



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

PUBLIC MEETING NOTICE

AUMSVILLE CITY COUNCIL MEETING

In the Community Center and via Zoom Video Conference

MONDAY, APRIL 24, 2023

A G E N D A

ZOOM MEETING LINK: [CLICK HERE](#)

MEETING ID: 813 0705 0605

PASSCODE: 779727

1) CALL TO ORDER AND PLEDGE OF ALLEGIANCE: 7:00PM

a) Approve Agenda

2) PRESENTATIONS, PROCLAMATIONS AND VISITORS

a) **Public Comment:** Public Comment will be accepted from in-person and online attendees at this time. Comments are limited to 5 minutes 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 April 24, 2023.

b) **Visitors:** For information about how to attend the meeting online, please call City Hall at 503.749.2030 or email tnichols@aumsville.us to request log in instructions. Information will also be posted on our website at: [Meetings | City of Aumsville Oregon](#)

3) CONSENT AGENDA – Action

- a) Approval of minutes from April 10, 2023 Regular Meeting.
- b) Accounts Payable and Payroll Register

4) PUBLIC HEARINGS - None

5) OLD BUSINESS – None

6) NEW BUSINESS

a) Sewer Collection Cleaning and TV Inspection – Assistant Public Works Director Matthew Etzel

b) Resignation of Planning Commissioner – Term Ending December 31, 2024

c) Resolution 3-23 – A Resolution Authorizing 2022-2023 Budget Amendment in the Water and Sewer Funds

d) Agreement for City-Wide Special Event - Street Dance

7) CITY ADMINISTRATOR REPORT – Information

a) Corn Festival Grand Marshal

8) MAYOR AND COUNCILORS REPORTS

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

10) CORRESPONDENCE – None

11) ADJOURNMENT REGULAR MEETING

12) EXECUTIVE SESSION – None

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.



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

AUMSVILLE CITY COUNCIL

April 10, 2023 Meeting Minutes

Mayor Angelica Ceja called the meeting to order at 7:03PM. Present in-person were Mayor Angelica Ceja, Councilors Scott Lee, Della Seney, Douglas Cox and Walter Wick. Council absent: Nico Casarez and Katie Wallace. Staff present: City Administrator (CA) Ron Harding (via Zoom), Assistant Public Works Director Matthew Etzel and City Clerk Traci Nichols. The meeting was video recorded to be released later.

AGENDA APPROVAL:

Councilor Seney motioned to approve the agenda as presented. Councilor Wick seconded. Council present unanimously voted to approve the agenda.

PRESENTATIONS, PROCLAMATIONS AND VISITORS:

Mayor Ceja read and signed the National Child Abuse Awareness Month proclamation, as well as the Arbor Day proclamation.

PUBLIC COMMENT: None

VISITORS: None.

CONSENT AGENDA:

- a) Minutes from the March 27, 2023 Regular Meeting and March 28, 2023 Work Session
- b) Accounts Payable from March 22, 2023 and Payroll Register from March 31, 2023

Councilor Seney motioned to approve the Consent Agenda as presented. Councilor Wick seconded. Council present unanimously voted to approve the Consent Agenda.

PUBLIC HEARING: None

OLD BUSINESS: None

NEW BUSINESS:

a) Marion County Multi-Jurisdictional Hazard Mitigation Plan – City Administrator Ron Harding advised this was an update to the current multi-jurisdictional hazard mitigation plan. This update is required to be done in conjunction with the County to be eligible for FEMA funding when there are emergencies or disasters. This plan also helps the City to leverage grants when they become available, to aid in implementing parts of the Hazard Mitigation Plan. Assistant Public Works Director Etzel spoke to Council, advising Public Works and the

Police Chief had collaborated on the plan, with no extra costs to the City. The County approved the Plan in their meeting on April 5, 2023. The City will need to approve the [Aumsville] Addendum as part of that process. APWD Etzel reiterated this will allow the City to be eligible for funding for hazard mitigation projects, or in the event of a disaster.

Councilor Seney moved to approve **Resolution 2-23: A Resolution Adopting the City of Aumsville Addendum to the Marion County Multi-Jurisdictional Hazard Mitigation Plan.** Councilor Wick seconded. Motion passed.

CITY ADMINISTRATOR REPORT:

a) Police Department Monthly Report

b) Public Works Monthly Report

City Administrator Ron Harding brought attention to the Police Department monthly report. He said the Police Department continued to be very involved with community outreach – being highly visible and integrating themselves.

CA Harding advised Council on a couple of items that will be on the upcoming agenda. Last year, the City didn't immediately transfer \$100,000 into water/wastewater capital funds. It was slated as an option that could be done later, if revenues came in at the level needed. We wanted to be able to keep the rate adjustment at a 3% inflationary rate, knowing the community was impacted by other inflation costs. The plan was to hold [the \$100,000] in reserve. The revenues and expenditures have balanced in such a way that Staff will need to bring an action forward to make those transfers, which are needed for the capital projects currently in the works. There will also be an action to have a video scope of the wastewater system completed. This is a DEQ requirement that must be completed every 5 years, and this is the 5th year in the cycle. The cost of the scope has gone up significantly, so the plan is to complete half of the City at a time.

CA Harding brought attention to the Public Works monthly report. He said there had been quite a bit of vandalism, and Staff is working on ways to address it.

Petition signatures for wastewater funding support are growing – the numbers are roughly 300, but he would like to see that number above 500. CA Harding said Staff was brainstorming ways to get the number at the 500 level.

The emergency generator in the reservoir has been installed, and Staff is now waiting to complete training on its use.

Event planning is going well. The Arbor Day celebration is on April 28th at 1:00PM. Staff will be partnering with the elementary school, and the celebration will be held there. Students will be replanting some of the trees that were destroyed a few years ago.

Mayor Ceja inquired on the goal of 500 petition signatures. She would like a higher goal of 2,000. Councilor Cox asked if it was possible for residents to gather signatures as well. CA Harding said anyone interested in helping was welcome to. He said the petition is to show the community's engagement in this issue – letting our legislators know the community is aware of this issue and encouraging them to focus on this and partner with us. Mayor Ceja would like the number of signatures to match the number of water/sewer bills that go out monthly. CA Harding said the City could print the petition on the next set of bills, as well as the website address to allow citizens to sign electronically. He said the engagement had been robust, given they had only been working at gathering signatures for a week.

Mayor Ceja addressed the community canvass the Council had made over the weekend, seeking support signatures. Her goal is to have one signature for each bill that goes out. She mentioned the Joint Ways and Means Committee is doing their circuit around the state, and after that they would be addressing cities and their requests for funding.

MAYOR/COUNCIL REPORTS AND INITIATIVES:

Mayor Ceja attended a meeting with the USDA Under Secretary, which she felt was informational. She said Aumsville was not the only city facing challenges with grant application processes. Mayor Ceja felt it was a good brainstorming session. Mayor Ceja, Chief Flowers and City Staff will be going to the elementary school on the 14th to meet with representatives from the Migrant Education Program, who had asked for a presentation from the City. She discussed the weekend canvass and gathering signatures.

Councilor Seney attended the Mid-Willamette Valley Area Commission on Transportation meeting on Thursday. They received many updates on upcoming projects. She said a list of projects could be found on the ODOT website.

GOOD OF THE ORDER: None

CORRESPONDENCE: None

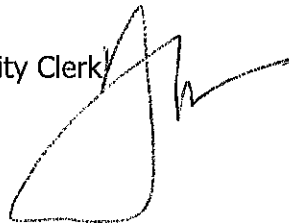
ADJOURNMENT REGULAR MEETING:

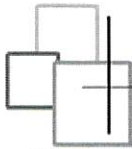
Mayor Ceja adjourned the meeting without prejudice at 7:34PM.

Angelica Ceja, Mayor

Ron Harding, City Administrator

/s/ Respectfully submitted by Traci Nichols, City Clerk





Accounts Payable Register

City of Aumsville

Fiscal: 2022-23

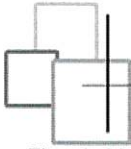
Deposit Period: 2022-23 - April

Check Period: 2022-23 - April - First Council

Number	Name	Print Date	Amount
Riverview Community Bank	9001000967		
Check			
<u>56058</u>	ARETE ADVISORS LLC	4/6/2023	\$275.00
<u>56059</u>	AUMSVILLE ACE HARDWARE	4/6/2023	\$92.22
<u>56060</u>	BMS TECHNOLOGIES	4/6/2023	\$2,769.08
<u>56061</u>	DALE'S AUTO BODY	4/6/2023	\$500.00
<u>56062</u>	DAVISON AUTO PARTS INC	4/6/2023	\$29.16
<u>56063</u>	FERGUSON WATERWORKS #3011	4/6/2023	\$1,646.73
<u>56064</u>	FRERES BUILDING SUPPLY	4/6/2023	\$904.75
<u>56065</u>	GOLDEN WEST INDUSTRIAL SUPPLY	4/6/2023	\$269.97
<u>56066</u>	GREYSTONE TACTICAL	4/6/2023	\$55.47
<u>56067</u>	INNOVATIVE COMMUNICATIONS	4/6/2023	\$160.00
<u>56068</u>	METCOM 9-1-1	4/6/2023	\$8,182.63
<u>56069</u>	MOONLIGHT MAINTENANCE	4/6/2023	\$399.00
<u>56070</u>	NCL OF WISCONSIN, INC	4/6/2023	\$731.43
<u>56071</u>	PETROCARD, INC.	4/6/2023	\$417.27
<u>56072</u>	SANTIAM WATER CONTROL DISTRICT	4/6/2023	\$3,140.21
<u>56073</u>	SANTIAM WRECKER SALES	4/6/2023	\$143.55
<u>56074</u>	SHERYL HUGHES	4/6/2023	\$220.00
<u>56075</u>	STAYTON ACE HARDWARE	4/6/2023	\$1.27
<u>56076</u>	STEVE WHEELER TIRE CENTER	4/6/2023	\$188.95
<u>56077</u>	TECH HEADS	4/6/2023	\$362.54
<u>56078</u>	TMG SERVICES INC	4/6/2023	\$1,119.06
<u>56079</u>	VALLEY 5 ELECTRICAL SERVICES LLC	4/6/2023	\$967.00
<u>56080</u>	VALLEY AGRONOMICS LLC	4/6/2023	\$296.05
<u>56081</u>	VALLEY SHADE TREE LLC	4/6/2023	\$1,890.00
<u>56082</u>	WATERLAB CORP	4/6/2023	\$1,057.50
<u>56083</u>	WESTECH ENGINEERING INC	4/6/2023	\$22,330.95
<u>EFT Payment 4/6/2023 3:01:25 PM - 1</u>	INVOICE CLOUD	4/6/2023	\$183.20
<u>EFT Payment 4/6/2023 3:01:25 PM - 2</u>	PACIFIC POWER	4/6/2023	\$10,306.97
<u>EFT Payment 4/6/2023 3:01:25 PM - 3</u>	VERIZON WIRELESS	4/6/2023	\$38.51
<u>EFT Payment 4/6/2023 3:01:25 PM - 4</u>	WAVE	4/6/2023	\$9.95
	Total	Check	\$58,688.42
	Total	9001000967	\$58,688.42
	Grand Total		\$58,688.42

Angelica Gitter

[Signature]



Accounts Payable Register

City of Aumsville

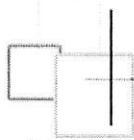
Fiscal: 2022-23

Deposit Period: 2022-23 - April

Check Period: 2022-23 - April - Second Council

Number	Name	Print Date	Amount
Riverview Community Bank	9001000967		
Check			
<u>56085</u>	911 SUPPLY	4/13/2023	\$347.73
<u>56086</u>	AIRGAS USA, LLC	4/13/2023	\$157.86
<u>56087</u>	BRIDGETOWER OPCO, LLC	4/13/2023	\$414.10
<u>56088</u>	GREYSTONE TACTICAL	4/13/2023	\$480.00
<u>56089</u>	HARDEN PSYCHOLOGICAL ASSOCIATES, P.C.	4/13/2023	\$420.00
<u>56090</u>	KUSTOM SIGNALS, INC.	4/13/2023	\$1,894.63
<u>56091</u>	MARION COUNTY TREASURY DEPARTMENT	4/13/2023	\$177.00
<u>56092</u>	METCOM 9-1-1	4/13/2023	\$8,182.63
<u>56093</u>	PETROCARD, INC.	4/13/2023	\$368.54
<u>56094</u>	PLATT ELECTRIC SUPPLY	4/13/2023	\$173.33
<u>56095</u>	SONSRAY MACHINERY LLC	4/13/2023	\$140.88
<u>56096</u>	STAN BUTTERFIELD P.C.	4/13/2023	\$750.00
<u>56097</u>	STEVE WHEELER TIRE CENTER	4/13/2023	\$0.00
<u>56098</u>	THE RADAR SHOP INC	4/13/2023	\$493.00
<u>56099</u>	TRINITY'S QUALITY AUTO CARE	4/13/2023	\$536.15
<u>56100</u>	ZUMAR INDUSTRIES, INC.	4/13/2023	\$758.65
<u>EFT Payment 4/13/2023 11:19:21 AM - 1</u>	HOME DEPOT CREDIT SERVICES	4/13/2023	\$73.38
<u>EFT Payment 4/13/2023 11:19:21 AM - 2</u>	NW NATURAL	4/13/2023	\$396.14
<u>EFT Payment 4/13/2023 11:19:21 AM - 3</u>	PACIFIC OFFICE AUTOMATION	4/13/2023	\$86.70
<u>EFT Payment 4/13/2023 11:19:21 AM - 4</u>	REPUBLIC SERVICES #456	4/13/2023	\$708.90
<u>EFT Payment 4/13/2023 11:19:21 AM - 5</u>	RIVERVIEW COMMUNITY BANK	4/13/2023	\$4,652.86
<u>EFT Payment 4/13/2023 11:19:21 AM - 6</u>	WAVE	4/13/2023	\$9.95
	Total Check		\$21,222.43
	Total 9001000967		\$21,222.43
	Grand Total		\$21,222.43

Angelina A. [Signature]
[Signature]



Payroll Register

City of Aumsville

Fiscal: 2022-23
Deposit Period: 2022-23 - April
Check Period: 2022-23 - April - First Council

Number	Account	Pay Date	Amount
Riverview Community Bank	9001000967		
Check			
56084	Brewster, Hayley E	4/14/2023	\$1,583.94
<u>Direct Deposit Run - 4/12/2023</u>	Payroll Vendor	4/14/2023	\$35,746.12
<u>EFT 12370412</u>	Oregon Department of Revenue	4/14/2023	\$3,795.17
<u>EFT 34531650</u>	EFTPS	4/14/2023	\$12,925.36
<u>EFT 4272023</u>	PERS	4/14/2023	\$13,426.65
<u>EFT HSA4142023</u>	HSA Bank	4/14/2023	\$1,290.75
<u>EFT OSGP4142023</u>	VOYA - STATE OF OREGON - LG#:2234	4/14/2023	\$515.00
<u>EFT V4142023</u>	Valic	4/14/2023	\$25.00
	Total Check		\$69,307.99
	Total 9001000967		\$69,307.99
	Grand Total		\$69,307.99






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

STAFF REPORT

TO: Aumsville City Council

FROM: Matthew Etzel, Aumsville Public Works

SUBJECT: Sewer Collection System Cleaning and TV Inspection

Recommendation: Accept the bid by C-More Pipe Services Co. for the Cleaning and TV inspection of 33,000 linear feet of the collection system in the amount of \$68,500 from fund 019-604 Sewer Improvements.

Background: In March we identified about half of the collection system to be cleaned and TV'd. This is about 33,000 linear feet of collection system piping. We identified the areas in the older part of town around 4th through 9th street and from the treatment plant south to Washington Street. This is the oldest part of our collection system and the area we wanted to focus on to identify any I&I issues that may have developed since that last TV inspection. If accepted, we would start in May or June. We are hoping to have the contractor do this work just before summer when the flows are low enough to allow the camera equipment to make its way through the pipes but still show any signs of water making its way into the system through cracks, bad joints, or illegal connections. Information on TV inspections is required as part of our annual I&I report required by DEQ. They recommend the system be cleaned every 5 years and to keep on this recommendation we plan to do half of the system this year and the other half next spring/early summer. Several parts of the system to be TV'd and cleaned are on our list of improvements in the new wastewater facilities plan and the information we receive from the reports will help us develop accurate plans for those projects along with repairs in other areas that may increase capacity in some of those lines and reduce some of our I&I (infiltration and Inflow)

MOTION:

- Move to approve the proposal by C-More Pipe Services Co. for the Cleaning and TV inspection of 33,000 linear feet of the collection system in the amount of \$68,500 from fund 019-604 Sewer Improvements.
- Move to approve the proposal by C-More Pipe Services Co. for the Cleaning and TV inspection of 33,000 linear feet of the collection system in the amount of \$68,500 from fund 019-604 Sewer Improvements with the following revisions.
- Move to remand back to staff for revisions as directed.

***** FOR CITY USE ONLY *****

REQUEST FOR QUOTE PROCEDURES

Direct Inquiry:	Contact
1. C-More Pipe Services Co.	Mike McCoy
2. Dick Welker Construction INC.	Denny Welker
3. OR Vac West	Jeff Fanning

BID TABULATION

	Name	Company	Date Submitted	TOTAL PRICE
1	Mike Mccoy	C-More Pipe Services	3/22/2023	\$68,500.00
2	Denny Welker	Dick Welker Cons.	4/6/2023	\$74,250.00
3	Jeff Fanning	ORVACWEST	3/28/2023	\$80,850.00
4				
5				

EVALUATION CRITERIA/BASIS FOR DECISION

	Company	Previous Work Experience with Aumsville	Responsiveness /Readiness to Proceed	Price
1	C-More Pipe	Yes	May-June	\$68,500.00
2				

City Administrator or Designee

Contract Award Date: _____

C-More Pipe Services Co.
 1717 Lexington St
 Portland, OR 97202
 (503) 871-6503
 www.cmorepipe.com



Estimate

ADDRESS

City of Aumsville Public Works
 595 Main St.
 Aumsville, Or 97325

ESTIMATE # Q-1072

DATE 03/22/2023

EXPIRATION DATE 04/30/2023

DATE	SERVICES	QTY	RATE	AMOUNT
	Mobilization/Demob - TV truck TV truck Mobilization/Demob (Salem to Aumsville) covers approximately 15 days of travel.	1	1,250.00	1,250.00
	Mobilization/Demob Cleaner Truck Mobilization/Demob Cleaner Truck (Salem to Aumsville) covers approximately 15 days of travel	1	1,250.00	1,250.00
	TV Inspection Labor & Equipment to TV 33000 ft sanitary pipe	33,000	1.00	33,000.00
	Cleaning Labor & Equipment to Clean 33000ft sanitary pipe.	33,000	1.00	33,000.00
	NOTE Cleaning includes 2 passes. More than 2 passes is heavy cleaning at \$250/hr. Root cutting is \$250/hr Cutting protruding taps is \$500/each. Traffic control includes road signs and traffic cones. Traffic control that requires flagging is not included.	1	0.00	0.00

Please make checks payable to C-More Pipe Services

DATE	SERVICES	QTY	RATE	AMOUNT
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City to provide access to manholes located in back yards.
 Debris removed from system to be left with designated City site.

TOTAL **\$68,500.00**

Accepted By

Accepted Date

PROPOSAL BY:

DICK WELKER CONSTRUCTION INC.

P.O. BOX 1032 ALBANY, OREGON 97321

Office (541)926-4914, Fax (541)926-1224

dickwelkerconstruction.com

CCB# 109242

DATE : 4-6-2023

Proposal # : 46239

To : City of Aumsville - Mathew Etzel

Job Name : Cleaning and TV

We propose to furnish all materials and perform all labor necessary to complete the following :

Clean and TV SS Lines as directed. Approximately 33,000 Ft.

All MOBs included.

\$2.25 per ft.

All of the above work to be completed in a substantial and workmanlike manner for the sum of \$74,250.00 The entire amount of contract to be paid after completion.

Any alteration or deviation from the above specifications involving extra cost of material or labor will only be executed upon written orders for the same, and will become an extra charge over the sum mentioned in this contract. All agreements must be in writing.

Respectfully submitted.

Denny Welker (541)979-8328

dennywelker@gmail.com

ACCEPTANCE

You are hereby authorized to furnish all materials and labor required to complete the work mentioned in the above proposal, for which

Name: _____ Date: _____

agree to pay the amount mentioned in said proposal, and according to the terms thereof.

March 28, 2023

City of Aumsville

Attn: Matthew Etzel

Metzel@aumsville.us

503-749-1185

Scope of Work: Jet and CCTV approximately 33,000 feet of 8",10",12" and 24" sanitary sewer pipe

The cost to Jet and CCTV 33,000 feet of 8",10",12" and 24" sanitary sewer pipe is \$80,850.00. The cost includes all mob charges, a two man crew for the Jet truck and a two man crew for the CCTV truck. OreVac West will provide the City of Aumsville with written reports and thumb drives that will contain the video inspections as well as a Pdf file of the report. The city will provide OreVac West with a hydrant meter to be used at an agreed upon hydrant in areas where the jetting will take place. The city will also provide a dump site to dispose of any material removed from the sanitary sewer with the Vac truck. In areas where manhole access is in backyard easements the city will have all manholes located prior to jetting and CCTV and located on a map that clearly shows the location of the manholes and which property they're located on. CCTV inspection rates are based on single pass inspections. Hydro-jetting is based on 3 or less passes. Unforeseen conditions such as heavy sediment deposits in pipes could result in additional cleaning and CCTV and result in additional mobilization, time and days at additional expense to the city of Aumsville. Please don't hesitate to call or email me if you have any questions.

Respectfully submitted,

Jeff Fanning

OreVac West

PO Box 545 Amity, OR 97101
CCB # 191527
Jeff 503-881-2331 ~ Jeff@orevacwest.com
www.orevacwest.com



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STAFF REPORT

TO: City of Aumsville City Council

FROM: Ron Harding, City Administrator
Joshua Hoyer, Finance Officer

Date: May 24, 2023 City Council Meeting

SUBJECT: Budget Amendments – Water/Sewer Improvement Fund Transfers

RECOMMENDATION: Staff requests authorization to amend the 2022-2023 fiscal year budget with transfers to the Water Improvement and Sewer Improvement Funds.

BACKGROUND: In preparing the fiscal year 2022-2023 budget, it appeared that funds would be constrained, due to increased costs of goods and services. Through eight months of conservative spending, the Water and Sewer Funds have accumulated sufficient funding to provide the suspended transfers to their respective improvement funds. Since these transfers were not initially included in the adopted budget, amendments will be necessary to transfer allocations from contingency to the respective transfer line in each fund.

CURRENT SITUATION: ORS 294.463 grants local governments authority to transfer budget appropriations from contingency up to fifteen percent (15%) of the fund's original total appropriations. Based on this calculation, up to \$175,841 in the Water Fund and up to \$165,425 in the Sewer Fund could be transferred from contingency in the fiscal year without a supplemental budget and hearing – more than is even allocated to contingency in either fund. These transfers are intended to be savings for future expenditures, so no appropriations are necessary in the Water Improvement or Sewer Improvement funds.

The impact on the 2022-23 fiscal year budget would be as proposed:

WATER FUND			
	Current Appropriations	Change in Appropriations	Amended Appropriations
To Water Improvement Fund	0	100,000	100,000
Operating Contingency	152,905	(100,000)	52,905
Requirements	1,454,949	0	1,454,949

SEWER FUND			
	Current Appropriations	Change in Appropriations	Amended Appropriations
To Sewer Improvement Fund	0	100,000	100,000
Operating Contingency	143,848	(100,000)	43,848
Requirements	1,337,029	0	1,337,029

Council Options – 1st Action

1. Approve Resolution 3-23 to modify budget appropriations as outlined.
2. Amend Resolutions 3-23.
3. Remand to staff for revision.

MOTION: *I move to approve Resolution 3-23 as presented by staff.*

RESOLUTION NO. 3-23

A RESOLUTION AUTHORIZING 2022-2023 BUDGET AMENDMENT IN THE WATER AND SEWER FUNDS.

WHEREAS, the City has accumulated sufficient funding within the Water and Sewer Funds to provide \$100,000 transfers to their respective Improvement Funds; and

WHEREAS, these transfers were not originally appropriated in the 2022-2023 fiscal year budget; and

WHEREAS, ORS 294.463 grants local governments authority to transfer budget appropriations from contingency up to fifteen percent (15%) of the fund's original total appropriations;

NOW THEREFORE, BE IT RESOLVED that the Aumsville City Council amends the 2022-2023 Fiscal Year Budget as follows:

WATER FUND (012)			
	Current Appropriations	Change in Appropriations	Amended Appropriations
TRANSFERS	114,520	100,000	214,520
OPERATING CONTINGENCY	152,905	(100,000)	52,905
TOTAL REQUIREMENTS	1,454,949	0	1,454,949

SEWER FUND (013)			
	Current Appropriations	Change in Appropriations	Amended Appropriations
TRANSFERS	54,520	100,000	154,520
OPERATING CONTINGENCY	143,848	(100,000)	43,848
TOTAL REQUIREMENTS	1,337,029	0	1,337,029

BE IT FURTHER RESOLVED that this resolution becomes effective upon adoption.

CONSIDERED AND PASSED BY THE AUMSVILLE CITY COUNCIL ON THE 24TH DAY OF APRIL, 2023.

Angelica Ceja, Mayor

ATTEST:

Ron Harding, City Administrator

**AGREEMENT BETWEEN THE CITY OF AUMSVILLE,
OREGON AND TREVA GAMBS – DBA: G-3 FOR THE
PURPOSES OF A ONE-DAY SPECIAL EVENT**

This agreement is entered into this 18th day of August, 2023 by and between the City of Aumsville and TREVA GAMBS - DBA G-3: 325 Main Street-Aumsville, Oregon 97325.

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 TREVA GAMBS - DBA G-3 for the term specified in Section 5: Terms the right and privilege to conduct a special event in Aumsville, Oregon: Street Dance (in conjunction with the Aumsville Corn Festival – An Oregon Heritage Traditions event).

II. FACILITIES

- A. The space allotted to TREVA GAMBS - DBA G-3 for the operation of the event shall consist of TREVA GAMBS - DBA G-3's location at 325 Main Street-Aumsville, Oregon and extend to Fourth Street between Main Street and Church Street in the City of Aumsville. This agreement will act as the event permit for use of this area in the City for a community-wide event. The City does not allow the use of the rights-of-way or City streets for private events.

III. OPERATION OF BUSINESS

- A. It is agreed that the event shall be operated in the name of TREVA GAMBS - DBA G-3.
- B. TREVA GAMBS - DBA G-3 shall not allow the premises, or any part of such premises, to be used for any purpose other than the music and dance area, 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. No alcohol shall be located on the City street and must be contained within the secure areas outlined in the site plan.

- C. To ensure the event meets the expectations of the community, TREVA GAMBS - DBA G-3 will coordinate the band or bands contracted for the event and the City will agree to the selection before commitment is made.
- D. TREVA GAMBS - DBA G-3 will provide all security, outline an emergency contact list, identify a first-aid station, and maintain an emergency contact list on site with a person identified as the security officer at all times during the event.
- E. TREVA GAMBS - DBA G-3 will provide restroom facilities at the current location as well as a minimum of 6 restrooms to be located on the exterior site plan.
- F. TREVA GAMBS - DBA G-3 will provide food stations with a minimum of three menu items.
- G. TREVA GAMBS - DBA G-3 will be responsible for all permits and licenses needed by other agencies.

IV. FINANCIAL ARRANGEMENTS

- A. TREVA GAMBS - DBA G-3 will host the event independent of the City of Aumsville or other City events and may obtain sponsors for the event for related costs associated with the event. The City of Aumsville is not responsible for any obligations related to TREVA GAMBS - DBA G-3 or the event known as the Street Dance.
- B. To facilitate community activity, the City of Aumsville will provide advertisements and the use of the City's event tents for the Street Dance.
- C. TREVA GAMBS - DBA G-3 The City of Aumsville will block Fourth Street from Church Street to Main Street with barricades that indicate the road is closed but passable for equipment and loading and unloading. It is recommended that TREVA GAMBS - DBA G-3 provide additional barriers before the Street Dance begins.

V. TERMS

- A. The Street Dance event is permitted for one day, between the hours of 8:00 AM and 11.59 PM, on Friday, August 18, 2023.

VI. MERCHANDISE PURCHASES

- A. TREVA GAMBS - DBA G-3 shall make all purchases of materials for use or sale by TREVA GAMBS - DBA G-3 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 TREVA GAMBS - DBA G-3. TREVA GAMBS - DBA G-3 agrees, as directed by the City of Aumsville, to abide by these relationships except as prohibited by law.

VII. EMPLOYEES

- A. All employees of TREVA GAMBS - DBA G-3 shall conform to the rules and regulations currently established or in force, or which may be established reasonably, in their conduct in the City of Aumsville.
- B. The City of Aumsville shall have the right to require the removal from the premises any employee of TREVA GAMBS - DBA G-3 whose conduct is deemed as unsatisfactory to the City of Aumsville.
- C. TREVA GAMBS - DBA G-3 shall employ and provide as many workers as determined is needed to conduct the operation of the event properly and safely.
- D. TREVA GAMBS - DBA G-3 shall comply with all Federal, State, and local laws and regulations, now in force or which any governmental authority may enact.

VIII. CLAIM

- A. Claims for damages arising out of the operation of TREVA GAMBS - DBA G-3 event that are covered by insurance shall be handled by TREVA GAMBS - DBA G-3 and TREVA GAMBS - DBA G-3 shall exercise due diligence in affecting settlement of such claims.

IX. INSURANCE

- A. TREVA GAMBS – DBA G-3 shall procure and maintain insurance of the following kinds and minimum limits:
 - 1. Workers' Compensation insurance in compliance with ORS Chapter 656 if TREVA GAMBS - DBA G-3 employs "subject workers".
 - 2. Comprehensive General Liability with total limits of two million dollars (\$2,000,000). TREVA GAMBS - DBA G-3 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. TREVA GAMBS - DBA G-3 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 TREVA GAMBS - DBA G-3's 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.

X. TAXES AND FEES

- A. TREVA GAMBS - DBA G-3 shall obtain all licenses as necessary to run the event, 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 maybe levied or assessed on the assets, business or capital with respect to the special event on TREVA GAMBS - DBA G-3 income from the event or on the merchandise carried by TREVA GAMBS - DBA G-3 for the use during the event and duly constituted by local, City, county, state, or federal, or other governmental authority, shall be borne and paid for TREVA GAMBS - DBA G-3.

XI. MUTUAL INDEMNIFICATION

- A. TREVA GAMBS - DBA G-3 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 TREVA GAMBS - DBA G-3 or any of its officers, employees, agents, or participants in the event.
- B. To the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act (ORS 30.260 through 30.300), the City of Aumsville will at all times indemnify and defend TREVA GAMBS - DBA G-3 against, and hold TREVA GAMBS - DBA G-3 harmless from all actions, claims, demands, liabilities, and damages that may in any manner be imposed on or incurred by TREVA GAMBS - DBA G-3 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.

XII. 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 TREVA GAMBS - DBA G-3.

XIII. GOVERNING LAW AND 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 is employed to enforce this Agreement or 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 relinquishes its right to sovereign immunity.

XIV. ENTIRE AGREEMENT

A. This Agreement, and all Appendices attached hereto, constitute 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.

XV. 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
595 Main Street
Aumsville, Oregon 97325

TREVA GAMBS DBA G-3
325 Main Street
Aumsville, Oregon 97325

Signed _____

Signed _____

Date _____

Date _____

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

Event Area

First Aid

Tents

Stage

Outdoor
Restrooms

Beer/Liquor
Service

490

N 4TH ST

N 3RD ST

486

445

395

325

305

MAIN ST