

COUNCIL AGENDA



1-10-90

LEBANON CITY COUNCIL
JANUARY 10, 1990
7:30 P.M.

A G E N D A

NO NOON SESSION

Call to order/Flag Salute

Roll Call

Approval of Minutes

- ~~1)~~ Minutes of the December 13, 1989 City Council meeting

Citizen Comments

Public Hearing 7:45 p.m.

- ~~2)~~ **UTILITY RATE REVIEW PROPOSAL PUBLIC HEARING**

Presented by: Judy Wendland, Finance Director
Jim Ruef, Director of Public Works

Public Hearing on the proposed water and sewer rate changes

Legislative Action

- ~~3)~~ **1989-90 INTRA-FUND TRANSFER**

Presented by: Judy Wendland, Finance Director

Authorize certain intra-fund transfers in the 1989-90 budget by
RESOLUTION

4)

REVISION OF LEBANON MUNICIPAL CODE 12.12 REGARDING PARKS AND PUBLIC PLACES

Presented by: Jim Ruef, Director of Public Works

Amending the Lebanon Municipal Code Section 12.12 relating to Parks and public places by ORDINANCE

5)

SENIOR CENTER GIFT SHOP POLICIES AND PROCEDURES

Presented by: Lou Ann Grosch, Senior & Disabled Services Program Mgr.

Adoption of gift shop policies and procedures by MOTION

6)

LINN COUNTY TOBACCO VENDING MACHINE ORDINANCE ADOPTION

Presented by: Tom McHill, City Attorney

Adoption of ^{Resolution} ~~ORDINANCE~~ consenting to the application of the Linn County Vending Machine Ordinance 89-551

Minutes/Monthly Reports

- 7) Sidewalk Incentive Program Status Report
- 8) December 1989 Building Summary
- 9) 1989 Year-end Building Summary & Report

Executive Sessions

- As per:
- ORS 192.660(1)(i) City Administrator's quarterly review
 - ORS 192.660(1)(2) Labor Negotiations

ADJOURNMENT

AGENDA ITEM 1

MINUTES OF THE DEC. 13, 1989 LEBANON CITY COUNCIL MEETING

The Lebanon City Council met in regular session on December 13, 1989. The meeting was called to order by Mayor Bob Smith in the Council Chambers of City Hall at 7:30 p.m. Present in addition to Mayor Smith were Councilors Lyle Winters, John Richard, Ron Miller Jr. Diane Branson and Ken Toombs. Also present were City Attorney Tom McHill, Director of Public Works Jim Ruef, Police Chief Walt Richmond, Finance Director Judy Wendland, Finance Office Manager Casey Cole and City Planner Doug Parker.

The minutes of the November 8, 1989 City Council meeting were approved as submitted.

Jean Hale, 786 S. 5th Street appeared before the Council stated an elderly Lebanon citizen, Clara McKean of 332 W. Grant Street had swept up and cleaned the sidewalk area in front of the former Linn County Lumber Company. Mrs. Hale suggested that Public Works employees could occasionally walk the sidewalks and clean debris from them and clear away leaves that periodically plug up the drains. Mrs. Hale also added that Mrs. McKean would like the City to be aware that there are no marked pedestrian walkways in front of City Hall.

Mrs. Hale also shared with members of the Council and public a letter she received from Gale Belamy from the State Highway Division regarding the placement of a flashing stop light at the intersection of 5th and Oak Streets.

B.J. Schwegman, 1083 "F" Street appeared before the Council and reported that a scheduled meeting between the Senior Services Director, the Senior Advisory Board Chairperson, Councilor Diane Branson and himself was held to discuss problems he and other patrons of the Center experience, did not produce any beneficial suggestions and he did not feel that the meeting was worthwhile.

Mr. Schwegman stated that the drug problem at the high school seems to be getting worse and law enforcement agencies need to step up drug enforcement.

Finance Director Wendland addressed the Council regarding an intra-fund transfer Resolution for unanticipated costs to complete the remodeling above the Police Department and transfer of funds to cover a cost increase associated with the State Accident Insurance Fund (SAIF) coverage of two employees at the Senior Center.

She also addressed the Council regarding the adoption of an appropriation resolution for a \$2,500 grant from the State of Oregon. She noted that expenditure of these funds will pay for costs associated with the comprehensive plan update.

RESOLUTION NO. 29, A RESOLUTION AUTHORIZING CERTAIN INTRA-FUND TRANSFERS IN THE 1989-90 BUDGET was read by title only. Motion by Councilor Toombs, seconded by Councilor Richard to approve the intra-fund transfer Resolution. Motion passed unanimously.

RESOLUTION NO. 30, A RESOLUTION APPROPRIATING GRANT FUNDS was read by title only. Motion by Councilor Miller, seconded by Councilor Winters to approve the Resolution. Motion passed unanimously.

The time being 7:45 p.m. Mayor Smith opened the public hearing on zone map amendment 89-1. Mr. Parker addressed the Council and explained that the amendment addresses rezoning 1.55 acres from Residential Mixed Density (RM) to Highway Commercial (CH) to accommodate the construction of the proposed Shop-N-Kart grocery store. The rezone area involves three vacant parcels west of Highway 20, north of Airport Road, east of Second Street and south of the Santiam Canal. Mr. Parker then outlined and summarized the recommendations and finding of facts outlined by the Planning Commission. No one appeared to speak for or in opposition to the zone map amendment request. The time being 7:51 p.m., Mayor Smith closed the public hearing on Zone Map Amendment 89-1.

Motion by Councilor Toombs, seconded by Councilor Winters to approve the zone map amendment and adoption of the Planning Commission adopted findings. Motion passed unanimously.

The time being 7:53 p.m., Mayor Smith opened the public hearing on the assessment of Mowing and Weed Abatement Charges incurred in 1989. Mayor Smith stated that a letter in opposition has been received from Great Western Asset Management Company against the assessment at 1060 Main Street.

MINUTES OF THE DEC. 13, 1989 LEBANON CITY COUNCIL MTG. PG.3

Mr. Dale Porter, representative and caretaker for the Farmer's Home Loan Administration Department for the Albany, Salem and Dallas Office addressed the Council and stated that the assessment at 1045 W. Sherman Street has been assessed much too high and he did not believe that the lot had actually been mowed

Fire Marshall Ray Fair addressed Mr. Porter's complaint and stated that he checks each mowing job to make sure it has been done correctly and completely.

Finance Director Wendland added that the Finance Department will look into this matter and give the Albany Office a call to clarify the issue.

Evelyn Kelly, 31861 Huckleberry Lane appeared before the Council regarding the assessment on the lot at 449 W. Vine Street. She inquired why property owners are not notified before the lot is mowed. She also feels that the assessment is excessive.

Finance Director Wendland responded that the Mowing and Weed Abatement Ordinance requires the City to advertise in the Spring of the year before the mowing begins.

Wayne Robbins appeared before the Council regarding the assessment on 90 N. Main and 70 Eaton Street. He stated that they had contracted for a person to mow the lots in May but due to the wet weather the mower could not get into the lots to cut the grass and weeds. Mr. Robbins suggested that the City and Fire District consider the weather when lots need to be mowed.

Jennifer Keen, 644 Evans Drive appeared before the Council and stated that the lot that she was assessed at 380 Tangent Street is concrete and does not have a lawn area to be mowed.

The time being 8:03 p.m., Mayor Smith declared the public hearing closed.

BILL NO. 19, A BILL FOR AN ORDINANCE ADOPTING STATEMENT OF COSTS FOR 1989 MOWING AND WEED ABATEMENT CHARGES was read by title only. Motion by Councilor Miller, seconded by Councilor Winters to

adopt the Statement of Costs for mowing and weed abatement. Motion passed by a roll call vote of 5-0. Thereupon Mayor Smith declared the Bill passed and the title of the Bill became the title of Ordinance No. 2063.

It was noted that all complaints received by the above individuals will be investigated further before final costs are assessed.

City Attorney McHill addressed the Council regarding an ordinance prohibiting indecent exposure. Mr. McHill explained that the ordinance was drafted to address concerns from a group of Lebanon citizens complaining about a Lebanon man exposing himself to some citizens on their property in the community. McHill added that police were summoned but could not charge the man with anything other than criminal trespass because no ordinance prohibited this kind of behavior.

BILL NO. 20, A BILL FOR AN ORDINANCE PROHIBITING INDECENT EXPOSURE AND DECLARING AN EMERGENCY was read by title only. Motion by Councilor Branson, seconded by Councilor Miller to adopt the Ordinance. Motion passed by a roll call vote of 5-0. Thereupon Mayor Smith declared the Bill passed and the title of the Bill became the title of Ordinance No. 2064.

Finance Director Wendland addressed the Council regarding the amendment of the Lebanon Municipal Code addressing the fee schedule for after hours water turn-on charge. Ms. Wendland explained that during last year's cold weather the City had numerous calls about frozen water pipes. On many of those occasions, a Public Works employee had to be called out after hours. She further explained that a water turn-on charge will not be imposed during the normal working hours only if the water turn-on charge is after hours, during the weekend or other times not normally scheduled.

BILL NO. 21, A BILL FOR AN ORDINANCE AMENDING SECTION 13.04.180 OF THE LEBANON MUNICIPAL CODE AND DECLARING AN EMERGENCY was read by title only. Motion by Councilor Toombs, seconded by Councilor Richard to adopt the Ordinance. Motion passed by a roll call vote of 5-0. Thereupon Mayor Smith declared the Bill passed and the title of the Bill became the title of Ordinance No. 2065.

Director of Public Works Jim Ruef addressed the Council regarding the bid award for the signalization of Walker and South Main Road. Mr. Ruef stated that four bids were received with the lowest bid received from Cherry City Electric/Hamilton Electric of Eugene in the amount of \$94,663.

Motion by Councilor Miller, seconded by Councilor Toombs to award the signalization project to the Cherry City Electric/Hamilton Electric of Eugene in the amount of \$94,663. Motion passed unanimously.

Public Works Director Ruef addressed the Council regarding two requests from the Lebanon School District. Mr. Ruef explained that the requests involve the placement of a no-parking zone on Morton Street adjacent to the Lebanon Middle School exit drive and the removal of a loading zone on a portion of Morton Street between Second and North Main Street.

Mr. Ruef stated that staff has investigated both requests and have found them to improve traffic safety in the area and increases an assessable parking space.

RESOLUTION NO. 31, A RESOLUTION PROHIBITING STREET PARKING AND REMOVING A LOADING ZONE ON A PORTION OF MORTON STREET was read by title only. Motion by Councilor Richard, seconded by Councilor Toombs to adopt the Resolution. Motion passed unanimously.

Public Works Director Ruef also addressed the Council regarding a request from the Lebanon Fire District for placement of a no-passing zone along Oak Street in front of the fire station. Mr. Ruef stated that cars passing in the area constitutes a hazard to the emergency vehicles departing the fire station. Mr. Ruef and staff recommend approval of this request.

RESOLUTION NO. 32, A RESOLUTION REGARDING TRAFFIC IN THE CITY OF LEBANON AND ESTABLISHING A NO PASSING ZONE ON WEST OAK STREET BETWEEN 10TH STREET AND GILBERT DRIVE was read by title only. Motion by Councilor Miller, seconded by Councilor Winters to adopt of the Resolution. Motion passed unanimously.

MINUTES OF THE DEC. 13, 1989 LEBANON CITY COUNCIL MTG. PG.6

Mayor Smith announced that two scheduled Executive Sessions have been cancelled and will be rescheduled for the first meeting in 1990.

There being no further business to come before the Council, the meeting was adjourned at 8:20 p.m.

Mayor

ATTEST:

City Administrator

AGENDA ITEM 2



CITY OF LEBANON
M E M O R A N D U M

TO: Joseph A. Windell, City Administrator DATE: January 3, 1990

FROM: Judy Wendland, Finance Director *JW*
James P. Ruef, Director of Public Works *JPR*

SUBJECT: Utility Rate Review Public Hearing

As you are aware, the City Council has already reviewed the recommendations of the Utility Rate Review Committee in their work session on December 27. By the time of the Public Hearing on January 10, we will have held three neighborhood meetings to provide information on the rate changes. These meetings were advertised for three weeks in both the Lebanon Express and Democrat Herald.

At each meeting, we will have made available several handouts regarding the changes and explaining how to prepare public testimony. Handouts were also available in the Finance Office and at the Senior Center. In addition, we have encouraged everyone we have spoken with to contact members of the Council with their thoughts.

In addition, there have been numerous stories in the Lebanon Express over the last two months about the proposed rate changes.

Attached for your information are copies of the display ad and the most recent story from the Express, as well as a copy of the message on the back of the billings sent to each rate payer in January. Also attached are some of the newspaper stories from prior years that we thought might be of interest.

If you have any questions, please don't hesitate to ask.

JW/lgk

PP&L offers to sell water systems to cities

Pacific Power & Light Co. has offered to sell its water systems in Albany, Lebanon and three other cities to the respective city governments.

The offer was announced today by the office of Public Utility Commissioner John Lobdell in Salem, who supports the idea.

In a letter he mailed this week to city officials, Lobdell said PP&L planned to ask for major water rate increases for its city water systems. He said PP&L would delay filing for the rate hikes until April 1 to give cities a chance to think about buying the water systems instead.

PP&L owns the water systems in Albany, Lebanon, Mill City, Independence and Prineville.

The PUC office said that if PP&L goes ahead

with its rate filings, the utility would seek revenue increases of 61 percent in Albany, 105 percent in Lebanon, 42 percent in Mill City and 50 percent in Independence.

PP&L officials have already talked to Albany and Lebanon city officials about selling the water systems.

Albany City Manager Bill Barrons said today the City Council may discuss the matter for the first time at its next meeting Feb. 23. Barrons said the city, however, would have to study many questions and could not reach a decision by the April 1 deadline suggested by Lobdell.

In his letter to Albany, Lobdell said a fair selling price would be the system's original cost less depreciation. He said local governments could finance system expansions at less cost than PP&L. He said ratepayers would

benefit in that way, and also because cities would not have to make a profit on water sales.

John Clay, a PUC spokesman in Salem, said city ownership could help hold down future rate hikes.

Dick Jones, PP&L manager in Albany, said that in the year that ended last June, the Albany system had revenue of \$1,863,064 and total expenses, including local taxes, of \$1,428,756.

Jones, Barrons and others said that among the many questions that would have to be answered in any sale of the systems would be what happens to the Lebanon-Albany canal, which brings water to both cities, and the Albany treatment plant, which also houses a generator and other equipment related to PP&L's electric system.

Also, Barrons said, the city would have questions about water-supply contracts by PP&L, like the one under which North Albany gets its water.

In Lebanon, City Administrator Jim Thompson said city officials have been talking with PP&L since mid-December about buying the Lebanon water system.

"We believe that local control of future rate increases is best," Thompson said.

He said the city can finance improvements to the system at a lower cost than a utility, and the city has an interest in owning both the water and sewer operations inside the city limits.

In Lebanon, the potential rate increase

would nearly double the current average water bill of \$10.47 per month. No comparable figures for Albany were available this morning.

Clay said PP&L first approached the PUC a month ago with preliminary rate information.

"And it looks like substantial rate increases are justified," he said.

"They told us that they didn't want to hit people with those kinds of increases," said Clay. "They suggested it might be cheaper for cities to buy (the water systems) and operate them themselves."

Clay said the rate hikes are tied to what the utility says are increased costs of operation. If formally proposed, Clay said, the rate increases would take place in two steps.

EDITORIALS

5/17/83

City opposition to rate increase may backfire

City of Lebanon is doing the politically proper thing in filing objections to Pacific Power & Light Company's proposed 105 percent water rate hike. The City will formally oppose the increase in testimony to the Public Utility Commissioner.

It's probably the best way to avoid any angry public outcry against the city. But the city's best move might be not to say anything.

In a report last week to City Council, city staff recommended acquiring the water system from PP&L. The rate hike proposal by PP&L had stimulated the Public Utility Commissioner to suggest such a purchase might be the best idea for consumers. PP&L is apparently a willing seller, so long as they can agree on a fair price.

The city report says it would take about 11 employees to run the local water system, and a good deal of money to bring about 25 percent of the water lines up to the desired level of service. A few other improvements also would be desirable if the city study is correct.

All of that costs money. Lots of money. So while it may be

politically proper to oppose the proposed rate hike, city leaders should privately pray for its approval.

If the rate hike, or some large portion of it, is granted, City of Lebanon stands to be in a much better position to purchase the system, and to make the improvements the staff thinks necessary. Clearly, if the rates aren't increased now, they will be someday to pay for acquiring and upgrading the system.

Lebanon has seemed to have a lot to complain of in water rate increases in recent years. What is hard to recall today is that until about the mid-seventies, there had been no increase at all for over 20 years. That clearly wasn't smart management. And the result today is that major increases are necessary to provide the needed revenue to operate the system at today's more costly levels.

City of Lebanon might be better off just to avoid testifying at all. If it succeeds in reducing PP&L's proposal, the city would only be postponing the political pain to some future time when it will fall more directly on city government.

Water report: Proceed with the purchase

5-17-83

Counting the Votes on page 6

Although more than a fourth of the Lebanon water lines are in need of major repair, the city of Lebanon should take steps to purchase the system, an engineering report recommends.

Acting City Engineer Jim Ruef

Public hearing set

A public hearing will be held in Lebanon on Tuesday, May 24, on a proposal of Pacific Power & Light Company to raise water service rates.

The hearing will be at 7 p.m. in the Lebanon Middle School cafeteria, 60 Main St.

PP&L has filed a request to increase revenues from water operations in five cities, including Lebanon. For residential customers in Lebanon who use 1,000 cubic feet of water a month, PP&L's proposal would increase monthly bills by \$11.94, or 104 percent.

Public Utility Commissioner John Lobdell suspended the rate proposal for up to six months to allow his staff and the cities time to study the reasonableness of the requests.

has presented the 123-page report to the city council, and councilors immediately set a workshop session this week to study the document.

Ruef, with help from other city staff members, compiled the report in the last five months and recommended:

- 1. That the city pursue the steps necessary to purchase the system from Pacific Power & Light Company, which wants to sell the network because it is not making any money on it.

- 2. That before any purchase is completed, the city should further study ownership of the canal which carries the water from the South

Santiam River through the city and on to Albany. The study also should include ownership of accessory channels.

- 3. That rights to the canal and its waters by Crown Zellerbach property owners be determined.

- 4. That further study be done on the canal structures, including the Lebanon headgate and diversion dam about two miles east of the city, and the Albany headgate outside the northern city limits of Lebanon.

- 5. That a consultant be hired to figure the economic value of the system and to explore the various means of financing any purchase.

- 6. That only that portion of the water system from the dam to the Albany headgate be considered for purchase. That would preclude buying the canal from Lebanon to Albany.

- 7. That any purchase price should consider the improvements needed in the system before it can be considered acceptable to serve the city's needs.

Should a purchase be consummated, Ruef reports, the city of Lebanon would be "better served by a water utility" which could instigate an aggressive program of "replacement and upgrading of old and inefficient facilities."

In his study, Ruef found that 26 percent of the distribution pipes need to be replaced, and that the system would be rated "poorly" in supplying the water needed for fire flows. The water storage system, the report adds, also is inadequate by two million gallons, says the report.

The engineer estimates it would cost \$4.9 million over 16 years to make the necessary repairs.

Should Lebanon decide to buy the system, Ruef continues, rate payers would benefit from city ownership by:

- 1. Lower rates in the future, assuming that an "aggressive program of improvements to the system is instigated."

Turn to WATER, page 2

7-14-83

City wants financial whiz to help analyze proposed purchase of water system

Related story on page 2
Counting the Votes on page 2

By Jim Irvine

Express staff writer

The Lebanon city council is pondering whether to hire a specialist to help decipher some of the financial aspects of the proposed purchase of the city's water system.

City Administrator Jim Thomp-

son said there will be several financial matters to be analyzed during the study stage, and he would like some help in figuring them out.

"Right now, we're at the limit of our staff on what we can do," Thompson said. "We've gone through the engineer's report, but now we need some financial advice."

Thompson said several consulting firms are staffed with financial experts, as well as

engineers, who could combine their talents for such research.

He didn't know how much the advice would cost, but said a "blue sky" figure would be between \$10,000 and \$15,000.

Among the things the city will need to know, Thompson said, are the methods of depreciation being used by Pacific Power & Light, which owns the system now; the company's rate of return on its investment; the value of water pipes

installed in South Lebanon a few years ago, and the value of the company's water treatment plant at Second and A Streets.

"We also need someone to tell us a selling price," Thompson said. "I certainly don't think it's worth 'book value,' especially when our engineering report says 26 percent of the system is in need of repair."

Thompson said he also was perplexed by PP&L's presentation to the Public Utility Commission on

its proposed water rate increase.

"I can get through the first page of its testimony," Thompson said. "But after that, it's way over my head."

The company is asking for a 104 percent increase in water rates for Lebanon and lesser increases in four other Oregon cities where PP&L owns the water supply. PUC Commissioner John Lobdell has suspended PP&L's request for six months and public hearings have been held or will be held in the five

cities affected.

A public hearing is scheduled in Salem in August, Thompson said, but only lawyers will be allowed to testify.

The proposed increase in rates brought comments from councilors and Mayor Bob Smith who said they had received feedback from Lebanon residents since the rate hikes were asked and purchase of the system was proposed.

Turn to FINANCIAL, page 2

Financial whiz

7-14-83

(Continued from page 1)

Councilor Ronald E. Miller said he had heard from several citizens who opposed buying the water system. Councilor Lyle Winters said he heard from people who didn't see how the city could help but raise rates if it purchased the system, also pointing to the need for major repairs to the network.

Mayor Bob Smith said, "We may have to increase rates to some extent to pay for what repairs need to be done."

Councilors indicated they would like more time to digest Thomp-

son's proposal and perhaps hear additional comments from their constituents. A decision may be made at the next council meeting June 22.

Talks between Lebanon and PP&L officials about buying the water system have been under way since mid-December, but only in the preliminary stages, Thompson said a lot of study needs to be done before any final agreement can be reached.

The city would have several advantages if it owned the system, Thompson has said, including a firmer hand on

controlling the growth of the city.

"For example," he said, "whenever we expand into a subdivision, water and sewer lines are a key element in that development. If we knew where those lines were going to go, we would have an advantage."

Another plus for a city-owned system would be that the rate structure could be controlled locally, rather than through an investor-owned utility, such as PP&L.

Also, continued Thompson, the rate structure would not need to have a profit margin since the city is not in the profit-making business.

Lebanon Ex.

Said to be worth \$3.77 million

City will make an offer on water system

City of Lebanon will make a formal offer to Pacific Power & Light Company to buy the city water system as soon as the necessary paper work can be developed.

City councilors gave Administrator Jim Thompson permission to tender the offer after a meeting last week of city officials and a financial consultant.

The system is estimated by the Public Utility Commissioner's office to be worth about \$3.77 million.

Thompson, who hopes to wrap-up negotiations with PP&L by May 15, said the city could buy the system with bonds to be paid back with revenue from water rates. Or, the city

could issue revenue bonds with a guarantee backed by private investors. In either case, the bonds would be paid off by ratepayers, the administrator said.

Should the city succeed in its efforts to buy the system, it will be operated in the best possible manner, Thompson said. He said the city may contract with a private firm to run the system, much the way the wastewater plant now is operated; or the city could contract with PP&L to continue operating the facility, or the city could take on the system itself.

If negotiations with the utility are completed by May 15, it

is possible voters could be asked in September to approve the issuance of the general obligation bonds.

Dick Jones, retired Albany manager of PP&L, has been appointed to be the company's liaison with the city of Lebanon.

Purchase of the Lebanon water system has been discussed at city hall for more than a year, spurred by hefty boosts in rates by PP&L. In one year, Lebanon water rates have risen from \$10.61 per month to \$21.60 a month as of April 1, 1984.

Local water rates take a hefty jump

By Jim Irvine

Express staff writer

Water consumers in Lebanon will feel the final portion of a hefty rate increase when they receive their bills for April.

Effective Sunday, a 52.3 percent increase in water rates went into effect, granted last February by Oregon Public Utility Commissioner Gene Maudlin. On Aug. 1, 1983, former PUC Commissioner John Lobdell granted a rate boost of 54 percent, making the total hike more than 106 percent since April, 1983.

In Lebanon, according to the PUC, the bill for an average household will now be about \$21.60 a month, up from \$16.33 before April 1 and up from \$10.61 last summer.

The rate increases were approved to give Pacific Power & Light Company higher return on its investment in water systems in Lebanon and four other cities in Oregon. The other cities are Albany, Prineville, Independence and Mill City.

All five towns are negotiating with PP&L to buy their respective water systems. Prineville has made an offer to buy its system and Mill City residents have voted money to purchase their system.

In Lebanon, officials have been negotiating to buy the local system for more than a year. An offer to purchase the network is expected to be made shortly and officials hope negotiations can be concluded by May 15.

The system is estimated by the Public Utility Commissioner's office to be worth about \$3.77 million.

City Administrator Jim Thompson said the city could buy the system with bonds to be paid back with revenue from water rates. Or, the city could issue revenue bonds with a guarantee backed by private investors. In either case, the bonds would be paid off by ratepayers, the administrator said.

Should the city succeed in its efforts to buy the system, it will be operated in the best possible manner, Thompson said. He said the city may contract with a private firm to run the system, much the way the wastewater plant now is operated; or the city could contract with PP&L to continue operating the facility, or the city could take on the system itself.

Water for Lebanon comes from the South Santiam River and is delivered via a canal to approximately 3,700 Lebanon customers. The canal then winds to Albany for that city's main source of water. The utility has nearly 9,300 water customers in Albany, including about 7,800 residences.

4-3-84

City awaits reply on water proposal

By Jim Irvine

Express staff writer

City of Lebanon officials are awaiting a response from Pacific Power & Light Company on the city's proposal to buy the municipal water system for \$3.8 million.

The city tendered the proposal Monday and hopes PP&L officials will look kindly on the offer.

The price is what PP&L is asking for the system, according to City Administrator Jim Thompson, who has been in Portland explaining the city's offer. He is carrying city council authorization to buy the system and to ask PP&L to carry a three- to five-year contract for the purchase, backed by general obligation bonds which Thompson hopes city voters will approve.

The purchase package will exclude buying the 18-mile canal between Lebanon and Albany, Thompson told city councilors last week. He said he hoped Albany would buy the canal when it submits its purchase package to the company. The canal carries water to Albany customers after leaving Lebanon. Lebanon councilors have been concerned about responsibility for the canal with respect to maintenance and liability.

Thompson is anxious to firm-up a purchase deal so he can put together a bond election. Tentatively, the city may ask voters for about \$4.5 million in bonds to finance the purchase, and to get that proposition on the Sept. 18 ballot, the city would have to notify the county clerk by Aug. 15.

Time also is of the essence if the city wants to avoid a severe revenue curb by the "Son of 3," the tax limitation measure on the November general election ballot. That measure, now known as Ballot Measure 2, restricts the city's ability to levy additional taxes and the city wants the bonds "in place" in case the measure is approved by voters in November.

Over and above the \$3.8 million purchase price, which

Jim Thompson

Talking with PP&L in Portland



Thompson said is "non-negotiable," the city will ask voters for \$470,000 to make capital improvements, \$200,000 as a contingency fund to cover unanticipated expenses, and \$20,000 as an issuance cost for the bonds. That totals \$4.5 million.

The Lebanon proposal, to take effect Jan. 1, 1985, includes a proposed 10 percent rate decrease for water customers, Thompson said. Water rates in Lebanon have more than doubled over the past year as the Public Utility Commission granted PP&L increased charges to allow it to make a return on its investment.

If Lebanon voters approve the issuance of the general obligation bonds, the money to retire them would be paid back through water bills.

In his talks with PP&L, which have been going on for nearly 18 months, Thompson has received assistance from Dale Zimmerman of Northwest Securities of Seattle, a financial specialist in these matters. Zimmerman and Howard Rankin, a bond attorney from Portland, explained various financing methods to the council last week. Thompson has said neither he nor his staff has the expertise or time to dissect the financial documents involved in the purchase. Zimmerman's services won't cost the city anything, Thompson has said, "unless we go ahead with a purchase."

The condition of the system also has had Lebanon officials worried. At its meeting last October, councilors learned that more than a quarter of the city's 49 miles of pipe are leaky, and repairs over the next 16 years could cost nearly \$5 million. In addition, there are annual operation and maintenance costs which would run about \$439,000 annually, according to a report by City Engineer Jim Ruff.

That is why the city wants the \$470,000 to replace, old, undersized water lines, particularly on South Main Road and Main Streets. Thompson said the work needs to be done during the upcoming reconstruction of Main Street, scheduled early next year.

The Lebanon water system, coming from the South Santiam River, provides water for about 3,700 Lebanon customers, and then winds to Albany for that city's main source of water. The utility has nearly 9,300 water customers in Albany, including about 7,800 residences.

Give city permission to sell money bonds

Another key issue will appear before voters next Tuesday. The City of Lebanon's request for permission to sell approximately \$1.5 million in general obligation bonds to purchase the town's water system and water rights from Pacific Power & Light. This is a wise purchase by the city and deserves the approval of the local voters.

The approval of the city selling the bonds will not affect property taxes. The security for repayment of the bonds comes from the generation of revenue from water fees.

The main reason why the City of Lebanon should buy the system is to get complete control of the system's operation and rate-setting process.

9584

City wants bonds to buy water system

Also see story on page 4

By Jim Irvine

Express staff writer

Convinced that it can reduce water rates, and better control economic growth, fire protection and flow reliability for its citizens, City of Lebanon is asking the voters Tuesday for authority to issue \$4.5 million in general obligation bonds to buy the city's water system.

If voters approve the bond issue, the city will use the proceeds to finance acquisition of the network from Pacific Power & Light Company and set aside some of the funds to upgrade the system, particularly in the North Main and South Main areas.

The city has promised a 10 percent reduction in rates under municipal ownership and vowed that revenue from the system would go toward retiring the bonds, with no new taxes being levied.

PP&L has agreed to carry the bonds at a 7 percent interest rate, at least for the first four years of their proposed 25-year life. The 7 percent interest is far below the going rate in the open market, now hovering around 11 percent.

City Administrator Jim Thompson has said he hopes the city can take over the system by Nov. 1, if the bonds are approved. If voters fail to approve the bonds, the city has the option of issuing revenue bonds which don't require a vote of the people. However, 51 percent of the voters may ask for a revenue bond election if they choose.

Further, city officials have warned, PP&L has indicated it will ask the Public Utility Commission for a rate increase of possibly 25 percent in the near future if the city doesn't take over the system.

Included in the \$4.5 million authorization is \$3,845,000 to buy the system. The purchase will not include the 18-mile canal which carries the water to Albany after it leaves Lebanon. Instead, Lebanon will obtain water rights from Albany, guaranteeing that Lebanon water taps will not be shut off.

Also included is \$20,000 needed to issue the bonds, \$470,000 to pay for capital improvements, and \$200,000 as a contingency reserve fund for unforeseen major expenses.

If the bonds are approved, Thompson has said he will recommend to the city council

that Operations Management International (OMI) run the water treatment plant. OMI currently operates Lebanon's sewage treatment plant, and the administrator feels he can get a more favorable contract if the company operates both facilities.

The city also is hoping the bonds will be approved to get them "in place" before the November general election. Then, voters throughout the state will decide the fate of Ballot Measure 2, also known as "Son of Sam," which, if approved, would severely curb city revenue.

Water rates in Lebanon have more than doubled over the past year as the Public Utility Commission granted PP&L increased charges to allow it to make a return on its investment.

In his talks with PP&L, which have been going on for nearly two years, Thompson has been concerned over the condition of the system. Last October, City Engineer Jim Ruef reported that more than a quarter of the city's 49 miles of pipe are leaky, and repairs over the next 16 years could cost nearly \$5 million. In addition, there are annual operation and maintenance costs which would run about \$439,000 annually, according to the

engineer.

That is why the city wants the \$470,000 to replace, old, undersized water lines, particularly on South Main Road and Main Streets. Thompson said the work needs to be done during the upcoming reconstruction of Main Street, scheduled early next year from Lebanon Community Hospital south to the railroad tracks near A Street. The South Main Road project also is moving ahead with reconstruction planned from Airport Road to Cedar Drive.

The Lebanon water system, coming from the South Santiam River, provides water for about 3,700 Lebanon customers, and then winds to Albany for that city's main source of water. The utility has nearly 9,300 water customers in Albany, including about 7,800 residences.

The city would have several advantages if it owned the system, Thompson has said, including a firmer hand on controlling the growth of the city.

"For example," he said, "whenever we expand into a subdivision, water and sewer lines are a key element in that development. If we knew where those lines were going to go, we would have an advantage."

Lower interest on water bonds saves Lebanon money

BY GARY WHITEHOUSE
Democrat-Herald Writer

LEBANON — The city of Lebanon saved more than \$1 million Wednesday.

The city sold \$4.36 million in general-obligation water bonds to Merrill Lynch Capital Markets at an interest rate below what had been expected, said city manager Al Henderson.

"Needless to say, we're pretty excited," Henderson said. "We weren't doing it to save money; we were doing it to restructure the debt."

The city last year purchased its water system from

Pacific Power & Light Co., with PP&L holding the bonds for the first five-year period, said finance director Joe Windell.

The interest rate on the first five years was about 8.7 percent, but after that period "we would have had to rely on what the market was doing at the time."

So the City Council decided to sell the bonds now instead of waiting for the five years to expire, in order to allow for advance financial planning, Windell explained.

The Merrill Lynch group offered interest of 9.16645 percent, which was below the 9.18 percent offered by U.S. National Bank and the 9.304 percent of First In-

terstate Bank.

Bids on the bond sale were opened at 4 p.m. Wednesday in Portland.

The \$1.05-million savings in interest payments represented by the lower interest rate, which will be realized over the 25-year life of the bonds, "will give the city the opportunity to have the money to do some capital expenditures and replace some things in the system," Henderson said.

The sale will not result in lower rates to customers, he added, but should allow the city to make repairs to the system without raising rates.

Meter reader, plant operator sought for city water system

by Jim Irvine

press staff writer

In preparation for taking over Lebanon's water system on Nov. 1, the city is seeking proposals to read water meters and operate the water treatment plant.

And, with the expected takeover all but signed, sealed and delivered, City Administrator Jim Thompson said water users can look forward to a 10 percent reduction in their bills, effective Dec. 1.

Public Works Director Stan Stevenson is accepting proposals to operate and maintain the plant

Second and A Streets. A deadline for applying was Monday.

City Engineer Jim Ruef is accepting proposals to read the city's approximately 3,190 water meters each month, starting Nov. 15. Deadline for submitting proposals for this work is Tuesday, Oct. 23.

The city will analyze all proposals and then compare them against the cost and other factors the city doing the work itself. Ruef said there are advantages on both sides — city and private contractor — and the benefits will have to be weighed carefully before a decision is made.

Both Stevenson and Ruef hope to have a recommendation ready shortly after Nov. 1.

Stevenson says he knows of at least three firms who have bid or are about to bid on operating the treatment plant. Ruef says he knows of at least two firms who plan to bid on reading the meters.

In either case, Pacific Power & Light Company is not going to ask to either run the plant or read the meters. PP&L employees will now in Lebanon to operate and

maintain the water system will be transferred to Albany, says J.L. "Skip" Patterson, local district manager.

The water plant operator must demonstrate an ability to operate and maintain a plant of Lebanon's size, Stevenson said. Key points for consideration will be qualifications indicating the ability to perform satisfactorily, service and financial backing and the ability to meet the start-up date of Nov. 15. The city will reserve the right to reject any and all proposals, or to accept any proposal deemed to be in the best interest of the city, Stevenson said.

Prospective meter readers must submit a description of methods used, including vehicles used, number of personnel involved, method of recording readings, and method and/or media for conveying those readings to the city, Ruef said. There are approximately 3,190 water meters in the city and they are to be read each month.

Monthly readings will be fed into the city's computer system and sent to water users each month. Sewer use bills also will become monthly — more frequent than the current three-month billing.

Ruef said a performance bond probably would be required of meter readers.

City councilors last week approved an agreement to purchase the water system from PP&L for \$3.8 million. On Oct. 29, the city plans to sell \$4.5 million in bonds to PP&L to finance the purchase of the system. Voters approved the bonds at a special election in September.

The power company will buy the 25-year bonds at an interest rate of 8 percent per year for the

first three years and 10 percent for the fourth year. This is considerably below the current market rate of 10.5 percent. After the fourth year, the interest rate will be determined by the current market.

After PP&L buys the bonds, it will return \$735,000 to the city. Some \$475,000 of that money will be used in a capital improvement program, including renovation of North Main and South Main sewers, and \$200,000 will be put in a contingency reserve fund for the water system.

Meter reader, plant operator sought for city water system

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Historic canal here carries 12 million gallons of water each day

By Hal Brayton

Express staff writer

The history of the water canal between Lebanon and Albany is really the story of three canals. Gregg Cruzan recently told Lebanon Chamber of Commerce members

Cruzan, an energy consultant for Pacific Power & Light, has researched the canal's history. There is no single source where a person can find the canal's history. He said some portions

overlap and others he has had to make "best guess" estimates.

The story starts in 1860 with Albany's Thomas Monteith organizing the Santiam Ditch & Canal Co. He was originally from New York. Monteith's initial investment was \$30,000 to secure easements and right of ways. He wanted to float timber down the canal and take merchandise off sternwheelers coming up the Willamette River and back up the canal to Lebanon.

Ten years later, Joseph and William Elkins constructed a

canal from the Santiam River to their flour mill, approximately one-quarter mile below the present Grant Street bridge in east Lebanon.

They dammed the Santiam River and ran the run-off out a slough. The slough ran to the mill, and then was taken back to the Santiam River via another slough.

Elkins' effort is the story of the first canal.

Elkins' flour mill has been moved and can now be seen between Highway 20 and the former

Crown Z mill property near the railroad tracks in north Lebanon.

In 1872, Chinese "Coolie" labor was brought from northern California railroad camps to provide labor for construction of the Albany canal. The Elkins brothers conveyed certain rights to the Albany Santiam Ditch and Canal Co. on Oct. 19, 1872.

The second canal story starts with construction in mid-1873. The canal to Albany was begun at the mill terminal. By 1874, the canal was completed under the direction of two Hollanders. It

cost \$62,000 to complete, was 12 miles long, all straight, and had a 120 foot drop. The drop was too severe and water flowed too fast. It took 12 horses to pull the barges back, and one horse just to keep the barge from floating down the canal too quickly.

The company's officials decided to make the best of the situation by building a smaller canal at 8th and Vine in Albany. It is called the Vine Street headgates. It cuts east to Thurston and then north into the Willamette River.

One of the first customers was the Red Crown Mill, near now what is the Buzz Saw Restaurant in Albany. The 8th Street canal was purchased by John S. Crawford from the Santiam Ditch and Canal Co.

Turn to CANAL, page 2

10-4-85

Article Cont: Historic Canal here carries 12 million gallons of water each day



Photo by Anna Klinkebiel

Gregg Cruzan points to the joining of the Lebanon Canal and the Albany Canal near Woods Trailer Park off Isabella Street in East Lebanon.

Canal

(Continued from page 1)

By 1876, 14 turbines were running, operated by the 7 canals feeding off the 8th Street Canal. Water sold for \$1 per horsepower per month.

In the same year, the Oregon Legislature gave Jacob Fleischner permission to operate a water works for Albany. The water was taken directly from the canal and pumped by one pumping station throughout the City of Albany. This system was used until the first purification plant was built in 1905.

In 1883, the Lebanon Paper

Mill was built at the Elkins Flour Mill site by Edward O'Neil and his brother. Eventually, white fir was floated down the canal.

The story of the third canal began in 1891-92.

The Lebanon Canal was built by a man named Hughes. Its purpose was to supply Lebanon with a supply of water for domestic use, fire protection and water power. The Lebanon Canal tapped the South Santiam River approximately three miles upstream from the Albany Canal Dam.

Unlike the Albany Canal, the Lebanon Canal was constructed by local labor, and was slow and gently winding. Its headgate was downstream from the river

entrance.

The Lebanon Canal met the Albany Canal about one-half mile downstream from the Albany Canal origin, near what is now Woods Trailer Park off East Isabella in Lebanon. The canal physically became one even though the ownership was divided.

In the 1890s, Hughes built a combined hydro and water pumping plant. It was the first water supply for Lebanon city residents. The Dow Duplex Piston Power Pump pumped 1,056 gallons per minute. Ten years later, a steam generator was added. The 150 hp steam engine burned up to two cords per hour during peak times to

produce 100kw of power. Wood was floated down the Lebanon Canal to a wood yard near the plant.

Murray Vaughn was one of the operators of this original power station. The plant was run for evening and morning use only. Its control system was a light bulb above the operator's bed. When the light became dim, more wood was thrown on the fire.

The plant was located where RKI insurance and Realty World now are.

Also in the 1890s, the Albany portion of the canal became controlled by the Oregon Water & Power Co.

A flood in the winter of 1922 ripped away most of the Albany Canal's timber dam and its headgates. The Lebanon Canal became the only water source for the canal. Another headgate was built on this short stretch of the original Albany (formerly Elkins Canal) Canal to keep the water from flowing back to the river.

In 1923, Mountain States Power Co. (MSP) bought all interests in both canals. It is the first time the canals came under one ownership.

MSP built a new concrete dam and headgates. MSP controlled the canal for 30 years.

In 1954, Pacific Power & Light took control of the canal. Fourteen years later, the present filtration plant was built in Lebanon and the generating facilities removed.

Last year, PP&L sold the Albany Canal and water plant to the City of Albany, and the Lebanon water plant to the City of Lebanon.

The total length of the canal is 18 miles. Twelve million gallons of water flow daily through the canal. There are three overflow regulators - Marks Slough, Mill Tail Race, and Albany Spillway door. There are three headgates - Lebanon, Crown Z, and Albany.

Big water-users may get summer break in rates

By Jim Irvine

Express staff writer

Lebanon users of 10 or more units of water may get a reduced rate for the summer months, if the city council approves a committee's recommendation.

If councilors approve, water rates for June, July and August would be reduced 50 percent per unit to residential consumers of 10 or more units. The reductions would be reflected on bills sent out by the city on July 1, Aug. 1 and Sept. 1.

A unit is 100 cubic feet and is currently priced at \$1.06 per unit for users of 10 units or more. The summer rate would be 53 cents a unit cheaper.

A special water rate study committee, meeting with city officials, has been studying the rates since February. It recommended unanimously at its final hearing last week that the 50 percent per unit reduction be granted to the big users of water.

No change in rates would be made for users of less than 10 units, but the committee hopes the lesser users will water their

lawns more, wash their cars more and sprinkle their gardens more to move them into the 10 and over bracket.

"The committee decided to reduce the rate at 10 units and over because the risk of a rate reduction was minimal compared to any change to 9 and below users," explained Joe Windell, city finance director. "Also, it would encourage the community to 'Keep Lebanon Green' and foster neighborhood pride. Fostering neighborhood pride is one of the city council's goals for 1986."

Windell said the 50 percent reduction in unit rate will cost the city about \$39,400 in revenue for those three months. He hopes there will be increased use of water to make up that loss.

"The risk of the committee's recommendation in terms of dollars is a \$39,000 over three months," he added. "However, the committee felt strongly that the reduction would encourage use and would result in at least a break-even."

If granted by the council, the rate for a consumer of 10 units of water would drop from the cur-

rent \$23.21 a month to \$22.68. Rates for consumers of 11 units will drop from \$24.27 to \$23.21.

Users of less than 10 units — in which 80 percent of Lebanon's 3,199 residential water users fall — will still pay \$2.12 per unit per month. All consumers also pay a \$6.25 basic charge, in addition to their consumption rate.

"The zero to nine unit water consumers are the meat and potatoes of our system," Windell told the committee. Therefore, no change was recommended in rates for this grouping.

The committee also recom-

mended a \$6.25 a month meter charge as a standby fee for persons who want another meter but will only use water in an emergency situation. This charge, according to City Engineer Jim Ruef, would apply to only those customers which have another water source for normal use but need the Lebanon Water System as a backup source, such as the schools, most of which are on wells. However, it would not include water for irrigation, Ruef said.

Turn to SUMMER, page 3

Summer water rates

Continued from page 1

Should city water become necessary from standby service and exceed one unit in any one meter reading period, the service charge would resort to the standard residential or commercial rate as appropriate for that month, Ruef explained.

Members of the water rate study committee are Chris Reed, Wes Lenox and Bruce Branson, citizens, and Councilors Ron Miller Jr. and John Richard.

Representing the city at the meetings were Mayor Bob Smith, City Administrator Al Henderson, Ruef and Windell.

The city has owned the water system since Nov. 15, 1985, when it purchased it from Pacific Power & Light Company. The city sold \$4.5 million in bonds to finance the purchase and is using water use revenues to retire the debt. Voters approved the bonds at a special election in September, 1985.

City of Lebanon decided to purchase the water system

users were saddled with a 104 percent rate increase in 1984. Public Utility Commissioner Gene Maudlin granted the PP&L rate increase when the company declared it wasn't making a sufficient return on its investment.

Chamber talks water

Administrator explains a need for improvements

For the second consecutive meeting, Lebanon's water rates have been discussed by the Lebanon Chamber of Commerce board of directors.

At the May 16 meeting, a water rate discussion was tabled until the June 6 meeting.

Extensive capital repairs to the water system equipment, a high debt load, operational costs, and all water system expenses being paid by water revenues were the main reasons why Lebanon water costs are where they are.

"Water rates are high," declared Al Henderson, Lebanon city administrator. "You can't compare our rates with other cities like Albany because you have to look at our expenses," he said.

The administrator compared the water system to a car. When the city took over the system, it was like an old car in need of a lot of repairs, he said.

"What is important to



Al Henderson

"Bitten the bullet"

remember is that we are doing the job. Things are being done to improve the system. Some people are upset now. But we have

bitten the bullet, and we are fixing the system," Henderson said.

Directors were told that the City of Lebanon is charging water users 3 percent less now than what Pacific Power did when the system was sold to the city. Plus, had Pacific Power kept the system, the company reportedly was planning to request another increase for sometime in the spring of 1985. The rate request was expected to be about 25 percent. The water system was sold to the City of Lebanon in November of 1984.

"Traditionally, most municipalities never pay the full amount of water system expenses out of water revenues," explained Dick Ebbert, manager of Lebanon's Pacific Power office.

"Most municipalities have buried water costs. You can't really compare water systems because of the difference in subsidizing costs," Ebbert added.

Ebbert explained that Pacific

Power decided about three years ago to sell their water systems. They had the water systems only because water systems were part of purchases to obtain electrical systems. He also explained that his company preferred to work with local municipalities rather than accept a standing offer from an out-of-state private company which owns water systems.

Henderson said the summer water rate just enacted was a gamble on the city's part. If the gamble doesn't work, the city may not have enough revenue this summer to cover water system expenses.

The summer rate is an experiment this year, he said. Water rates will be cut in half for every unit used after the first 10 units. The rate break does not begin until the 11th unit. The first 10 units will be charged at the full regular rate. The rate break is to encourage the use of more water volume.

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Drinking water not threatened by pair of spills

By CARTER WOOD
and TONY OVERMAN
Democrat-Herald Writers

LEBANON — An environmental crew was still at work this morning cleaning up traces of an oil spill that contaminated the Santiam Canal that provides drinking water to Lebanon and Albany.

Officials said drinking water for the two towns was not threatened by the spill, traced Wednesday morning to the Willamette Industries trucking shop southeast of Lebanon.

"We surveyed the canal this morning and there's hardly anything to clean up," said Jim Ruef, Lebanon city engineer.

The Lebanon water treatment plant was shut off early Wednesday as a precaution, and turned on again this morning. The spill did not affect Albany's water facilities, said John Joyce, public works director.

Workers completed a separate clean-up effort Wednesday at Willamette's Custom Products Division in Albany. Monday night, a janitor apparently mistook some solvent in two drums for rainwater, and dumped them onto the ground.

About 20 yards of contaminated soil

was dug up and removed for disposal Tuesday, and final clean-up was carried out Wednesday.

In the Lebanon incident, crews from Roberts Environmental Services of Eugene arrived Wednesday to mop up remains of oil that spilled into a drainage ditch near the Willamette trucking shop. The ditch feeds into the Santiam Canal.

According to Willamette spokeswoman Kathy Baldwin, the spill resulted Monday night when a pump used to transfer used motor oil to a furnace was left on, causing a storage tank to overflow. The spill was noticed the following morning, and workers used hoses to wash the oil down.

"Evidently that (washdown) is what pushed the oil in the ditch further down into the canal," Baldwin said.

Between 20 and 50 gallons were spilled, said Bill Latimer, manager of Willamette's Fairview Division. Willamette regularly keeps oil booms in the drainage ditch in case of small spills, and most of oil was caught right away, he said.

The city of Lebanon became aware of the spill Wednesday morning, and public works and fire departments from Lebanon and Albany sent crews to assist in clean-up efforts.



Democrat-Herald/Tony Overman

Lebanon High School students help clean up oil spill. From left, they are Chris Moore, Brian Oxford, and Mark Aitkin.

LE could not CE speed limit

Neil says

Utility review group agrees on usage fees

By Jim Van Nostrand

of the Lebanon Express

The city of Lebanon's utility rate review committee hasn't come up with an answer yet to the complex problem of what to do about the city's aging water and sewer systems.

The committee has, however, arrived at a philosophical consensus on several major issues concerning the systems. A consultant, Ray Bartlett of ECO Northwest, has recommended the city spend \$13,343,000 in capital improvements in the sewer system and \$3,688,000 for the water system in the next few years. The consensus will affect which projects the committee selects for the city council's consideration and how it proposes to pay for them.

The consensus items are:

- A base fee would be charged each month for both water and sewer service. Water rates are currently consumption-based — if no water is used, no fee is charged.
- All multiple-family residences would be charged the same base fee as for single-family homes. If an apartment complex has 40 water users, for example, 40 base fees for service would be charged. Only owners are currently billed.
- A charge would be levied for fire protection on properties within the city limits but not hooked up to the municipal water system. About 350 commercial properties and 300 residences fall under this category, city officials estimate.
- Charges on water and sewer bills would be broken down into categories to show customers where their utility dollars are going. Water bills would reflect amounts for fire protection, system availability, capital replacement costs and consumption fees, while sewer bills would show capital replacement costs and system availability.

Bartlett said sewer and water rates will have to be raised to keep the system financially solvent even if no capital improvements are made. He estimates water rates would have to jump 11.64 percent in 1990 to cover costs and create a \$200,000 cash reserve for emergencies, for example.

Jim Ruef, the city's public works director, has recommended delaying half of the sewer projects for eight years and \$891,000 of the water projects for at least five years. The committee did not address the project list at Monday's meeting, instead scheduling another meeting Monday, Dec. 4. The group's intent is to determine then which of the remaining \$7 million in sewer system and \$3 million in water system projects are necessary.

Continued

The committee reviewed several financial scenarios prepared by city staff at its request. They examined the effect on tax rates if all of Ruef's recommendations are adopted and financed solely through tax rate increases. The net effect would be a \$2.47 increase per \$1,000 in assessed valuation for sewers, and \$.97 for water, for a combined effect of \$3.44 per \$1,000. In contrast, Lebanon's combined tax rate currently stands at \$8.21 per \$1,000.

That increase in tax rates was rejected as unacceptable by the committee. They directed Judy Wendland, the city's finance director, to come up with new projections for next week's meeting. The new figures are to incorporate sewer and water rate increases, lesser bond issues, or a combination of both.

The committee hopes to have its deliberations wrapped up next week and brief the city council on its recommendations in late December.

The following is a list of the projects the committee will be considering, as recommended by Ruef. A description of the projects will be published in upcoming issues of the *Lebanon Express*:

SEWER

Sludge handling/disposal (1991/1992)	887,000
Harrison St. pump station (1991)	550,000
Treatment plant maintenance (1991)	35,000
Generators (1991)	6,000
East Grant Rd. reconstruction (1992)	285,000
7th St. reconstruction (1992)	726,000
Downtown sewer separation (1992)	300,000
Surge control land purchase (1992)	336,000
Replacement pipe program (1992-1993)	100,000
Combination cleaning truck (1993)	105,000
Airport Rd. reconstruction (1993)	285,000
New shop site - phase I (1993)	80,000
2nd & Morton reconstruction (1993)	45,000
Surge control completion (1996)	474,000
New treatment plant clarifier (1996)	434,000
Sewer trunk improvements (1997)	3,776,000

WATER

Treatment plant upgrade (1991)	\$200,000
Treatment plant maintenance (1991)	150,000
East Grant Rd. reconstruction (1992)	285,000
5th St. reconstruction (1992)	85,000
Land acquisition — 2 reservoirs (1992)	40,000
Backup well (1992)	300,000
7th St. reconstruction (1992)	71,000
2nd and Morton reconstruction (1993)	78,000
Airport Rd. reconstruction (1993)	64,000
Combination cleaner truck (1993)	45,000
5-yard dump truck (1993)	30,000
Cathodic protection (1993)	36,000
New shop site - phase I (1993)	80,000
Hiatt/Wheeler replacement (1994)	338,000
Grant St./Greenacres/Airway (1994)	292,000
Vaughan Ln./10th St. loop (1994)	147,000
Santiam Hwy. interconnect (1994)	31,000
Kees St. interconnect (1994)	59,000
Garvord interconnect (1994)	24,000
Small diameter line replacement	600,000

Committee's job: find equitable utilities solution

For the last five weeks, the members of the city of Lebanon's utility rate review committee have met each Monday night. These meetings represent the beginning of the final step in a more than year-long process of evaluating the city's water and wastewater utilities and planning for their futures.

The committee consists of two representatives from the city council and five citizen members. All members are ratepayers in the utility systems.

First, an extensive engineering analysis of current facilities and a recommendation of future improvements was completed. This analysis was required by the state as part of the update to the city's comprehensive plan, and provided a plan for the coming 20 years. Next, a detailed financial analysis and rate study was completed.

The final step consists of the process which leads to the city council making a decision about the funding of the systems. First the committee develops a recommendation, and then the city council studies it. Next, the public is asked for input at neighborhood meetings and a public hearing. Once the council has received and taken time to review the testimony, a final decision will be made.

The committee's purpose is to review the findings of the Facilities and Rates Reports and

formulate a recommendation to the city council. This recommendation will address the following issues:

- How the financial stability of the systems shall be maintained.
- What level of expenditures is appropriate.
- What capital outlay projects, if any, should occur.
- What the sources of funding for the utilities should be (the two major sources are fees for services and taxes).
- How the rates should be structured.
- What level of rate increases, if any, should be instituted.

The process is extremely complex. It requires the committee members to consider the condition of each system and the effect on it of current demand, future demand, and increasing government regulations. As representatives of the ratepayers, it is vital that they understand the theories behind rate setting, which are different for each utility, so they can decide which method is most equitable for our community.

In addition, they must understand the constituents they represent in order to determine an acceptable level of service and the fees to be charged to pay for that service.

While the committee has not yet formulated its final recommendations, it has adopted an important, overriding

Mayor's Corner

Bob Smith



philosophy. This is a commitment to *equity* in charging for utility services.

Equity in water rates

In determining fairness in charging for services, the committee looked at how each system functions and how demands are made on the system. The water system has to be built to meet peak demands.

The two major peaking demands are caused daily by domestic use (morning and evening) and occasionally by firefighting. If the storage and treatment systems are too small, there might not be enough water to meet peak demands or fight a major fire. Also, property owners who rely on city water for fire protection are benefiting from the system, even though they may not use city water on a daily basis.

While some property owners

Continued next pg.

pay for standby meters for fire protection and emergencies, there are many who do not. Also, all property owners' insurance rates are affected by the city's ability to provide water when needed, regardless of whether they are a paying customer. If the system is inadequate, insurance rates increase for everyone.

Besides property owners benefiting from fire protection if there is no actual water consumption, the committee determined that there is a benefit to customers for having the system available when needed. Therefore, each customer should be responsible to help pay for the cost of maintaining the system availability even when no consumption occurs.

The same theory is true for capital repairs and construction. If the system is functioning and available, equipment wears out and new legal requirements must be met, as well as making accomodation for growth.

Equity in sewer rates

The approach to sewer rates is different, mostly because water consumed is such a small part of what winds up at the treatment plant, especially in the rainy winter months.

The consultants estimate that only 22 percent of what is treated in winter and 50 percent of what is treated in summer comes from sinks and toilets. During a major rain storm, as little as 7 percent comes from direct input into the system.

Like the water system, the sewer system must be built to meet peak demand, but the peaks are caused by weather, rather than customer demand.

This is because the sewer lines that connect customers to the treatment plant collect water from surface (inflow) and sub-surface (infiltration) sources that is greater than that contributed directly from customers. In calender 1988, for example, the treatment plant processed 3.2 times as many gallons of wastewater as were produced by the water treatment plant. This inflow and infiltration (I/I) occurs regardless of whether the customer is at home and using the system or not.

In addition, the costs to operate the system are fixed. Even though a customer may reduce water consumption, the costs to operate the sewage system do not decrease. Therefore, with the sewer system, basing the cost on water consumption means that small users do not pay their fair share of the costs and large users may pay more.

Citizen input requested

Obviously, the decisions which need to be made regarding the future of the water and wastewater systems are very important and will affect the future of our community for years to come.

It is important for the customers of the system to participate in the decision-making process. Therefore, the city will be scheduling neighborhood meetings in early January, before the public hearing, to explain the information as simply and clearly as possible to any interested citizens.

Information will also be provided on how to give public testimony, so that citizens will be able to most effectively make presentations at the public

hearing.

Be sure to watch the newspaper for information on times and places of the meetings. You can also call Kameron Burkhart at the mayor's office, 451-7423.

Wednesday

December 13, 1989

Lebanon Express

Weather

Dry. Highs 40s and lower 50s.
Lows upper 20s and 30s.

One hundred and second year, No. 42 — 32 pages

Lebanon, Oregon 97355

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35 cents

Utility committee gives rate recommendations

By Jim Van Nostrand

of the Lebanon Express

The utility rate review committee studying the city's aging utility systems has come up with a proposal for financing needed improvements to the sewer and water systems.

A consultant has recommended the city spend \$13,343,000 in capital improvements in the sewer system and \$3,688,000 for the water system in the next few

years. Jim Ruef, the city's public works director, has recommended delaying half of the sewer projects for eight years and \$891,000 of the water projects for at least five years. If all of Ruef's projects are adopted, the city will have to find ways to finance \$7 million in sewer and \$3 million in water system work.

The committee proposes to raise water rates 15 percent effective April 1, 1990. Stepped increases through the year 2000 would consist of 10 percent in

1991, 1992 and 1994, as well as 5 percent in 1998.

The April increase would boost the fee for basic water service from \$6.25 to \$7.20. Consumption fees, currently \$2.12 for the first six units, would rise to \$2.44. One unit equals 748 gallons. The rate per unit after the first six, currently \$1.06, would rise to \$1.22.

A different approach to sewer rates has been taken by the committee. Each customer is now charged for service based on water consumption. Studies com-

missioned by the city have determined that the peak demands on the sewer system are only slightly affected by what goes down sinks and toilets, due to infiltration into the system from the water table.

Accordingly, the committee recommends that each sewer customer be charged a flat base rate of \$14.20 per month, also effective April 1. Commercial and industrial customers would be charged the base rate plus consumption fees based on amount

of discharge and nature of discharge.

"Some customers' bills will go up, and some will go down, based on their current consumption," said Judy Wendland, the city's finance director.

Stepped increases in the base sewer rate would consist of 20 percent in 1991, 10 percent in 1992 and 1993, and 5 percent in 1994 and 1996.

Other changes the committee recommends for the water system are:

- The existing rate structure on customers' bills would be broken down to reflect both system availability and bill collection costs.
- The current system of consumption fees would remain in place.
- Each unit in a multi-family unit would be charged the base rate per month regardless of whether the unit is currently being occupied. If 40 apartments

Turn to Rates, Page 8

Neighborhood Information placed on the back of
water bills for January. Mailed out by the
Finance Department on 12-29-89.

PLEASE ATTEND AN INFORMATION
WORKSHOP ON PROPOSED WATER
AND SEWER RATES

1/3/90 MIDDLE SCHOOL LIBRARY

1/4/90 QUEEN ANNE LIBRARY

1/8/90 CASCADE CAFETERIA

MEETINGS START AT 7:00 PM

1/10/90 PUBLIC HEARING WITH
COUNCIL MEETING 7:45 PM

QUESTIONS ??? CALL 451-7476

PLEASE ATTEND AN INFORMATION
WORKSHOP ON PROPOSED WATER
AND SEWER RATES

1/3/90 MIDDLE SCHOOL LIBRARY

1/4/90 QUEEN ANNE LIBRARY

1/8/90 CASCADE CAFETERIA

MEETINGS START AT 7:00 PM

1/10/90 PUBLIC HEARING WITH
COUNCIL MEETING 7:45 PM

QUESTIONS ??? CALL 451-7476

1-3-90
12-27-90



**HEY
LOOK AT
THIS!**

You're Invited to
**City of Lebanon's
NEIGHBORHOOD MEETINGS**

To learn about recommendations of Utility Rate Review Committee for changes to water and sewer rates paid by customers.

- Wed., Jan. 3, Lebanon Middle School Library
- Thurs., Jan. 4, Queen Anne School Library
- Mon., Jan. 8, Cascades School Cafeteria

All meetings begin at 7 p.m.

Important water rate changes may affect city residents not currently connected to public water system.

TOPICS OF DISCUSSION

- Maintaining Service Level
- Capital Projects
- Changes in Rates
- How to Prepare Testimony for the Public Hearing

**PUBLIC HEARING JAN. 10 BEFORE CITY COUNCIL
AT 7:45 P.M.**

You are invited to TOUR the water and wastewater treatment plants on Sat., Jan. 6. Please call City Hall at 451-7424 for reservations.



1-3-90

City sets town information meetings

The city of Lebanon will hold neighborhood meetings in each of the city's three wards beginning tonight to discuss proposed water and sewer rate changes.

City staff will present information briefings and answer questions from the public. The briefings are for information only, said city Finance Director Judy Wendland. She asks that citizens reserve their opinions for the public hearing scheduled later this month.

Topics will include a description of the proposed capital projects the rate increases are intended to pay for, as well as how to prepare testimony for the public hearing.

All meetings begin at 7 p.m. The schedule is as follows:

- Wednesday, Jan. 3 — Lebanon Middle School library.
- Thursday, Jan. 4 — Queen Anne School library.
- Monday, Jan. 8 — Cascades School cafeteria.

The public hearing on the proposed rates will be held by the Lebanon City Council on Wednesday, Jan. 10 at 7:45 p.m. in the council chambers, 925 S. Main St., prior to the council's regularly scheduled meeting. The council will vote to adopt, modify or

delay the proposed rate changes at its Jan. 24 meeting.

The public is invited to tour the city's water and wastewater treatment plants on Saturday, Jan. 6 with Director of Public Works Jim Ruef. Call City Hall at 451-7424 for reservations.

A consultant recommends the city spend \$13,343,000 in capital improvements in the sewer system and \$3,688,000 for the water system in the next few years. Ruef recommends delaying half of the sewer projects for eight years and \$891,000 of the water projects for at least five years. That leaves \$7 million in sewer and \$3 million in water system work to finance.

A citizen's rate review committee proposes the city raise water rates 15 percent effective April 1. Stepped increases through the year 2000 would be 10 percent in 1991, 1992 and 1994, as well as 5 percent in 1998.

The April increase would boost the fee for basic water service from \$6.25 to \$7.20. Consumption fees, currently \$2.12 for the first six units, would rise to \$2.44. One unit equals 748 gallons. The rate per unit after the first six, currently \$1.06, would rise to \$1.22.

The committee also proposes

that consumption fees for sewer use be eliminated, and that each sewer customer be charged a flat base rate of \$14.20 per month. Consumption fees would remain in place for commercial and industrial customers. The change would also be effective April 1.

Stepped increases in the base sewer rate would be 20 percent in 1991, 10 percent in 1992 and 1993, and 5 percent in 1994 and 1996.

Other changes the committee recommends for the water system are:

- The existing rate structure on customer's bills would be broken down to reflect both system availability and bill collection costs.

- The current system of consumption fees would remain in place.

- Each unit in a multi-family unit would be charged the base rate per month regardless of whether the unit is currently occupied. If 40 apartments comprise a complex, then 40 base rates would be charged.

- All improved properties within the city limits would pay a monthly fee for fire protection even if they are not otherwise using the system. The monthly fee would be equal to the base water

system availability fee plus one-half the billing fee, because a meter does not need to be read. Properties currently not connected to the water system, about 350 commercial and 300 residential, pay nothing for the fire protection they receive.

- Customers whose water meters do not register at least one unit of consumption would be billed the minimum base rate. Customers currently aren't charged if they don't use any water.

- Summer water rates would remain as they are.

Recommended changes for the sewer system are:

- Implementation of a flat base rate.

- A base rate charge for every unit in a multi-family complex, the same as for the water system.

- A minimum base rate charge per month, even if the water meter doesn't turn over — the same as for the water system.

All proposed rate increases would take effect April 1 of each year, with the rate review committee conducting a financial review each year six months prior to adoption.

AGENDA ITEM 3



CITY OF LEBANON
M E M O R A N D U M

TO: Joseph A. Windell, City Administrator DATE: January 3, 1990

FROM: Judy Wendland, Finance Director

SUBJECT: Budget Transfer Resolution

The attached transfer resolution is required to cover unanticipated repairs to the roof on the Boys and Girls Club building in Century Park.

JW/lgk

A RESOLUTION AUTHORIZING)
CERTAIN INTRA-FUND TRANSFERS)
IN THE 1989-90 BUDGET)

RESOLUTION NO. _____
FOR 1990

WHEREAS, ORS 294.450 authorizes fund transfers with the official action of the governing body, NOW THEREFORE;

BE IT RESOLVED that the Council of the City of Lebanon herein authorizes those transfers as specified by fund, activity and amount in the attached "EXHIBIT A" made a part thereof.

Passed by the Council by a vote of ____ for and ____ against and approved by the Mayor this ____ day of January, 1990.

MAYOR

ATTEST:

CITY ADMINISTRATOR

EXHIBIT A

		<u>USE</u>	<u>SOURCE</u>
10-195-61560	General Fund, Non-Dept., Building Maint.	4,300	
10-195-80005	General Fund, Non-Dept., Contingencies		4,300

JUSTIFICATION:

FOR UNANTICIPATED ROOF REPAIRS TO BOYS AND GIRLS CLUB BUILDING IN CENTURY PARK.

JW/lgk

AGENDA ITEM 4



CITY OF LEBANON
M E M O R A N D U M

TO: MAYOR AND CITY COUNCIL

DATE: JANUARY 3, 1990

FROM: JAMES P. RUEF, DIRECTOR OF PUBLIC WORKS *JPR*

SUBJECT: CHANGES IN THE MUNICIPAL CODE FOR PARKS

The attached ordinance changing the Lebanon Municipal Code deals with three areas of concern for Lebanon's Parks. All three are basically changes in the existing code language to clarify the city's intent or to close up a loop hole.

The intent of the changes is explained in the attached memo from Brian Hall to Tom McHill.

JPR/mb



CITY OF LEBANON

M E M O R A N D U M

TO: Brian Hall
Maintenance Services Manager

DATE: December 13, 1989

FROM: Thomas A. McHill
City Attorney

SUBJECT: Revision of Municipal Code Chapter 12.12
Parks and Public Places

Attached to this memo is a copy of a proposed ordinance which is in generally the same form as your request of December 7. I have made some modifications in the language, which I don't think will too much import, but the general nature of your proposed changes is reflected in the proposed ordinance.

I have sent the original of the ordinance to Mr. Windell so that if it meets with your approval, he'll have the original already to be included with the Council packets for one of the sessions in January.

With respect to your other questions, there is a penalty section that provides for general penalties for anything that isn't specifically designated under the code. Under code section 1.12.010, the penalty of a violation of any of the mandatory requirements of any ordinance of the City is a fine not to exceed \$500. If we want to change a particular code section as to penalty, it should be designated in a separate code section under that chapter. There might be some thought into making a violation of this sort a misdemeanor, but I think that the general idea in the past has been that these code sections would give police officers the right to cite violators to appear in Court under violations where they would not be entitled to Court-appointed counsel which would be paid by the City. Any further stays would conceivably set up a charge of Criminal Trespass if the person failed to leave the area. If it's your desire to make these specifically misdemeanors, please let me know, but it would be my thought that the City does not want to have to pay for Court-appointed attorneys for violations of this sort.

With respect to the severability section, the code at Section 1.01.100 provides a severability clause for any part of the Lebanon Municipal Code. In the past, before the compilation of the code, there was apparently routinely given severability clauses in chapters. I don't think that is required because of Section 1.01.100. If there are any changes that you see needed to be made, or if you want to discuss further the penalty provisions, please feel free to contact me at your convenience.

enc.

cc: Joseph A. Windell

TAM/sz



C I T Y O F L E B A N O N

M E M O R A N D U M

TO: Tom McHill
City Attorney

DATE: December 7, 1989

FROM: Brian R. Hall *Brian*
Division Manager, Maintenance Services

SUBJECT: Revision of Municipal Code chapter 12.12, Parks and Public Places

Attached are some changes we would like to see in the municipal code regulating the use of our parks. The first section needs to be changed because Gill's Landing is no longer separated from the city and is considered a park area now. However we felt it beneficial to leave wording in the code that would allow these rules to be enforced in all our public open spaces.

The change in the second section is obvious. I realize you sent Jim Ruef a memo awhile back with another section of the code that covered this subject. You also stated the problems that may be encountered when trying to enforcement this rule. However if you see no problem with including it here we would like to add it.

The camping section has been in need of change for a long time. It did not heretofore allow for long weekend stays without special permit. But worst of all it has had a big hole in it making it hard to enforce the length of stay. The park is not set up for long stays. However we have had people stay weeks in the park by staying their two days, getting a permit to stay up to two weeks, leaving for one day and then starting the cycle all over again. The new wording allows four days but restricts that to once in any four week period. Hopefully this will tie it down tighter and make it easier to enforce.

I noticed a lot of the other chapters in the code had a severability section. If this is not necessary please feel free to leave it out. Also, in some of the other chapters there is a section for violation and penalty. The first section of this chapter states that laws are enforceable in parks and open ways. Is there a law to coincide with each of these rules or should there be a penalty section to cover anything not already covered by law? This question I leave totally up to you as interpreting law is a long way from maintenance of sewer lines and other things I'm more familiar with.

When all questions are settled, could you please put this in whatever form is necessary to enact the appropriate change or changes in the Municipal Code. I sure appreciate your help with this and other things you have done for the department. If you have any questions, please don't hesitate to call.

xc: Joseph Windell
Jim Ruef

12.12.010 Applicability to Parks, Recreation Areas, Open Spaces and Ways.

Regulations as defined in this chapter shall be applicable not only to defined municipal parks but also to recreation areas, and other public open space or way. All police and/or penal ordinances and charter provisions necessary to protect and preserve the peace and order in defined parks shall also apply to recreation areas and other public open spaces or ways. The enforcement of the ordinances and provisions by penalties of fine or imprisonment and the power to make arrests and serve processes of courts therein or upon persons therein or thereon may be made with like manner and with like effect in an established park, recreation area, public open space or way.

12.12.030 Animals.

No person shall, within any city park or recreation area, or other public open space or way, keep or permit in such area a dog or other animal, unless kept in a vehicle or on a leash. Persons keeping such animals shall also be responsible for removal of any excrement left by their animals in any park or recreation area, or other public open space or way.

12.12.040 Camping.

No person shall, within any city park or recreation area, or other public open space or way, camp with or without a tent, trailer, motor vehicle, truck mounted camper or motor home except in specifically designated areas. Stays shall be limited to four days in any four week period. A day is defined as a 24 hour period including day and night. An extension may be granted for extraordinary occasions or circumstances by special permission of the city council or it's designate. Stays other than day use during the winter season will be restricted to recreational vehicles that are self contained. "Self contained" will be construed as any vehicle that has manufacturer installed toilet facilities. All other camping is prohibited during the winter season. The winter season shall be defined as that period of time during the year when the rest room facilities are closed and the water pipes are drained for freeze protection.

12.12.130 Severability.

If any provision or section of this chapter shall be held void or unconstitutional, all other parts, provisions and sections of this chapter, not expressly so held to be void or unconstitutional, shall continue in full force and effect.

A BILL FOR AN ORDINANCE AMENDING) ORDINANCE BILL NO. _____
AND/OR REPEALING SECTIONS OF) for 1990
CHAPTER 12.12 OF THE LEBANON) ORDINANCE NO. _____
MUNICIPAL CODE RELATING TO PARKS)
AND PUBLIC PLACES; AND DECLARING)
AN EMERGENCY)

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. Ordinance 1499, Section 1, as contained in Lebanon Municipal Code Section 12.12.010 is hereby repealed.

Section 2. A new Section 12.12.010 of the Lebanon Municipal Code is hereby enacted to read as follows:

12.12.010 Applicability to Parks, Recreation Areas, Open Spaces and Ways

The regulations contained in this Chapter shall be applicable to define municipal parks, recreation areas, and other public open space or way contained within the Lebanon corporate limits. All police and penal ordinances and charter provisions necessary to protect and preserve the peace and order in defined parks shall also apply to recreation areas and other public open spaces or ways. The enforcement of the ordinances and provisions by penalties of fine or imprisonment and the power to make arrests and serve processes of court therein or upon persons therein or thereon may be made with like manner and with like effect in an established park, recreation area, public open space or way.

Section 3. Section 12.12.030 of the Lebanon Municipal Code is hereby amended to read as follows:

12.12.030 Animals

No person shall, within any City park, recreation area or other public open space or way, keep or permit in such area a dog or other animal, unless such animal is kept in a vehicle or upon a leash. Persons keeping such animals shall also be responsible for the removal of any excrement left by their animals in any park, recreation area or other public open space or way.

Section 4. Section 12.12.040 of the Lebanon Municipal Code is hereby amended to read as follows:

12.12.040 Camping

No person shall, within any city park or recreation area, or other public open space or way, camp with or without a tent, trailer, motor vehicle, truck-mounted camper or motor home

except in specifically designated areas. In such specifically designated areas, stays shall be limited to four days in any four-week period. A "day" is defined as a 24-hour period, including day and night. An extension may be granted for extraordinary occasions or circumstances by special permission of the City Council or its designate. Stays other than day use during the winter season shall be restricted to recreational vehicles that are self-contained. "Self-contained" shall mean any vehicle that has manufacturer-installed toilet facilities. All other camping is prohibited during the winter season. The winter season shall be defined as that period of time during the year when the restroom facilities are closed and the water pipes are drained for freeze protection.

Section 5. Inasmuch as the provisions of this ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the City Council on the _____ day of _____, 1989, by a vote of _____ for and _____ against.

Mayor City of Lebanon

ATTEST:

Recorder

AGENDA ITEM 5



CITY OF LEBANON
M E M O R A N D U M



TO: Joseph Windell, City Administrator DATE: Dec. 28, 1989

FROM: Lou Ann Grosch, Program Manager *JAG*
Senior and Disabled Services

SUBJECT: Gift Shop Policies

Attached are the policies and procedures for the Senior Center Gift Shop. The entire packet has been reviewed by Tom McHill. They have also been accepted by the Senior and Disabled Services Advisory Board.

At this time the policies and procedures are ready for City Council approval.

LAG/mb
Attachments

CITY OF LEBANON SENIOR CENTER

GIFT SHOP

The Lebanon Senior Center Gift Shop opened in November 1989 to enable persons 50 years of age and over in this community a place to sell their own handcrafted items.

The Gift Shop is open Tuesday, Wednesday, and Thursday from 10:00 a.m. to 3:00 p.m., and is staffed entirely by volunteers.

All items in the Gift Shop are handmade and placed there on consignment or have been donated to the shop. Consignee's receive 80% of the price they set. The Gift Shop retains a 20% commission.

Volunteers working one four hour shift per month who place their own items on consignment will receive 85% of the set price. The Gift Shop retains a 15% commission on volunteers only.

All proceeds earned from commissions will be placed in the Lebanon Senior Center Trust Account and used to create, support and promote Senior Center programs.

CITY OF LEBANON SENIOR CENTER
GIFT SHOP CONSIGNMENT POLICIES

1. Consignee must be 50 years of age and over.
2. All merchandise must be new and handcrafted by the consignee.
3. The consignee must make a list of all items brought in along with the price.
.The clerk will enter your merchandise on the log sheets, photocopy your list, sign and date your original before returning it to you for your records.
4. The consignee will be issued an identification number.
5. The consignee will receive 80% of the price.
.The Gift Shop retains a 20% commission. The price provided by the consignee must include that commission.
6. Checks will be issued by the 10th of each month for the month before. Checks can be picked up on or after the 10th or mailed if you provide a self-addressed stamped envelope. If the consignee is ill and unable to obtain the check, please let us know and we will make arrangements.
7. Merchandise will be displayed for six months. Holiday items will be displayed 30 days prior to the holiday; exception is Christmas which is 60 days, and must be removed within 5 working days after the holiday or time expiration. Items not removed will be considered a donation to the Gift Shop.
8. Merchandise will only be accepted between the hours of 10:00 a.m. and 2:30 p.m. Tuesday through Thursday.
9. The number of alike articles by one or more consignees may be limited. The volunteer has the right to limit items and require they be removed.
10. The consignee will be notified when:
 - A. A check for payment is waiting.
 - B. Items need to be picked up due to over stock, 6 month expiration, or other.
 - C. To supply additional stock.
 - D. Special order request (See special order policy).
11. All consignee's will be given a copy of this policy sheet to sign before merchandise is accepted. This will be attached to your records.
12. The Gift Shop cannot be responsible for theft or damage. The merchandise is left at the seller's own risk.

Signature

Date

CITY OF LEBANON SENIOR CENTER
GIFT SHOP VOLUNTEER PROCEDURE

I. HOURS

- A. The Gift Shop is open Tuesday through Thursday from 10:00 a.m.-3:00 p.m.
- B. The Gift Shop may also open for special events with prior approval from the Program Manager.

II. VOLUNTEERS

- A. Volunteers will be assigned a minimum of one 4-hour shift per month. Shifts are:

9:00 a.m. - 1:00 p.m.
12:00 Noon - 4:00 p.m.

- B. Volunteers who work one shift per month and place handmade items on consignment will receive 85% of price.
- C. Volunteers who have items on consignment cannot push or promote their own items.
- D. Volunteers are responsible for keeping accurate records according to policy, tallying shift receipts, turning all cash in to the secretary, counting money as required, reporting all problems to the Gift Shop Coordinator or to the Senior Center staff.
- E. Each volunteer has the privilege to arrange and display merchandise as they see fit; however, there is no guarantee that it will remain as displayed.
- F. A pleasant and courteous attitude is expected by the customers, consignees, visitors and staff.
- G. A neat and clean Gift Shop is the responsibility of all volunteers. Dusting, emptying the waste basket (if needed), returning items to their place, and picking up after oneself will be expected.

III. DAILY OPENING

- A. The volunteer arrives at 9:00 a.m., one hour before the shop opens.
- B. All items are to be brought out and displayed neatly. (Key to locks in cash box located in office.)
- C. Start-up money and cash box to be picked up in office. Place lock keys in box. Count start-up cash which should total \$25.00 in small bills and change.
- D. Open for business at 10:00 a.m.

IV. ENTERING MERCHANDISE

- A. All new consignees and/or persons who have not placed items on consignment for more than 6 months must be given a copy of the Consignment Policy. Have them read it and sign an additional copy for our records.

DO NOT TAKE MERCHANDISE UNLESS YOU HAVE A SIGNED COPY OF THE CONSIGNMENT POLICY DATED WITHIN THE LAST 6 MONTHS.

- B. It must be determined that merchandise is new and handcrafted. Worn articles of clothing and White Elephant articles cannot be accepted.
- C. The article is then entered on Consignee's page in the left hand column with date, number, description of article and the price. Consignee sets his/her own price.
- D. After entry is made on Consignment page, make a photo copy of original list, date and sign it, and then return it to the consignee.
- E. If and when time permits the merchandise will be tagged with the:
- 1) Consignee's number
 - 2) Price
 - 3) Date

All items must be tagged before they can be sold.

- F. After tagged, put items out for display. All items displayed for 6 months. Holiday items will be displayed for 30 days prior to the holiday; exception is Christmas which is 60 days, and all items are to be removed within 5 working days after the holiday or time expiration. Items not removed will be considered a donation to the Gift Shop.

V. SALES

- A. When a sale is made, a sales slip is made out with date, consignee number, and price of article in the right hand column.
- B. A copy is given to the customer.
- C. The sales tag is removed and saved. Staple the tag(s) to the receipt and place in cash box.
- D. Checks will be accepted with Customer's telephone number, driver's license, Visa or Bank Guarantee Card numbers. Two pieces of identification are required - No Exceptions. Checks are to be made out to "Senior Center Gift Shop".

VI. POSTING

- A. Posting is done in the afternoon as time permits.
1. The sold article is listed on the right side of the consignee's page with the consignee's number being double-checked against number on sales slip. Include date and price with description of sold article. Also, check left side of ledger to confirm receipt of merchandise.
 2. When sold article is posted, place check mark on sales slip.
 3. If an error is made in entering or posting, neatly "X" out the error and write the word "error" above it and initial same.

VII. CHANGES ON CONSIGNEE'S PAGE

- A. All changes are made in RED.
- B. Price changes are made in RED above the entry in left hand column. The date is entered in RED - the old price crossed out and the new price is entered. Consignee must initial this change.
- C. The price tag on the article is also changed in RED.
- D. When an article is removed by the consignee, the article is described in RED in right hand column along with the date, price, and "-0-" in the right hand price column. The "-0-" sign is then repeated over the original entry in left hand column along with the date. This transaction is also initialed by consignee.

VIII. CLOSING PROCEDURES

- A. Post all sales. (See section VI. Posting)
- B. Count out \$25.00 (preferably is small bills and coins) for the next shift's business to make change.
- C. Place the \$25.00 in the cash box after you have removed all other money.
- D. Total all cash (except \$25.00 in cash box) and checks.
- E. Total sales slips on adding machine. Total of sales must equal cash and checks in step C. above.
- F. If they do not match, ask for assistance.
- G. Staple adding machine tape to sales slips, date and sign the tape.
- H. Bring cash and receipts to office.

I. At days end, the volunteer will:

1. Bring all cash including cash box with \$25.00 to office.
2. Wait for staff to make out deposit slip.
3. Take deposit directly to bank.
4. Return deposit envelope and deposit statement to office.

J. All merchandise is secured and/or locked. Lock key placed in cash box.

IX. SPECIAL ORDERS

- A. Special order forms are in the Gift Shop. They must be completed in full.
- B. 50% of price must accompany special order request. Give customer receipt for deposit.
- C. Call and inform the consignee of the special order.
*Do not give out consignee's name or phone number to customer.
Orders must go through Gift Shop.
- D. When order arrives, enter the merchandise as normal, tag with ID #, date, price and mark Special Order, and then call the customer.
- E. Special order items must be picked up within 5 working days.
- F. Special orders not retrieved within 5 days will be sold and the deposit will be forfeited.

X. LAY-A-WAYS

- A. Items will be held until the close of the following working day at no charge.
- B. Items will be tagged with date and if not purchased by the specified time, they will go back on shelves for sale.

XI. REFUNDS

- A. No cash refunds will be given.
- B. A receipt must accompany the returned item.
- C. Obtain the customer information on the Refund Forms located in the Gift Shop.
- D. A check will be mailed within 5 working days.
- E. Mark the customer's receipt "Returned", date and initial before returning it to the customer.

F. Enclose refund request in daily receipts. Call the staff's attention to it.

XII. MISCELLANEOUS

A. We do not cash checks or make change.

B. Sales slips must balance with money at the end of each day. Report any overages or shortages to staff. No shortages are to be reimbursed from the volunteer's personal purse to compensate for the shortage.

CITY OF LEBANON SENIOR CENTER
GIFT SHOP

SPECIAL ORDER

Customer Name _____

Address _____ Phone _____

Item's ID# _____ Item's Price _____

Today's Date _____ 50% Deposit
(Non-Refundable) _____

Clerk's Initials _____ Balance Due _____

Description of Item:

CITY OF LEBANON SENIOR CENTER
GIFT SHOP

REFUND REQUEST

Customer Name _____

Address _____ Phone _____

Today's Date _____ Date of Purchase _____

Reason for return: _____

Amount Paid	ID# on Item	Item Tracked Records Revised	Check Sent - Date
		Yes ___ No ___	

Clerk's Initials _____

CITY OF LEBANON

FINANCE DEPARTMENT POLICY

SENIOR CENTER GIFT SHOP CHECKING ACCOUNT

POLICY AND PROCEDURES

October 30, 1989

The Senior Center Program Manager may open a checking account at Key Bank for use at the Gift Shop. The checking account is to be used exclusively for paying those who have consigned goods at the shop which have sold. No expenditures other than bank charges, payments for consigned goods, and turnovers to the City are to be made from this account for any reason.

Procedures

1. Signers on the account will be the Senior Center Program Manager, or in the manager's absence, the Senior Center Secretary, or City of Lebanon Finance Director. Only one signature is required on each check.
2. The account is to be reconciled monthly by the Senior Center, and a copy of the reconciliation submitted, along with a copy of the bank statement, to the Finance Operations Manager for review. At the close of the fiscal year, all bank statements for the year shall be submitted to the Finance Department for audit. Signers on the account may not reconcile the account. The account, and all records pertaining to it, shall be reconciled in a manner designated by the Finance Operations Manager.
3. The Senior Center shall maintain records of consignors which include a listing of the items consigned, a check off for items sold or returned, the gross amount of sale, and the amount paid to the consignor, as well as the check number and date of payment. This record keeping must also be conducted in a manner approved by the Finance Operations Manager.
4. When the checking account balance reaches a balance of \$100 or more in excess of what is owed to consignors, the excess shall be turned over to the Finance Department for deposit in the Senior Center Trust Fund. The turnovers should occur no more than once a week and should be checked at least each time a reconciliation is submitted (monthly) to determine if a turnover is required. If no turnover is required, a signed statement from the program manager should be submitted with the reconciliation stating that no turnover is required.
5. Any expenditures other than those listed above must be paid through the City accounts payable system and charged against the Budget as required by Oregon Budget Law.

AGENDA ITEM 6



CITY OF LEBANON

M E M O R A N D U M

TO: Mayor Bob Smith and
City Council Members

DATE January 3, 1990

FROM: Thomas A. McHill
City Attorney

SUBJECT: Linn County Tobacco Vending Machine Ordinance

Pursuant to a letter received by Mayor Smith on December 26, 1989 from the Linn County Board of Commissioners, I have drafted a proposed Resolution which consents to the application of the Linn County Tobacco Vending Machine Ordinance, No. 89-551, within the city limits. I have used the format proposed by the county commission in adopting the ordinance which effectively restricts the location and use of cigarette vending machines to areas which are not frequented by minors or within areas which are under the direct view of employees. According to the letter received from the County Commissioner, Linn County is the first Oregon County to implement this type of ordinance directed toward the limitation of the availability of cigarettes and tobacco products to children under the age of 18 years. In the event that the Council wishes to have such an ordinance apply within the city limits, I feel that the attached resolution could be implemented.

cc: Joseph A. Windell

A RESOLUTION CONSENTING TO THE) RESOLUTION NO. _____
APPLICATION OF THE LINN COUNTY) FOR 1990
TOBACCO VENDING MACHINE)
ORDINANCE)

WHEREAS, the City of Lebanon desires to have an ordinance known as the Linn County Tobacco Vending Machine Ordinance, adopted by Linn County on the 13th day of December, 1989, under ORS 203.030 to 203.075, apply within the incorporated city of Lebanon;

NOW, THEREFORE, the City Council of the City of Lebanon does resolve as follows:

That the City of Lebanon hereby consents to the application of Linn County Tobacco Vending Machine Ordinance No. 89-551, known as the Linn County Tobacco Vending Machine Ordinance, within the city limits of Lebanon, Linn County, Oregon.

Passed by the Council of the City of Lebanon by a vote of _____ for and _____ against, and approved by the Mayor this _____ day of January, 1990.

Mayor

ATTEST:

City Recorder



LINN COUNTY BOARD OF COMMISSIONERS

RICHARD STACH
Commissioner

LARRY J. JOHNSON
Commissioner

DAVE SCHMIDT
Commissioner

Linn County Courthouse
P.O. Box 100, Albany, Oregon 97321
(503) 967-3825

WILLIAM L. OFFUTT
Administrative Officer

December 20, 1989



The Honorable Bob Smith
Mayor of Lebanon
P. O. Box 247
Lebanon, OR 97355

Dear Mr. Smith:

Attached is an Ordinance passed this month by the County Commission that restricts the location and use of cigarette vending machines to areas not frequented by minors or areas under direct employee view and supervision. Also, attached are some news articles that address the high incidence of smoking-related deaths in Oregon and also the concerns of our former Surgeon General, C. Everett Koop, regarding the availability of tobacco products to minors.

We feel that we have fashioned a reasonable ordinance that will discourage minors from accessing tobacco products while still allowing vending machines to be placed in most businesses. Some machines will have to be relocated to lounge areas or other areas of the establishments not accessible to minors or relocated closer to cash registers or check-out stands. Only a very few number of machines in the county might actually have to be removed from the establishments to comply with this ordinance.

Given the fact that smoking causes more economic loss and more death than any other personal health habit, the Board of Commissioners would urge you to adopt the attached resolution so that the county ordinance would apply within your boundaries. Linn County is the first Oregon county to implement this type of ordinance. We feel we are on the leading edge of a significant effort in Oregon that will help keep cigarettes out of the hands of minors.


If we can be of any further assistance, please don't hesitate to call.

Sincerely,

LINN COUNTY BOARD OF COMMISSIONERS


Larry J. Johnson, Chairman


Richard Stach, Commissioner


David R. Schmidt, Commissioner

RESOLUTION NO. _____

WHEREAS, the City of _____ desires to have an ordinance known as the Linn County Tobacco Vending Machine Ordinance, adopted by Linn County under ORS 203.030 to 203.075, apply within the incorporated City of _____;

NOW, THEREFORE, the City Council of the City of _____ does resolve as follows:

That the City of _____ hereby consents to the application of Linn County Tobacco Vending Machine Ordinance No. 89-551, known as the Linn County Tobacco Vending Machine Ordinance, within the City limits of _____.

Passed by the Council and approved by the Mayor this _____ day of _____, 19_____.

Mayor

ATTEST:

City Recorder

Senate debates smoking ban

By JOHN H. CUSHMAN JR.
New York Times News Service

WASHINGTON — Temporarily frustrated by the parliamentary maneuvers of tobacco-state lawmakers, who are outnumbered but determined, the Senate on Wednesday debated but did not vote on a measure that would permanently ban smoking on all domestic airline flights.

Passage is considered likely if a vote occurs, but Sen. Jesse Helms, R-N.C., and Sen. Wendell H. Ford, D-Ky., began Wednesday to filibuster. The bill's proponents responded by filing a motion to shut off debate. A two-thirds majority is needed for cloture; the vote may occur on Thursday.

"We won't succumb to threats," said Sen. Frank R. Lautenberg, D-N.J., the sponsor of the smoking ban.

A ban on smoking on flights, while far from the ultimate taboo against tobacco, would carry both symbolic and practical significance, outlawing smoking in one of the places where smokers' rights conflict most directly with those of non-smokers, to the irritation of both groups.

Smoking is already prohibited on flights lasting less than two hours, or about four out of every five flights.

If the Senate passes the smoking ban, it could become law when House and Senate conferees meet to write a final bill on transportation spending.

In August, the House retained the two-hour rule in its version of the spending bill, but it did so without taking a separate vote on the question, because the tobacco lobby was afraid that a floor fight might lead to even tougher restrictions.

Wednesday's delaying tactic suggests that the lobby is aiming for the same result in the Senate, in the hope that senators would tire of the prolonged debate on a transportation spending bill whose main point of controversy is the smoking issue.

But Jo Ellen Deutsch, a lobbyist for the Association of Flight Attendants, a union that supports the ban because its members suffer prolonged and repeated exposure to the smoke of passengers, said "it still looks good" for eventual passage of the bill.

She said her count indicated that the bill's backers have a big enough margin to guarantee defeat for a filibuster or an attempt by opponents to extinguish the proposal through other parliamentary objections.

Airlines do not take a public position on the smoking issue, but several airline officials have said privately that they hope the govern-

Koop testimony hits at tobacco marketing

By KATHERINE RIZZO
The Associated Press

WASHINGTON — Surgeon General C. Everett Koop criticized U.S. tobacco marketing at home and abroad Wednesday, backing a bill to keep cigarette machines away from minors and declaring America is not respected overseas "because of the manner in which we export disease and death."

Koop said the epithet "ugly American" will "indeed come home to roost in a decade or two when the developing countries of today realize what we did to them."

He said the wide availability of cigarette vending machines in the United States makes a mockery of laws forbidding minors to buy cigarettes.

"Would we tolerate the sale of alcoholic beverages through vending machines?" he asked.

"Would we allow free samples of alcoholic beverages to be sent through the mail or passed out on public property? Of course not."

Koop, in what he said would be his last appearance as surgeon general on Capitol Hill, testified at a House subcommittee hearing called by anti-smoking activists in Congress.

During the hearing, Reps. Ohet Atkins, D-Mass., and Thomas Luken, D-Ohio, both took aim at possible Bush administration action against Thailand's ban on tobacco advertising, comparing the case to the British East India Co.'s efforts to develop Asian opium markets in the 1800s.

Luken is pushing in particular for more restrictions on tobacco advertising in this country, while Atkins wants to make it impossible for the United States to challenge any other country's limits on the sale of American cigarettes.

3 DAY SALE
30 to 50% OFF
SALE ENDS Saturday Sept. 16

The FALL HOME & GARDEN SHOW
We will be closed Sept. 18-24 for the Home Show.
See you at the Memorial Coliseum space 250

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THE WAY TO HONG KONG AND CHINA
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ALPHA BEST CONTROL

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Wash. Co. 591-7575
Vancouver 675-7411

Smoking-related deaths higher than estimated

Associated Press

PORTLAND — New state Health Division statistics show the percentage of Oregon deaths linked to smoking is much higher than previously estimated.

In January, Oregon became the first state to require physicians to list smoking and alcohol abuse as causes of death on death certificates, in compliance with a request from the national Centers for Disease Control in Atlanta.

State Health Division researcher Dave Hopkins said doctors listed smoking as a contributing factor in 21 percent of the first 7,000 deaths reported this year.

Officials previously estimated the deaths at 15 percent to 16 percent, said Joe Weller of the American Lung Association of Oregon. He added the figures may understate the deaths from smoking because they do not include victims of secondhand smoke.

The number of deaths linked to smoking is far greater than the number of deaths from other forms of drug abuse, Weller said.

"Far more people die from to-

bacco than die from AIDS, homicide, suicide, alcoholism and SIDS (sudden infant death syndrome) combined," said Weller.

But Dr. Ben Bonnlander, medical officer for Linn County, said the figures released Thursday are not hard, scientific data but do give some indication of the scope of the problem.

"We know for example there's a strong relationship between lung cancer and smoking, so if a person dies of lung cancer and he's smoked for 10, 20, 30 years, it's a reasonable thing to check off the box that it was smoking-related," Bonnlander said.

The new cause-of-death forms used by the Health Division instruct doctors to list contributing factors in a death in order of their significance, he said. For instance, one death in the May statistics was listed as heart attack secondary to a motor vehicle accident, and also was noted as both smoking- and alcohol-related.

Bonnlander said the accident victim probably had a heart attack in the hospital, and an autopsy showed symptoms of damage from smoking and drinking.

DEC 13 1989

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR LINN COUNTY, OREGON

STEVE DEWITT, CLERK
By *[Signature]*
Deputy

3 IN THE MATTER OF AN)
4 ORDINANCE RESTRICTING) ORDINANCE
5 THE LOCATION AND USE OF)
6 TOBACCO VENDING MACHINES)
7 AND PROVIDING A PENALTY)

8 The Board of County Commissioners ordains as follows:

9 Section 1 - The purpose of this Ordinance is to promote the
10 health and welfare of the citizens of Linn County by
11 limiting the availability of cigarettes and tobacco products
12 to children under the age of 18 years, through the means of
13 restricting the placing of vending machines dispensing
14 cigarettes or tobacco products.

15 Section 2 - Section 3 through 10 of this Ordinance are added to
16 and made a part of LCC Title 6.

17 Section 3 - LCC 6.50.100 Title

18 This Ordinance is entitled and may be cited as the "Linn
19 County Tobacco Vending Machine Ordinance."

20 Section 4 - LCC 6.50.100 Definitions

21 As used in this ordinance:

- 22 (A) "Accessible to persons under the age of 18 years"
23 means, in reference to premises, that no prohibition
24 exists to the entry upon premises, or a discrete
25 portion of premises, by persons who have not attained
26 the age of 18 years.
- 27 (B) "Cigarette", has the meaning set out in ORS 323.010(1).
- 28 (C) "In direct view" means that a person in charge of the
29 tobacco vending machine, while at the person's primary

1 work station, can see the facial features of a person
2 who causes the tobacco vending machine to dispense
3 cigarettes or any tobacco product.

4 (D) "Primary work station" means the place or area where a
5 person spends substantially all of the person's time
6 while in charge of the tobacco vending machine .

7 (E) "Tobacco products", has the meaning set out in ORS
8 323.500(9)

9 (F) "Tobacco vending machine" means any self-service device
10 offered for public use which, upon insertion of a coin,
11 coins, currency or token, or by other means, dispenses
12 cigarettes or any tobacco product, either in bulk or
13 package, without the necessity of replenishing the
14 device between each vending operation.

15 (G) "Under control of a person in charge" means that the
16 tobacco vending machine was:

- 17 1) in direct view of, and
18 2) within 25 feet of,

19 a person who owns the tobacco vending machine or who
20 has the right to control the use of premises where the
21 tobacco vending machine is located; or, an employee of
22 either who is charged with the duty to prevent persons
23 under 18 years of age from obtaining cigarettes or
24 tobacco products from the tobacco vending machine.

25 Section 5 - LCC 6.50.110

26 (A) It shall be unlawful for any person in possession of
27 any premises located within Linn County to place or

1 allow to be placed on said premises any tobacco vending
2 machine.

3 (B) It shall be unlawful for any person who owns or
4 controls a tobacco vending machine to place or allow to
5 be placed such tobacco vending machine at premises
6 within Linn County.

7 Section 6 - LCC 6.50.120

8 The prohibition of LCC 6.50.110 shall not apply to premises
9 or to tobacco vending machines on premises that are

10 (A) Licensed by the Oregon Liquor Control Commission for
11 on-premises consumption of alcoholic beverages or as a
12 retail liquor store.

13 (B) Maintained for the use of employees and not open to the
14 public.

15 (C) Not accessible to persons under the age of 18 years.

16 (D) Under the control of a person in charge of the tobacco
17 vending machine.

18 (E) Configured in a way that will allow a blind person, as
19 that term is defined in ORS 346.110(3), who has
20 training and skills that enable the blind person to
21 determine if a person obtaining cigarettes or any
22 tobacco product from a tobacco vending machine is under
23 18 years of age, and which blind person is in control
24 of the tobacco vending machine.

25 Section 7 - LCC 6.50.130

26 (A) In any prosecution for violation of LCC 6.50.110 it
27 shall be an affirmative defense that the premises are

1 not accessible to persons who are under 18 years of
2 age.

3 (B) In any prosecution for violation of LCC 6.50.110 it
4 shall be an affirmative defense that the tobacco
5 vending machine was under the control of a person in
6 charge of the tobacco vending machine.

7 Section 8 - LCC 6.50.140

8 Violation of LCC 6.50.110 is a Class A Infraction.

9 Section 9 - Sections 3 through 8 of this ordinance apply to all
10 the unincorporated areas of Linn County, and within cities
11 in Linn County that have consented by their governing body
12 or electors to the application of Sections 3 through 8
13 within such city.

14 Section 10 - An emergency being found to exist, this ordinance
15 shall become effective January 1, 1990.

16 First reading held October 25, 1989.

17 Second reading held November 8, 1989, and continued
18 on December 5, 1989 and December
19 12, 1989.

20 Passed the 13th day of December, 1989, upon the
21 affirmative vote of a majority of the Board of County
22 Commissioners for Linn County.

23 ATTEST:
24 Jessie K. DeRush
25 Recording Secretary

[Signature] Voting Yes
Larry J. Johnson, Chairperson

[Signature] Voting Yes
Richard Stach, Commissioner

28 APPROVED AS TO FORM:
29 Allison Smith
30 Allison Smith
31 No. 89-551
32

[Signature] Voting yes
David R. Schmidt, Commissioner

AGENDA ITEM 7

SIDEWALK INCENTIVE PROGRAM

STATUS REPORT

JANUARY 4, 1990

	<u>NUMBER</u>	<u>FUNDS</u>
Applications distributed to date (From 5/12/88)	134	N/A
Applications pending as of 1/04/90 (no permit issued)	10	N/A
Commitment letters in effect	2	\$ 435.00
Completed Sidewalks as of 1/04/90	24	\$4,103.30

	<u>Installation</u>	<u>Repair/Replace</u>
Funds Available (1989-90 Budget)	\$ 7,000.00	\$ 3,000.00
Funds Committed	< 300.00>	< 135.00>
Funds Paid Out	< <u>2,152.00</u> >	< <u>1,951.30</u> >
Remaining Available Funds	\$ 4,548.00	\$ 913.70

arg

AGENDA ITEM 8

BUILDING SUMMARY

DECEMBER 1989

	<u>Number of Permits Issued</u>	<u>Valuation</u>
Single-family Dwelling	1	\$ 56,735.00
Two-family Dwelling	0	
Multi-family Dwelling	0	
Residential Addn/Remodel	3	4,300.00
Garage/Carport/Storage	3	21,711.00
Commercial/Industrial	0	
Commercial Addn/Remodel	2	<u>21,000.00</u>
Church/Church Addition	0	
Mobile Home Installation	2	
Public Buildings	0	
Demolition	0	
Signs	0	
Moving	0	
Mechanical	13	
Plumbing	6	
Electric (MH)	2	
Special Inspection	<u>0</u>	
 TOTAL	 32	 \$103,746.00

Fees Collected

Building Permits	\$ 766.50
Mobile Home	210.00
Mechanical	277.00
Plumbing	507.80
Electric	40.00
Special Inspection	-0-
Demolition	-0-
Plan Check	348.42
State Surcharge	<u>89.94</u>
 TOTAL	 \$2,239.66

Valuation		Same Period
January 1st to Date:	<u>\$3,333,954.90</u>	Last Year: <u>\$434,863.00</u>

Total Fees		Same Period
January 1st to Date:	<u>\$31,465.38</u>	Last Year: <u>\$19,319.85</u>

AGENDA ITEM 9

CITY OF LEBANON
BUILDING DIVISION

Report for period from January 1, 1989 through December 31, 1989

<u>MONTH</u>	<u>VALUATION</u>	<u>NO. OF PERMITS</u>	<u>TOTAL FEES COLLECTED</u>
December	\$ 103,746.00	32	\$ 2,239.66
November	27,316.00	24	900.33
October	66,698.00	28	1,462.66
September	202,698.00	41	3,954.68
August	205,036.00	27	2,383.73
July	403,060.00	20	4,000.96
June	53,523.53	15	1,094.76
May	7,558.00	26	658.86
April	37,047.96	19	868.96
March	2,039,172.00	22	9,603.17
February	6,000.00	14	3,473.04
January	<u>209,415.56</u>	<u>20</u>	<u>1,698.65</u>
TOTAL	\$3,361,271.05	288	\$32,339.46

BUILDING SUMMARY
1989
CITY OF LEBANON

	NUMBER OF PERMITS ISSUED	VALUATION
Single-Family Dwelling	6	\$ 308,867.09
Two-Family Dwelling	2	160,000.00
Multi-Family Dwelling	0	- 0 -
Residential Addn/Remodel	24	113,413.32
Garages/Carports/Storage	28	111,642.64
Commercial/Industrial	5 (1 Foundation)	2,168,989.00
Commercial Addn/Remodel	11	133,750.00
Church/Church Addition	2	276,000.00
Mobile Home Installation	17	- 0 -
Public Buildings	0	- 0 -
Demolition	6	- 0 -
Signs	2	7,558.00
Moving	0	- 0 -
Mechanical	120	81,051.00
Plumbing	46	- 0 -
Electrical (MH)	16	- 0 -
Special Inspection	<u>1</u>	<u>- 0 -</u>
TOTAL	286	\$3,361,271.05

Total Fees Collected: \$32,339.46

	Comparison	
	<u>1988</u>	<u>1989</u>
Valuation	\$1,801,203.60	\$3,361,271.05
Permits	306	286
Fees Collected	\$19,319.85	\$32,339.46

EXECUTIVE SESSIONS

- 1) As per ORS 192.660 (1)(i) City Administrator's quarterly review**

- 2) As per ORS 192.660 (1)(2) Labor Negotiations**

Jim - Express
read memo -

1-10-90 City Council Mtg.

Minutes approved as submitted - Dec. 18, 1989

Utility Rate Review Proposal
Jim Judy presented Council w/ an overview
of rate process
7:32 pm - Council adjourned (arrived)

7:46 pm. B.J. Schwagman 1083 F Street

he knows what we need of new improvements
Business - minimal rate w/ five Dept
1) how many more contracts are there?
Bob Smith responded that it was public
knowledge that this was done

2) Did the Council meet before the
neighborhood mtg.

3) in the newspaper article - all people w/ the
city limits will pay

Henry McPherson: 1565 46th Place
sew
consider rain day - infiltration - 90% is rain water
run-off etc.
water system - ~~in the area~~, doesn't think that
you should have to pay for services not used.

Agreement w/ fire dept w/ it is unclear &
should be negotiated

Joyce Austin
Rm 225
Ceb Comm. Hosp

Ray Brant 755 Airport Rd.

rentals - would be charged ~~to~~ whether or not it is occupied

~~Ray Brant~~
B. Carroll, 279 E. Grant
sewer rate - equitable

Betty Blair - how ~~to~~ few people attended the
neighborhood mtg.

make people more aware

Jean Hale -

8:20 pm - closed hearing -

John R -

Ron Miller - Ray Brant

rentals - tax / interest ~~to~~ - Anna Rombach.

Mayor Smith - if a change needs to be made, rate
review committee

~~at~~ Motion
K. Tombs - recommend that rate review
committee meet again to disperse sewer
rates 2nd Winter. Motion passed
unanimously

Winters suggested that they renegotiate ~~the~~ with ~~water rate~~ the Leb Fire District for water used outside the city limits

Judy Wendland requested

Intra-fund transfer -

Leb. B+G Club - roof
Resolution - M - Branson Winters
unanimous

Revision of Leb Mun. Code relating to Parks +
Public Places - Ordinance

Motion - Miller 2nd Unannounced
amend the word public to public -

Branson Toombs - roll call
6-0

Gift Shop Policies + Procedures

M - Lynch Richard 6-0

Linn County Vending ^{Tobacco} Machine Ord.

Ord - Motion - Branson 2nd - Lynch - 6-0

Citizen Comments: 8:47

B J Schwegman -

1) How can we get citizens more interested in city business?

2) Systems are poor: wouldn't it be cheaper to float a bond?

Jean Hale 786 5th St.

County Commission - reading of a ~~the~~ Ordinance

Gasoline tax revenue - where is it spent

Ed @ Safeway Store -

suggest in sign outside - is City responsible or are we

- suggested water meeting be held during the day.

Chet Cole - ^{suggested} would it be better to have a written survey rather than a neighborhood meeting

adjourn into Exec. Session 9:06 pm
m - Toombs 2nd Miller unanimous

adjourn for 5 min

Exec. Session - ^{begin} 9:13 pm -

Feb 21: 6:00 Pineway Chicken, Steak or Prawns.

adjourn - to res 9:40
Bramm Wintz - unanimous