



595 Main Street, Aumsville, OR 97325
Office: (503) 749-2030 ~ FAX: (503) 749-1852
Email: rharding@aumsville.us

PUBLIC MEETING NOTICE

JOINT PLANNING COMMISSION and CITY COUNCIL MEETING

Via Zoom Video Conference

MONDAY, July 26, 2021

A G E N D A

1) CALL TO ORDER: 7:00PM

- a) Approve Agenda

2) PRESENTATIONS, PROCLAMATIONS, & VISITORS

- a) **Proclamation:** Proclaiming the Month of September 2021 as Prostate Cancer Awareness Month
- b) **Public Comment:** Due to the COVID-19 Virus Council will conduct the meeting via Zoom conference call. Public Comment will be accepted from online attendees at this time. Comments are limited to 5 minutes and only for comments on items other than Public Hearings listed below. There is a public comment period within each hearing. You may also submit comments by emailing City Administrator Ron Harding at rharding@aumsville.us by noon on July 26, 2021.
- c) **Visitors:** For information about how to attend the meeting online, please visit our website <https://www.aumsville.us/citycouncil/page/city-council-regular-meeting-78> or email crogers@aumsville.us to request log in instructions.

3) CONSENT AGENDA: Action

- a) June 28, 2021 Council Meeting Minutes

4) PUBLIC HEARING: None

5) OLD BUSINESS: None

6) NEW BUSINESS: (Action)

- a) Review for approval Resolution No. 15-21 A RESOLUTION ESTABLISHING UPDATED CITY SERVICE FEES AND PUBLIC RECORDS/INFORMATION REQUEST POLICY
- b) Review and Approval of Oregon Beverage Services Contract for Party in the Park

7) CITY ADMINISTRATOR REPORT: (Information)

- a) Review Check Register June 28, 2021 through July 26, 2021
- b) Police Report: Chief Schmitz' Monthly Report
- c) Public Works Report: Director Osie's Monthly Report

8) MAYOR AND COUNCILORS REPORTS

9) GOOD OF THE ORDER: Other Business May Come Before the Council at This Time

10) CORRESPONDENCE: None

11) EXECUTIVE SESSION: None

12) ADJOURNMENT

The City of Aumsville does not and shall not; discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

Anyone wishing to speak on an agenda item should ask to be recognized by the Mayor or Chair at the beginning of that agenda item. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities must be made at least 48 hours prior to the meeting. Please call (503) 749-2030 and leave a message or Oregon Relay Service for TDD at (800) 735-2900.

OFFICE OF THE MAYOR
STATE OF OREGON, CITY OF AUMSVILLE
PROCLAMATION

Proclaiming the month of September 2021 as Prostate Cancer
Awareness Month

WHEREAS, prostate cancer is the most commonly diagnosed form of cancer and the second leading cause of cancer related deaths among men; and

WHEREAS, this year approximately 248,530 men will be diagnosed with prostate cancer in the United States alone this year and roughly 34,130 will die this year from the disease — which is one man every 15 minutes; and

WHEREAS, 1 in 8 men are diagnosed with prostate cancer. African American men are at the highest risk for the disease with a rate of 1 in 6 men. African American men are 2.2 times more likely to die from the disease; and

WHEREAS, education regarding prostate cancer and early detection strategies is critical to saving lives and preventing and protecting our families; and

WHEREAS, all men are at risk for prostate cancer, we encourage the citizens of the City of Aumsville to increase the importance of prostate screenings.

NOW, THEREFORE, BE IT RESOLVED, I DEREK CLEVENGER, do hereby proclaim the month of September 2021 to be Prostate Cancer Awareness Month in the City of Aumsville.

Derek Clevenger, Mayor



595 Main St. Aumsville, Oregon 97325
(503) 749-2030•TTY 711•Fax (503) 749-1852
www.aumsville.us

AUMSVILLE CITY COUNCIL

Minutes – June 28, 2021

Mayor Derek Clevenger called the meeting to order at 7:00 PM via Zoom Conferencing. Council present were Councilors Nico Casarez, Doug Ecclestone, Scott Lee, Della Seney, Walter Wick, and Mayor Derek Clevenger. Council absent: Angelica Ceja. City Administrator (CA) Ron Harding, Finance Officer (FO) Josh Hoyer, and City Clerk (CC) Colleen Rogers were also present via Zoom. The meeting was video recorded to be released later.

AGENDA APPROVAL: There were no changes to the agenda. Councilor Casarez moved to approve the agenda as presented. Councilor Ecclestone seconded. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. No: None.)

VISITORS AND PUBLIC COMMENT: There were three online attendees and there was no public comment. Login information was provided for members of the community to make public comment at this time and listen to the discussion.

CONSENT AGENDA: Council reviewed the June 14, 2021 Council meeting minutes. Councilor Seney moved to approve the consent agenda as presented. Councilor Ecclestone seconded. Motion APPROVED 5-0-1: (Yes: Councilors Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. Abstained: Councilor Casarez. No: None.)

PUBLIC HEARING: None

OLD BUSINESS: None

NEW BUSINESS:

Council reviewed Resolution No. 13-21 for approval: A RESOLUTION CORRECTING WATER AND SEWER RATES FOR THE CITY OF AUMSVILLE. CA Harding explained that on May 24th, 2021 City Council approved Resolution 08-21, setting a 3% increase in water and sewer rates effective June 1, 2021 through May 31, 2022. However, there were some calculation errors discovered in the appendix which was attached to it. He added that Resolution No. 13-21 is a housekeeping item to correctly display the water and sewer rates which reflect the 3% increase. Councilor Wick moved to approve Resolution No. 13-21 correcting water and sewer rates effective June 1, 2021 through May 31, 2022. Councilor Seney seconded. Motion

APPROVED 6-0: (Yes: Councilors Casarez, Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. No: None.)

Council reviewed Resolution No. 14-21 for approval: A RESOLUTION EXTENDING THE CITY OF AUMSVILLE'S WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF AUMSVILLE FOR POLICY YEAR 2021-2022. This is an annual resolution to allow the city get coverage for our volunteers. Councilor Casarez moved to approve Resolution No. 14-21 a Resolution extending the City of Aumsville's Workers' Compensation coverage to volunteers of the City of Aumsville for Policy Year 2021-2022 as presented. Councilor Seney seconded. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. No: None.)

Council reviewed for approval the Purchase of a Replacement CL2 Generator for Wastewater Treatment Plant. Staff reported that our current system has a sealed unit that is unable to have maintenance performed on the cells that generate the chlorine. The cells degrade over time from cleaning and use and these cells are no longer producing. If the generator goes down at any time, discharge of wastewater would have to stop until a replacement unit is purchased and installed, causing a 4-6 week stall before we could start discharging again. This new unit will also be able to be utilized in any upgrades we start to do at the treatment facility. Councilor Casarez moved to approve the purchase of a CL2 generator for the Wastewater Treatment Plant at a cost of \$28,099.00 from Fund 019-601. Councilor Ecclestone seconded. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. No: None.)

Council reviewed TMG Services Proposal for the Purchase of a ProMinent Pump Skid – Staff reported that the city's current chemical feed pumps have become outdated and are now discontinued from our supplier. The purchase of these new pumps would help with the reliability of the city's water system. We have recently experienced some air locking of the current pumps along with some inconsistent pumping due to pressure valves failing. The proposed system will be configured in a way that they operate more efficiently and without unneeded parts that tend to leak and cause problems with the pump. Councilor Wick moved to approve the purchase of ProMinent chemical feed system for \$9,440.00 from Fund 012-809. Councilor Seney seconded. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. No: None.)

City Administrator Report: CA Harding requested Council's input regarding the rental of park shelters. He stated that currently the smaller shelters are first-come, first-serve, but staff have been discussing adding them to our rental list. The large shelter at Porter-Boone has been the only shelter that is reservable, but current policy only allows large group over 75 to reserve it. Staff would like to open that up for small group reservations and waive the insurance requirements for groups less than 50 people. Staff recommended leaving the rental rates for the Porter-Boone shelter as they are currently and renting the smaller shelters for a flat non-refundable fee of \$25 for residents and \$50 for outside the city limits. The community center

fees would remain the same as current policy but would be for the entire duration of occupancy vs. just the time of the actual event. After a short discussion Councilor Seney moved to change the policy for reservations in the large shelter at Porter-Boone Park to waive insurance requirement for groups less than 50 attendees and make all park shelters reservable. Councilor Casarez seconded. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ecclestone, Lee, Seney, Wick, and Mayor Clevenger. No: None.)

MAYOR/COUNCIL REPORTS AND INITIATIVES: Mayor Clevenger informed Council of his out-of-town work schedule. He should be able to attend Zoom meetings unless internet is not available.

Mayor Clevenger stated that a community member contacted him about the upkeep on the skate park. He had concerns about some of the maintenance that has been done in the past. CA Harding commented that staff has been looking into a professional maintenance company for the major repairs that come up. We can still utilize volunteer groups for painting and cosmetic type upkeep. Councilor Lee asked about the possibility of having a concession stand at the park. CA Harding commented that a concession stand would be viable if there is an event, but on a regular basis it probably would not be worth their while. Council discussed adding a skate competition to the Corn Festival lineup. Mayor Clevenger will reach out to someone he knows that sets up skate competitions.

GOOD OF THE ORDER: None

CORRESPONDENCE: None

EXECUTIVE SESSION: None

The meeting adjourned without prejudice at 7:28 PM

Derek Clevenger, Mayor

Ron Harding, City Administrator

RESOLUTION NO. 15-21

A RESOLUTION ESTABLISHING UPDATED CITY SERVICE FEES AND PUBLIC RECORDS/ INFORMATION REQUEST POLICY

WHEREAS, service fees are necessary for the purpose of defraying administrative costs of the city associated with services to ensure that these costs are being paid by the service user; and

WHEREAS, the actual personnel costs and costs associated with materials used in providing services were analyzed and cost comparisons completed as documented on the attached Exhibit A.

NOW, THEREFORE BE IT RESOLVED that the following service fees and public records/information request policy is established:

SECTION 1. Fee Schedule.

Copy Page Supplied by customer	\$.80 each copy, one-sided, regardless of size.
Copy Page Retrieved -Non-Archived Record	\$ 1.20 each copy, one-sided, regardless of size.
Email/Scan Non-Archived Record	\$15.00 flat rate.
Public Record Request Retrieval	\$45.00 hour in quarter hour increments plus \$.80 per copy page. The Oregon Public Records Law allows public bodies to recover their actual costs in fulfilling a public records request. If the estimated fee is greater than \$25, the City of Aumsville will provide the requestor with written notice of the estimated amount of the fee. In such instances, the City of Aumsville will not fulfill the public records request until the requestor makes a deposit in an amount of the estimated fee.
Appeals Transcript Fees	The fee shall be determined based on \$.80 per page rate for the copying, and personnel costs as an hourly rate equivalent to the salary plus benefits (computed at an hourly rate) of each employee involved in the preparation of the transcript. The total cost of the transcript shall not exceed \$500.00
Research Requests Requiring Attorney /City Planner/Engineer Assistance	Actual Staff & Contract Staff Costs
Photographs/ Audio Tapes / Non-Paper or Oversize Materials	Actual Cost
Police Report Charge	\$15.00 Minimum (up to 10 pages)
Each Additional Report Page	\$ 1.20
Archive Retrieval/Research (Up To 50 Pages)	\$ 63.32 Minimum – See Above: Public Record Request Retrieval Fees
The Development Ordinance	\$25.00 (plus the cost of printing or a flash drive)

The Comprehensive Plan \$25.00 (plus the cost of printing or a flash drive)
The Public Works Standards \$25.00 (plus the cost of printing or a flash drive)

Administration/Finance

Faxing - Outgoing \$3.00 for the first page/ 1.00 for additional pages
Faxing – Receiving \$.40 each page
Non-Sufficient Funds \$30.00

Community Center Rental: Resident/ City Staff/Aumsville Business/Property Owners: \$20.00 per hour, in half-hour increments after the first hour. Non-Resident; except for city staff and owners of businesses and other property within the city limits: \$40 per hour, in half-hour increments after the first hour. Public agencies, non-profit organizations or others may submit requests to the city administrator to obtain fee reductions or waivers. The city administrator will review all such requests and may approve or deny the request based on the ability to pay, the number of Aumsville residents served, whether the facility is available, and/or the value of the service to the community. The Aumsville City Council may also grant other fee reductions and waivers.

Security requirements/criteria: All social activities, when the numbers of guests are expected to be 75 or more or any other event where the Police Chief deems that security is in the best interest of all parties concerned shall require a charge for police officers at an hourly rate of \$25 per officer.

Deposits: \$200.00 deposit when beverages/food is served, \$50.00 deposit when they are not served. \$50.00 of deposit is non-refundable upon cancellation/no show.

Newsletter Advertisements Black and white: full page \$75, half page \$40, and quarter page \$30.
Full color: full page \$250, half page \$125, and quarter page \$75.

Park Facility Rental: Fees & Deposit Porter-Boone Park Recreational Facility can be reserved. . Applicants will be charged a non-refundable per use fee and a refundable \$50.00 deposit. In addition, a security fee shall also be required when deemed applicable. Rental fees:

Resident/ City Staff/Aumsville Business & Property Owners: \$60.00 and . Non-Resident: \$120.00. Reservations for groups of more than 50 attendees will also require a certificate of insurance naming the City of Aumsville as an additional insured..

Mill Creek Park and Wildwood Park Shelters can be reserved. Resident/City Staff/Aumsville Business & Property Owners: \$25.00. Non-Resident: \$50.00.

Porter-Boone Stage can be reserved. Resident/City Staff/Aumsville Business & Property Owners: \$25.00. Non-Resident: \$50.00.

Porter-Boone Village Spaces can be reserved for \$50 per day each, except for during City events such as Saturday Market and would be priced accordingly.

Public agencies, non-profit organizations or others may submit requests to the city administrator to obtain fee reductions or waivers. The city administrator will review all such requests and may approve or deny the request based on the ability to pay, the number of Aumsville residents served, whether the park is available, and/or the value of the service to the community. The Aumsville City Council may also grant other fee reductions and waivers.

Mill Creek Ball Field Reservation

\$50.00 reservation fee. Teams can reserve the ball field for team practices during a season. Must provide proof of liability insurance and the list of requested dates and times for practices.

Building Permits

20% of county permit fee for zoning review (No longer accepting plumbing, mechanical or electrical permit applications).

Business Licenses

\$25 fee – Licenses are effective July 1st – June 30th and \$10 annual renewal. Licenses are required to do business within the Aumsville City Limits.

Transient/Peddler License

\$25 fee –Licenses are effective July 1st – June 30th. A License is required to do business within the Aumsville City limits. \$10 annual renewal fee if

paid by June 30th.

Liquor License Application or Renewal \$25.00 Annually

DMV Auto Sales License \$25.00 Annually

Communications Franchise Fee Except as provided below, Communications Providers using the rights of way that provide communications service to customers within the city shall pay an annual fee of: ILECS -7% and CLECS - 4% of gross revenue from the provision of communications services to customers in the City. "Gross Revenues" means any and all revenue, of any kind, nature or form, without deduction for expense, less net uncollectables, subject to all applicable limitations imposed by federal or state law.

Communications Providers whose only facilities in the right of way are facilities mounted on structures within the right of way, which structures are owned by another person, and with no facilities strung between such structures or otherwise within, under or above the right of way, shall pay an annual attachment fee of \$1,000 per attachment in lieu of the percent of revenue provided in the previous paragraph.

Communications Providers that do not provide communications service to customers within the City shall pay an annual fee of \$2.50 per lineal foot of communications facilities in the City right of way.

Communications Providers shall pay a minimum annual franchise fee of \$500 per year if this amount is greater than the applicable fee calculated pursuant to the previous three paragraphs.

Communications Right of Way Use Fee Communications Providers that own communications facilities in the rights of way within the city without a franchise shall pay an annual fee of: The greater of (i) the applicable percentage of revenue set forth in the Communications Franchise Fee; (ii) \$2.50 per lineal foot of communications facilities in the City right of way; or (iii) the

minimum annual Communications Franchise Fee.

Communications Providers using the rights of way to provide communications service to customers within the city but not subject to the franchise requirement shall pay an annual fee of: The applicable percentage of revenue set forth in the Communications Franchise Fee.

Communications Franchise
Application Fee

\$500 deposit, provided that expenses exceeding the deposit will be billed to the applicant or the unused portion of the deposit will be returned to the applicant following the determination granting or denying the franchise.

Communications Registration
Application Fee

\$50

Court/ Police

Police Report/Copies	See Public Records Above
Administrative Court Fee (After 30 Days)	\$45.00
No-show Court Fee	\$25.00
DMV Suspension Submittal	\$15.00
Tow Release	\$125.00
DMV Reinstatement Fee	\$15.00
Fix-It Fee	\$45.00

Public Works

Customer Request Shutoff & Turn On	\$40.00
Delinquent Account Reconnect	\$30.00
Utility Billing Late Charge	\$ 3.00
Water Meter Metering Equipment	Actual cost plus 20% administrative fee
Meter Error Test Deposit	\$25.00
Information Records Request/Other Special Services	\$40 per hour, in quarter hour increments after the first half-hour, and materials or cost billed to the city.
Mapping Duplication	Actual Cost Plus 20% Administrative fee
Engineering Review	Actual Cost Plus 20% Administrative fee

SECTION 2. Written Requests. Unless otherwise provided by these rules, request for inspection and/or copies of public records shall be in writing on a form prescribed by the city.

SECTION 3. Procedure.

- 3.1 Requests for public records shall include the following:
 - a) The name, address and signature of the person making the request or their authorized representative;
 - b) A statement of sufficient specificity to determine the nature, content and probable department within which such record may be located;
 - c) The date of such request.
- 3.2 Except as otherwise provided by these rules, public records shall not be released for inspection or as copies to members of the public or city staff or officials unless the city has received payment of the established fee from the requesting party. The person making the request should be advised that the requested materials will not be released without the city's receipt of the fee for providing such service as described in this resolution. Failure to so advise the requesting party of such obligation shall not relieve the requesting party of the obligation to pay the prescribed fee.
- 3.3 Upon receipt, the request shall be date stamped.
- 3.4 Written requests for inspection or copies of city records shall be submitted to the city hall or the police department where a list of fees prescribed by this resolution are on file, for processing public records/information requests and staff shall respond to all such requests.
- 3.5 If the request is not complied with, a written response explaining why the city is unable to process the request shall be prepared and mailed to the requesting party.

SECTION 4. City Administrator Authority. The city administrator or designee shall have the authority to:

- a) Waive the requirement that the records request must be in writing or on a form provided by the city;
- b) Waive or reduce fees and waive required compliance with this resolution when it is determined all right.

SECTION 5. Exemption from Fees and Fee Reductions. The following individuals, groups or organizations shall be exempt from the fees prescribed for providing public records, and other service fees may be reduced as outlined in Section 1 - Fee Schedule:

- a) Any member of the city council, city staff, or a board or commission of the city, other government agencies, or the media, unless it is for a personal reason; and
- b) The city shall not charge fees for costs incurred by the city when an employee of the city, in the employee's role as custodian of the records, is a witness in a trial or other court proceeding; and
- c) Any crime victim requesting a copy of a police report pertaining to the crime in which they have been made a victim (applies to first copy only).

CONSIDERED AND PASSED BY THE AUMSVILLE CITY COUNCIL ON THE 26th DAY OF July, 2021.

Derek Clevenger, Mayor

Attest: _____
Ron Harding, City Administrator

RESOLUTION NO. ~~09-21~~ 15-21

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refundable \$50.00 deposit. In addition, a security fee shall also be required when deemed applicable. Rental fees: Resident/ City Staff/Aumsville Business & Property Owners: \$60.00 ~~and for over 75 people~~. Non-Resident: \$120.00. Reservations for groups of more than 50 attendees will also require a certificate of insurance naming the City of Aumsville as an additional insured. for over 75 people.

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Communications Providers shall pay a minimum annual franchise fee of \$500 per year if this amount is greater than the applicable fee calculated pursuant to the previous three paragraphs.

Communications Right of Way Use Fee	Communications Providers that own communications facilities in the rights of way within
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the city without a franchise shall pay an annual fee of: The greater of (i) the applicable percentage of revenue set forth in the Communications Franchise Fee; (ii) \$2.50 per lineal foot of communications facilities in the City right of way; or (iii) the minimum annual Communications Franchise Fee.

Communications Providers using the rights of way to provide communications service to customers within the city but not subject to the franchise requirement shall pay an annual fee of: The applicable percentage of revenue set forth in the Communications Franchise Fee.

Communications Franchise
Application Fee

\$500 deposit, provided that expenses exceeding the deposit will be billed to the applicant or the unused portion of the deposit will be returned to the applicant following the determination granting or denying the franchise.

Communications Registration
Application Fee

\$50

Court/ Police

Police Report/Copies	See Public Records Above
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No-show Court Fee	\$25.00
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Tow Release	\$125.00
DMV Reinstatement Fee	\$15.00
Fix-It Fee	\$45.00

Public Works

Customer Request Shutoff & Turn On	\$40.00
Delinquent Account Reconnect	\$30.00
Utility Billing Late Charge	\$ 3.00
Water Meter Metering Equipment	Actual cost plus 20% administrative fee
Meter Error Test Deposit	\$25.00
Information Records Request/Other Special Services	\$40 per hour, in quarter hour increments after the first half-hour, and materials or cost billed to the city.
Mapping Duplication	Actual Cost Plus 20% Administrative fee

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SECTION 3. Procedure.

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 - a) The name, address and signature of the person making the request or their authorized representative;
 - b) A statement of sufficient specificity to determine the nature, content and probable department within which such record may be located;
 - c) The date of such request.
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- 3.3 Upon receipt, the request shall be date stamped.
- 3.4 Written requests for inspection or copies of city records shall be submitted to the city hall or the police department where a list of fees prescribed by this resolution are on file, for processing public records/information requests and staff shall respond to all such requests.
- 3.5 If the request is not complied with, a written response explaining why the city is unable to process the request shall be prepared and mailed to the requesting party.

SECTION 4. City Administrator Authority. The city administrator or designee shall have the authority to:

- a) Waive the requirement that the records request must be in writing or on a form provided by the city;
- b) Waive or reduce fees and waive required compliance with this resolution when it is determined all right.

SECTION 5. Exemption from Fees and Fee Reductions. The following individuals, groups or organizations shall be exempt from the fees prescribed for providing public records, and other service fees may be reduced as outlined in Section 1 - Fee Schedule:

- a) Any member of the city council, city staff, or a board or commission of the city, other government agencies, or the media, unless it is for a personal reason; and
- b) The city shall not charge fees for costs incurred by the city when an employee of

the city, in the employee's role as custodian of the records, is a witness in a trial or other court proceeding; and

- c) Any crime victim requesting a copy of a police report pertaining to the crime in which they have been made a victim (applies to first copy only).

CONSIDERED AND PASSED BY THE AUMSVILLE CITY COUNCIL ON THE 26th DAY OF July, 2021.

Derek Clevenger, Mayor

Attest: _____
Ron Harding, City Administrator



595 Main St. Aumsville, Oregon 97325
(503) 749-2030 • TTY 711 • Fax (503) 749-1852
www.aumsville.us

STAFF REPORT

TO: City of Aumsville City Council

FROM: Ron Harding, City Administrator

SUBJECT: Approve Contract for Beverage Services at the Party in the Park event.

RECOMMENDATION: Approve contract for Beverage Services at the Party in the Park event.

BACKGROUND:

Council made the decision for the city to lead the Corn Festival event this year, authorizing staff to move forward with planning and executing the event. CA Harding reported back in April 2021 on the progress to keep council updated on the committee's planning discussion. Council authorized us to move with the Corn Festival planning efforts as presented and to include a separate event for adults including beer, wine, and food. We came back to Council with a proposal in May 2021 from the Oregon Beverage Company and Council authorized us to move forward and prepare a contract.

Alcohol is prohibited in all city parks with a narrow exception under Ordinance 691

Section 10. Parks - Intoxicating Liquor Prohibited. Unless authorized by a vote of Council of the City of Aumsville for a community wide event, it is unlawful for any person to:

- (A) Take into or upon any park any alcoholic beverage; or
- (B) Sell or dispense any alcoholic beverage in any park.

Council determined that the Party in the Park event was needed after the long COVID 19 closure to provide an outlet for community members and this event would be a community wide event along with the Corn Festival.

Council approval is required to execute any contract related to alcohol use in the parks and therefore Council would need to approve and have their representative sign the beverage contract.

Under the City Contracting Ordinance No. 677 awards for concession under \$5,000.00 can be direct award by Council or soliciting agent. This is a one day event with limited

concession hours so its reasonable to assume the concession will remain under the threshold. The city attorney has reviewed and concluded a direct award for services is reasonable.

MOTION:

- Move to approve the contract with Oregon Beverage Company for beverage concession under the contract terms outlined in the contract for the Party in the Park event August 20th, 2021.
- Move to approve the contract with Oregon Beverage Company for beverage concession under the contract terms outlined in the contract for the Party in the Park event August 20th, 2021, and hereby modify by:
- Move to remand back to staff for revisions as directed.

City of Aumsville / Party in the Park Personal and Professional Services Agreement

This agreement is entered into this 22nd day of July, 2021 by and between the City of Aumsville and Unruh Management and Consulting LLC doing business as Oregon Beverage Services.

Now, therefore, it is agreed between the parties hereto as follows:

In consideration of the mutual covenants, conditions, agreements, and stipulations contained in this Agreement, the parties agree as follows:

I. RIGHTS

- A. The City of Aumsville grants Oregon Beverage Services for the term specified in section 5 Service Agreement, the right and privilege to conduct all alcoholic beverage concessions and services at a special event in Aumsville, Oregon The "Concession Business."

II. FACILITIES

- A. The space allotted to Oregon Beverage Services, for the operation of the Concession Business, shall consist of beverage concession locations at the facility as determined by the City of Aumsville.

III. OPERATIONS OF BUSINESS

- A. It is agreed that the concessions business shall be operated in the name of Oregon Beverage Services.
- B. Oregon Beverage Services shall not allow the Premises, or any part of such Premises, to be used for any purpose other than the Concession Business, or to become vacant during any periods that Oregon Beverage Services is required to conduct the Concession Business, or permit the Premise to be used, in whole or in part, by any other firm, person, corporation, or other entity without the consent of the City of Aumsville.
- C. Oregon Beverage Services shall be open for business during the times specified by the City of Aumsville.
- D. The City of Aumsville and Oregon Beverage Services will agree on all issues related to menu items, prices, portions and the like. Acceptance

and repeat clientele are important and shall be factors considered when establishing menu items and pricing.

- E. Oregon Beverage Services agrees to supply the City of Aumsville a statement of revenue or usage, using mutually agreed upon accounting methods, within 48 hours after the completion of any facility event.
- F. Oregon Beverages Services agrees that at all times herein mentioned it shall operate the Concession Business in accordance with all applicable laws and industry standards.
- G. "Full-On-Premises Sales" Oregon Beverage Services will acquire and maintain a Temporary Use of a Full on Premise Liquor License, from the Oregon Liquor Control Commission.

IV. FINANCIAL ARRANGEMENTS

- A. Oregon Beverage Services agrees to pay The City of Aumsville 25% of gross sales.

V. TERMS

- A. One day, between the hours of 10:00 A.M. and 12:00 A.M. on Friday August 20, 2021 and serving from approximately 6:00 P.M. - 11:00 P.M.

VI. MERCHANDISE PURCHASES

- A. Oregon Beverage Services shall make all purchases of beverages and materials for use or sale by Oregon Beverage Services in its own name and paid promptly by them. The City of Aumsville shall not be liable or responsible, in any way, for any debts contracted by Oregon Beverage Services. Oregon Beverage Services agrees and understands that honoring The City of Aumsville's sponsorship relationships may involve not purchasing or selling certain specific items or products. Oregon Beverage Services agrees, as directed by the City of Aumsville, to abide by these relationships except as prohibited by law.

VII. EMPLOYEES

- A. Any employees employed by Oregon Beverage Services to work on the Premises shall be acceptable to the City of Aumsville.
- B. All employees of Oregon Beverage Services shall conform to the rules and regulations currently established or in force, or which may be established reasonably in the conduct of the City of Aumsville.
- C. The City of Aumsville shall have the right to require the removal from the Premises any employee of Oregon Beverage Services whose conduct shall be unsatisfactory to the City of Aumsville.
- D. Oregon Beverage Services shall employ and provide for the conduct of the Concession Business for the events, as many concession workers as determined by Oregon Beverage Services. All such employees shall be

interviewed, trained and scheduled by Oregon Beverage Services. The City of Aumsville shall have the right to require the termination of any of such employees whose performance or conduct is unsatisfactory.

- E. Oregon Beverage Services and the City of Aumsville shall comply with all Federal, State and local laws and regulations, now in force or which any governmental authority may enact.
- F. Oregon Beverage Services agrees to maintain a staff of employees, as determined by Oregon Beverage Services to be sufficient to conduct the operation of the Premises in an efficient manner.

VIII. CLAIM

- A. Claims for damages arising out of the operation of Oregon Beverage Services business that are covered by insurance shall be handled by Oregon Beverage Services and Oregon Beverage Services shall exercise due diligence in affecting settlement of such claims.

IX. LICENSE

- A. During the term of this Agreement, Oregon Beverage Services, shall be required to maintain a year round Oregon State Liquor Licence, and alcohol server licenses for all servers, as well as any required. Said licenses shall be of the nature that will allow them to operate the type of activities contracted for held at the designated facility.

X. INSURANCE

- A. Contractor shall procure and maintain insurance of the following kinds and minimum limits:
 - 1. Workmen's Compensation Insurance as prescribed by the laws of the State of Oregon, and shall maintain Workers
 - 2. Compensation insurance in accordance with the State of Oregon Labor Code for all employees, agents, and volunteers eligible for such coverage under the Industrial Insurance Act. Comprehensive General Liability and Liquor Liability with total limits of two million dollars (\$2,000,000) Contractor will carry an umbrella of two million dollars (\$2,000,000) above its regular policy.
- B. The City of Aumsville will be named as additional insured on the proof of insurance. Oregon Beverage Services shall provide the City of Aumsville, prior to entering the Premise, Certificates of Insurance with respect to the types of insurance limits enumerated above. Ten (10) days notice must be given to the City of Aumsville by Oregon Beverage Services insurance provider(s) of any cancellation of insurance and any cancellation of coverage may become the sole justification of the immediate termination of this Agreement by the City of Aumsville.

XI. TAXES AND FEES

- A. Oregon Beverage Services shall obtain all licenses as necessary to run the professional concession business. Any and all taxes, fees, and assessments, including, but not limited to, license fees, fees for permits, sales or use taxes, personal property taxes, or any other truces that may be levied or assessed on the assets, business or capital of Oregon Beverage Services with respect to the Concession Business, on Oregon Beverage Services income from the Concession Business, or on the merchandise carried by Oregon Beverage Services for the use in the Concession Business by and duly constituted local, city, county, state, or federal, or other governmental authority, shall be borne and paid for Oregon Beverage Services.

XII. MUTUAL INDEMNIFICATION

- A. Oregon Beverage Services will at all times indemnify and defend the City of Aumsville against, and hold harmless the City of Aumsville from all actions, claims, demands, liabilities, and damages that may in any manner be imposed on or incurred by the City of Aumsville as a consequence of, or arising out of:

1. Any act, default or omission on the part of Oregon Beverage Services or any of its officers, employees, or agents or;
2. Any infringement by Oregon Beverage Services, its officers, employees, or agents, of any trademark, copyright, patent, all in connection with the operation of the Premises and Business.

- B. The City of Aumsville will at all times indemnify and defend Oregon Beverage Services against, and hold Oregon Beverage Services harmless from all actions, claims, demands, liabilities, and damages that may in any manner be imposed on or incurred by Oregon Beverage Services as a consequence of, or arising out of:

1. Any act, default or omission on the part of the City of Aumsville, its officers, employees, or agents **or**
2. Any infringement by the City of Aumsville, its officers, employees, or agents, or any trademark, copyright, patent, all in connection with the operation of the Premises and Business.

XIII. NO PARTNERSHIP

- A. It is understood and agreed that nothing contained in this Agreement shall be considered as in any way constituting a partnership between the City of Aumsville and Oregon Beverage Services.

XIV. GOVERNING LAW; ENFORCEMENT

- A. It is agreed that this Agreement shall be governed by, construed, and

enforced in accordance with, the laws of the State of Oregon. In the event that legal counsel are employed to enforce this Agreement of any provision hereof, the prevailing party shall be entitled to recover from the other party all of the prevailing party's costs and expenses relating thereto, including, without limitation, reasonable attorney's fees. The City of Aumsville operates under a federally chartered section 17 corporation and, as such, neither waives nor relinquished its right to sovereign immunity.

XV. ENTIRE AGREEMENT

A. This Agreement, and all Appendices attached hereto, constitutes the entire agreement between the parties and any prior understanding or representation of any kind shall not be binding upon either party except to the extent incorporated in this Agreement.

XVI. MODIFICATION OF AGREEMENT

A. Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if the evidence in writing is signed by each party or an authorized representative of each party.

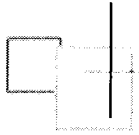
In WITNESS WHEREOF, each party to this Agreement has caused it to be executed on the date set forth **below**.

The City of Aumsville

Oregon Beverage Service

Carroll Unruh, Owner
Owner Oregon Beverage
Services PO. Box 2234
Salem, Oregon 97308

Please sign and return a copy and keep the other copy for your records.



Accounts Payable Register

City of Aumsville

Fiscal: 2020-21

Deposit Period: 2020-21 - June

Check Period: 2020-21 - June - Second Council

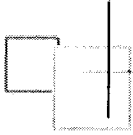
Riverview Community Bank

9001000967

Check

<u>54831</u>	ALEXANDRA BURGER	6/28/2021	\$249.17
<u>54832</u>	BIO-MED TESTING SERVICE INC	6/28/2021	\$180.00
<u>54833</u>	FASTSIGNS	6/28/2021	\$2,078.48
<u>54834</u>	FERGUSON WATERWORKS #3011	6/28/2021	\$2,507.45
<u>54835</u>	ICMA	6/28/2021	\$1,066.75
<u>54836</u>	MARION COUNTY TREASURY DEPARTMENT	6/28/2021	\$703.00
<u>54837</u>	MNOP	6/28/2021	\$548.73
<u>54838</u>	OFFICE DEPOT, INC	6/28/2021	\$245.30
<u>54839</u>	OREGON DEPARTMENT OF REVENUE	6/28/2021	\$2,080.00
<u>54840</u>	PLATT ELECTRIC SUPPLY	6/28/2021	\$3,778.81
<u>54841</u>	SANTIAM WATER CONTROL DISTRICT	6/28/2021	\$2,847.88
<u>54842</u>	STAYTON BUILDERS MART	6/28/2021	\$23,152.81
<u>54843</u>	STAYTON TIRE & AUTOMOTIVE	6/28/2021	\$930.00
<u>54844</u>	VERNON SUTTON	6/28/2021	\$16.00
<u>54845</u>	WESTERN EQUIPMENT	6/28/2021	\$3,396.40
<u>EFT Payment 6/25/2021 12:40:21 PM - 1</u>	AT&T MOBILITY	6/28/2021	\$120.12
<u>EFT Payment 6/25/2021 12:40:21 PM - 2</u>	HOME DEPOT CREDIT SERVICES	6/28/2021	\$8,283.87
<u>EFT Payment 6/25/2021 12:40:21 PM - 3</u>	ZIPLY FIBER	6/28/2021	\$638.27

Total	Check	\$52,823.04
Total	9001000967	\$52,823.04
Grand Total		\$52,823.04



Payroll Register

City of Aumsville

Fiscal: 2020-21
Deposit Period: 2020-21 - June
Check Period: 2020-21 - June - Second Council

Riverview Community Bank

9001000967

Check

54830

Direct Deposit Run - 6/24/2021

EFT 25370624

EFT 7052021

EFT 7122021

EFT 7152021

EFT 83354326

EFT HSA6302021

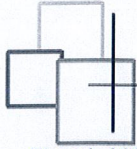
EFT OSGP6302021

EFT STT7312021

EFT V6302021

DEPARTMENT OF REVENUE	6/30/2021	\$449.08
Payroll Vendor	6/30/2021	\$35,164.09
Oregon Department of Revenue	6/30/2021	\$3,579.92
CIS TRUST	6/30/2021	\$32,576.55
PERS	6/30/2021	\$12,302.80
AFLAC	6/30/2021	\$860.32
EFTPS	6/30/2021	\$12,918.30
HSA Bank	6/30/2021	\$1,155.00
VOYA - STATE OF OREGON - LG#:2234	6/30/2021	\$590.00
OREGON DEPARTMENT OF REVENUE	6/30/2021	\$295.27
Valic	6/30/2021	\$575.00

Total	Check	\$100,466.33
Total	9001000967	\$100,466.33
Grand Total		\$100,466.33



Payroll Register

City of Aumsville

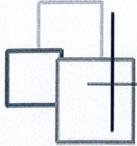
Fiscal: 2021-22

Deposit Period: 2021-22 - July

Check Period: 2021-22 - July - First Council

Number	Name	Print Date	Amount
Riverview Community Bank	9001000967		
Check			
<u>54847</u>	Casarez, Santos N	7/15/2021	\$83.02
<u>54849</u>	CITY OF AUMSVILLE	7/15/2021	\$184.49
<u>54850</u>	DEPARTMENT OF REVENUE	7/15/2021	\$502.74
<u>Direct Deposit Run - 7/13/2021</u>	Payroll Vendor	7/15/2021	\$39,748.22
<u>EFT21104727</u>	EFTPS	7/15/2021	\$14,282.14
<u>EFT33953526370713</u>	Oregon Department of Revenue	7/15/2021	\$4,039.01
<u>EFT7272021</u>	PERS	7/15/2021	\$14,468.37
<u>EFTHSA7152021</u>	HSA Bank	7/15/2021	\$4,505.00
<u>EFTOSGP7152021</u>	VOYA - STATE OF OREGON - LG#:2234	7/15/2021	\$590.00
<u>EFTV7152021</u>	Valic	7/15/2021	\$575.00
	Total	Check	\$78,977.99
	Total	9001000967	\$78,977.99
	Grand Total		\$78,977.99

Angie Cyona
Barbara



Accounts Payable Register

City of Aumsville

Fiscal: 2021-22

Deposit Period: 2021-22 - July

Check Period: 2021-22 - July - Second Council

Number	Name	Print Date	Amount
Riverview Community Bank	9001000967		
Check			
<u>54851</u>	BEERY ELSNER & HAMMOND LLP	7/26/2021	\$987.00
<u>54852</u>	FERGUSON WATERWORKS #3011	7/26/2021	\$1,963.68
<u>54853</u>	MOONLIGHT MAINTENANCE	7/26/2021	\$336.75
<u>54854</u>	PAPE MACHINERY EXCHANGE	7/26/2021	\$1,872.84
<u>54855</u>	SECURITY ALARM CORPORATION	7/26/2021	\$723.31
<u>54856</u>	STAYTON TIRE & AUTOMOTIVE	7/26/2021	\$83.00
<u>54857</u>	WAVE	7/26/2021	\$19.90
<u>54858</u>	OFFICE DEPOT, INC	7/26/2021	\$46.69
<u>54859</u>	METCOM 9-1-1	7/26/2021	\$8,031.67
<u>54860</u>	WESTECH ENGINEERING INC	7/26/2021	\$19,955.61
<u>54861</u>	MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS	7/26/2021	\$2,518.75
	Total	Check	\$36,539.20
	Total	9001000967	\$36,539.20
	Grand Total		\$36,539.20

Angela Cezoda
Chris Hawley

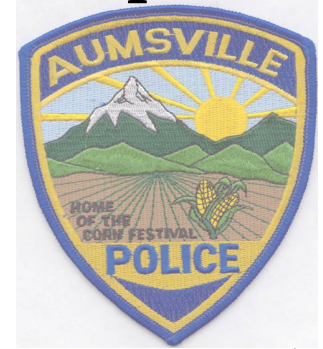
City of Aumsville June 2021 Monthly Police Report

DEPARTMENT MESSAGE:

The reserves worked a total of 61 hours during the month of June: 61 volunteer hours and 0 paid hours.

As we move into the Summer months, we would like to remind our citizens of several nuisance ordinances. First, we asked that you keep your yards mowed and remove noxious weeds. The dry weather rises the fire danger and pollen counts. Next, we ask that our citizens remember that we do not allow recreational vehicles to be parked on the City Streets for more than 5 days, in a 30 day period. (see City Ordinance 686)

In addition, parking upon any street for the principal purpose of storing, or permitting to be stored, a motor vehicle, recreational vehicle, boat, trailer, or other personal property. It shall constitute prima facie evidence of storage of a motor vehicle if the same is not moved for a period of 72 hours. The continuity of the time shall not be deemed broken by movement of the vehicle elsewhere on the block unless the movement removes the vehicle from the block where it was located before it is returned. Please be mindful of others and keep our City clean and safe. (see City Ordinance 697)



Value of Property Stolen	\$7
Value of Property Damaged	\$650
Value of Property Recovered	\$1000
Value of Found Property	\$0
Dogs to Pound	0

Crime	#	Arrested	Traffic Violation	City	County	Calls for Service	#
Burglary/ Attempt Burg			Speeding	1	10	Assist Other-Turner PD	5
Criminal Mischief	2		Fail to Carry Proof/ Driving Uninsured	1/11	0/2	Assist Other-Fire	2
Restraining Order Violation						Assist Other-DHS	8
Trespass	1		Driving While Suspended	4	1	Assist Other-MCSO	6
DUII			No Valid OP	3	0	Assist Other-City	2
Theft/Fraud	1/1		Fail to Carry DL			Assist Other-Stayton PD	11
Theft from Vehicles			Providing Vehicle to Unqual. Driver			Assist Other-Other	3
Receiving Stolen Property			No Seatbelt/Improper Wear			Assist Person/Citizen Contact	2/19
Warrant Arrest/ Probation Violation	1	1	Expired Registration/Fail to Register			Vehicle Repo	0
Harassment/Telephonic			Failure to Change Address			911 Hang-up/Welfare Check/Civil Dispute	0/3/2
Menacing			Failure to Carry Registration			False Alarm	1
Assault IV	1	1	Switched Plates	2	0	Noise/Traffic Complaint	4/1
Stalking Complaint			Fail to Yield to Ped. In Cross-walk			Suspicious Person/Vehicle/Circumstance	2/1/11
Weapon/Robbery			Fail to Yield to Emerg Vehicle			Traffic Accidents/Hit and Run	3/0
Child Neglect			Fail to Install Ignition Interlock Device	1	0	Diving Impounds	6
Furnish Alcohol			Fail to Obey Traffic Control Device	1	0	Unattended Death/Notification	1/0
MIP: Alcohol/Drug Offense			Reckless Driving/Speed Racing	0/2	0	Dogs—Barking/At Large/Bite	2/4/0
Arson			Careless Driving	3	0	Ordinance Violation	4
Stolen Vehicle/Trailer			Fail to Drive Within Lane			Runaway Juvenile/Missing Person	
Recovered Vehicle	1	1	Following Too Close			Verbal Disturbance	1
Poss. Controlled Substance			Failure to Signal/Use Turn Signal			Attempt Suicide/Mental Hold	2/1
Reckless Endanger/Drive			Use of Electronic Device/Cell Phone			Suicide	0
Giving False Info			Defective Lighting	1	0	Open Door	2
Disorderly Conduct			Open Container			Misc Call for Service	2
Curfew/Runaway Juvenile			Unreasonable Noise	2	0	Emotionally Disturbed Persons	2
Animal Abuse			Refuse Intox Test			Property: Found/Lost/Seized	3/0/1
Sex Offense	2		Misc. Violations	2	2		
Driving While Suspended Criminal	1	1					
Criminal Mistreatment							
Dogs as a nuisance							
Hit and Run							
Misc Crime							
Total	11	4	Total	34	15	Total	119



595 Main St. Aumsville, Oregon 97325
(503) 749-2030 • TTY 711 • Fax (503) 749-1852
www.aumsville.us

TO: Mayor and City Council
FROM: Steve Oslie, Public Works Director
SUBJECT: Public Works Report

July 22, 2021

Water: The wells pumped as follows:

Boone #1	Boone #2	Tower	Reservoir	Church	Total
1,174,100	5,298,000	2,095,518	371,000	6,917,200	15,855,818

The water system handled the hot weather with no problems and easily kept up.

One water leak was found and repaired at a residential water meter.

Sewer: Old wood debris at the bottom of the lagoons continues to cause aeration motor problems. It is almost a weekly task to go out and clear the aerators, and at times replace motors.

DEQ has now put out our discharge permit for public review. We have gone over it several times and have already made comments. We still do have time to comment if needed.

Streets: Street trees are looking stressed from the heat. The irrigation system is working and we are going to check with a tree specialist to see what we can do to help improve their health.

Parks: The dog park water fountain is getting set next week. We will then have water available to water the grass there and get this opened up.

Mill Creek Park electrical improvements will get started on July 12th.

Foul ball netting has been replaced due to the ice storm.

The village building is a priority to get completed.

Wifi at Boone Park! It's set up and usable. Our IT contractor is looking at setting up controls and permissions and upgrading the parts we have.

General: The community center kitchen, plumber, and electrician have been contacted to finish up their work.

