very familiar with how the City operates, and said that he understands how the Planning Commission works and how it should work. He mentioned that he is retired and has time to dedicate to serve on the Madras City Council.

3) *Kris Elliott:* Ms. Elliott introduced herself to the council and communicated that she was born and raised in Madras, a blue-collared community that she loves. She said that she believes that her strongest asset that she would be able to contribute to the council would be her financial background having been a former business owner. She has a bachelor's degree, and is in a place in her life that she wants to give back to her community. She said that Madras is where she wants to be and where she wants to be a part of.

During each individual's introduction, the councilors took turns asking questions pertaining to the candidate's desires to serve on the council.

Mayor Embanks thanked the candidates for their interest in serving on the council.

VII RESOLUTION NO. 26-2015: A RESOLUTION ESTABLISHING AN ICE CONTROL AND SNOW REMOVAL POLICY WITHIN THE CITY OF MADRAS, PROHIBITING PARKING ALONG DESIGNATED SNOW ROUTES DURING SNOW STORMS AND SNOW REMOVAL OPERATIONS, SUPERSEDES AND REPLACES RESOLUTION NO. 23-2015.

Public Works Director Jeff Hurd communicated to the Council that Resolution No. 26-2015 establishes the snow removal route for the city. With the addition of Loucks Road and Bean Drive this year, both of which are secondary snow removal route roads, it was necessary to create a new snow removal route map and therefore a new snow removal resolution.

A MOTION WAS MADE BY COUNCILOR RICHARD LADEBY THAT COUNCIL APPROVES RESOLUTION NO. 26-2015 A RESOLUTION OF THE CITY OF MADRAS TO ADOPT A SNOW REMOVAL POLICY; THE MOTION WAS SECONDED BY COUNCILOR TOM BROWN. MOTION PASSED UNANIMOUSLY, 5/0.

VIII SUPPLEMENTAL BUDGET HEARING

A. INTERNAL SERVICE FUNDS

1) OPEN SUPPLEMENTAL BUDGET HEARING

Mayor Embanks opened the supplemental budget hearing at this time.

2) STAFF REPORT

Finance Director Brandie McNamee communicated to the Council that the need for the Supplemental Budget Hearing and following Resolution was to authorize an increase in appropriation to recognize unanticipated revenues, and expenses, and the transfer of appropriations within funds for fiscal year 2015-16.

3) COMMENTS FROM THE PUBLIC

There were no comments from the public.

4) CLOSE SUPPLEMENTAL BUDGET HEARING

Mayor Embanks closed the supplemental budget hearing at this time.

5) NO ACTION REQUIRED AT THIS TIME – FORMAL ACTION WILL BE BY RESOLUTION

IX RESOLUTION NO. 27-2015: A RESOLUTION AUTHORIZING AN INCREASE IN APPROPRIATION TO RECOGNIZE UNANTICIPATED REVENUES, AND EXPENSES, AND THE TRANSFER OF APPROPRIATIONS WITHIN FUNDS FOR FISCAL YEAR 2015-16.

Finance Director McNamee communicated that due to increased legal fees and employee training expenses, a budget transfer from contingency to central services is needed in the amount of $30,000. Due to increased maintenance repairs for fleet, and

additional transfer of $30,000 from contingency to equipment repairs and tires is also needed. This is a total adjustment of $60,000 within the Internal Services Fund appropriation.

A MOTION WAS MADE BY COUNCILOR TOM BROWN TO APPROVE AND ADOPT RESOLUTION NO. 27-2015 AS PROPOSED; MOTION WAS SECONDED BY COUNCILOR GARY WALKER. MOTION PASSED UNANIMOUSLY, 5/0.

X PUBLIC HEARING

A. NUISANCE VIOLATION FOR 179 "D" STREET IN MADRAS

1) OPEN PUBLIC HEARING

Mayor Embanks opened the public hearing at this time.

2) STAFF REPORT

Community Development Director Nick Snead communicated that this public hearing, nuisance abatement hearing is in accordance with Ordinance No. 875. He presented the nuisance violation for 179 "D" Street in Madras (a copy of the presentation will be retained at City Hall for public review upon request). Presentation included (but not limited to):

- Pictures from October 2013 from the front of the house
- Side of the house – building materials, debris, other trash; common fence with property to the west
- Backyard and contents of the home
- South side of detached garage with lean-to chest-high with trash and debris
- Pictures from October 2015: roof has been removed, two large bins with other trash
    - the siding of the structure is being removed, windows are being removed

- South-facing wall: window that has been removed, the siding removed, creating unrestricted access
- West-facing wall where the detached garage was, the garbage and debris remains only and a couple unstable walls
- Yard debris that needs to be removed (weed abatement issue)
- Pictures of the inside taking from the outside of the home through a removed/broken window – at least three to four feet deep of trash on the inside of the building

- Tax lot 11-13-12 BB lot 7900; per Jefferson County Assessor's Office records, property is the Estate of Bruce and Kathleen Roberts, staff believe that the owners are deceased but cannot confirm that.
- Mr. Snead outlines the City's next steps per Ordinance 875.
- Mr. Snead communicates that complaint on this particular property from adjacent property owners have been made for well over two years now.

Councilor Bill Montgomery asked what the notification process was under this ordinance and if the procedures were followed correctly. Mr. Snead communicated to the council that he confirmed with the City attorney that the notification process that the City followed under Ordinance 875 for this particular violation was done so correctly.

3) PROPERTY OWNER AND/OR RESIDENT REPORT

There was no property owner and/or resident report present or provided for the record.

4) COMMENTS FROM THE PUBLIC

Two members from the public were present during the hearing and wished to speak.

1) *Dorothy Burgess:* She communicated that to her understand, over the period after the mother (owner of the property at hand) passed away in early 2013, the family had an ongoing yard sale and stripped the house. She communicated that she understood the family members to have lived there through the year until recently.

2) *Tim Aires:* He communicated that the roof removal was done during the night hours. He said that the garbage and stench from the property has been overbearing and that the exposed tar paper (from where the house siding has been removed) is blowing everywhere. One big concern of his is where is all the sewage going for a dwelling going for a place where the utilities have been shut off for so long, but there is known occupants living. He said that it's been appalling to watch what has taken place to this particular property, and that the City needs to get it cleaned up.

5) CLOSE PUBLIC HEARING

Mayor Embanks closed the public hearing at this time.

6) COUNCIL DELIBERATIONS

City Attorney Jeremy Green communicated to the council that at this time, the council needs to determine whether or not the subject building is derelict. Therefore if so, by an order, create a staff directive.

Councilor Richard Ladeby said that he sees the property as a real health hazard.

Councilor Bill Montgomery wants to know exactly what the City can do about this issue.

Community Development Director Snead said that this evening, by issuing an order, the council can establish what needs to be done and by what deadline;

that under Section 10 of Ordinance 875, the council has the ability to take action on this property. Recognizing that there has been no compliance thus far, the residence are non-responsive, it is not likely they will comply. The staff educated the council on the issue concerning the property history on existing back taxes, the City's lien capabilities, etc.

Councilor Tom Brown commented that this type of property is exactly what this ordinance was intended for, and the City owes it to the neighbors to get this remedied as quickly as possible.

Councilor Chuck Schmidt said that he lives a couple blocks down the street from this property. He said that it used to be a well-kept place, and to see it go to this state is unbelievable. Whatever means we have, we need to take (to remedy the nuisance).

Mayor Embanks agreed that the shortest route to having the entire nuisance removed was his preference. No one should be living in it, he believes it is a health hazard and a danger to the community, and it should be taken care of as soon as possible.

City Attorney Green recommended that based on the council's deliberations, that council may want to proceed with the following actions: 1) adopt the findings of staff as outlined in the staff report; 2) find that the building is derelict; and 3) recommended an order.
The council discussed the process for dealing with derelict buildings and the proper notice and posting of notices, as well as what warrants "reasonable" deadlines for nuisance cleanup. The council agreed that removals of elements of the building that create health and safety hazards, removal of trash and debris are required. Staff and the City Attorney recommended that a reasonable deadline for removal of these elements would range from 10-30 days.

7) COUNCIL TAKES FORMAL ACTION TO ISSUE ORDER (IF NECESSARY)

A MOTION WAS MADE BY COUNCILOR GARY WALKER TO ADOPT THE FINDINGS OF STAFF AS OUTLINED IN THE STAFF REPORT PRESENTED; MOTION WAS SECONDED BY COUNCILOR RICHARD LADEBY. MOTION PASSED UNANIMOUSLY, 5/0.

A MOTION WAS MADE BY COUNCILOR BILL MONTGOMERY TO FIND THE BUILDING LOCATED AT 179 "D" STREET IN MADRAS, OR 97741 AS DERELICT UNDER ORDINANCE NO. 875; MOTION WAS SECONDED BY COUNCILOR CHUCK SCHMIDT. MOTION PASSED UNANIMOUSLY, 5/0.

A MOTION WAS MADE BY COUNCILOR TOM BROWN TO AUTHORIZE STAFF TO RENDER THE NUISANCE ABATEMENT ORDER SPECIFIED IN THE STAFF REPORT TO THE PROPERTY; THE MOTION WAS SECONDED BY COUNCILOR GARY WALKER. MOTION PASSED UNANIMOUSLY, 5/0.

Mr. Snead said that he would report back to the council during the second meeting in January with the status of the property and with any additional findings or next steps. He said that part of his follow up will include an estimate and how the county will work with the City to move forward with this cleanup effort.

Councilor Bill Montgomery said that this is the first nuisance violation that has been processed through this ordinance, as this ordinance was only developed as of June this year.

Councilor Tom Brown commented that Nick has done a good job with this one. He reminded that there are rules and procedures that have to be followed. Once this (the cleanup) has been done, then the building officials can assist the City.

XI MARIJUANA ORDINANCES AND RESOLUTIONS DISCUSSION

City Administrator Gus Burril communicated to the council that the drafted before them are the result of the actions and directives made by council thus far, and in preparation of the November 2016 vote.

City Attorney Green said that in general, he and staff are presenting these draft marijuana ordinances and resolutions for preliminary feedback from council. In general, he wants to make sure they meet council's expectations.

a. *Marijuana Tax Abeyance Ordinance:* adopted to either place the tax in abeyance indefinitely or to repeal it completely. Council's consensus is to repeal the taxing ordinance in its entirety.

b. *Marijuana Tax Referral Ordinance:* 3% recreational tax being referred to the voters if the recreational ban is not approved. If the ban approves, this ordinance is mute.

c. *Marijuana Tax Referral Resolution*

d. *Marijuana Ban Referral Ordinance:* going to the voters in November 2016

e. *Marijuana Ban Referral Resolution*

f. *Ordinance amending City's Time, Place, Manner ordinance to address early sales:* meets the needs of the Police Chief to address recreational sales being sold through medical dispensaries

City Attorney Green suggests that the council and staff have a 30 minute work session in January or February to address recreational sales from recreational dispensaries.

XII PROCUREMENT OF TWO PUBLIC WORKS FLEET VEHICLES FROM THE OCHOCO NATIONAL FOREST SERVICE IN THE AMOUNT NOT TO EXCEED $25,160.00.

Public Works Director Jeff Hurd informed the council that the Public Works Department has been looking to utilize replacement vehicles to help circulate out older vehicles currently within the fleet. The ones he is looking to circulate out of the fleet are the Chevrolet S10 currently being used at the South Wastewater Treatment Plant, and a 1990s airport truck being used for snow plowing. The two trucks that Mr. Hurd is proposing to purchase and replace these two older fleet trucks have approximately 60,000 miles. The cost to convert the trucks into the City's fleet (i.e. purchase price, paint, equipment, etc.) fits within the City's current capital purchases budget. Originally, the budget was to make one additional capital purchase of another equipment item, but has alternatively been determined not to be needed; therefore provided the funding necessary to purchase these two replacement trucks during the current budget year. He said that the proposed purchase Chevrolet would go to the South Plant to be used and the other truck would go to the Airport. The two trucks that would be circulated out of the fleet would be surplused.

A MOTION WAS MADE BY COUNCILOR BILL MONTGOMERY THAT COUNCIL AUTHORIZE STAFF TO PURCHASE ONE 2005 FORD 350 CREW CAB 4X4 AND ONE 2007 CHEVROLET 2500 CREW CAB 4X4 FROM THE OCHOCO NATIONAL

FOREST SERVICE IN THE AMOUNT NOT TO EXCEED $25,160.00; THE MOTION WAS SECONDED BY COUNCILOR RICHARD LADEBY. MOTION PASSED UNANIMOUSLY, 5/0.

XIII LIQUOR LICENSE APPLICATION FOR EL SURTIDOR

Madras Chief of Police Tanner Stanfill communicated that the Madras Police Department has performed the necessary background investigation on El Surtidor, located at 155 SE 5th Street in Madras, and recommends that the Council approve the business for their annual liquor license.

A MOTION WAS MADE BY COUNCILOR TOM BROWN TO APPROVE THE LIQUOR LICENSE FOR EL SURTIDOR LOCATED AT 155 SE 5TH STREET; THE MOTION WAS SECONDED BY COUNCILOR BILL MONTGOMERY. MOTION PASSED UNANIMOUSLY, 5/0.

XIV RESULTS OF CITY HALL EXTENDED HOURS

Finance Director Brandie McNamee referred to the results provided in her staff report that shows the number of visitors and callers that came to City Hall during the trial period during which extended hours during the lunch hour were available to the public. She communicated that there were a total of 22 visitors and 19 callers inquiring for various City Hall services and staff. She communicated her staff's ability to alternate lunch breaks to ensure a minimum of two people at all times at the front counter, and that utilizing contract staff may be needed to help cover to maintain a two person level of coverage. City Administrator Burril confirmed that he understood and supported Brandie's desire to maintain two-person coverage at the front during the lunch hour and had offered resources to utilize contract services to help find coverage if necessary, but that ultimately, staff would accommodate whichever public operating hours council desired staff to maintain.

The council's general consensus is for staff to maintain open hours to the public during the lunch hour, open from 8:00 a.m. to 5:00 p.m.

Finance Director McNamee requested that if that is council's desire, then for their additional support to purchase camera security for the front desk area, and for the permanent extended hours to commence as of January 4, 2016 to allow for schedule

adaptability and schedule posting changes on the doors and notice to the newspaper. Council was agreeable to this request.

A MOTION WAS MADE BY COUNCILOR TOM BROWN TO CONVERT CITY HALL HOURS OPEN TO THE PUBLIC FROM 8 TO 5 EFFECTIVE JANUARY 4, 2016; AND ARE IN SUPPORT OF LOOKING INTO INVESTING IN A CAMERA FOR THE FRONT COUNTER FOR ADDITIONAL SECURITY; MOTION WAS SECONDED BY COUNCILOR BILL MONTGOMERY. MOTION PASSED UNANIMOUSLY, 5/0.

XV SALE OF 1993 HENDERSON CHIEF SANDER SPREADER TO JEFFERSON COUNTY PUBLIC WORKS DEPARTMENT

Public Works Director communicated that he was approached by Jefferson County who would like to purchase the City's 193 Henderson Chief Sander Spreader, a truck mount unit that the City no longer utilizes. The City purchased the unit in 1993 for a little more than $7,000 and Jefferson County is interested in purchasing it from the City for $2,500. Per City Ordinance No. 808 which regulates who City disposes of public property, the City has the ability to transfer or sell to another public agency directly, but needs the council's support to do so.

A MOTION WAS MADE BY COUNCILOR CHUCK SCHMIDT TO APPROVE THE SALE OF THE PUBLIC WORKS 1993 HENDERSON CHIEF SANDER SPREADER TO JEFFERSON COUNTY PUBLIC WORKS DEPARTMENT CONTINGENT ON JEFFERSON COUNTY COMMISSIONER APPROVAL IN THE AMOUNT OF $2,500; THE MOTION WAS SECONDED BY COUNCILOR RICHARD LADEBY. MOTION PASSED UNANIMOUSLY, 5/0.

XVI COUNCIL AUTHORIZATION TO SURPLUS THE FRIENDSHIP POLE

Mayor Embanks communicated that he pulled the Friendship Pole staff report from the consent agenda simply to communicate that he is supportive of surplusing the item, but that before staff does, to please make sure we get a hold of the historical society and see if they want to put it on display. He said that he doesn't want to see the pole treated badly, so he requested that staff take all the steps we can to preserve it first. Public Works Director Hurd said that he would take those steps as requested before the pole would be surplused.

XVII BOARDS, COMMITTEE, AND COMMISSION REPORTS

- *Councilor Bill Montgomery* said that he had had his first COIC meeting and would report more after the next meeting.

- *Councilor Tom Brown* communicated that he had met with the OMSI group regarding the Solar Eclipse 2017 event and that there was discussion around what they wanted to be involved in and the components that they are not interested in (i.e. overnight parking, etc.) From OMSI's standpoint, this event is just a few hours long, if they don't have to deal with overnight accommodations. He thought that OMSI would know more in January. Councilor Brown also mentioned the OLCC meeting that he and some other councilors and the Police Chief had recently attended noting the new regulations around marijuana licensing. He thought that there were at least 400 people in attendance at the meeting. Councilor Montgomery added that the meeting was very interesting because there were people there from every angle of the industry in preparation of the license and regulations.

- *Mayor Embanks* reported that he Airport Committee has had little going on right now so that there was little to report.
-

XVIII ADDITIONAL COMMENTS, ANNOUNCEMENTS, AND DEPARTMENT REPORTS

- *CDD Nicholas Snead* noted the cleanup efforts that have been conducted at 10th Street. He said that the property owner has paid the cleanup effort costs, and that a second cleanup effort that has been completed as well. Additionally, next week on December 15th at 6 p.m. at COCC in partnership with diversity coalition, there will be an Urban Revitalization Action Plan Meeting with the Hispanic community.

- *Public Works Director Jeff Hurd* invited everyone to the J Street Project Dedication Ceremony on Thursday at 1 p.m. that would be held near the Welcome to Madras sign at the south end of town.

- *Police Chief Tanner Stanfill* was happy to announce that Mike Tracy and Isiah Duarte have completed the first part of their field training, and are now covering shifts solo, and will continue to train and be monitored. He informed the council about a recent series of car break-ins, so hopefully additional staff on the street will help.

- *Finance Director Brandie McNamee* reminded that there is an MRC meeting tomorrow night with an audit presentation. She thanked her staff and to the directors for their help with the clean audit. She commented on the success of this year's Giving Tree program, and also the City's participation in the fire department's canned food drive. Finally, she said that she is looking for members at-large to serve on the budget committee (having issues with quorum). Also, working to finalize community grant applications.

- *City Administrator Gus Burril* thanked Jeff for his efforts on the J Street Project and noted the success of the project; to Brandie and her team for their work on audit; and to Councilor Ladeby for his efforts with the Employee Appreciation Dinner.

- *Councilor Richard Ladeby* reminded everyone about the Employee Appreciation Dinner and communicated that Black Bear would be catering the dinner, West Winds would be catering the no host bar and he would be sending out a flyer with the dinner details in the following day or two.

XIX ADJOURN

The City Council Meeting was adjourned at 9:23 p.m.

Respectfully submitted by:

Sara Puddy, HR and Administrative Coordinator

Mayor Royce Embanks

CITY OF MADRAS
Request for Council Action

Date Submitted: December 11, 2015

Agenda Date Requested: January 12, 2016

To: Mayor and City Council Members

Through: Gus Burril, City Administrator

From: Brandie McNamee, Finance Director

Subject: **Ratify Unprogrammed Community Grant Request-Madras High School JROTC**

TYPE OF ACTION REQUESTED:
[X] Council Action [ ] Ordinance

DESCRIPTION: To ratify the decision made in November 2015 to fund Madras High JROTC per attached Community Grant Application request, formal action is needed.

STAFF ANALYSIS: None

FISCAL: Current Balance in the Unprogrammed Community Grant Funds is $2,760.00

- Debit: 207-207-520-1218

SUMMARY: See attached. This funding is consistent with funding that has been awarded in the past. It is up to the City Council how unprogrammed transient room taxes are disbursed.

RECOMMENDATION: City Council approve by motion the balance of $1,000.00 from the Unprogrammed Community Grant funds to assist Madras High School JROTC.

City of Madras

COMMUNITY PROJECTS GRANT FUNDING APPLICATION

History/Background: The City of Madras established a 6% transient occupancy fee in 1982. The ballot measure read, "Funds collected pursuant to this tax will be used for economic development of the Community." Jefferson County's enabling ordinance 34-82 reads:

> *"Funds collected pursuant to this ordinance will be distributed to the general fund of the City...Taxes will be used by the respective jurisdiction to encourage economic growth, but is not limited to being spent within said jurisdiction. Economic growth means, but is not limited to promotion of Fair Board, airport, Industrial Site, Chamber of Commerce, parks, libraries, schools and like entries." (sic)*

In August 21, 2001 the City Council adopted Ordinance #694 that initiated an additional 3% of transient occupancy room tax to be collected for a total 9% assessment. Section 20 of Ordinance #694 reads, "Funds collected pursuant this ordinance will be distributed to the General Fund of the City." The record and minutes clearly show that the City wanted to retain its authority and discretion for use of funds to not bind future Councils, and to use the budget process for annual allocations.

All applications are due two weeks prior to the scheduled City Council Meeting. Please submit completed application to bmcnamee@ci.madras.or.us. If you have any questions regarding this form please call 541-475-0307.

CONTACT INFORMATION

Organization: Madras High School JROTC

Address: 390 SE 10th street Madras, OR 97741

Phone: (541) 475-7265 x 366

Email: kyeager@509j.net

Main Contact: SSG Kyle E. Yeager (Ret.)

REQUEST DETAILS

Amount Requested: $ 1,000

Has the City Funded your organization in the past? ☒ yes ☐ no

If yes, how much was awarded in the past? $1,000

Date submitted: 18 November 15

Date funds are needed for your project: 1 December 2015

Project Title: MHS JROTC trip to Honolulu, HI for December 7th Pearl Harbor Ceremonies

Project Description and intended use of the funds: Madras HS JROTC is attending December 7th Commemoration activities in Honolulu, HI. We will depart for Hawaii on 5 Dec. and return on 9 December. While in Hawaii, we will tour WWII sites to include: the Arizona Memorial, Ford Island, and the Battleship Missouri. We will also pay our respects to the fallen at the National Memorial Cemetery of the Pacific "Punchbowl". On Dec. 7th, we will attend Commemoration Ceremonies at the Arizona Memorial Visitor's Center and then march in the Pearl Harbor Memorial parade that Afternoon.

How many individuals do you anticipate will be impacted by the use of these funds: Five

How will your project contribute to economic development within the City of Madras? This trip will help my cadets develop into better citizens as our JROTC motto is "To motivate young people to be better citizens." This trip will give my cadets a better appreciation for what they have, due to the sacrifices of so many on the Island of Oahu. This type of character building will have a far-reaching impact on them as individuals, and impact all other citizens my cadets come in contact with for the rest of their lives.

The City of Madras is an equal opportunity provider.

Thank you for your continued support!

CITY OF MADRAS

Request for Council Action

Date Submitted:	December 14, 2015
Agenda Date Requested:	January 12, 2016
To:	Mayor and City Council Members
Through	Jeff Hurd, Public Works Director
From:	Michele Quinn, Public Works Administrative Assistant
Subject:	Contract Change Order No. 1 for Professional Services Contact H.A. McCoy for Engineering & Surveying, LLC to perform design and construction services for the H Street Pedestrian Improvements Project

TYPE OF ACTION REQUESTED:

[ ] Resolution

[ ] Ordinance

[X] Formal Action/Motion

[X] Contract Review Board

[ ] None - Report Only

Formal Action/Motion that Council approves Contract Change Order No.1 for H.A. McCoy Engineering & Surveying Professional Services Contract to extend the contract to March 31, 2016.

DESCRIPTION:
Contract Change Order No. 1 includes a contract extension from December 31, 2015 until March 31, 2016. No additional costs are added to the project.

STAFF ANALYSIS:
Staff has spoken with H.A. McCoy about the progress on the design and construction services for the H Street Pedestrian Improvement Project. At this time Staff and H.A. McCoy feels it is necessary to extend the Professional Contract to March 31, 2016 to give adequate time to finalize the project.

Staff is recommending Council approve Change Order No. 1 to extend H. A. McCoy Engineering & Surveying, LLC. Professional Services Contract to March 31, 2016.

SUMMARY:

A. Fiscal Impact:
- NA

B. Funding Source:
- Transportation Operations Fund, Capital Outlay, H Street Pedestrian Improvement Project, 204-040-540-1317
- Change Order No. 1 requires no additional cost to the project therefore a budget resolution will not be required.

C. Recognition of Collateral Material and Technical Report:
- Change Order No. 1

RECOMMENDATION:
Formal Action/Motion that Council approves Contract Change Order No.1 for H.A. McCoy Engineering & Surveying Professional Services Contract to extend the contract to March 31, 2016.

THE CITY OF MADRAS

EST. 1910

125 SW "E" Street, Madras, OR 97741 Phone: (541) 475-2344 Fax: (541) 475-1038

CONTRACT CHANGE ORDER

Date: 1/12/2016
Change Order No. 1

TO: H.A. McCoy Engineering & Surveying
P.O. Box 533
Redmond, Oregon 97756

Phone: 541-604-6735
Fax:

PROJECT: H Street Pedestrian Improvements Project

The Contract for the above described work is modified as follows:

1 Increase contract time to March 31, 2016

☐ Fixed Price ☐ T & M

☐ Per Quotation Attached.

☐ Details Attached.

All other terms and conditions of the Contract remain unchanged except:

☐ None

☑ Describe:

Contract time increased to March 31, 2016.

ORIGINAL CONTRACT AMOUNT:					$ 20,500.00
PREVIOUS CHANGE ORDERS					$ -
ITEM	UM	QTY	UP	DESCRIPTION	
					$ -
					$ -
					$ -
TOTAL REVISED CONTRACT AMOUNT:					$ 20,500.00

CITY OF MADRAS:

Royce Embanks, Mayor; Council President or Mayor Pro Tem

Signature: _____

Date Signed: _____

H.A. McCoy Engineering and Surveying

Name: _____

Signature: _____

Date Signed: _____

CITY OF MADRAS

Request for Council Action

Date Submitted:	December 29, 2015
Agenda Date Requested:	January 12, 2016
To:	Mayor and City Council Members
Through:	Jeff Hurd, Public Works Director
From:	Michele Quinn, Public Works Administrative Assistant
Subject:	Urban Forestry Commission Appointment – Stan Nowakowski

TYPE OF ACTION REQUESTED:

[ ] Resolution

[ ] Ordinance

[X] Formal Action/Motion

[ ] Contract Review Board

[ ] None - Report Only

Formal action / motion for Council to appoint Stan Nowakowski to the Urban Forestry Commission for a term ending December 31, 2018.

DESCRIPTION:
The Urban Forestry Commission has received a letter of intent to serve on the Commission from Stan Nowakowski, a City resident.

STAFF ANALYSIS:
The Urban Forestry Commission is made up of seven (7) voting members- three (3) county representatives residing within the UGB and/or Jefferson County; and four (4) city representatives residing within the city limits. The commission has a vacancy as of December 31, 2015 which was created when Commissioner Tana Frank chose not to renew her term. In order to have a quorum, at least four of the commission's voting members must be in attendance; therefore, ensuring strengthening of the commission and allowing for better widespread representation.

It is the staff's recommendation, as well as the Urban Forestry Commission's recommendation to appoint Stan Nowakowski to the Urban Forestry Commission, to serve a three year term ending December 31, 2018.

SUMMARY:

A. Fiscal Impact:
Not Applicable

B. Funding Source:
Not Applicable

C. Recognition of Collateral Material and Technical Report:
- **letter of intent from Stan Nowakowski**
- **Minutes from Urban Forestry Commission**

RECOMMENDATION:
Formal action / motion for Council to appoint Stan Nowakowski to the Urban Forestry Commission for a term ending December 31, 2018.

Stan Nowakowski
150 SE 16th Street
Madras, Oregon 97741

November 17, 2015

To the Madras Urban Forestry Commission:

This letter is to express my interested in serving on the Madras UFC. I believe trees are an important part of any community. They help support a healthy environment and create a welcoming atmosphere for residents and visitors. As someone who often travels the sidewalks and pathways in our community, I take pride in seeing the work our community has done to manage and develop the trees that fill our city. I am also proud of the fact we are a Tree City USA member and take note of the fact when I see the sign at the entrance to Madras.

I hope you will allow me to help keep Madras a Tree City.

Sincerely,

Stan Nowakowski

The Commission discussed Linear Spacing (page 41) and they want this section to match the City's Design & Street Standards. The Commission feels the formula on page 41 should be removed and an explanation be written out. Bill Donaghu will help Jon with the explanation.

Location Standards (page 41-43) will be updated to match the City's Street Design & Standards and the Commission agreed to make figure #9 and #10 (pages 44 and 45) larger.

The Commission stopped on page 46 "Tree Wells" and decided to pick up from there at the next meeting.

B. Stan Nowakowski Letter of Interest

Jon Burchell told the Commission that Stan Nowakowski turned in a letter of intent expressing his interest to be on the Urban Forestry Commission. Stan will be a nice addition as he serves on the Public Works and Parks Committee. He is also a member of the Friends of Willow Creek.

A motion was made by Rob Osborn; seconded by Bill Donaghu; to recommend Stan Nowakowski to be appointed to the Urban Forestry Commission, motion passed unanimously.

V. Updates

A. US 97: J Street Project

Jon Burchell told the Commission that he spoke with ODOT to make sure everything was documented during the -5 degree temperatures we recently had and the tree root balls that were exposed on the truck bed during those frigid temperatures. The landscaper has to plant all the trees to receive 60% payment and there is a 40% retainage held for the 1 year warranty. There will be a ribbon cutting on December 10th at 1:00 p.m. everyone is welcome to attend.

B. Industrial Park Green Way

Jon Burchell informed the Commission the contractor is still working on the Hwy 26 tree strip. They are spacing the irrigation accordingly, it will be a triangular spaced system and will have complete coverage. There will be some trees that will die because they had to trench so close to the roots but as the trees die we will replant with new trees in the center and spaced away from the irrigation so it will not be an issue in the future. They should be done by the end of the year; we will have a year warranty so they will be back in spring to fix any trenches that may have settled and test the irrigation system.

C. Downtown Sidewalk Grant Program

No Update

216 N.W. "B" Street, Madras, OR 97741 Telephone (541)475-2622 – Fax (541)475-1038

The City of Madras is an Equal Opportunity Provider

CITY OF MADRAS

Request for Council Action

Date Submitted:	December 29, 2015
Agenda Date Requested:	January 12, 2016
To:	Mayor and City Council Members
Through:	Jeff Hurd, Public Works Director
From:	Michele Quinn, Public Works Administrative Assistant
Subject:	Harper Houf Peterson Righellis Inc. – Work Order No. 1

TYPE OF ACTION REQUESTED:

[ ] Resolution [ ] Ordinance

[X] Formal Action/Motion [ ] Contract Review Board

[ ] None - Report Only

Formal action / motion that Council approves Work Order No. 1 to Harper Houf Peterson Righellis City Engineer of Record Contract for Madras City Standards Review and Update in the amount of $9,296.00

DESCRIPTION:
Work Order No. 1 to HHPR's master contract provides assistance to the Public Works Department to review and update the Public Improvement Design and Construction Standards in the amount of $9,296.00

STAFF ANALYSIS:
One of the goals for the 2015-16 Annual Strategic Implementation Plan is to update the Public Improvement and Construction Standards. Since its adoption in 2012, minor changes have occurred and an update to the standards is needed. Staff has provided their suggested edits but needs assistance from the City Engineer to review the document including staffs proposed changes to make sure there are consistent with industry standards. Wen Jou has estimated an amount of $9,296 to review the standards and provide comments.

Staff proposes to utilize funds from Internal Services Fund Public Works Staff Professional Services to pay for the review.

SUMMARY:

A. **Fiscal Impact:**

- HHPR review and Update of City Standards = $9,296.00

B. **Funding Source:**

- Professional Services Public Works Staff, Professional Services – 803-101-520-2503
- At this time a budget resolution is not required. If additional resources are needed in ISF PW Staff a budget resolution may be required.

C. **Recognition of Collateral Material and Technical Report:**

- See attached Work Order No. 1
- Scope of Work and Fee Estimate

RECOMMENDATION:

Formal action / motion that Council approves Work Order No. 1 to Harper Houf Peterson Righellis City Engineer of Record Contract for Madras City Standards Review and Update in the amount of $9,296.00

THE CITY OF MADRAS

EST. 1910

125 SW "E" Street, Madras, OR 97741 Phone: (541) 475-2344 Fax: (541) 475-1038

WORK ORDER

Date: 1/12/2016
Order# 2016-01

TO: Harper Houf Peterson Righellis
205 SE Spokane Street, Suite 200
Portland, OR 97202

Phone: 503-221-1131

Fax: 503-221-1171

PROJECT: Fee Estimate-Madras City Standards Review and Update

The Contract for the above described work is modified as follows:

1 Update and Review City Standards for 2016.
2
3
4
5
6

☑ Fixed Price ☐ T & M

☑ Per Quotation Attached.

☐ Details Attached.

All other terms and conditions of the Contract remain unchanged except:

☑ None
☐ Describe:

ORIGINAL CONTRACT AMOUNT:
PREVIOUS CONTRACT AMENDMENTS $ -

ITEM	UM	QTY		UP	DESCRIPTION		
1	LS	1.00	$	9,296.00	Update and Rewiew City Standards	$	9,296.00

TOTAL AMENDMENT AMOUNT: $ 9,296.00

TOTAL REVISED CONTRACT AMOUNT: $ 9,296.00

CITY OF MADRAS:

Royce Embanks, Mayor
Council President or Mayor Pro Tem

Signature: _____

Date Signed: _____

Harper Houf Peterson Righellis

Name: _____

Signature: _____

Date Signed: _____

Harper Houf Peterson Righellis Inc.
ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS
205 SE Spokane Street, Suite 200, Portland, OR 97202
PHONE 503.221.1131 www.hhpr.com FAX 503.221.1171

FEE ESTIMATE – MADRAS CITY STANDARDS REVIEW-UPDATE AND DETAILS

Description of HHPR Services	Estimated Staff Hours			Subtotals	
	City Engineer	Senior Engineer	Civil Designer	Hours	Time Charges
1 City Standards Review & Updates					
A. Section 3 - Grading & Erosion Control	4	4	0	8	$1,104
B. Section 4 - Stormwater Facilities	8	4	0	12	$1,700
C. Section 5 - Sewers & Lift Stations	2	4	0	6	$806
D. Section 6 - Water Facilities	2	4	0	6	$806
E. Section 7 - Streets & Related Work	4	6	0	10	$1,358
F. Section 8 - Elec, Instr, Lighting & Traffic Signals	4	8	0	12	$1,612
G. Section 9 - Drafting Standards	4	4	0	8	$1,104
H. Section 10 - Standard Drawings	(See Item 2 below)			0	$0
I. Section 11 - Guidelines for Transportation Impact Analyses	2	4	0	6	$806
G. Section 12 - Appendice A & B	(See Item 2 below)			0	$0
Subtotal	**30**	**38**	**0**	**68**	**$9,296**
Fee Estimate by Staff Category	$4,470	$4,826	$0		
2 City Standard Details Development and Modifications					
A. Prepare Standard Detail Drawings Identified by City (11-27-2015 Email)					
1. ADA Cast Iron Domes-One Detail with Table for model/radius	1	4	8	13	$1,457
2. Pavement T Patch Detail	0.5	2	8	11	$1,129
3. Curb patch detail	0.5	2	6	9	$929
4. Sewer manhole detail	0.5	2	4	7	$729
5. Storm manhole detail	0.5	2	4	7	$729
6. Fire Hydrant Detail	0.5	2	6	9	$929
7. Water Valve Box	0.5	1	4	6	$602
8. Cul-de-sac detail with ADA Ramps	1	2	6	9	$1,003
9. Downtown Sidewalk Detail	1	2	6	9	$1,003
10. ADA ramps with bulbouts	1	2	8	11	$1,203
11. Downtown tree well installation	0.5	2	6	9	$929
12. Tree installation in landscape strip	0.5	2	6	9	$929
13. Light pole with irrigation attached	0.5	2	8	11	$1,129
14. Typical section-sidewalk/planter/trees	1.0	2	4	7	$803
15. Watermain Restrained Length Table	1.0	2	2	5	$603
16. Plan and cross section with water service	0.5	2	4	7	$729
17. Plan and cross section with sanitary service	0.5	2	4	7	$729
18. Water Meter Standard Detail	0.5	2	6	9	$929
19. Butt Joint AC Pavement Transition at Ends,	0.5	2	4	7	$729
20. Cobra head light detail	0.5	2	6	9	$929
21. Tubular Marker Insert Detail	0.5	2	6	9	$929
B. Additional Standard Detail Drawings Identified by HHPR Review	(By separate agreement, if needed)			0	$0
Subtotal	**14**	**43**	**116**	**173**	**$19,073**
Fee Estimate by Staff Category	$2,012	$5,461	$11,600		
Total Estimated HHPR Hours & Fees	**44**	**81**	**116**	**241**	**$28,369**
Total Fee Estimate by Staff Category	$6,482	$10,287	$11,600		
Hourly Rates	$149	$127	$100		

CITY OF MADRAS

Request for Council Action

Date Submitted:	December 21, 2015
Agenda Date Requested:	January 12, 2016
To:	Mayor and City Council Members
Through:	Jeff Hurd, Public Works Director
From:	Michele Quinn, Public Works Administrative Assistant
Subject:	Completion of Street Light at the Intersection of 3rd and Culver Hwy

TYPE OF ACTION REQUESTED:

[ ] Resolution

[ ] Ordinance

[X] Formal Action/Motion

[ ] Contract Review Board

[ ] None - Report Only

Formal Action/Motion that Council approves the completion of the street light at 3rd and Culver Hwy.

DESCRIPTION:
Public Works staff has concluded that all work/construction for the Street Light at 3rd and Culver Hwy Project has been completed.

STAFF ANALYSIS:
Staff performed a final field inspection report that concluded the completion of the Street Light at 3rd and Culver Hwy. Staff recommends that Council accept this project as completed. The project total cost was $9,716.42. The total cost was split between ODOT and the City of Madras.
ODOT = $4,777.00
City of Madras = $4,939.42

SUMMARY:

A. Fiscal Impact:

Pacific Power Charge	=	$4,699.00
Conduit	=	$ 184.42
Base Rock (in existing pile at PW)	=	$ 56.00
City's Costs	=	**$4,939.42**
Best Care Driveway approach	=	$ 773.00
Light Pole Base	=	$ 404.00
Full Bore	=	$3,600.00
ODOT Costs	=	**$4,777.00**
Complete Project Cost	=	**$9,716.42**

B. Funding Source:

- Transportation Operations Fund, Capital Outlay, 204-040-540-1316,

C. Recognition of Collateral Material and Technical Report:

- Picture of completed street light.
- Invoices paid by ODOT
- Site Map

RECOMMENDATION:

Formal Action/Motion that Council approves the completion of the street light at 3rd and Culver Hwy.

RYAN SIMMONS
60 SW DOVER Ln
Madras, OR 97741
CCB #144292
Cell # 701-317-0914

Invoice

Date	Invoice #
11/12/2015	.492

City of Madras Public Works
Rod Fulton

ODot paid

P.O. No.	TERMS

ITEM	DESCRIPTION	AMOUNT
	ATTENTION: O.D.O.T. Driveway approach at Best Care (7 x 16 x 6")	
Materials	Concrete	398.00
Labor	Form, pour, finish driveway approach	375.00
	Total	$773.00

Joe Floyd & Sons, Incorporated

3901 NW Elliott Ln.
Prineville, OR 97754

Invoice

Date	Invoice #
10/14/2015	3206

Bill To
ODOT Joel McCarrol

Ship To
3rd and Culver Hwy

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
Rod Fulton	Due on receipt	Joe	10/14/2015			

Quantity	Item Code	Description	Price Each	Amount
1	LPB	5CL-LB Light Pole Base	404.00	404.00

Total $404.00

ODOT Paid

Full Bore, Inc.

PO BOX 1312
Silverton, OR 97381

Invoice

Date	Invoice #
11/3/2015	969

Bill To
ODOT 355 Capital ST NE Salem OR 97301

Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
			11/3/2015			1122 ODOT

Quantity	Item Code	Description	Price Each	Amount
		SW 2nd and D ST Project City of Madras		
	City of Madras	Drill and pull 1-2" conduit from power pole to new light pole location in park area	3,600.00	3,600.00

ODOT paid

Thank you!

Total $3,600.00

Full Bore
DIRECTIONAL DRILLING
SILVERTON, OREGON

Start Date:	10/19/2015
npletion date:	10/19/2015
e number:	N/A
name:	ODOT/City of Madras
ation:	SW 3rd & Culver HWY, Madras OR
tion range:	N/A

Bar	Depth	Notes	Map section	Map page	Date	Sub	Crew	EOP offset
1	3'	N/A	N/A	N/A	10/19/2015	N/A	Cole	3'
2	3'4"							5"
3	4'11"							7'
4	5'1"							10'
5	4'10"							14'
6	4'6"							17'
7	4'							20'
8	3'5"							23'
9	3'9"							25'
10	3'				10/19/2015			28'
							Bore Total	90

SW 2nd St & SW D St, Madras, OR 97741

Untitled layer

Line 3

Line 4

SW D ST
12/30/2015

SW D ST
12/30/2015

CITY OF MADRAS

Request for Council Action

Date Submitted:	January 4, 2016
Agenda Date Requested:	January 12, 2016
To:	Mayor and City Council Members
Through	Jeff Hurd, Public Works Director
From:	Michele Quinn, Public Works Administrative Assistant
Subject:	Contract Change Order No. 1 to Extend Construction Services Contact with Latham Excavation for Crushing Material for the Madras Municipal Airport West Access Road

TYPE OF ACTION REQUESTED:

[ ] Resolution

[ ] Ordinance

[X] Formal Action/Motion

[X] Contract Review Board

[ ] None - Report Only

Formal Action/Motion that Council approves Contract Change Order No.1 for Latham Excavation Construction Services Contract to extend the contract to June 1, 2016.

DESCRIPTION:
Contract Change Order No. 1 includes a contract extension from January 31, 2016 until June 1, 2016. No additional costs are added to the project.

STAFF ANALYSIS:
Staff had anticipated having Latham Excavation to start crushing material in December and have everything completed by January 31, 2016. The project will not be able to begin until Daimler has signed the lease agreement and has notified the City they can move forward with construction.

Staff is recommending Council approve Change Order No. 1 to extend Latham Excavation Construction Services Contract to June 1, 2016.

SUMMARY:

A. Fiscal Impact:
- NA

B. Funding Source:
- Airport Operations Fund, Capital Outlay, Line Item to be determined 509-090-540-1003

- Change Order No. 1 requires no additional cost to the project therefore a budget resolution will not be required.

C. Recognition of Collateral Material and Technical Report:
- Change Order No. 1

RECOMMENDATION:
Formal Action/Motion that Council approves Contract Change Order No.1 for Latham Excavation Construction Services Contract to extend the contract to June 1, 2016.

THE CITY OF MADRAS

EST. 1910

125 SW "E" Street, Madras, OR 97741 Phone: (541) 475-2344 Fax: (541) 475-1038

CONTRACT CHANGE ORDER

Date: 1/12/2016
Change Order No. 1

TO: Latham Excavation
84 SE 5th Street #100
Bend Oregon 97702

Phone: 541-382-8267
Fax:

PROJECT: Rock Crushing for Madras Municipal Airport West Access Road

The Contract for the above described work is modified as follows:

1 Increase contract time to June 1, 2016 no additional cost

☐ Fixed Price ☐ T & M

☐ Per Quotation Attached.

☐ Details Attached.

All other terms and conditions of the Contract remain unchanged except:

☐ None
☑ Describe:
Contract time increased to June 1, 2016.

ORIGINAL CONTRACT AMOUNT:					$ 35,700.00
PREVIOUS CHANGE ORDERS					$ -
ITEM	**UM**	**QTY**	**UP**	**DESCRIPTION**	
					$ -
					$ -
					$ -
TOTAL REVISED CONTRACT AMOUNT:					$ 35,700.00

CITY OF MADRAS:

Royce Embanks, Mayor; Council President or Mayor Pro Tem

Signature: _____

Date Signed: _____

Latham Excavation

Name: _____

Signature: _____

Date Signed: _____

CITY OF MADRAS

Request for Council Action

Date Submitted:	January 5, 2016
Agenda Date Requested:	January 12, 2016
To:	Mayor and City Council Members
Through:	Nicholas Snead, Community Development Director
From:	Michele Quinn, Community Development Administrative Assistant
Subject:	Century West Airport Engineer Contract, Task Order No. 1, Development of Airport Noise Protection Regulations

TYPE OF ACTION REQUESTED:

[ ] Resolution [ ] Ordinance

[X] Formal Action/Motion [ ] Contract Review Board

[ ] None - Report Only

Formal action / motion that Council approves Task Order No. 1 to Century West Engineering Contract for Madras Municipal Airport, to develop Airport Noise Protection Regulations Ordinance in the amount of $8,400.00.

DESCRIPTION:
Task Order No. 1 to Century West's master contract provides assistance to the Community Development Department to develop Airport Noise Protection Regulations in the amount of $8,400.00

STAFF ANALYSIS:
One of the goals for the FY 2015-16 Annual Strategic Implementation Plan is to develop Airport Noise Protection regulations. Staff has identified the need for the new regulations however staff needs technical assistance from the City Airport Engineer to develop regulations to ensure that City, County, and State regulations in place protect the existing and future uses at the Airport and Airport Industrial Center. If areas are

identified where the existing regulations should be strengthened, recommendations will be made for City and County action. The City has requested assistance in this effort from Century West Engineering (Century West). Century West has estimated an amount of $8,400.00 to Complete the work.

Staff proposes to equally share the cost for this project between the following two funds:

1. Community Development, Materials & Services, Professional Services
2. Airport Operations

SUMMARY:

A. **Fiscal Impact:** Total project cost is $8,400.00. $4,200.00 will be funded by Community Development and $4,200.00 will be funded by Airport Operations. This will require a budget resolution. Staff will present a budget resolution to the Council at a future meeting.

B. **Funding Source:** This project will be funded equally from the following funds:

Community Development, Materials & Services, Professional Services
505-505-520-2503

Airport Operations/Professional Services
509-090-520-2503

C. **Annual Strategic Implementation Plan:** This request is made pursuant to GOAL 3—A safe, healthy and environmentally responsible community in the FY 2016-17 Annual Strategic Plan. Specifically, Objective 3.1 identifies the need to develop and implement Airport Noise regulatory protections in City and County Ordinances.

D. **Recognition of Collateral Material and Technical Report:**

1. See attached Task Order No. 1
2. Scope of Work and Fee Estimate

RECOMMENDATION:
Formal action / motion that Council approves Task Order No. 1 to Century West Engineering Contract for Madras Municipal Airport, to develop Airport Noise Protection Regulations Ordinance in the amount of $8,400.00.

TASK ORDER NO. 1
For Master Agreement Between OWNER, City of Madras and the ENGINEER, Century West Engineering.

Task Order

In accordance with the Master Agreement Between OWNER and ENGINEER for Professional Services dated January 1, 2016 (Agreement), OWNER and ENGINEER agree as follows:

Specific Project Data

A. **Title**: Madras Municipal Airport Noise Zoning Ordinance Update Consulting.

B. **Description:** The City of Madras intends to update the ordinances and regulations that pertain to noise at and in the vicinity of the Madras Airport Industrial Center. This effort will require coordination with City Planning staff, City Council, Airport-Industrial Site Committee, and Jefferson County planning staff, Oregon Department of Aviation, and Oregon Department of Environmental Quality. The goal of this effort is to ensure that City, County, and State regulations in place protect the existing and future uses at the Airport and Airport Industrial Center. If areas are identified where the existing regulations should be strengthened, recommendations will be made for action at the City and County level.

1. Services of ENGINEER

1. Review existing zoning, ordinances, and regulations currently in force within the City of Madras City limits and in Jefferson County pertaining to the airport. The review will also include local and State of Oregon overlay zones and any deed restrictions currently in place.
2. Evaluate and summarize standard zoning, ordinances, and regulations that are utilized by other municipalities and Counties to protect similar uses. Century West will review the City of Redmond and Deschutes County codes and two other relevant examples for comparison.
3. Prepare a memorandum summarizing the findings of tasks one and two and develop recommendations for consideration by stakeholder groups.
4. Attend and present the findings of the memorandum at one meeting to City of Madras staff and three meetings with stakeholder groups. It is anticipated that stakeholder groups will include the City Council, Airport-Industrial Center Site Committee, and Jefferson County Planning staff. Century West will also plan to attend and make a presentation at one public hearing.

2. OWNER's Responsibility

1. Provide City documents to Century West Engineering that are necessary to perform the tasks under services of ENGINEER.
2. Organize and hold stakeholder meetings at Madras City Hall.

3. Times for Rendering Services

Task	Completion Date
All tasks	December 31, 2016

4. Payments to ENGINEER

A. Effective Rates for this Task Order

N/A

B. Summary of Total Compensation

The total compensation for services identified under this Task Order is estimated to be $8,400 based on the following assumed distribution:

		Labor Hours by Classification							
Task	Description	Principal $195	Senior Planner $152	Airport Planner $105	Clerical $60	Task Hours	Labor Cost	Direct Expenses	Total Cost
1	Review Existing Ordinances	1	4	12	1	18	$1,928	$0	$1,928
2	Evaluate Ordinances and Examples	1	4	12	1	18	$1,928	$0	$1,928
3	Draft Summary Memo	1	2	4	1	8	$784	$0	$784
4	Attend Stakeholder Meetings and Hearing	15	20	0	2	37	$3,160	$600	$3,760
Total Proposed Fees		**18**	**30**	**28**	**5**	**81**	**$7,800**	**$600**	**$8,400**

5. Consultants:

N/A

6. Other Modifications to Master Agreement:

N/A

7. Attachments:

A. Attachment 1 – Engineering Budget

8. Documents Incorporated by Reference:
N/A

9. Approval and Acceptance: Approval and Acceptance of this Task Order, including the attachments listed above, shall incorporate this document as part of the Master Agreement. ENGINEER is authorized to begin performance upon receipt of a copy of this Task Order signed by OWNER.

The Effective Date of this Task Order is January 12, 2016.

ENGINEER	**OWNER**
_____	1/12/2016
Signature Date	Signature Date
_____	Royce Embanks
Name	Name
_____	Mayor
Title	Title
DESIGNATED REPRESENTATIVE FOR TASK ORDER:	DESIGNATED REPRESENTATIVE FOR TASK ORDER:
_____	Nick Snead
Name	Name
_____	Community Development Director
Title	Title
_____	125 SW E Street, Madras, OR 97741
Address	Address
_____	nsnead@ci.madras.or.us
E-Mail Address	E-Mail Address
_____	541-475-2344
Phone	Phone
_____	541-475-1038
Fax	Fax

CENTURY WEST
ENGINEERING

Madras Municipal Airport
Airport Noise Zoning Ordinance Update Consulting
September 2, 2015

The City of Madras intends to update the ordinances and regulations that pertain to noise at and in the vicinity of the Madras Airport Industrial Center. This effort will require coordination with City Planning staff, City Council, Airport-Industrial Site Committee, Jefferson County planning staff, Oregon Department of Aviation, and Oregon Department of Environmental Quality. The goal of this effort is to ensure that City, County, and State regulations in place protect the existing and future uses at the Airport and Airport Industrial Center. If areas are identified where the existing regulations should be strengthened, recommendations will be made for action at the City and County level. The City has requested assistance in this effort from Century West Engineering (Century West). The following scope and fee is intended to provide the services necessary to help the City accomplish this.

The following is a summary of task that have been identified to complete this work:

1. Review existing zoning, ordinances, and regulations currently in force within the City of Madras City limits and in Jefferson County pertaining to the airport. The review will also include local and State of Oregon overlay zones and any deed restrictions currently in place.
2. Evaluate and summarize standard zoning, ordinances, and regulations that are utilized by other municipalities and Counties to protect similar uses. Century West will review the City of Redmond and Deschutes County codes and two other relevant examples for comparison.
3. Prepare a memorandum summarizing the findings of tasks one and two and develop recommendations for consideration by stakeholder groups.
4. Attend and present the findings of the memorandum at one meeting to City of Madras staff and three meetings with stakeholder groups. It is anticipated that stakeholder groups will include the City Council, Airport-Industrial Center Site Committee, and Jefferson County Planning staff. Century West will also plan to attend and make a presentation at one public hearing.

The following table summarizes the level of effort anticipated to complete this work:

1020 SW Emkay Drive, Suite 100
Bend, OR 97702

541.322.8962 office
541.382.2423 fax

CENTURY WEST
ENGINEERING

Task	Description	Labor Hours by Classification				Task Hours	Labor Cost	Direct Expenses	Total Cost
		Principal $195	Senior Planner $152	Airport Planner $105	Clerical $60				
1	Review Existing Ordinances	1	4	12	1	18	$1,928	$0	$1,928
2	Evaluate Ordinances and Examples	1	4	12	1	18	$1,928	$0	$1,928
3	Draft Summary Memo	1	2	4	1	8	$784	$0	$784
4	Attend Stakeholder Meetings and Hearing	15	20	0	2	37	$3,160	$600	$3,760
Total Proposed Fees		**18**	**30**	**28**	**5**	**81**	**$7,800**	**$600**	**$8,400**

1020 SW Emkay Drive, Suite 100
Bend, OR 97702

541.322.8962 office
541.382.2423 fax

CITY OF MADRAS
Request for Council Action

Date Submitted: January 6, 2016

Agenda Date Requested: January 12, 2016

To: Mayor and City Council

Through: City Administrator, Gus Burril

From: City Recorder, Karen J. Coleman

Subject:

A. Ordinance No. 882
An ordinance of the City of Madras repealing Madras Ordinance No. 860; and declaring an emergency.

B. Ordinance No. 883
An ordinance of the City of Madras amending Ordinance No. 870, an ordinance establishing time, place, and manner regulations concerning Medical Marijuana dispensaries, to address the sale of limited Marijuana retail products from Medical Marijuana dispensaries; and declaring an emergency.

C. Ordinance No. 884
An ordinance of the City of Madras declaring a ban on Recreational Marijuana producers, Recreational Marijuana processors, Recreational Marijuana Wholesalers, and Recreational Marijuana Retailers; referring ordinance, and declaring an emergency.

D. Ordinance No. 885
An ordinance of the City of Madras imposing a three percent tax on the sale of Marijuana items by a Marijuana retailer; and referring ordinance.

TYPE OF ACTION REQUESTED: (Check One)

[X] **Ordinances** [X] **Formal Action/Motion**

DESCRIPTION AND STAFF ANALYSIS:

The City Council has met on numerous occasions to discuss both Medical Marijuana and Recreational Marijuana requirements and concerns, and to accept testimony from the public.

Ordinances No. 883, 884, and 885 were presented to the City Council, in "draft form", on Tuesday, December 8, 2015 for review and further discussion. Staff was instructed to prepare Ordinance No. 882 following their discussion on the "draft" ordinances. The ordinances before Council this evening were prepared to formalize the results of those discussions and are being presented to the Council for consideration and possible approval.

The ordinances have been advertised in compliance with the Madras City Charter requirements for passage of ordinances. Notice was published in the Madras Pioneer on January 6, 2016, and posted at the Madras City Hall, U.S. Post Office, and the Jefferson County Clerk's Office, and placed on the City's website on December 30, 2015. On December 29, 2015 the notice was e-mailed to the City Council, the news media, and those individuals on the City's Public Notice list that have specifically requested notification.

Ordinances No. 882, 883, and 884 contain an "Emergency Clause" which makes the ordinances effective immediately upon their passage by Council and signing by the Mayor.

SUMMARY:

A. Fiscal Impact

Not Applicable.

B. Supporting Documentation

A copy of the public notice, and ordinances have been included in the City Council's January 12, 2016.

STAFF'S RECOMMENDATION IS:

That the Madras City Council formally approve and adopt Ordinances No. 882, 883, 884, and 885 as written.

THE CITY OF MADRAS

EST. 1910

PUBLIC NOTICE

ORDINANCES NO. 882, 883, 884, AND 885

The City Council of the City of Madras, Oregon, will be considering approval of proposed Ordinances No. 882, 883, 884, and 885 during their regularly scheduled City Council meeting on Tuesday, January 12, 2016 at 7:00 p.m. in the Madras City Hall Council Chambers.

ORDINANCE NO. 882
An ordinance of the City of Madras repealing Madras Ordinance No. 860; and declaring an emergency.

ORDINANCE NO. 883
An ordinance of the City of Madras amending Ordinance No. 870, an ordinance establishing time, place, and manner regulations concerning Medical Marijuana dispensaries, to address the sale of limited Marijuana retail products from Medical Marijuana dispensaries; and declaring an emergency.

ORDINANCE NO. 884
An ordinance of the City of Madras declaring a ban on Recreational Marijuana producers, Recreational Marijuana processors, Recreational Marijuana Wholesalers, and Recreational Marijuana Retailers; referring ordinance, and declaring an emergency.

ORDINANCE NO. 885
An ordinance of the City of Madras imposing a three percent tax on the sale of Marijuana items by a Marijuana retailer; and referring ordinance.

A copy of the proposed ordinances will be available for review at the Madras City Hall, located at 125 S.W. 'E' Street, during the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. The proposed ordinances can also be found on the City's website at www.ci.madras.or.us .

Publish Date: January 6, 2016 (Madras Pioneer)

Posting Locations: Jefferson County Clerk's Office
Madras City Hall
U.S. Post Office

POSTING CHECKLIST

PUBLIC NOTICE

ORDINANCES NO. 882, 883, 884, AND 885
MARIJUANA
JANUARY 12, 2016

1) Public Notices need to be e-mailed and/or mailed to the news media, Jefferson County Commissioners, and City Council members, as well as the other individuals listed on the attached list:

Copies E-Mailed: December 29, 2015

2) A copy was E-mailed to the Madras Pioneer on: December 29, 2015
(as required by the Madras Pioneer)

For Publication on: January 6, 2016

3) A copy of the Public Notice must be posted at the following locations:

- Madras City Hall
- Jefferson County Courthouse Annex
- Jefferson County Library (Only if the notice pertains to original annexation hearing)
- U.S. Post Office

Dated Posted:

Madras City Hall December 30, 2015

Jefferson County Courthouse Annex December 30, 2015

U.S. Post Office December 30, 2015

4) The Jefferson County Commissioners should receive a copy for each Commissioner of any Public Notices, especially if they pertain to City Council-County Commission meetings.

A copy was hand delivered _____ or E-mailed ✓ to the Jefferson County Commissioners on: December 29, 2015

5) Posted on City's Web Page: December 29, 2015

Karen Coleman

From:	Karen Coleman
Sent:	Tuesday, December 29, 2015 12:49 PM
To:	Bill Montgomery (williamd41@gmail.com); Chuck Schmidt (schmidthouse1986@q.com); Gary Walker (gw@madrasmarine.com); Richard Ladeby (LadebyRichard@gmail.com); Royce Embanks Jr.; Tom and Janet Brown
Cc:	Gus Burril; Jeffrey Hurd; Nick Snead; Sara Puddy; Brandie McNamee; Tanner Stanfill
Subject:	FW: Public Notice - Proposed Ordinances No. 882-883-884-885 Pertaining to Marijuana
Attachments:	PublicNotice-OrdinancesNumber882-883-884-885MarijuanaOrdinances.ProposedToGoToCouncil01-12-2016.doc; PublicNotice-OrdinancesNo.882-883-884-885-Marijuana.pdf

A copy of the proposed ordinances can be found in the attached pdf file.

Karen J. Coleman
City Recorder
125 S.W. "E" Street
Madras, Oregon 97741-1346

(541) 325-0302

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Thank you.

From: Karen Coleman
Sent: Tuesday, December 29, 2015 12:34 PM
To: Bill Montgomery (williamd41@gmail.com); Chuck Schmidt (schmidthouse1986@q.com); Gary Walker (gw@madrasmarine.com); Richard Ladeby (LadebyRichard@gmail.com); Royce Embanks Jr.; Tom and Janet Brown
Cc: Gus Burril; Jeffrey Hurd; Nick Snead; Sara Puddy; Brandie McNamee; Tanner Stanfill
Subject: Public Notice - Proposed Ordinances No. 882-883-884-885 Pertaining to Marijuana

A Public Notice pertaining to proposed Ordinances No. 882, 883, 884, and 885 has been attached, along with copies of each of the ordinances, for your review and will be presented during the January 12, 2016 City Council meeting for consideration. Please do not hesitate to call should you have any questions. Thank you.

Karen J. Coleman
City Recorder
125 S.W. "E" Street
Madras, Oregon 97741-1346

(541) 325-0302

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Karen Coleman

From: Karen Coleman
Sent: Tuesday, December 29, 2015 12:51 PM
To: 'HGill@MadrasPioneer.com'; Joe Ditzler (jditzler@bendbulletin.com)
Subject: FW: Proposed Ordinances No. 882-883-884-885 - Marijuana
Attachments: PublicNotice-OrdinancesNumber882-883-884-885MarijuanaOrdinances.ProposedToGoToCouncil01-12-2016.doc; PublicNotice-OrdinancesNo.882-883-884-885-Marijuana.pdf

The ordinances are located in the attached pdf file.

Karen J. Coleman
City Recorder
125 S.W. "E" Street
Madras, Oregon 97741-1346

(541) 325-0302

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Thank you.

From: Karen Coleman
Sent: Tuesday, December 29, 2015 12:38 PM
To: 'HGill@MadrasPioneer.com'; Joe Ditzler (jditzler@bendbulletin.com)
Subject: Proposed Ordinances No. 882-883-884-885 - Marijuana

Holly / Joe:

Attached is a copy of the Public Notice pertaining to proposed Ordinances No. 882-883-884-885 - Marijuana, along with copies of each of the ordinances that will be presented to the City Council on January 12, 2016 for their review and consideration. Please do not hesitate to call should you have any questions. Thank you.

Karen J. Coleman
City Recorder
125 S.W. "E" Street
Madras, Oregon 97741-1346

(541) 325-0302

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Karen Coleman

From: Karen Coleman
Sent: Tuesday, December 29, 2015 12:47 PM
To: 'Jeremy Green'
Subject: Public Notice and Proposed Ordinances No. 882-883-884-885 (Marijuana Ordinances)
Attachments: PublicNotice-OrdinancesNumber882-883-884-885MarijuanaOrdinances.ProposedToGoToCouncil01-12-2016.doc; PublicNotice-OrdinancesNo.882-883-884-885-Marijuana.pdf

Attached is a copy of the public notice that will be published in the Madras Pioneer on January 6, 2016.

Karen J. Coleman
City Recorder
125 S.W. "E" Street
Madras, Oregon 97741-1346

(541) 325-0302

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Thank you.

Karen Coleman

From: Karen Coleman
Sent: Tuesday, December 29, 2015 1:06 PM
To: Alexa Gassner (Alexa.Gassner@co.jefferson.or.us); Barbara Andresen; Bill Montgomery (williamd41@gmail.com); Chuck Schmidt (schmidthouse1986@Q.com); Gus Burril ; Holly Gill (hgill@madraspioneer.com); Janet Brown; Jeff Hurd (jhurd@ci.madras.or.us); Jeff Rasmussen (Jeff.rasmussen@co.jefferson.or.us); Jeremy Green; Joe Ditzler (jditzler@bendbulletin.com); Karole Stockton; KTVZ (stories@ktvz.com); KWSO Radio (kwsonews@wstribes.org); Mae Huston (mae.huston@co.jefferson.or.us); Mike Ahern (Mike.ahern@co.jefferson.or.us); Mike Throop (mthroop55@hotmail.com); Nick Snead (nsnead@ci.madras.or.us); Pamela Andrews; Richard Ladeby (LadebyRichard@gmail.com); Richard Ladeby (rladeby@ci.madras.or.us); Rod Fulton; Royce Embanks Jr.; Sara Puddy; Sue Matters (smatters@wstribes.org); Tammy McHaney; Tom and Janet Brown; Walt Chamberlain; Wayne Fording (Wayne.fording@co.jefferson.or.us)
Subject: Proposed Ordinances No. 882-883-884-885 (Pertaining to Marijuana)
Attachments: PublicNotice-OrdinancesNo.882-883-884-885-Marijuana.pdf

Attached is a copy of the Public Notice pertaining to proposed Ordinances No. 882, 883, 884, and 885, along with a copy of each ordinance. The proposed ordinances will be presented to the City Council on January 12, 2016 for their review and consideration. Please do not hesitate to call should you have any questions. Thank you.

Karen J. Coleman
City Recorder
125 S.W. "E" Street
Madras, Oregon 97741-1346

(541) 325-0302

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Thank you.

Karen Coleman

From: JLantz@MadrasPioneer.com
Sent: Thursday, December 31, 2015 8:49 AM
To: Karen Coleman
Subject: RE: Public Notice - Proposed Ordinances No. 882-883-884-885

Karen,
Good morning- I have this notice set to publish as requested. Happy New Year!
Joey

From: Karen Coleman [mailto:kcoleman@ci.madras.or.us]
Sent: Tuesday, December 29, 2015 12:29 PM
To: Joey Lantz <JLantz@MadrasPioneer.com>
Subject: Public Notice - Proposed Ordinances No. 882-883-884-885

Joey:

Please publish the attached public notice pertaining to proposed Ordinances No. 882, 883, 884, and 885 in the Madras Pioneer on January 6, 2016 and send written confirmation that you received the notice and will publish it as requested. Thank you.

Karen J. Coleman
City Recorder
125 S.W. "E" Street
Madras, Oregon 97741-1346

(541) 325-0302

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Thank you.

ORDINANCE NO. 882

AN ORDINANCE OF THE CITY OF MADRAS REPEALING MADRAS ORDINANCE NO. 860; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Madras, an Oregon municipal corporation ("City"), has all the powers that the constitutions, statutes, and common law of the United States and Oregon expressly or impliedly grant or allow City; and

WHEREAS, on October 28, 2014, City adopted the Madras Marijuana Tax Ordinance, Ordinance No. 860 (the "Tax Ordinance"), pursuant to which City established a tax on the sale or transfer of marijuana and marijuana-infused products within City's incorporated limits; and

WHEREAS, on October 28, 2014, pursuant to Section 4 of the Tax Ordinance, City adopted Resolution No. 24-2014 (the "Tax Resolution"), which Tax Resolution established (a) a tax rate of 5% of the gross taxable sale amount paid to the seller of marijuana and/or marijuana-infused products by a registry identification cardholder, and (b) a tax rate of 10% of the gross taxable sale amount paid to the seller of marijuana and/or marijuana-infused products by any person who is not purchasing marijuana under the Oregon Medical Marijuana Program; and

WHEREAS, after careful thought and consideration, including, without limitation, the financial impact administration and enforcement of the Tax Ordinance may have on City, the Madras City Council (the "Council") has determined that it is in City's best interests to repeal the Tax Ordinance in its entirety.

NOW, THEREFORE, the City of Madras ordains as follows:

1. Findings. The above-stated findings contained in this Ordinance No. 882 (this "Ordinance") are hereby adopted.

2. Tax Ordinance Repealed. Council repeals the Tax Ordinance in its entirety. The Tax Ordinance will be of no further force and effect. City has not and will not collect any tax under the Tax Ordinance from any seller exercising the privilege of selling marijuana and/or marijuana-infused products within City's jurisdictional limits. Sellers will not (a) collect or impose any tax under the Tax Ordinance on the sale or transfer of marijuana and/or marijuana-infused products, (b) pay any tax to City pursuant to the Tax Ordinance, and/or (c) prepare and file any tax returns required under the Tax Ordinance.

3. Return of Tax Collected (Sellers). Any seller that has collected any tax under the Tax Ordinance will exercise the seller's commercially reasonable efforts to return the tax to the payor within thirty (30) days after the effective date of this Ordinance (February 11, 2016). Immediately upon City's request, a seller will provide reasonable evidence or certification that tax funds have been timely and properly returned to the payors of the tax.

4. Miscellaneous. This Ordinance repeals and supersedes all City ordinances, resolutions, and/or policies to the extent such ordinances, resolutions, and/or policies are in conflict with this Ordinance, including, without limitation, the Tax Ordinance and Tax Resolution. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and

"including" are not limiting. Any reference to a particular law, rule, regulation, code, or ordinance includes the law, rule, regulation, code, or ordinance as now in force and which may hereafter be amended. The provisions of this Ordinance are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected by order of the Council to cure editorial and/or clerical errors. Unless otherwise provided in this Ordinance, terms contained herein that are defined under Section 3 of the Tax Ordinance will have the meanings assigned to such terms under Section 3 of the Tax Ordinance.

5. Emergency Declaration. Council finds that passage of this Ordinance is necessary for the immediate preservation of the peace, health, and safety of City's citizens. Therefore, an emergency is hereby declared to exist. This emergency Ordinance will be in full force and effect upon its passage and adoption by the Council and signing by the mayor.

ADOPTED by the City Council of the City of Madras and signed by the mayor this _____ day of _____, 2016.

Ayes: _____
Nays: _____
Abstentions: _____
Absent: _____
Vacancies: _____

_____
Royce Embanks, Mayor

ATTEST:

_____
Karen J. Coleman, City Recorder

ORDINANCE NO. 883

AN ORDINANCE OF THE CITY OF MADRAS AMENDING ORDINANCE NO. 870, AN ORDINANCE ESTABLISHING TIME, PLACE, AND MANNER REGULATIONS CONCERNING MEDICAL MARIJUANA DISPENSARIES, TO ADDRESS THE SALE OF LIMITED MARIJUANA RETAIL PRODUCTS FROM MEDICAL MARIJUANA DISPENSARIES; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Madras ("City") has all powers that the constitutions, statutes, and common law of the United States and Oregon expressly or impliedly grant or allow City; and

WHEREAS, on April 28, 2015, City adopted Ordinance No. 870 (the "TPM Ordinance") to establish certain time, place, and manner regulations concerning medical marijuana dispensaries; and

WHEREAS, Section 2, Chapter 784, Oregon Laws 2015 (SB 460) allows medical marijuana dispensaries to sell limited marijuana retail product to persons at least 21 years of age as of October 1, 2015; and

WHEREAS, City desires to reasonably regulate or control the sale of limited marijuana retail product from medical marijuana dispensaries in an effort to protect the public's health, safety, and welfare; and

WHEREAS, the Madras City Council (the "Council") finds it necessary to amend the TPM Ordinance to address changes made by SB 460 concerning the sale of limited marijuana retail product by and through medical marijuana dispensaries.

NOW, THEREFORE, the City of Madras ordains as follows:

1. Findings. The above-stated findings are hereby adopted.

2. Purpose. The purpose of this Ordinance No. 883 (this "Ordinance") is to amend the TPM Ordinance to address changes made by SB 460 with respect to the sale of limited marijuana retail product by and through medical marijuana dispensaries.

3. Amendment No. 1. The following term or phrase is added to Section 3 of the TPM Ordinance:

> "Limited marijuana retail product(s)" means the seeds of marijuana, the dried leaves and flowers of marijuana, and a marijuana plant that is not flowering."

4. Amendment No. 2. Section 6.1 of the TPM Ordinance is amended to read in its entirety as follows:

> "6.1 Compliance with Applicable Laws. The dispensary must at all times be operated in strict compliance with ORS 475.300-ORS 475.346; Chapter 784, Oregon Laws 2015 (SB 460), if applicable; OAR Chapter 333, Division 8; this Ordinance; all land use/development, building, and fire codes; and all other federal, state, and local laws, regulations, and ordinances, including, without limitation, those directly or indirectly

relating to medical marijuana, including the payment of all fines, fees, and taxes owing to City."

5. Amendment No. 3. Section 6.11 of the TPM Ordinance is amended to read in its entirety as follows:

"6.11 Signage. Signage will comply with any and all applicable sign codes and provisions of OAR Chapter 333, Division 8."

6. Amendment No. 4. Section 6.18 of the TPM Ordinance is amended to read in its entirety as follows:

"6.18 Sales and Transfers. Sales or other transfers of marijuana products on the dispensary premises must occur inside the dispensary building. Sales or other transfers of marijuana products must be conducted only between the dispensary and medical marijuana qualifying patients; provided, however, in accordance with Chapter 784, Oregon Laws 2015 (SB 460), a dispensary may sell limited marijuana retail product to persons at least 21 years of age if the dispensary (a) has notified the Oregon Health Authority of its intent to sell limited marijuana retail product, (b) has not been prohibited by the Oregon Health Authority from selling limited marijuana retail product, and (c) has not had its registration suspended. A dispensary is prohibited from selling limited marijuana retail product after December 31, 2016 or such earlier date as determined by the Council. No walk-up or drive-through service is permitted or allowed."

7. Amendment No. 5. A new Section 6.20 is added to the TPM Ordinance to read in its entirety as follows:

"6.20 Limited Marijuana Retail Product; Compliance with Applicable Laws. Without otherwise limiting compliance with Section 6.1 of this Ordinance, as amended, a dispensary selling limited marijuana retail product must at all times be operated in strict compliance with and subject to OAR 333-008-1500-OAR 333-008-1501; ORS 475.300-ORS 475.346; Chapter 784, Oregon Laws 2015 (SB 460); OAR Chapter 333, Division 8; this Ordinance; all land use/development, building, and fire codes; and all other federal, state, and local laws, regulations, and ordinances, including, without limitation, those directly or indirectly relating to medical marijuana and limited marijuana retail product, including the payment of all fines, fees, and taxes owing to City."

8. Miscellaneous. This Ordinance is hereby made part of the TPM Ordinance. The provisions of the TPM Ordinance that are not amended or modified by this Ordinance remain unchanged and in full force and effect. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. Any reference to a particular law, statute, rule, regulation, code, or ordinance includes the law, statute, rule, regulation, code, or ordinance as now in force and hereafter amended. The provisions of this Ordinance are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid,

unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected by order of the Council to cure editorial and/or clerical errors. Nothing in this Ordinance affects the validity of any criminal or civil enforcement actions commenced prior to the adoption of this Ordinance; all City ordinances existing at the time that such actions were filed will remain valid and in full force and effect for purposes of those actions.

9. Emergency Declaration. Council finds that passage of this Ordinance is necessary for the immediate preservation of the peace, health, and safety of City's citizens. Therefore, an emergency is hereby declared to exist. This emergency Ordinance will be in full force and effect upon its passage and adoption by the Council and signing by the mayor.

ADOPTED by the City Council of the City of Madras and signed by the mayor this _____ day of _____, 2016.

Ayes: _____
Nays: _____
Abstentions: _____
Absent: _____
Vacancies: _____

_____
Royce Embanks, Mayor

ATTEST:

_____
Karen J. Coleman, City Recorder

ORDINANCE NO. 884

AN ORDINANCE OF THE CITY OF MADRAS DECLARING A BAN ON RECREATIONAL MARIJUANA PRODUCERS, RECREATIONAL MARIJUANA PROCESSORS, RECREATIONAL MARIJUANA WHOLESALERS, AND RECREATIONAL MARIJUANA RETAILERS; REFERRING ORDINANCE; AND DECLARING AN EMERGENCY.

WHEREAS, Measure 91, which the voters adopted in November 2014, directs the Oregon Liquor Control Commission ("OLCC") to license the production, processing, wholesale, and retail sale of recreational marijuana; and

WHEREAS, Section 134, Chapter 614, Oregon Laws 2015 (HB 3400) allows a city to adopt an ordinance to be referred to the electors of the city prohibiting activities relating to the production, processing, wholesaling, and/or retail sale of recreational marijuana; and

WHEREAS, the Madras City Council (the "Council") desires to refer the question of whether to prohibit (ban) recreational marijuana producers, processors, wholesalers, and retailers to the voters of the City of Madras ("City") at the next statewide general election held on November 8, 2016.

NOW, THEREFORE, the City of Madras ordains as follows:

1. Findings. The above-stated findings are hereby adopted.

2. Short Title. This Ordinance No. 884 may be referred to as the "Marijuana Banning Ordinance" and will be cited and referred to herein as this "Ordinance."

3. Purpose. The purpose of this Ordinance is to minimize any adverse public safety and health impacts that may result from allowing recreational marijuana establishments to operate in City's jurisdictional limits. Nothing contained in this Ordinance will be construed to limit any authority City may have to prohibit, regulate, and/or control the establishment and/or operation of recreational marijuana related facilities and/or activities in any area subject to City's jurisdiction.

4. Ban Declared; Prohibited Activities. City hereby prohibits (bans) the establishment and/or operation of the following in any area subject to City's jurisdiction (collectively, the "Ban"): (a) marijuana producers required to be licensed under Section 19, Chapter 1, Oregon Laws 2015; (b) marijuana processors required to be licensed under Section 20, Chapter 1, Oregon Laws 2015; (c) marijuana wholesalers required to be licensed under Section 21, Chapter 1, Oregon Laws 2015; (d) marijuana retailers required to be licensed under Section 22, Chapter 1, Oregon Laws 2015; and/or (e) any combination of the entities described in this Section 4.

5. Ban Application. The Ban imposed under this Ordinance applies to all decisions, actions, and/or recommendations by City, including, without limitation, the issuance of building permits, land use permits, business and regulatory licenses, and/or any other form of approval. This Ban extends to any decision by OLCC acting under Sections 19, 20, 21, and/or 22, Chapter 1, Oregon Laws 2015.

6. Enforcement; Penalties. The Ban and this Ordinance will be enforced by any sworn peace officer authorized to enforce the laws of City and any other City official authorized to administer City's land use, development, nuisance, building, and/or other regulations. In addition, City may initiate

appropriate suit or legal action in a court of competent jurisdiction to enforce this Ordinance. Any violation of this Ordinance is punishable by a fine not to exceed $500.00 per violation. City will be entitled to collect from any person violating this Ordinance City's attorney fees and other fees, costs, and expenses incurred by City to enforce this Ordinance. Each violation, and each day that a violation continues, constitutes a separate civil infraction. The remedies available under this Ordinance are not exclusive of any other remedies available under any applicable federal, state, and/or local laws, regulations, and/or ordinances. It is within City's discretion to seek cumulative remedies for a violation of this Ordinance.

7. Notice to OLCC. City's city administrator or city attorney will notify OLCC of City's adoption of this Ordinance and will provide the text of this Ordinance to OLCC in a manner prescribed by OLCC.

8. Referral. This Ordinance will be referred by council resolution to City's electors at the next statewide general election held on Tuesday, November 8, 2016.

9. Interpretation; Severability; Errors. This Ordinance supersedes all City ordinances, resolutions, and/or policies to the extent such ordinances, resolutions, and/or policies are in conflict with this Ordinance. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. Any reference to a particular law, rule, regulation, code, or ordinance includes the law, rule, regulation, code, or ordinance as now in force and which may hereafter be amended. The provisions of this Ordinance are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected by order of the Council to cure editorial and/or clerical errors.

10. Emergency Declaration. The Council finds that passage of this Ordinance is necessary for the immediate preservation of the peace, health, and safety of City's citizens. Therefore, an emergency is hereby declared to exist. This emergency Ordinance will be in full force and effect upon its passage and adoption by the Council and signing by the mayor.

[end of ordinance – signature page immediately follows]

ADOPTED by the City Council of the City of Madras and signed by the mayor this _____ day of _____, 2016.

Ayes: _____
Nays: _____
Abstentions: _____
Absent: _____
Vacancies: _____

_____
Royce Embanks, Mayor

ATTEST:

_____
Karen J. Coleman, City Recorder

ORDINANCE NO. 885

AN ORDINANCE OF THE CITY OF MADRAS IMPOSING A THREE PERCENT TAX ON THE SALE OF MARIJUANA ITEMS BY A MARIJUANA RETAILER; AND REFERRING ORDINANCE.

WHEREAS, Section 34a, Chapter 614, Oregon Laws 2015 (HB 3400) provides that a city council may adopt an ordinance to be referred to the voters that imposes up to a three percent (3%) tax or fee on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the city; and

WHEREAS, the Madras City Council desires to impose a three percent (3%) tax on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the City of Madras.

NOW, THEREFORE, the City of Madras ordains as follows:

1. Findings. The above-stated findings are hereby adopted.

2. Short Title; Purpose. This Ordinance No. 885 may be referred to as the "Marijuana Taxing Ordinance" and will be cited and referred to herein as this "Ordinance." The purpose of this Ordinance is to impose a tax on the retail sale of marijuana items.

3. Definitions. For purposes of this Ordinance, the following terms and phrases have the meanings assigned to them below:

"City" means the City of Madras, an Oregon municipal corporation.

"Council" means the Madras City Council.

"Gross taxable sale(s)" means the total amount received in money, credits, property, and/or other consideration from sales of marijuana items.

"Marijuana item(s)" has the meaning assigned to such term under Section 5, Chapter 1, Oregon Laws 2015 (Measure 91), as amended by Section 1, Chapter 614, Oregon Laws 2015 (HB 3400).

"Marijuana retailer(s)" or "seller(s)" means a person who sells marijuana items to a consumer in this state and who holds a license under Section 22, Chapter 1, Oregon Laws 2015 (Measure 91).

"Person(s)" means any natural person, joint venture, partnership, association, club, company, limited liability company, limited liability partnership, corporation, business, trust, organization, any other entity, and/or any group or combination acting as a unit.

"Tax(es)" means either the tax payable by the seller or the aggregate amount of taxes due from a seller during the period for which the seller is required to report collections under this Ordinance.

"Tax administrator" means city's then appointed city administrator or his or her designee.

4. Tax Imposed. To the fullest extent permitted under Section 34a, Chapter 614, Oregon Laws 2015 (HB 3400), there is hereby levied and will be paid a tax by every marijuana retailer exercising the taxable privilege of selling marijuana items. The amount of tax will be three percent (3%) of the gross taxable sales of the marijuana retailer in the area subject to city's jurisdiction. The seller will

collect the tax at the point of sale of a marijuana item. Subject to applicable law, the tax rate may be adjusted from time to time by council resolution.

5. Deductions. The following deductions will be allowed against sales received by the seller: (a) refunds of sales actually returned to any purchaser; and (b) any adjustments in sales that amount to a refund to a purchaser, provided such adjustment pertains to the actual sale of marijuana items and does not include any adjustments for other services furnished by a seller.

6. Payment of Tax.

6.1 Tax Returns. Every seller will, on or before the last day of the month immediately following the end of each calendar quarter (April, July, October, and January), complete and file a marijuana tax return with the tax administrator on forms provided by city. The forms will specify, among other things requested by city, the total gross taxable sales and the amount of tax collected under this Ordinance. The tax administrator may establish shorter reporting periods for any seller if the tax administrator deems it necessary in order to ensure timely and proper collection of the tax. Returns and payments are due immediately upon cessation of business for any reason. The tax administrator may require that the seller provide additional information in the subject tax return relevant to payment of the tax.

6.2 Filing of Tax Returns. A tax return will not be considered filed until it is actually received by the tax administrator. The person required to file the return will deliver the applicable tax to the tax administrator at the office of the tax administrator, either by personal delivery or by mail. If the return is mailed, the postmark will be considered the date of delivery for determining delinquencies.

6.3 Payment of Tax. At the time the tax return is filed, the full amount of the tax collected will be remitted to the tax administrator. Payments received by the tax administrator for application against existing liabilities will be credited toward the period designated by the seller under conditions that are not prejudicial to city's interest. A condition considered prejudicial is the imminent expiration of the statute of limitations for a period or periods. Non-designated payments will be applied in the order of the oldest liability first, with the payment credited first toward any accrued penalty, then to interest, then to the underlying tax until the payment is exhausted. Crediting of a payment toward a specific reporting period will be first applied against any accrued penalty, then to interest, then to the underlying tax. If the tax administrator determines that an alternative order of payment application would be in city's best interest in a particular tax or factual situation, the tax administrator may order such a change. All taxes collected by sellers pursuant to this Ordinance will be held in trust for the account of city until payment is made to the tax administrator. A separate trust bank account is not required in order to comply with this provision.

6.4 Administrative Fee. Every seller required to remit the tax imposed under this Ordinance is permitted to retain five percent (5%) of all taxes due to defray the costs of bookkeeping and remittance.

6.5 Record Retention. Every seller must keep and preserve in an accounting format established by the tax administrator records of all sales made by the seller and such other books or accounts as may be required by the tax administrator. Every seller must keep and preserve for a period of three years all such books, invoices, and other records. The tax administrator will have the right to inspect all such records at all reasonable times upon request of the tax administrator.

7. Penalties; Interest.

7.1 Penalties – Late Payment. Any seller who fails to remit any portion of the tax imposed by this Ordinance within the time required will pay a penalty of ten percent (10%) of the amount of the tax due in addition to the amount of the tax due. Any seller who fails to remit any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent will pay a second delinquency penalty of fifteen percent (15%) of the amount of the tax due in addition to the amount of the tax due and the aforementioned ten percent (10%) penalty. When a shorter return period is required under Section 6.1, penalties and interest under this Section 7 will be computed according to the shorter return period.

7.2 Penalties – Fraud or Evade. If the tax administrator determines that the nonpayment of any remittance due under this Ordinance is due to fraud or intent to evade the provisions hereof, a penalty of twenty-five percent (25%) of the amount of the tax due will be added thereto in addition to the penalties provided under Section 7.1.

7.3 Interest. In addition to the penalties imposed under this Ordinance, any seller who fails to timely remit any tax imposed under this Ordinance will pay interest at the rate of one percent (1.0%) per month or fraction thereof, without proration for portions of a month, on the amount of the tax due, exclusive of penalties, from the date on which the remittance first became delinquent until paid in full. Penalties and interest imposed under the provisions of this Section 7 will become part of the tax required to be paid pursuant to this Ordinance.

7.4 Waiver of Penalties. Any seller who fails to remit the tax levied under this Ordinance within the time stated in this Ordinance will pay the penalties and interest stated in this Ordinance; provided, however, the seller may petition for wavier or refund of any penalty or portion thereof. If the total penalty due does not exceed $10,000.00, any petition for waiver or refund of penalties will be directed to and determined by the tax administrator. If the total penalty due exceeds $10,000.00, any petition for waiver or refund of penalties will be directed to and determined by the council. Upon receipt of a petition for wavier or refund of penalties as set forth herein, the tax administrator or council may, if a good and sufficient reason is shown, waive or direct a refund of the penalty or any portion thereof.

8. Failure to Report and Remit Tax – Tax Administrator. If any seller fails to make, within the time provided under this Ordinance, any report of the tax imposed under this Ordinance, the tax administrator will proceed in such manner as deemed best to obtain facts and information on which to base an estimate of the tax due. As soon as the tax administrator procures such facts and information as he or she is able to obtain to assist in estimating the tax due and payable by the seller, the tax administrator will proceed to determine and assess against such seller the tax, interest, and penalties provided under this Ordinance. In case such determination is made, the tax administrator will give a notice of the amount so assessed by having it served personally or by depositing it in the United States mail, postage prepaid, addressed to the seller so assessed at the last known place of address. Such seller may make an appeal of such determination as provided in Section 9. If no appeal is timely filed, the tax administrator's determination is final and the amount thereby is immediately due and payable.

9. Appeal. Any seller aggrieved by any decision of the tax administrator with respect to the amount of tax, interest, and/or penalties due under Section 8 may appeal to the council by filing a written notice of appeal with the tax administrator within thirty (30) days of the serving or mailing of the tax administrator's determination of the tax due. The tax administrator will transmit the notice of appeal together with the file of the appealed matter to the council after which the council will fix a time

and place for hearing the appeal. The council will give the appellant not less than ten (10) days' prior written notice of the time and place of hearing of the appealed matter.

10. Refunds.

10.1 Claim of Refund. Whenever the amount of any tax, interest, and/or penalty has been overpaid or paid more than once, or has been erroneously collected or received by city under this Ordinance, it may be refunded as provided in Section 10.2, provided a claim in writing, stating under penalty of perjury, identifies the specific grounds upon which the claim is founded and is filed with the tax administrator within one year of the date of payment. The claim will be made on forms furnished by the tax administrator. No refund will be paid under the provisions of this Section 10 unless the claimant established the right by written records showing entitlement to such refund and the tax administrator acknowledged the validity of the claim.

10.2 Refund Processing. The tax administrator will have thirty (30) days from the date of receipt of a claim of refund to review the claim and make a determination in writing as to the validity of the claim. The tax administrator will notify the claimant in writing of the tax administrator's determination. Such notice will be mailed to the address provided by the claimant on the claim form. If the tax administrator determines the claim is valid, the claimant may, in a manner prescribed by the tax administrator, claim a refund or take as credit against taxes collected and remitted the amount overpaid, paid more than once, or erroneously collected or received. The claimant will notify the tax administrator of the claimant's choice no later than fifteen (15) days following the date the tax administrator mailed the determination. If the claimant has not notified the tax administrator of the claimant's choice within the aforementioned 15-day period and the claimant is still in business, a credit will be granted against the tax liability for the immediately following reporting period. If the claimant is no longer in business, a refund check will be mailed to the claimant at the address provided in the claim form.

11. Collection Actions. Any tax required to be paid by any seller under the provisions of this Ordinance will be deemed a debt owed by the seller to city. Any such tax collected by a seller that has not been paid to city will be deemed a debt owed by the seller to city. City may bring an action in its name to recover amounts owing under the provisions of this Ordinance and/or pursue any other rights and remedies available at law or in equity. In lieu of commencing legal action, city, when taxes due are more than thirty (30) days' delinquent, may submit any outstanding tax to a collection agency. So long as city has complied with the provisions set forth in ORS 697.105, as amended, if city turns over a delinquent tax account to a collection agency, it may add to the amount owing the collection agency fees, not to exceed the greater of $50.00 or fifty percent (50%) of the outstanding tax, penalties, and interest owing. In addition to any penalties and interest provided under this Ordinance, city may recover from the seller any and all legal and administrative fees and expenses incurred by city to enforce this Ordinance and/or to collect any unpaid taxes, penalties, and/or interest.

12. Violations; Infractions. It is a violation of this Ordinance for any seller or other person to engage in any of the following: (a) fail or refuse to comply with this Ordinance as required herein; (b) fail or refuse to furnish any tax return required to be made under this Ordinance; (c) fail or refuse to permit inspection of records; (d) fail or refuse to furnish a supplemental tax return or other data required by the tax administrator; (e) render a false or fraudulent tax return or claim; and/or (f) fail, refuse, and/or neglect to remit the tax to city by the due date. Violation of subsections (a), (b), (c), (d), and/or (f) of this Section 12 will be considered a Class C violation subject to a $500.00 fine as specified in ORS 153.018. Filing a false or fraudulent return will be considered a Class C misdemeanor subject to a prison term of no more than thirty (30) days and/or a $1,250.00 fine as specified in ORS 161.615 and ORS 161.635. The

remedies provided in this Section 12 are not exclusive and will not prevent city from exercising any other remedies available under law or in equity, nor will the provisions of this Ordinance prohibit or restrict city or other appropriate prosecutor from pursuing criminal charges under state law or city ordinance. All available remedies are cumulative and may be exercised singularly or concurrently. Each day in which a violation is caused or permitted to exist constitutes a separate offense. Each violation of this Ordinance will constitute a separate offense.

13. Confidentiality. Subject to and except as otherwise provided under applicable law, no city officer or employee will divulge, release, and/or make known in any manner any confidential financial information submitted or disclosed to city under the terms of this Ordinance; provided, however, nothing in this Section 13 will prohibit disclosure under the following circumstances: (a) the disclosure of the names and addresses of any person who is operating a licensed establishment from which marijuana is sold or provided; (b) the disclosure of general statistics in a form that would not reveal an individual seller's financial information; (c) the disclosure of financial information in connection with city's enforcement of this Ordinance and/or the presentation of evidence to the court or other tribunal having jurisdiction in the prosecution of any criminal or civil claims by the tax administrator or an appeal from the tax administrator for amount due city under this Ordinance; and/or (d) the disclosure of records related to a business's failure to report and remit the tax imposed under this Ordinance. The council expressly finds and determines that the public interest in disclosure of such records clearly outweighs the interest in confidentiality under ORS 192.501(5), as amended.

14. Audits. The tax administrator, or any person authorized in writing by the tax administrator, may examine, during regular business hours, the books, papers, and accounting records relating to the matter of the seller's tax return after notification to the seller liable for the tax and may investigate the business of the seller in order to verify the accuracy of any return made or, if no return is made by the seller, to ascertain and determine the amount required to be paid. Seller will reimburse city for reasonable costs of an examination pursuant to this Section 14 if such examination discloses that the seller has paid ninety-five (95%) or less of the tax owing for the applicable period of examination.

15. Forms; Regulations. The tax administrator is hereby authorized to prescribe forms and promulgate rules and regulations to (a) aid in the making of returns, and (b) ascertain, assess, and collect the tax. Without otherwise limiting the generality of the immediately preceding sentence, the tax administrator may prescribe a form of report for sales and purchases and promulgate rules and regulations concerning the identification of records that sellers of marijuana items must keep concerning the tax imposed under this Ordinance.

16. Referral. This Ordinance will be referred by council resolution to city's electors at the next statewide general election held on Tuesday, November 8, 2016.

17. When Ordinance Can Take Effect. This Ordinance will take effect (and the tax will be levied and imposed) upon passage only if city's voters reject (i.e., do not approve) the prohibition (ban) of recreational marijuana producers, processors, wholesalers, and retailers at the next statewide general election held on Tuesday, November 8, 2016.

18. Interpretation; Severability; Corrections. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. Any reference to a particular law, statute, rule, regulation, code, or ordinance includes the law, statute, rule, regulation, code, or ordinance as now in force and hereafter amended. The provisions of

this Ordinance are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected at any time by order of the council to cure editorial and/or clerical errors.

ADOPTED by the City Council of the City of Madras and signed by the mayor this _____ day of _____, 2016.

Ayes: _____
Nays: _____
Abstentions: _____
Absent: _____
Vacancies: _____

_____
Royce Embanks, Mayor

ATTEST:

_____
Karen J. Coleman, City Recorder

CITY OF MADRAS

Request for Council Action

Date Submitted:	January 6, 2016
Agenda Date Requested:	January 12, 2016
To:	Mayor and City Council Members
Through:	Jeff Hurd, Public Works Director
From:	Michele Quinn, Public Works Administrative Assistant
Subject:	Resolution No. 01-2016 A Resolution establishing and Ice control and snow removal policy within the City of Madras, prohibiting parking along designated snow routes during snow storms and snow removal operations, and superseding and replacing Resolution No. 23-2007 and Resolution No. 26-2015

TYPE OF ACTION REQUESTED:

[X] Resolution

[ ] Ordinance

[X] Formal Action/Motion

[ ] Contract Review Board

[ ] None - Report Only

Formal action / motion: that the City Council approves Resolution No. 01-2016 which will replace Resolutions No. 23-2007 and 26-2015 Snow Removal Policy.

DESCRIPTION:
While preparing to process the resolution the City Recorder identified two typographical errors in the 26-2015 Snow Removal resolution.

STAFF ANALYSIS:
Staff has corrected and prepared Resolution No. 01-2016 which adopts the revised snow removal policy and supersedes and replaces Resolution No. 23-2007 and Resolution No. 26.2015.

A. Fiscal Impact:
N/A

B. Funding Source:
N/A

C. Recognition of Collateral Material and Technical Report:
- See attached Resolution 26-2015 with the highlighted errors
- Resolution No. 01-2016

RECOMMENDATION:
Formal action / motion: that the City Council approves Resolution No. 01-2016 which will replace Resolutions No. 23-2007 and 26-2015 Snow Removal Policy.

RESOLUTION NO. 26-2015

A RESOLUTION ESTABLISHING AN ICE CONTROL AND SNOW REMOVAL POLICY WITHIN THE CITY OF MADRAS, PROHIBITING PARKING ALONG DESIGNATED SNOW ROUTES DURING SNOW STORMS AND SNOW REMOVAL OPERATIONS, SUPERSEDES AND REPLACES RESOLUTION NO. 23-2015.

WHEREAS, the City of Madras has the responsibility for the maintenance of city streets within the City of Madras; and

WHEREAS, the control of ice on, and the removal of snow from, city streets is a maintenance function of the City of Madras; and

WHEREAS, the current ice control and snow removal policy, Resolution No. 26-2015, has been reviewed by the Public Works and Parks Commission and found to be in need of revisions; and

WHEREAS, it is in the best interest of the health, safety, and welfare of the citizens of Madras that the city establish a written policy regarding the control of ice on, and the removal of snow from, city streets; and

WHEREAS, the control of ice and the removal of snow is necessary to provide for movement of emergency vehicles, to permit the safe operations of school busses, and to facilitate the movement of people, goods, and services; and

WHEREAS, vehicles parked on streets during snow removal operations constitute a hazard for snow removal equipment, constitute a risk to the vehicle, and severely inhibit snow removal operations.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Madras that the following ice control and snow removal policy is hereby established:

SECTION 1: ICE CONTROL

The Public Works Department of the City of Madras shall endeavor to anticipate dangerous conditions brought on by freezing rain, black ice, or packed or freezing snow, and to apply sand to intersections, steep slopes, and any other area where ice is determined to constitute an unusual hazard to motor vehicles.

Where conditions are such that slippery and icy conditions have not been anticipated by the Public Works Department, the Madras Police Department shall determine if there is an immediate need to call out the sanding crew.

When it is determined that sanding may be necessary to alleviate unusually dangerous conditions, the officer on duty shall notify Jefferson County Dispatch to make contact with the City Street Supervisor. Should the Street Supervisor be unavailable, Dispatch shall call Public Works Department personnel, from the furnished list, until contact is made.

The communication from Dispatch should include any areas of special concern which should be sanded first. Public Works Department personnel will evaluate the road conditions and schedule the sanding according to field observations and information received from City Police or Dispatch.

Where City Police are not available to make a determination regarding road conditions, such evaluation may be made by the Jefferson County Sheriff's Department or by the Oregon State Police and the information relayed to Dispatch which will issue the call to Public Works Department personnel.

City sanding crews may only be called out by City of Madras personnel or Jefferson County Dispatch.

SECTION 2: SNOW REMOVAL

The Public Works Department of the City of Madras may not initiate snow removal operations until accumulations on the open ground shall approach six (6) inches.

Where snow has reached a depth of approximately six (6) inches and is not expected to immediately melt, the Public Works Department may initiate snow removal operations. The snow removal operation may proceed according to the approved plan unless there is a compelling reason to deviate from this plan.

Snow removal will be conducted along streets according to their priority in facilitating the movement of emergency vehicles, school busses, and local traffic. The first priority will be those streets listed below as primary snow removal routes. The next priority will be those streets listed below as secondary snow removal routes. All other streets not listed below will be considered as residential. Snow will be removed from residential streets as time and conditions allow after primary and secondary streets have been cleared and opened for traffic.

PRIMARY SNOW REMOVAL ROUTES

The following streets are hereby declared to be primary snow removal routes:

(1) "B" Street from N.W. 1st Street to S.E. City View

(2) N.E. 12th Street from "B" Street to N.E. Oak Street

(3) N.E. "A" Street from N.E. 12th Street to N.E. 16th Street

(4) N.E. Oak Street from N.E. 16th Street to N.E. 6th Street

(5) S.E. Buff Street from the school bus barn to S.E. 5th Street

(6) S.E. 7th Street from S.E. Buff Street to "B" Street

(7) S.E. 10th Street from S.E. Buff Street to "B" Street

(8) N.E. 7th Street from "B" Street to N.E. Oak Street

(9) S.E. 6th Street from N.E. "E" Street to "B" Street

(10) S.E. "D" Street from 5th Street to S.E. 10th Street

(11) S.W. 2nd Street from S.W. "B" Street to S.W. "J" Street

(12) S.W. "J" Street from the Culver Highway (Highway 361) to S.E. City View

(13) S.E. City View from S.E. "J" Street to N.E. "B" Street

(14) N.E. Kemper Way to the Middle School and Aquatic Center Entrances

(15) N.E. 16th Street From N.E. Oak Street to N.E. "B" Street

(16) "B" Street/Ashwood Road between City View and Bean Drive

SECONDARY SNOW REMOVAL ROUTES

The following streets are hereby declared to be secondary snow removal routes:

(1) N.E. 10th Street from N.E. Cedar Street to N.E. Oak Street

(2) N.E. Henry Street from N.E. 10th Street to N.E. 7th Street

(3) N.E. 7th Street from N.E. Henry Street to N.E. Oak Street

(4) N.E. 6th Street from N.E. "B" Street to N.E. Pine Street

(5) S.E. "C" Street from Grizzly Road to N.E. 5th Street

(6) S.W. "C" Street from S.W. 1st Street to S.W. 5th Street

(7) S.W. 3rd Street from S.W. "B" Street to S.W. "E" Street

(8) S.W. "G" Street from the Culver Highway (Highway 361) to S.W. 4th Street

(9) S.W. Madison Street from S.W. "J" Street to S.W. "M" Street

(10) S.W. Bard Lane from Highway 97 to S.W. Adams Drive

(11) S.E. 8th Street from S.E. Buff Street to S.E. "H" Street

(12) S.E. Turner Street from S.E. "H" Street to S.E. "J" Street

(13) McTaggart Road between Buff Street and "J" Street

(14) Bean Drive from Loucks Road to Ashwood Road

(15) Loucks Drive from Hwy 97 to Bean Drive

SECTION 3: PARKING ON PRIMARY AND SECONDARY SNOW ROUTES PROHIBITED

Parking is hereby prohibited along primary and secondary snow removal routes during significant snowfall events and during snow removal operations. Vehicles parked along primary and secondary snow removal routes in violation of this resolution may be towed at the owner's expense. The City will not be liable for damage to vehicles parked along snow removal routes in violation of this resolution, which may result from snow removal operations. A map of primary and secondary snow removal routes is available for public review at the Madras City Hall, 125 SW "E" Street, Madras, Oregon.

SECTION 4: SNOW REMOVAL OPERATIONS

The Madras Public Works Department reserves the right to determine the method of snow removal which will be used according to experience and field conditions. In most instances the snow will be plowed to the center of the street and left in a berm

for later removal. In some instances, snow will be plowed to the side. The City will not be responsible for clearing individual driveways which may be blocked from the operations. Street intersections will be cleared to facilitate cross traffic.

SECTION 5: SNOW STORAGE

Snow removed from the streets will be hauled to various sites owned by the City, or where written permission has been obtained from a private property owner for snow storage at a site on private property. Snow may not be stored on private property without the express written permission of the owner.

SECTION 6: EFFECTIVE DATE OF THIS RESOLUTION

This resolution shall be in full force and effect immediately upon and after its passage by the Council and approval by the Mayor of the City of Madras.

ADOPTED by the City Council of the City of Madras this 8th day of December, 2015.

Ayes: 5
Nays: 0
Abstentions: 0
Absent: 0
Vacancies: 1

Royce Embanks, Mayor

ATTEST:

Sara Puddy, City Recorder Pro Tem

RESOLUTION NO. 01-2016

A RESOLUTION ESTABLISHING AN ICE CONTROL AND SNOW REMOVAL POLICY WITHIN THE CITY OF MADRAS, PROHIBITING PARKING ALONG DESIGNATED SNOW ROUTES DURING SNOW STORMS AND SNOW REMOVAL OPERATIONS, AND SUPERSEDING AND REPLACING RESOLUTION NO. 23-2007 AND RESOLUTION NO. 26-2015.

WHEREAS, the City of Madras has the responsibility for the maintenance of city streets within the City of Madras; and

WHEREAS, the control of ice on, and the removal of snow from, city streets is a maintenance function of the City of Madras; and

WHEREAS, the current ice control and snow removal policy, Resolution No. 23-2007, has been reviewed by the Public Works and Parks Commission and found to be in need of revisions; and

WHEREAS, it is in the best interest of the health, safety, and welfare of the citizens of Madras that the city establish a written policy regarding the control of ice on, and the removal of snow from, city streets; and

WHEREAS, the control of ice and the removal of snow is necessary to provide for movement of emergency vehicles, to permit the safe operations of school busses, and to facilitate the movement of people, goods, and services; and

WHEREAS, vehicles parked on streets during snow removal operations constitute a hazard for snow removal equipment, constitute a risk to the vehicle, and severely inhibit snow removal operations.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Madras that the following ice control and snow removal policy is hereby established:

SECTION 1: ICE CONTROL

The Public Works Department of the City of Madras shall endeavor to anticipate dangerous conditions brought on by freezing rain, black ice, or packed or freezing snow, and to apply sand to intersections, steep slopes, and any other area where ice is determined to constitute an unusual hazard to motor vehicles.

Where conditions are such that slippery and icy conditions have not been anticipated by the Public Works Department, the Madras Police Department shall determine if there is an immediate need to call out the sanding crew.

When it is determined that sanding may be necessary to alleviate unusually dangerous conditions, the officer on duty shall notify Jefferson County Dispatch to make contact with the City Street Supervisor. Should the Street Supervisor be unavailable, Dispatch shall call Public Works Department personnel, from the furnished list, until contact is made.

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City sanding crews may only be called out by City of Madras personnel or Jefferson County Dispatch.

SECTION 2: SNOW REMOVAL

The Public Works Department of the City of Madras may not initiate snow removal operations until accumulations on the open ground shall approach six (6) inches.

Where snow has reached a depth of approximately six (6) inches and is not expected to immediately melt, the Public Works Department may initiate snow removal operations. The snow removal operation may proceed according to the approved plan unless there is a compelling reason to deviate from this plan.

Snow removal will be conducted along streets according to their priority in facilitating the movement of emergency vehicles, school busses, and local traffic. The first priority will be those streets listed below as primary snow removal routes. The next priority will be those streets listed below as secondary snow removal routes. All other streets not listed below will be considered as residential. Snow will be removed from residential streets as time and conditions allow after primary and secondary streets have been cleared and opened for traffic.

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(4) N.E. Oak Street from N.E. 16th Street to N.E. 6th Street

(5) S.E. Buff Street from the school bus barn to S.E. 5th Street

(6) S.E. 7th Street from S.E. Buff Street to "B" Street

(7) S.E. 10th Street from S.E. Buff Street to "B" Street

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(9) S.E. 6th Street from N.E. "E" Street to "B" Street

(10) S.E. "D" Street from 5th Street to S.E. 10th Street

(11) S.W. 2nd Street from S.W. "B" Street to S.W. "J" Street

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(7) S.W. 3rd Street from S.W. "B" Street to S.W. "E" Street

(8) S.W. "G" Street from the Culver Highway (Highway 361) to S.W. 4th Street

(9) S.W. Madison Street from S.W. "J" Street to S.W. "M" Street

(10) S.W. Bard Lane from Highway 97 to S.W. Adams Drive

(11) S.E. 8th Street from S.E. Buff Street to S.E. "H" Street

(12) S.E. Turner Street from S.E. "H" Street to S.E. "J" Street

(13) McTaggart Road between Buff Street and "J" Street

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SECTION 3: PARKING ON PRIMARY AND SECONDARY SNOW ROUTES PROHIBITED

Parking is hereby prohibited along primary and secondary snow removal routes during significant snowfall events and during snow removal operations. Vehicles parked along primary and secondary snow removal routes in violation of this resolution may be towed at the owner's expense. The City will not be liable for damage to vehicles parked along snow removal routes in violation of this resolution, which may result from snow removal operations. A map of primary and secondary snow removal routes is available for public review at the Madras City Hall, 125 SW "E" Street, Madras, Oregon.

SECTION 4: SNOW REMOVAL OPERATIONS

The Madras Public Works Department reserves the right to determine the method of snow removal which will be used according to experience and field conditions. In most instances the snow will be plowed to the center of the street and left in a berm

for later removal. In some instances, snow will be plowed to the side. The City will not be responsible for clearing individual driveways which may be blocked from the operations. Street intersections will be cleared to facilitate cross traffic.

SECTION 5: SNOW STORAGE

Snow removed from the streets will be hauled to various sites owned by the City, or where written permission has been obtained from a private property owner for snow storage at a site on private property. Snow may not be stored on private property without the express written permission of the owner.

SECTION 6: EFFECTIVE DATE OF THIS RESOLUTION

This resolution shall be in full force and effect immediately upon and after its passage by the Council and approval by the Mayor of the City of Madras.

ADOPTED by the City Council of the City of Madras this _____ day of _____, 2016.

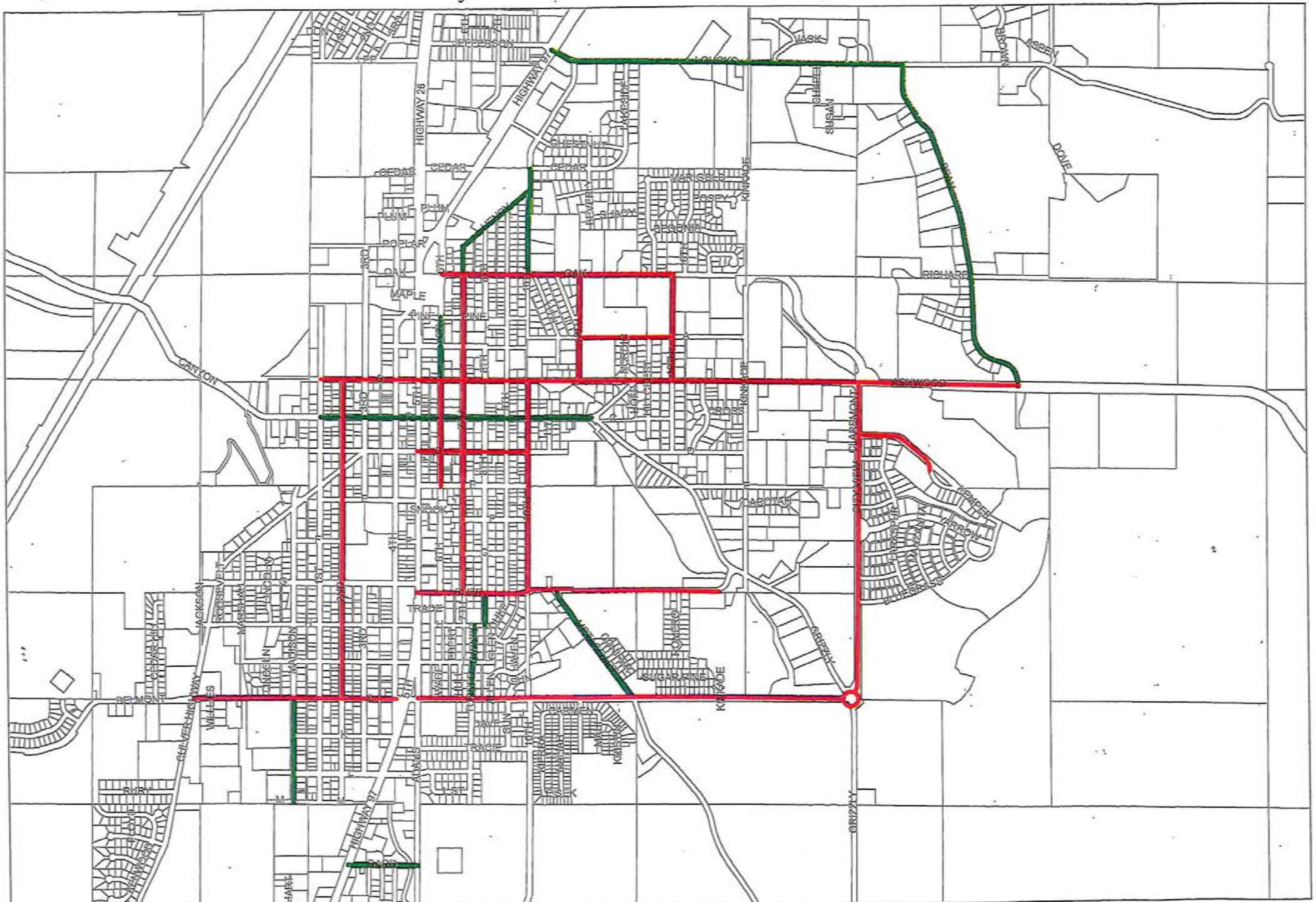
Ayes: _____
Nays: _____
Abstentions: _____
Absent: _____
Vacancies: _____

_____
Royce Embanks, Mayor

ATTEST:

_____
Karen J. Coleman, City Recorder

City of Madras Snow Removal Map FY 2015-2016



Legend

Primary Snow Removal Route

Secondary Snow Removal Route

NORTH

1 inch = 1,142 feet

N.Snead, City of Madras

THE CITY OF MADRAS

The City of Madras uses GIS data in support of internal business functions and the public services it provides. GIS data may not be suitable for other purposes or uses. The requestor shall verify information derived from GIS data before making any decisions or taking any actions based on the information. The City of Madras shall not be liable for errors in the GIS data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. The City of Madras assumes no legal responsibility for this information.

CITY OF MADRAS

Request for Council Action

Date Submitted:	December 21, 2015
Agenda Date Requested:	January 12, 2016
To:	Mayor and City Council Members
Through:	Jeff Hurd, Public Works Director
From:	Michele Quinn, Public Works Administrative Assistant
Subject:	Professional Services Contract for H.A. McCoy Engineering & Surveying, LLC to perform design and construction services for the Bard Lane Phase II Improvement Project

TYPE OF ACTION REQUESTED:

[ ] Resolution

[ ] Ordinance

[X] Formal Action/Motion

[X] Contract Review Board

[ ] None - Report Only

Formal Action/Motion that Council approves the Professional Services Contract with H. A. McCoy Engineering & Surveying, LLC. for design and construction services for the Bard Lane Improvement Project in the amount of $15,700.00.

DESCRIPTION:

The attached contract between the City of Madras and H.A. McCoy Engineering and Surveying is for the design phase of the Bard Lane Phase II Project. The Bard Lane Phase II Project includes widening of Bard Lane, Sidewalk, curb and gutter (curbing, sidewalk, landscaping) on the north side of Bard Lane from Hatfield Street to Adams Drive.

STAFF ANALYSIS:

Bard Lane is a designated as a collector street, and with the completion of the US 97: J Street Intersection Project, improvements to Bard Lane are necessary to allow it to function properly as a collector street and to handle increased freight truck traffic from Adams Drive to highway US97.

Under QBS rules, Consultants who provide Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services must be selected based on qualification not price.

Contracting Agencies may enter into a Contract directly (direct appointment procedure) with a Consultant if the estimated fee to be paid under the Contract does not exceed $100,000.

Contracting Agencies may select a Consultant for a Contract under this rule from the following sources:

- The Contracting Agency's list of Consultants that is created under OAR 137-048-0120 (List of Interested Consultants; Performance Record);
- Another Contracting Agency's list of Consultants that the Contracting Agency has created under OAR 137-048-0120 (List of Interested Consultants; Performance Record), with written consent of that Contracting Agency; or
- All Consultants offering the required Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services that the Contracting Agency reasonably can identify under the circumstances.

The consultant is a qualified consultant as part of the list of qualified consultants per OAR 137-048-0120. The consultant has provided services for the City of Madras on a multitude of projects. The North Madras Sewer Collector, Water Master Plan, M Hill Trail Project, North Madras Trail Connector to name a few. Staff has been pleased with the performance of the consultant.

Staff has determined that H.A. McCoy Engineering & Surveying, LLC is a qualified firm to perform the engineering services for the H Street Pedestrian Improvement Project and recommends approving the professional services contract.

SUMMARY:

A. Fiscal Impact:
Professional Services Contract = **$15,700.00**

B. Funding Source:
- Transportation Operations Fund, Capital Outlay,
- This project is not budgeted for the current fiscal year and will require a budget resolution.

C. Recognition of Collateral Material and Technical Report:

- Professional Services Contract H.A. McCoy Engineering & Surveying, LLC Bard Lane Phase II Project
- H.A. McCoy Engineering & Surveying, LLC Scope of Work and Fee Proposal
- Bard Lane Phase II Hatfield Street to Adams Drive Estimate

RECOMMENDATION:
Formal Action/Motion that Council approves the Professional Services Contract with H. A. McCoy Engineering & Surveying, LLC. for design and construction services for the Bard Lane Improvement Project in the amount of $15,700.00.

PROFESSIONAL SERVICES CONTRACT

THIS PROFESSIONAL SERVICES CONTRACT (the "Contract") is entered into by and between the **CITY OF MADRAS**, Oregon, an Oregon municipal corporation, hereinafter referred to as "City" and H.A. McCoy Engineering & Surveying, LLC. an Oregon Limited Liability Company, hereinafter referred to as "Consultant".

WHEREAS, City has the need for the type of professional services, knowledge, skills, and experience possessed by Consultant.

NOW, THEREFORE, in consideration of the foregoing, Consultant agrees to provide the services set forth on the Scope of Services attached as Exhibit "A" (the "Services") to City for the following project:

PROJECT TITLE: Bard Lane Phase II Hatfield Street to Adams Drive

In performing the Services, it is understood and agreed that:

1. **Compensation.** The compensation for all Services to be performed under this Contract, including all out-of-pocket costs associated with such Services, shall be in the total amount of Fifteen Thousand Seven Hundred dollars ($15,700.00). City shall have no obligation to pay Consultant any additional sum in excess of this amount, except for a change and/or modification to the Contract, which is approved and executed in writing by City and Consultant.

2. **Coordination of Work.** Consultant shall coordinate work through the City Administrator, or the City Administrator's designee, and make such reports to the Madras City Council as may be necessary. Consultant and City agree to consult in a reasonable manner to ensure effective and efficient provision of said services and minimize expense. Contractor will perform no work under this contract until a written "Notice to Proceed" has been received from City, and Contractor will perform no work other than that indicated in the City's "Notice to Proceed".

3. **Assignment of Intellectual Property Rights.**

3.1 Definition. "Creative Work" means any work that Consultant creates or has created in connection with Consultant's services under this Contract.

3.2 Work Made for Hire. The Creative Work is, was, and will be specially ordered and commissioned for use by the City, and is a work made for hire for copyright purposes to the extent it qualifies as such under applicable law.

3.3 Assignment. Consultant assigns to the City Consultant's entire interest in the Creative Work, including but not limited to all copyrights, patent rights, trade secret rights, trademark rights, and other intellectual property and proprietary rights in the Creative Work.

3.4 Moral Rights. Consultant assigns to the City any moral rights that Consultant may have in the Creative Work, and waives any right to assert any moral rights in any portion of the Creative Work.

3.5 Perfection. At the request of the City, Consultant will sign such documents and take such actions that the City deems reasonably necessary to perfect, protect, and evidence the City's rights in the Creative Work.

3.6 Electronic Files. Consultant will provide the City with copies of all Creative Work in their original and editable file formats.

4. **Personal Services.** City has selected Consultant based on its reputation and specialized expertise. Consultant shall not assign any or all of the Services to any other individual or entity without City's prior written consent.

5. **Term.** The term of this Contract shall commence on January 12, 2016 and terminate April 30, 2016, unless sooner terminated as provided herein.

6. **Independent Contractor; No Benefits.** Consultant is an independent contractor of City. Consultant will not be an employee of City. Consultant will be free from direction and control over the means and manner of performing the Services, subject only to the right of City to specify the desired results. City will not provide any benefits to Consultant, and

Consultant will be solely responsible for obtaining Consultant's own benefits, including, but not limited to, insurance, medical reimbursement, and retirement plans.

7. **Licenses.** Consultant will be solely responsible for obtaining any and all licenses, approvals, and certificates necessary or appropriate to provide the Services.

8. **No Agency Relationship.** This Contract does not create an agency relationship between City and Consultant and does not establish a joint venture or partnership between City and Consultant. Consultant does not have the authority to bind City or represent to any person that Consultant is an agent of City.

9. **Taxes.** City will not withhold any taxes from any payments made to Consultant, and Consultant will be solely responsible for paying all taxes arising out of or resulting from Consultant's performance of the Services, including, but not limited to, income, social security, workers' compensation, and employment insurance taxes.

10. **Conflicts.** The signing and delivery of this Contract by Consultant and the performance by Consultant of all of Consultant's obligations under this Contract will not:

    (a) breach any agreement to which Consultant is a party, or give any person the right to accelerate any obligation of Consultant;

    (b) violate any law, judgment, or order to which Consultant is subject; or

    (c) require the consent, authorization, or approval of any person, including, but not limited to, any governmental body.

11. **Insurance Required.** During the term of this Contract, and for a period of two years after the completion of the Services, Consultant will obtain and maintain, at Consultant's expense, in addition to any other insurance Consultant is required to obtain under this Contract, the following minimum levels of insurance:

(i) Employer Liability Insurance with limits of not less than $500,000 per occurrence and $500,000 in the aggregate;

(ii) Commercial General Liability Insurance covering bodily injury and property damage in a form and with coverage's that are satisfactory to City, including personal injury liability, products and completed operations, and contractual liability coverage for the indemnity provided under this Contract. Combined single limit per occurrence shall not be less than $1,000,000, with an annual aggregate limit of not less than $2,000,000.

(iii) Automobile Liability Insurance with limits of not less than $500,000 combined single limit or split limits of $250,000 per person, $500,000 per occurrence and $250,000 property damage; and

(iv) Professional Liability Insurance with limits of not less than $1,000,000 per occurrence and $1,000,000 aggregate coverage.

These minimum insurance limits may be provided by use of an excess or umbrella policy.

Each insurance policy required under this Contract will be in a form and content satisfactory to City, will list the City of Madras, its officers, agents, and employees as additional insureds, and will contain a severability of interest clause. Prior to Consultant's commencement of the Services, Consultant will furnish City with certificates of insurance evidencing the insurance coverage (and provisions) Consultant is required to obtain under this Contract. Certificates of Insurance shall be accompanied by a copy of the additional insured endorsement. There shall be no cancellation, material change, potential exhaustion of aggregate limits or failure to renew insurance coverages without thirty (30) days written notice from the Consultant to the City.

Consultant's insurance will be primary and any insurance carried by City will be excess and noncontributing. In the event Consultant fails to maintain insurance as required under this Contract, City will have the option, but will not have the obligation, to obtain such coverage with costs to be reimbursed by Consultant upon City's demand.

12. **Workers' Compensation Coverage.** Unless exempt, Consultant will have Worker's Compensation insurance in a form and amount sufficient to satisfy

the requirements of applicable Oregon law. Worker's Compensation coverage will contain a waiver of subrogation in favor of City.

13. **Reporting of Payments.** City will report the total amount of all payments to Consultant, including any expenses, in accordance with federal Internal Revenue Service regulations.

14. **City of Madras Public Contract Provisions.** The applicable provisions of City of Madras Ordinance No. 808, and Exhibits "B" and "C" of Resolution No. 12-2006, setting forth standard provisions for public contracts are hereby incorporated by reference as if fully set forth herein.

15. **Indemnification.** Consultant will defend and indemnify City, and each present and future councilor, employee, officer, agent, and authorized representative of City for, from, and against any and all claims, actions, proceedings, damages, liabilities, injuries, losses, and expenses of every kind, whether known or unknown, including, but not limited to, reasonable attorney's fees, resulting from or arising out of, whether directly or indirectly;

    (i) state or federal anti-trust violations,

    (ii) damage to persons or property caused directly or indirectly by Consultant (and/or Consultant's agents, employees, shareholders, or contractors),

    (iii) Consultant's failure to pay any tax arising out of or resulting from the performance of the Services; and/or

    (iv) Consultant's breach or failure to perform any Consultant representation, warranty, covenant, or obligation contained in this Contract. Consultant's indemnification obligations provided in this Section 15 will survive termination of this Contract.

16. **Compliance with Applicable Laws.** Consultant will comply with all applicable federal, state, and local laws, regulations, and ordinances. Consultant will obtain and maintain any and all licenses, permits, registrations, and other governmental authorizations required to conduct Consultant's business and perform the Services, including but not limited to the public contracting provisions set forth on the attached Exhibit "B".

17. **Termination.**

A. Termination by Mutual Agreement or City's Prior Notice. Notwithstanding anything contained in this Contract to the contrary, this Contract may be terminated at any time by the mutual written consent of City and Consultant. City may terminate this Contract without cause by giving 10 days' prior written notice of such termination to Consultant.

B. Immediate Termination for Cause. Notwithstanding anything contained in this Contract to the contrary, City may terminate this Contract immediately upon notice to Consultant upon the happening of any of the following events:

(i) Consultant engages in any form of dishonesty or conduct involving moral turpitude related to Consultant's independent contractor relationship with City or that otherwise reflects adversely on the reputation or operations of City;

(ii) Consultant fails to comply with any applicable federal, state, or local law, regulation, or ordinance;

(iii) problems occur in connection with Consultant's performance of the Services; and/or

(iv) Consultant breaches or otherwise fails to perform any obligation in this Contract.

C. Consequences of Termination. Upon termination of this Contract,

(i) City will not be obligated to reimburse or pay Consultant for any continuing contractual commitments to others or for penalties or damages arising from the cancellation of such contractual commitments, and

(ii) City will pay Consultant for that portion of the Services Consultant has performed and City has accepted prior to termination in accordance with this Contract. Termination of this Contract by City will not constitute a waiver or termination of any rights, claims, and/or causes of action

City may have against Consultant.

18. **Remedies.** If a party fails to perform any of its obligations under this Contract, the non-defaulting party may, in addition to any other remedy provided to the non-defaulting party under this Contract, pursue any and all remedies available to the non-defaulting party at law or in equity. All available remedies are cumulative and may be exercised singularly or concurrently.

19. **Arbitration.** Any dispute or claim that arises out of or that relates to this Contract, or to the interpretation or breach thereof, or to the existence, scope, or validity of this Contract or the arbitration agreement, shall be resolved by arbitration before a single arbitrator in Madras, Oregon, in accordance with the then-current rules of the Arbitration Service of Portland, Inc., and judgment upon the award rendered pursuant to such arbitration may be entered in any court having jurisdiction thereof. A party may seek from a court an order to compel arbitration, or any other interim relief or provisional remedies pending an arbitrator's resolution of any controversy or claim. Any such action or proceeding – or any action or proceeding to confirm, vacate, modify, or correct the award of the arbitrator –will be litigated in courts located in Jefferson County, Oregon. Each party consents and submits to the jurisdiction of any local, state, or federal court located in Jefferson County, Oregon.

20. **Non-Discrimination.** Consultant agrees that no person shall, on the grounds of race, color, creed, national origin, sex, marital status, or age, suffer discrimination in the performance of this Contract when employed by Consultant. Consultant agrees to comply with Title VI of the Civil Rights Act of 1964, with Section V of the Rehabilitation Act of 1973, and with all applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations. Additionally, each party shall comply with the Americans with Disabilities Act of 1990, ORS 659A.142, and all regulations and administrative rules established pursuant to those laws.

20. **Attorney Fees.** In the event litigation or arbitration is instituted to enforce or determine the parties rights or duties arising out of the terms of this Contract, the prevailing party will recover from the losing party reasonable attorney fees incurred in such proceeding to the extent permitted by the judge or arbitrator, in arbitration, at trial, on appeal, or in any bankruptcy proceedings.

21. **Amendment.** Any modification or amendments to this Contract must be in writing and must be signed by both parties.

22. **Notice.** All notices required or permitted under this Contract shall be in writing and shall be deemed sufficiently served if delivered by Registered or Certified Mail, with return receipt requested; or delivered personally; or delivered via fax or e-mail (if provided below) and followed with delivery of hard copy; and in any case addressed as follows:

If to City:

Public Works Department
125 SW "E" Street
Madras Oregon, 97741
Attention: Jeff Hurd
Phone: (541) 475-2344
Fax: (541) 475-1038
Email: jhurd@ci.madras.or.us

If to Consultant:

H. A. McCoy Engineering& Surveying, LLC
P.O. Box 533
Redmond, Oregon 97756
Attention: Hayes A. McCoy
Phone: (541) 604-6735
Fax: (541)
Email: hayes@ham-engr.com

23. **Waiver.** No provision of this Contract may be modified, waived, or discharged unless such waiver, modification, or discharge is agreed to in writing by City and Consultant. No waiver of either party at any time of the breach of, or lack of compliance with, any conditions or provisions of this Contract will be deemed a waiver of other provisions or conditions hereof.

24. **Severability.** Consultant agrees that each provision contained in this Contract will be treated as a separate and independent provision and that the

unenforceability of any one provision will in no way impair the enforceability of any other provision contained herein.

25. **Entire Agreement.** This Contract contains the entire agreement and understanding between the parties with respect to the subject matter of this Contract and contains all of the terms and conditions of the parties' agreement and supersedes any other oral or written negotiations, discussions, representations, or agreements. Consultant has not relied on any promises, statements, representations, or warranties except as set forth expressly in this Contract.

26. **Signatures.** This Contract may be signed in counterparts. A fax transmission of a signature page will be considered an original signature page, at the request of a party; the other party will confirm a fax-transmitted signature page by delivering an original signature page to the requesting party.

DATED this 12th day of January, 2016.

CITY OF MADRAS:

_____

Date Signed: _____

CONSULTANT:

_____

Date Signed: _____

EXHIBIT A

SCOPE OF WORK

Topographic Surveying **$2,500**

* H.A. McCoy Engineering & Surveying will perform a topographic survey for the transition from Adams to Bard Lane and additional topographic surveying as required for the Bureau of Reclamation (BOR) Permit. The survey will include elements such as existing topography, underground utilities, streets, existing buildings, found property corners, and other important features. The surveyed information will be compiled into the existing surface which will serve as the base model for the design.

Engineering Design **$6,000**

* H.A. McCoy Engineering & Surveying will modify their original design for Bard Lane which will include retaining walls, street widening, signage, and irrigation access transitions (as required by BOR).

BOR/NUID Access Permitting **$4,000**

* H.A. McCoy Engineering & Surveying will assist the City of Madras in widening Bard Lane across the irrigation pipeline. This widening will be permitted through the Bureau of Reclamation. We anticipate up to three meetings are necessary to determine specific BOR requirements. This scope of work also includes design ensuring access to NUID/BOR right-of-way meets federal requirements.

Bidding/Construction Administration (hourly) **$2,000**

* H.A. McCoy Engineering & Surveying will assist the City of Madras during the project bidding and construction administration of the project. Preparation of quantity/cost estimates, addendums, responding to RFI's and attendance at the pre-construction meeting are included.

Legal Descriptions/Exhibit Maps **$1,200**

* H.A. McCoy Engineering & Surveying, will prepare legal descriptions and exhibit maps as needed for right-of-way acquisition, temporary construction easements, slope easements, etc.

EXHIBIT B

PUBLIC CONTRACTING PROVISIONS

Consultant will comply and perform the Services in accordance with the Regulations (as defined below). Without otherwise limiting the generality of the immediately preceding sentence, Consultant will comply with each and every obligation applicable to Consultant and/or the Contract under ORS 279B.220, 279B.225, 279B.230, and 279B.235, which statutes are incorporated herein by reference. For purposes of this Section 3, the term "Regulation(s)" means any and all applicable federal, state, and local laws, regulations, restrictions, orders, codes, rules, and ordinances related to or concerning, whether directly or indirectly, Consultant, the Contract, and/or the Services, including, without limitation, any and all applicable City ordinances, resolutions, policies, regulations, orders, restrictions, and guidelines, all as now in force and/or which may hereafter be amended, modified, enacted, or promulgated.

H.A. McCOY
ENGINEERING & SURVEYING, LLC
PO Box 533 Redmond, OR 97756 ▪ 541-604-6735 ▪ hayes@ham-engr.com

April 29, 2015

Jeff Hurd
Public Works Director
City of Madras
125 SW E Street
Madras, OR 97741

RE: Proposal for Bard Lane Phase II

Thank you for the opportunity to present this proposal for street widening improvements for Bard Lane in Madras, Oregon. Our Scope of Services include:

Topographic Surveying **$2,500**

* H.A. McCoy Engineering & Surveying will perform a topographic survey for the transition from Adams to Bard Lane and additional topographic surveying as required for the Bureau of Reclamation (BOR) Permit. The survey will include elements such as existing topography, underground utilities, streets, existing buildings, found property corners, and other important features. The surveyed information will be compiled into the existing surface which will serve as the base model for the design.

Engineering Design **$6,000**

* H.A. McCoy Engineering & Surveying will modify their original design for Bard Lane which will include retaining walls, street widening, signage, and irrigation access transitions (as required by BOR).

BOR/NUID Access Permitting **$4,000**

* H.A. McCoy Engineering & Surveying will assist the City of Madras in widening Bard Lane across the irrigation pipeline. This widening will be permitted through the Bureau of Reclamation. We anticipate up to three meetings are necessary to determine specific BOR requirements. This scope of work also includes design ensuring access to NUID/BOR right-of-way meets federal requirements.

Bidding/Construction Administration (hourly) **$2,000**

* H.A. McCoy Engineering & Surveying will assist the City of Madras during the project bidding and construction administration of the project. Preparation of quantity/cost estimates, addendums, responding to RFI's and attendance at the pre-construction meeting are included.

Legal Descriptions/Exhibit Maps **$1,200**

* H.A. McCoy Engineering & Surveying, will prepare legal descriptions and exhibit maps as needed for right-of-way acquisition, temporary construction easements, slope easements, etc.

Feel free to contact me if you have any questions.

Sincerely,

H.A. McCoy Engineering & Surveying, LLC

Hayes A. McCoy - PE, PLS, Principal

Bard Lane Phase II - Hatfield to Adams Drive
Estimate Prepared May 7, 2015
City of Madras

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	COST
Mobilization	1	L.S.	$ 25,000.00	$ 25,000.00
Temporary Protection & Direction of Traffic	1	L.S.	$ 10,000.00	$ 10,000.00
Surveying & Staking	1	L.S.	$ 7,000.00	$ 7,000.00
Compaction and Testing	1	L.S.	$ 5,000.00	$ 5,000.00
Clearing and Grubbing (includes Disposal)	1	L.S.	$ 10,000.00	$ 10,000.00
Grading (Fill)	1200	C.Y.	$ 25.00	$ 30,000.00
Block Retaining Wall	700	S.F.	$ 35.00	$ 24,500.00
Sawcut	750	L.F.	$ 2.00	$ 1,500.00
8" Aggregate Base (Bard Lane)	1045	S.Y.	$ 10.50	$ 10,972.50
4" HMAC (Bard Lane - Widening)	900	S.Y.	$ 20.00	$ 18,000.00
1"-3" Leveling Course (Bard Lane - Center Lane)	261	S.Y.	$ 13.00	$ 3,393.00
Curb and Gutter	458	L.F.	$ 19.50	$ 8,931.00
4" Depth Sidewalk (Includes Aggregate Base)	1000	S.F.	$ 6.50	$ 6,500.00
Sidewalk Ramp	1	EA.	$ 2,000.00	$ 2,000.00
Driveway Approaches	2	EA.	$ 2,000.00	$ 4,000.00
Grading and Construction for NUID Approaches	2	EA.	$ 10,000.00	$ 20,000.00
Gate	2	EA.	$ 3,000.00	$ 6,000.00
Adjust Utilities	1	L.S.	$ 3,000.00	$ 3,000.00
Street Light Trenching (w/ Cond. & Pull Wire)	150	L.F.	$ 20.00	$ 3,000.00
Street Light & Bases	1	EA.	$ 1,500.00	$ 1,500.00
Fire Hydrant Assembly	1	EA.	$ 3,500.00	$ 3,500.00
Striping	1	L.S.	$ 2,500.00	$ 2,500.00
Relocation of Signs	1	L.S.	$ 2,000.00	$ 2,000.00

SUBTOTAL	**$ 208,296.50**
DESIGN ENGINEERING	**$ 6,000.00**
CONSTRUCTION ENGINEERING ASSISTANCE	**$ 2,000.00**
NUID PERMITTING AND ROW AQUISTION	**$ 19,500.00**
CONTINGENCY	**$ 28,295.58**
TOTAL	**$ 264,092.08**

CITY OF MADRAS

Request for Council Action

Date Submitted:	January 5, 2016
Agenda Date Requested:	January 12, 2016
To:	Mayor and City Council Members
Through:	Jeff Hurd, Public Works Director
From:	Michele Quinn, Public Works Assistant
Subject:	Intergovernmental Agreement between Jefferson County and the City of Madras for the Transfer of Certain Roads within the City Limits

TYPE OF ACTION REQUESTED:

[ ] Resolution [ ] Ordinance

[X] Formal Action/Motion [ ] Contract Review Board

[ ] None - Report Only

Formal action / motion that Council authorizes the Mayor to sign, on behalf of the City, the Intergovernmental Agreement between the City of Madras and Jefferson County to transfer certain roads from Jefferson County to the City of Madras.

DESCRIPTION:

The attached Intergovernmental Agreement transfers the following roads to the City of Madras.

- NE Royal avenue
- NE Shady Lane
- The portion of NE Beverly Drive commencing at the intersection with NE Chestnut Street to its terminus.
- The portion of NE Cedar Street commencing at the intersection with NE 10th Street continuing east and northeast a distance of 1,338 linear feet.

- The portion of NE Chestnut Street commencing at the intersection with NE Beverly Drive east to its intersection with NE Cedar Street

STAFF ANALYSIS:
Staff are agreeable to except the road transfer from the county as long as the County agreed to either bring the roads up to a 70 PCI or transfer funding to the City so the City may bring the roads up to a 70 PCI.

The main points of the IGA are as follows:

- Upon transference of said roads the City of Madras will receive the sum of $120,500.00 within ten days of the City's acceptance of the transfer of jurisdiction of the roads.

- Upon transfer of jurisdiction, City shall use the funds to improve the roads to a condition consistent with City's specifications and standards. The City will be responsible for maintenance of such roads and all costs associated with road improvements.

- By accepting the funds, the City can control timing of improvement including coordination of extending sewer to failing septic systems in this neighborhood.

SUMMARY:

A. **Fiscal Impact:**
- Revenue from County to City - $120,500.00

B. **Funding Source:**
- Receipt the Revenue into Improvement Fee Fund to be transferred over to Transportation Operations Fund at time of project.

C. **Recognition of Collateral Material and Technical Report:**
- See attached Intergovernmental Agreement

RECOMMENDATION:
Formal action / motion that Council authorizes the Mayor to sign, on behalf of the City, the Intergovernmental Agreement between the City of Madras and Jefferson County to transfer certain roads from Jefferson County to the City of Madras.

INTERGOVERNMENTAL AGREEMENT
FOR THE TRANSFER OF CERTAIN ROADS WITHIN CITY LIMITS

This Intergovernmental Agreement for the Transfer of Certain Roads within City Limits (this "Agreement") and is made by and between the CITY OF MADRAS, a municipal corporation ("City"), and JEFFERSON COUNTY, a political subdivision of the State of Oregon ("County"). City and County are collectively referred to herein as the "Parties."

RECITALS:

WHEREAS, ORS 190.010 authorizes City and County to enter into an agreement for the performance of any and all functions and activities that the other party has the authority to perform on its own; and

WHEREAS, County maintains jurisdiction of those certain roads or portions thereof located within City's city limits identified in the attached Exhibit A (the "Road(s)") and shown on the map attached as Exhibit B; and

WHEREAS, County finds it necessary, expedient, and in the best interests of County to surrender jurisdiction over the Roads; and

WHEREAS, City finds it necessary, expedient, and in the best interests of City to acquire jurisdiction over the Roads to the same extent as it has over other public streets and alleys of City; and

WHEREAS, City and County desire to enter into this Agreement to transfer jurisdiction of the Roads pursuant to the procedures under ORS 373.270.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. Term and Termination.

1.1 Term of Agreement. Subject to the terms and conditions contained in this Agreement, this Agreement will commence on the date of the Parties' mutual execution of this Agreement (the "Effective Date") and will remain in full force and effect until each party's obligations herein have been fully performed or until terminated as provided in this Agreement.

1.2 Termination of Agreement. This Agreement may be terminated at any time by the mutual written agreement of City and County. Neither party will incur any new obligations after the effective date of the termination; provided, however, termination of this Agreement does not relieve either party from obligations incurred prior to the effective date of termination.

2. City's Obligations. City will accept a transfer of jurisdiction of the Roads through appropriate municipal legislation in accordance with ORS 373.270. Transfer of the Roads will be subject to any existing utilities located therein. Upon transfer of jurisdiction, subject to the terms and conditions of this Agreement, City will be responsible for maintenance of the Roads and all costs associated with Road improvements. City's acceptance of jurisdiction of the Roads is conditioned upon City's receipt of the Funds (as defined below) within ten (10) days of acceptance. If City does not receive the Funds within ten (10) days of acceptance of jurisdiction through its appropriate municipal legislation, acceptance will be deemed to not have occurred. City's failure to accept transfer of jurisdiction will void County's obligations under this Agreement and this Agreement will be considered to have mutually terminated.

3. County's Obligations. County will initiate a transfer of jurisdiction of the Roads in accordance with ORS 373.270. County will transfer to City the sum of $120,500.00 (the "Funds") within ten (10) days of City's acceptance of jurisdiction of the Roads through its appropriate municipal legislation as described in Section 2. City will use the Funds to improve, maintain, and/or repair the Roads to a condition consistent with City's specifications and standards, as they now exist or are hereafter adopted or promulgated, and for any related and incidental purpose thereto. County's failure to transfer the Funds within ten (10) days of City's acceptance of jurisdiction will void City's obligations under this Agreement including, without limitation, City's acceptance of a transfer of jurisdiction, and this Agreement will be considered to have mutually terminated.

4. Indemnification.

4.1 City Indemnification. To the fullest extent permitted under applicable law, City will defend, indemnify, and hold County and each present and future County employee, officer, agent, and representative harmless for, from, and against any and all claims, actions, proceedings, damages, liabilities, injuries, losses, and expenses of every kind, whether known or unknown, including, without limitation, attorney fees, resulting from or arising out of, whether directly or indirectly, City's breach and/or failure to perform any City obligation contained in this Agreement.

4.2 County Indemnification. To the fullest extent permitted under applicable law, County will defend, indemnify, and hold City and each present and future City employee, officer, agent, and representative harmless for, from, and against any and all claims, actions, proceedings, damages, liabilities, injuries, losses, and expenses of every kind, whether known or unknown, including, without limitation, attorney fees, resulting from or arising out of, whether directly or indirectly, County's breach and/or failure to perform any County obligation contained in this Agreement.

5. Miscellaneous.

5.1 No Agency or Partnership Created. It is agreed by and between the Parties that each of them is carrying out functions on its own behalf, and that neither has the right of direction or control of the manner in which the other party delivers services or materials under this Agreement and that neither party exercises control over the activities of the other when

providing services or materials hereunder. City and County are not, by virtue of this Agreement, partners or joint venturers in connection with activities carried out under this Agreement, and will have no obligation with respect to each other's debts or any other liabilities of each and every nature.

5.2 Limitations. This Agreement is expressly subject to the debt limitation of Oregon counties set forth in Article XI, Section 10 of the Oregon Constitution, and is contingent upon funds being appropriated therefore.

5.3 Compliance. City and County will comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to this Agreement. Without limiting the generality of the foregoing, the Parties expressly agree to comply with the following: (i) Title VI of Civil Rights Act of 1964; (ii) Title V and Section 504 of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.

5.4 Delegation; Reports. Neither party may assign and/or delegate its obligations and/or rights under this Agreement to any other person. The Parties will provide the other with access to all records pertaining to the services provided under this Agreement by each respective party.

5.5 Severability; Entire Agreement. Each provision contained in this Agreement will be treated as a separate and independent provision. The unenforceability of any one provision will in no way impair the enforceability of any other provision contained herein. Any reading of a provision causing unenforceability will yield to a construction permitting enforcement to the maximum extent permitted by applicable law. This Agreement contains the entire agreement and understanding between the Parties with respect to the subject matter of this Agreement and contains all of the terms and conditions of the Parties' agreement and supersedes any other oral or written negotiations, discussions, representations, and/or agreements.

5.6 Binding Effect; Modification. This Agreement will be binding on the Parties and their respective heirs, executors, administrators, successors, and permitted assigns and will inure to their benefit. This Agreement may be amended only by a written agreement signed by each party. The Parties will execute all documents or instruments and will perform all lawful acts necessary or appropriate to secure their rights hereunder and to carry out the intent of this Agreement. All exhibits and other documents referenced in this Agreement are part of this Agreement.

5.7 Applicable Law; Attorney Fees. This Agreement will be construed, applied, and enforced in accordance with the laws of the State of Oregon. Any action or proceeding arising out of this Agreement will be litigated in courts located in Jefferson County, Oregon. Each party consents and submits to the jurisdiction of any local, state, or federal court located in Jefferson County, Oregon. With respect to any dispute relating to this Agreement, or if a suit, action, arbitration, or other proceeding of any nature whatsoever is instituted to interpret or enforce the provisions of this Agreement, including, without limitation, any action, suit, arbitration, or

proceeding seeking a declaration of rights or rescission, each party will be responsible for its attorney fees, paralegal fees, expert fees, and all other fees, costs, and expenses incurred in connection therewith.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on the date(s) written below, but made effective for all purposes as of the Effective Date.

CITY:

_____

By: _____

Its: _____

Date: _____

COUNTY:

_____

Wayne Fording, Commission Chair

_____

Mike Ahern, Commissioner

_____

Mae Huston, Commissioner

Date: _____

Exhibit A
"Roads"

The Roads consist of the following:

1. The portion of NE Beverly Drive commencing at the intersection with NE Chestnut Street to its terminus.

2. The portion of NE Cedar Street commencing at the intersection with NE 10th Street continuing east and northeast a distance of 1,338 linear feet.

3. NE Royal Avenue.

4. NE Shady Lane.

5. The portion of NE Chestnut Street commencing at the intersection with NE Beverly Drive east to its intersection with NE Cedar Street.

Exhibit B

"Map"

CITY OF MADRAS

Request for Council Action

Date Submitted:	January 5, 2016
Agenda Date Requested:	January 12, 2016
To:	Mayor and City Council Members
Through:	Gus Burril, City Administrator
From:	Sara Puddy, HR and Administrative Coordinator
Subject:	City Council Training "Lunch and Learn" Opportunities

TYPE OF ACTION REQUESTED:

[ ] Resolution [ ] Ordinance

[ ] Formal Action/Motion [ ] Contract Review Board

[X] None - Report Only; Discussion item only

DISCUSSION AND STAFF ANALYSIS:

With the handful of newly appointed elected, staff are willing to offer training and "refresher" opportunities to elected officials for a variety of topics, including any areas the council are interested in focusing on.

Training session format is proposed as a "lunch and learn" session that takes place during the lunch hour but takes no more than 1.5 hours in length. Topics proposed (and consulted with CIS as best practice for elected officials) are the following:

1. System Development Charges (SDCs)
2. Oregon Ethics for an Elected Official
3. Others of interest to the council?

Staff is proposing to schedule these during the months of February and March once all training topics have been identified.

Staff recommends that the council extend the training opportunity to include the elected officials from the Madras Redevelopment Commission (MRC) and the Planning Commission.

If council is open to these sorts of training opportunities, please feel free to work directly with Sara to provide feedback on topics and dates that work best to schedule these sessions. Staff will work to finalize the training schedule over the course of the next couple of weeks via email and can utilize "doodle polls" to check elected official and staff availability.

CITY OF MADRAS

Request for Council Action

Date Submitted:	January 6, 2016
Agenda Date Requested:	January 12, 2016
To:	Mayor and City Council Members
Through:	Gus Burril, City Administrator
From:	Sara Puddy, HR and Administrative Coordinator
Subject:	City of Madras to host Coffee Cuppers January 22, 2016

TYPE OF ACTION REQUESTED:

[ ] Resolution [ ] Ordinance

[X] Formal Action/Motion [ ] Contract Review Board

[ ] None - Report Only; Discussion item only

DISCUSSION AND STAFF ANALYSIS:

The Madras-Jefferson County Chamber of Commerce approached City staff and asked if the Madras Police Station/City Hall would be interested in hosting Coffee Cuppers (a Chamber event held Fridays at 8 a.m. at Chamber member businesses) on Friday, January 22nd.

The City has historically participated in hosting this event; the last time was when the new Police Station/City Hall facility opened in early 2013.

Staff would be happy to prepare and host this event on behalf of the agency, but requests council's authorization to allocate funds from the City's Tourism/Economic Development Fund to support the event in the estimated amount not to exceed $500.00.

Hosting Coffee Cuppers typically consists of providing a light breakfast and refreshments for approximately 50 to 60 people (i.e. muffins, fresh fruit, coffee, juice, etc.) and no more than three door prizes valuing $25.00 each.

SUMMARY:

A. **Fiscal Impact:**
- Estimated amount not to exceed $500.00
  - Light breakfast and refreshment items
  - Three door prizes valued at $25.00 each

B. **Funding Source:**
- Tourism/Economic Development Fund, Community Projects – Unprogrammed, 207-207-520-1218 (not to exceed) $500.00

CITY OF MADRAS
Request for Council Action

Date Submitted: January 6, 2016

Agenda Date Requested: January 12, 2016

To: Mayor and City Council

Through: City Administrator, Gus Burril

From: City Recorder, Karen J. Coleman

Subject: **BOARDS, COMMISSIONS, COMMITTEES - DISCUSSION**

TYPE OF ACTION REQUESTED: (Check One)

[ ]	**Resolution**	[ ]	**Ordinance**
[ ]	**Formal Action/Motion**	[ ]	**Other**
[X]	**No Action - Report Only**	[ ]	**Consent Agenda**

DESCRIPTION AND STAFF ANALYSIS:

It's time once again for the Council to review and think about their participation on the various boards, commissions, and committees. Council members will then need to let Mayor Embanks know if they would like to make any changes this year.

Please note that some of the Board appointments consisted of a two year commitment, while others have specific terms that are established by adopted bylaws.

Mayor Embanks would like to present the proposed appointments during the January 26, 2016 City Council meeting and is asking that you please submit your preferences to him prior to that date.

SUMMARY:

A. Fiscal Impact

Not Applicable

B. Supporting Documentation

A copy of the "Overview of Boards, Commissions, and Committees" has been attached for reference. This overview contains information that may be useful to those wishing to try a different board, commission, or committee.

If while reviewing the attachment you see the need for revisions or corrections, please make the necessary changes and return the attachment to the City Recorder who can then make the changes and/or corrections and provide you with a new up-to-date list.

STAFF'S RECOMMENDATION IS:

This is an issue for discussion at this time.

OVERVIEW OF
BOARDS, COMMISSIONS AND COMMITTEES

AIRPORT - INDUSTRIAL SITE COMMITTEE

Terms are Staggered

Who Serves: Royce Embanks, Mayor
Tom Brown, City Councilor

Date, Time, Location: Third Thursday of Each Month; 4:00 p.m. to 5:00 p.m.
General Aviation Building, Madras Municipal Airport

Purpose Summary:

The Airport-Industrial Site Committee is an advisory committee comprised of area pilots, individuals employed within the Madras Industrial Park, the Madras FBO/Airport Manager, the Jefferson County EDCO Representative, City Council members, and City staff. The purpose of this committee is to communicate, review and consider current and future improvements, activities, and commerce that affect the Madras Airport and Industrial Site, and submit recommendations to the Madras City Council on issues requiring Council approval.

BASIN STUDY WORK GROUP STEERING COMMITTEE

January 1, 2015 Until They are no Longer Needed or They Resign

Who Serves: Richard Ladeby, City Councilor (primary)
Gus Burril, City Administrator (alternate)

Date, Time, Location: Second Tuesday of Each Month from 1:00 p.m. to 4:00 p.m.
DeArmond Room of the Deschutes County Services Building
1300 N.W. Wall Street, Bend, Oregon

Purpose Summary:

The Basin Study Work Group Steering Committee's purpose is to manage a Basin Study with the Bureau of Reclamation that builds upon past work to update groundwater and surface water models, develop a basin-specific climate analysis, update supply and demand projections, and identify specific actions that can be taken to resolve water issues in the basin. The study results will be used to build a long-term basin water management plan to guide sustainable water management actions in the future. The study brings together a diverse set of stakeholders to seek specific solutions for resolving water supply and demand imbalances for agriculture, municipal, and instream uses in the Upper Deschutes River Basin.

OVERVIEW OF
BOARDS, COMMISSIONS AND COMMITTEES

(COACT)
CENTRAL OREGON AREA COMMISSION ON TRANSPORTATION
January 1, 2015 Through December 31, 2016

Who Serves: Gus Burril, City Administrator (primary)
Jeff Hurd, Public Works Director (alternate)

Date, Time, Location: Second Thursday of alternating months; 3:00 to 5:00 p.m.
City of Redmond Public Works Department

Purpose Summary:

COACT serves as a forum for the discussion, understanding, and coordination of transportation issues affecting the Central Oregon region. COACT membership includes representatives from each Central Oregon City and County government, ODOT, the Confederated Tribes of Warm Springs, the private sector and various regional organizations.

COACT reviews the process for determining transportation infrastructure needs, capital investments, and project priorities in the Central Oregon Region. Other COACT functions include advocating for Central Oregon transportation issues to neighboring regions, area legislators and other interested organizations, and advising the Oregon Transportation Commission on state and regional policies affecting Central Oregon's transportation system.

(COCO)
CENTRAL OREGON CITIES ORGANIZATION
January 1, 2015 Through December 31, 2015

Who Serves: Royce Embanks, Mayor (primary)
Gus Burril, City Administrator (staff member / alternate)

Date, Time, Location: Third Monday of each month; 11:30 a.m.
Redmond City Hall, Conference Room A

Purpose Summary:

Organization includes the cities of Bend, Culver, Madras, Redmond, La Pine, Maupin, Metolius, Prineville, and Sisters. Their purpose is to effectively and efficiently promote the common interests of the cities in Central Oregon, which include interests related to water, transportation, economic development, school funding, and tax reform.

OVERVIEW OF
BOARDS, COMMISSIONS AND COMMITTEES

(COIC)
CENTRAL OREGON INTERGOVERNMENTAL COUNCIL
January 1, 2015 Through December 31, 2016

Who Serves: Bill Montgomery, City Councilor (primary)
Richard Ladeby, City Councilor (alternate)

Date, Time, Location: First Thursday of each month; 5:30 p.m.
City of Redmond Public Works Department Conference Room

Purpose Summary:

COIC is a public organization that provides employment and training services, operates the Cascades East Transit system, and provides regional community and economic development services. COIC provides a means for city and county jurisdiction members to come together, to jointly identify issues and needs which are regional in scope, to achieve agreement for cooperative actions, and to implement projects and services at a regional scale. The COIC Board is composed of elected officials from each of the three Central Oregon counties and eight cities, along with a representative from the Confederated Tribes of Warm Springs and appointed business representatives.

CENTRAL OREGON TRANSPORTATION ADVISORY COMMITTEE
January 1, 2015 Through December 31, 2015

Who Serves: Tom Brown, City Councilor

Date, Time, Location: As-needed, Notified Prior to Meeting

Purpose Summary:

The Committee's current focus is on "TRIP 97". The committee serves to address regional transportation needs, and is comprised of State, County, and City jurisdictional staff. This Committee is currently working on developing funding options to try to address these needs.

OVERVIEW OF
BOARDS, COMMISSIONS AND COMMITTEES

DANGEROUS CANINE COMMISSION

Terms do not Expire, Members Serve Until They Resign

Who Serves: Royce Embanks, Mayor
Rob Berg, FBO/Airport Manager
Dr. Jerud Rhen, Veterinarian

Date, Time, Location: As-needed
Madras City Hall Council Chambers

Purpose Summary:

The purpose of this commission is to hear evidence (via a formal public hearing) and consider and decide on the classification of a dog, based on the provisions outlined in the City's Dog Control Ordinance and how dangerous the dog is to the community, as well as to determine the steps that must be taken by the owner based on that classification and their desire to keep the dog.

DESCHUTES WATER ALLIANCE REPRESENTATIVE

January 1, 2015 Through December 31, 2015

Who Serves: Royce Embanks, Mayor (primary)
Gus Burril, City Administrator (alternate)

Date, Time, Location: As-needed, the Date, Time, Location Varies

Purpose Summary:

The Deschutes Water Alliance is a regional forum that has the potential to establish ongoing regional water management planning and coordination to address key water issues in the Deschutes Basin. Its purpose is to increase understanding of water issues in the region and meet regional water management needs by developing an integrated regional water management plan.

OVERVIEW OF
BOARDS, COMMISSIONS AND COMMITTEES

(EDCO)
ECONOMIC DEVELOPMENT FOR CENTRAL OREGON
REGIONAL ADVISORY BOARD
January 1, 2015 Through December 31, 2015

Who Serves: Melanie Widmer

Date, Time, Location: Third Wednesday of each month; noon to 1:30 p.m.
General Aviation Building (or as assigned)

Purpose Summary:

(EDCO) is a private non-profit dedicated to attracting new investment and traded-sector jobs (i.e. manufacturing, professional, headquarters and high-technology businesses) through marketing, recruitment and substantive assistance to existing companies. EDCO operates four offices in the Central Oregon region and is led by a 40+ member Board of Directors comprised of leaders in business, banking, government, and utilities representing the entire tri-county region and its eight cities. Each respective office works to attract and incentivize local development.

JEFFERSON COUNTY EDCO ADVISORY BOARD
LOCAL ADVISORY BOARD
January 1, 2015 Through December 31, 2015

Who Serves: Bill Montgomery, City Councilor

Date, Time, Location: Third Tuesday of each month; noon to 1:30 p.m.
Chamber of Commerce Conference Room

Purpose Summary:

The purpose of this advisory board is to provide advice, guidance, support, and advocacy for the Jefferson County office of Economic Development. The Board's role is advisory to the Manager, Janet Brown, in regards to setting goals and policies; more specifically the Advisory Board will assist the Jefferson County Program in establishing objectives, identifying opportunities, developing strategies and supporting their achievement, assessing the job market and helping the manager stay in tune with trends in industry and the economy. This Board also serves as a liaison with business, industry, and government agencies, and assists the Jefferson County EDCO Manager in acquiring resources necessary to advance the mission by taking an active role in private fund-raising efforts.

OVERVIEW OF
BOARDS, COMMISSIONS AND COMMITTEES

MADRAS - JEFFERSON COUNTY CHAMBER OF COMMERCE BOARD OF DIRECTORS

January 1, 2015 Through December 31, 2015

Who Serves: Royce Embanks, Mayor

Date, Time, Location: Third Tuesday of each month; noon to 1:30 p.m.
Chamber of Commerce Conference Room

Purpose Summary:

The Chamber of Commerce is involved in the economic status of Jefferson County and incorporated jurisdictions through promotions for the area. They "sell" the Madras and Jefferson County communities, and the positive things about area recreational places and tourism. The Chamber serves as the Information Center of and for the Community. The Chamber Board of Director is comprised of 13 people, with seven members elected from the membership & six appointed members from entities in the County, such as Madras, Jefferson County, Warm Springs, Crooked River Ranch, Culver, and Metolius.

MADRAS REDEVELOPMENT COMMISSION

Terms are Staggered

Who Serves: Royce Embanks, Mayor
Tom Brown, City Councilor
Chuck Schmidt, City Councilor

Date, Time, Location: First Wednesday of each month; 5:30 to 7:00 p.m.
Madras City Hall Council Chambers

Purpose Summary:

This commission operates as part of a community economic development effort by the City, and consists of a nine member board made up of three city council members and six at-large members. The commission meets to discuss proposed sales or purchases of land in an effort to remove blight in the downtown area, approves vouchers, reviews requests for façade improvements, reviews the MRC budget, etc.

OVERVIEW OF
BOARDS, COMMISSIONS AND COMMITTEES

OREGON STATE UNIVERSITY–COCC, OPEN CAMPUS PROGRAM (HIGHER EDUCATION IN JEFFERSON COUNTY)

January 1, 2015 Through December 31, 2015

Who Serves: Tom Brown, City Councilor

Date, Time, Location: First Monday of each month at 12:00 p.m.
Central Oregon Community College in Madras

Purpose Summary:

The purpose of this meeting is to provide an opportunity for COCC and the Oregon State University Open Campus Program to discuss and/or report each of their various programs. They seek general community support to encourage education on all levels within the Madras community.

PUBLIC WORKS AND PARKS COMMITTEE

Committee Members Serve Until They Find it Necessary to Resign

Who Serves: Bill Montgomery, City Councilor
Chuck Schmidt, City Councilor

Date, Time, Location: First Wednesday of each month; 8 to 9:00 a.m.
Madras City Hall Council Work Room

Purpose Summary:

This is an advisory committee that is comprised of Madras community residents, appointed city councilor members, and City staff. The purpose of this committee is to communicate, review and consider current and future improvements, issues, funding sources, etc. that relate to Public Works and public infrastructure.

The committee is responsible for assisting in updating the City's Transportation Master Plan, Water System Master Plan, Wastewater System Master Plan, Design Standards and Construction Specifications document, Parks System Master Plan, reviewing street signage and safety issues, reviewing ordinances related to water, wastewater, parks, and streets and submits recommendations to the Madras City Council on issues requiring City Council approval.

OVERVIEW OF
BOARDS, COMMISSIONS AND COMMITTEES

REDMOND AIRPORT ADVISORY COMMISSION

January 1, 2015 Through December 31, 2015

Who Serves: Rob Berg, FBO/Airport Manager

Date, Time, Location: Second Thursday of each month; 5:30 p.m.
Robertson Field Airport Conference Room

Purpose Summary:

The purpose of the Commission is to advise the Redmond City Council regarding issues which concern the development of the Redmond Municipal Airport to meet the growing commercial and general aviation demand of the Central Oregon region.

The Commission is composed of 9 members. Five members appointed by the Mayor of Redmond and approved by the City Council; one member appointed by the City of Bend Commission; one member appointed by Deschutes County Commission; one member appointed by Jefferson County Commission; one member appointed by Crook County Commission.

TRANSPORTATION STUDY ADVISORY COMMITTEE
Serve Until Study has Concluded

Who Serves: Richard Ladeby, City Councilor
Chuck Schmidt, City Councilor

Date, Time, Location: First Monday of each month; 5:30 p.m.
Madras City Hall Council Chambers

Purpose Summary:

The City has contracted with a consulting firm, FCS Group, Inc., to develop a Transportation Utility Formation Study. In order to do this, a Citizen Task Force, consisting of concerned citizens and concerned business owners, has been established to research and analyze potential funding revenues for the transportation infrastructure network within the City of Madras. FCS Group and staff facilitate the meetings and provide information at the request of the Task Force to aid them in preparing recommendation(s) to be presented to the Madras City Council for approval, after the study has been completed.

OVERVIEW OF
BOARDS, COMMISSIONS AND COMMITTEES

URBAN FORESTRY COMMISSION

Terms are Staggered

Who Serves: Tom Brown, City Councilor

Date, Time, Location: First Tuesday of each month; 6:00 p.m. to 7:00 p.m.
Public Works Department Facility
216 N.W. "B" Street

Purpose Summary:

This advisory committee is comprised of Madras community residents, appointed city councilor(s), and City staff. The purpose of this committee is to communicate, review, and consider tree placement, selection, and removal of damaged or diseased trees located on City property and submit recommendations to the Madras City Council on issues requiring City Council approval.

This committee works toward achieving and maintaining the City's Tree City USA designation and schedules, participates in, and manages the Arbor Day celebration each year which encourages the planting of shade trees throughout the City of Madras, and teaches our children about the benefits of cultivation and management of trees and plants, the beauty they bring to a community, and their environmental benefits by reducing erosion of our topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife.

ADDITIONAL PACKET INFORMATION

City of Madras
Urban Forestry Commission
216 NW "B" Street

October 6, 2015
6 P.M.

MINUTES

I. CALL TO ORDER

The Urban Forestry meeting was called to order by Vice Chair Brad Jorgensen at 6:00 p.m. on October 6, 2015 at the Public Works Building located at 216 NW B Street.

MEMBERS PRESENT

Rebekah Burchell
Brad Jorgensen
Bill Donaghu
John Arena

STAFF MEMBERS PRESENT

Parks Supervisor; Jon Burchell, Public Works Administrative Assistant; Michele Quinn

VISITORS PRESENT

II. CONSENT AGENDA

A. Approval of Agenda
B. Minutes for the August 4, 2015

APPROVAL OF AGENDA AND MINUTES

A motion was made by Becky Burchell; seconded by Bill Donaghu; to approve the August 4, 2015 Meeting minutes, and agenda as presented, motion passed unanimously.

III. VISITOR COMMENTS

IV. NEW BUSINESS.

The Urban Forestry Commission discussed items out of order of the agenda the minutes will reflect the order of the agenda

216 N.W. "B" Street, Madras, OR 97741 Telephone (541)475-2622 – Fax (541)475-1038

The City of Madras is an Equal Opportunity Provider

A. Update Urban Forestry Management Plan
Jon Burchell told the Commission that it has been since 2009 when we last updated the Urban Forestry Management Plan. "I would like to us to think about updating the plan again. For example we have more stuff we want to include in the Urban Forestry Management Plan when it comes to tree planting. We are starting to include things like root barriers when we dig up sidewalk panels or when we replace trees. We have items in there that deals with tree types that have changed since the last update. We have had a lot of people asking what type of trees they can use. I just think it is a good idea to update the Urban Forestry Management Plan, they say you should update every 7-10 years."

Brad Jorgenson asked would we go through it during a meeting.

Jon Burchell said it would be going through the plan again and fine tuning it and looking at adding more trees to the tree selection. Like for instance change how we have a bubbler system to the trees. Right now it is all schedule 80 gray pipe, now they have the flex pipe you can use. "A lot of contractors are coming to me and asking, 'can I use this flex pipe?' I don't have a problem with it as long as we use hose clamps at the end so they don't pop off the barbs. So little things like that are not included in the Urban Forestry Management Plan, what do you guys think?"

The Commission agreed that it would be a good idea to update the plan could we add it to the next agenda.

B. Outpost Sidewalk/Tree Removal
Jon Burchell told the Commission that the Outpost has four trees along the south highway. "The contractor popped the panel up and called me to come take a look at the trees and shave the roots so they can pour the concrete back. I went and looked and it is a little more involved than that. The first two trees have a lot of root structure to them so we took the aqua tech down there and washed all the roots down six inches from top of grade." We wanted to see how much root is exposed. Jeff Hurd, Public Works Director, also wants to put in root barrier next to the building. Whether we replant or save the tree Jeff wants root barrier going in. The City can say we are trying everything to keep your roots from going under your building and getting into your sub-basement or foundation. So installing the root barrier combined with removing a large percentage of roots to try and save the tree propelled me to call another certified arborist to see if the tree could be saved. They came and looked at it and they had the same opinion as me, the first two trees needed to be removed and the other two can stay. "When you remove that amount of root and put in the root barrier that tree is going to fail, it is only a matter of time. Do we really want it to fail and fall into the highway or a parked car or person walking?" The trees don't have any water so we can't replace them. So in my mind the tree goes and we replace it with concrete and maybe later when Fourth Street comes into the next phase of Highway construction, they will put in trees. "So I am coming to you for a recommendation to remove the two trees."

216 N.W. "B" Street, Madras, OR 97741 Telephone (541)475-2622 – Fax (541)475-1038

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A motion was made by Bill Donaghu; seconded by Becky Burchell; that we remove the two trees that Jon Burchell and the Certified Arborist have agreed need to be removed, and the other two trees you will shave the roots and add the root barrier, motion passed unanimously.

V. Updates

A. US 97: J Street Project

Jon informed the Commission that the J Street Project is going well; they are looking at being done at the end of November. The landscaping will be planted by the end of the project; ODOT warranties the trees for one year.

There was a discussion about planting the trees in November and how will the trees and landscaping do. The contractor will water the trees and landscaping as long as possible.

B. Industrial Park Green Way

Jon Burchell told the Commission that we had two bids; one from GTI and from Sky Mountain Landscaping. The low bid was Sky Mountain Landscaping; they want to start towards the end of October. They are planning on a 3 week job and they still need to submit their plans for review. There will be three zones divided by the entrances on Hess Street and Cherry Lane. Next spring we will seed and start looking at the trees to see what we would like to pull out and what trees to replace.

The Commission discussed the intersection being changed when the tribes build the Truck Stop.

C. Downtown Sidewalk Grant Program

Jon Burchell told the Commission that the City is not receiving applications because people are having problems getting quotes. The City is telling the applicants that if you show us good faith effort that you are trying to get three quotes and you only get one and two people deny you because they are too busy; the City will work with them, they just have to try and get three quotes. So I will be coming to you for tree replacements what do you want to replace, do you want to replace, what kind of tree, and so on.

Jon also told the Commission that the trees at the corner of D Street and 5th Street are dead and the lawyer wants to know when they will be removed. I think we need to pick a different species of tree when we replant.

D. Meadow Outdoors Tree Replacement

Jon Burchell told the Commission that John Lehman wants to enter into an agreement with the City to cut the trees. Jeff Hurd developed a Memorandum of Understanding and

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sent it to Meadow Outdoors that basically says they can cut the trees with someone from the City present.

Becky Burchell asked when the trees will be planted.

Jon Burchell said the trees will be planted this year likely within the next week or so.

Brad Jorgensen asked why we are not getting the trees from McPheeter's Turf

Jon Burchell said that McPheeter's does not carry all the varieties that the Urban Forestry Commission requested.

VI. ADDITIONAL DISCUSSION

- Becky Burchell told the Commission we need to do a trail clean-up. The Commission agreed to a trail clean-up on Tuesday, October 13 at 4 p.m.

- Jon Burchell told the Commission that the oak trees on the north end of town that Brad Jorgenson mentioned at the last meeting were not being irrigated. We have since replaced the clock and the sprinklers are now working.

- Jon Burchell told the Commission that we cut down the two dead cedars on the north end of town and replaced them with some MRC downtown evergreens from last year. Jon continued to explain how the new downtown evergreens for this year will be watered and taken care of.

- Michele Quinn told the Commission that Tana Frank does not want to renew her term. We need to think about advertising for a new member or if you have someone you think would be interested. It would be good if we can have someone in place to take Tana's place by January 2016.

VII. ADJOURN

The Urban Forestry Commission Meeting was adjourned at 6:35 p.m.

Respectfully Submitted

Michele Quinn
Public Works Administrative Assistant

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