

COUNCIL AGENDA



FEBRUARY 23, 1994

1991 CITY COUNCIL GOALS

- 1) DEVELOP A FUNDING BASE THAT ENSURES CONTINUED STABILITY AND ALSO ALLOWS FOR PLANNED GROWTH
- 2) ENCOURAGE ECONOMIC DEVELOPMENT
- 3) IMPROVE UTILITY AND TRANSPORTATION SYSTEMS
- 4) CONTINUE EFFORTS TO IMPROVE COMMUNICATIONS WITH THE COMMUNITY
- 5) CONTINUE TO EVALUATE SERVICE DELIVERY SYSTEMS TO BETTER MEET THE EXPECTATIONS OF THE COMMUNITY
- 6) ENCOURAGE DOWNTOWN REVITALIZATION
- 7) FOSTER COMMUNITY PRIDE
- 8) PROMOTE POSITIVE INTERGOVERNMENTAL RELATIONS
- 9) BROADEN CULTURAL AND RECREATIONAL OPPORTUNITIES

LEBANON CITY COUNCIL
February 23, 1994
7:30 p.m.

A G E N D A

Lebanon School District Board Room
485 S. 5th Street

NO NOON SESSION

CALL TO ORDER/FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES

- 1) Minutes of the January 26, 1994 City Council Meeting

PUBLIC HEARING

- 2) 1994 COMMUNITY DEVELOPMENT BLOCK GRANT

Presented by: Mr. Joseph Windell, City Administrator

LEGISLATIVE ACTION

- 3) URBAN RENEWAL BOND SALE

Presented by: Ms. Judy Wendland, Finance Director

Approval of RESOLUTION

- 4) BUDGET TRANSFER FOR PLANNING SERVICES

Presented by: Ms. Judy Wendland, Finance Director

Approval of RESOLUTION

BOARD/COMMISSION APPOINTMENTS

- 5) SENIOR SERVICES ADVISORY BOARD APPOINTMENT

- 6) HISTORIC RESOURCES COMMISSION APPOINTMENTS AND REAPPOINTMENTS

OTHER MATTERS

- 7) RIVER PARK TOTEM POLE PLACEMENT REQUEST
Presented by: Mr. Tony Stanovich, Lebanon Fine Arts & Crafts

- 8) LIBRARY/SENIOR CENTER NEEDS ASSESSMENT REPORT
Presented by: Sherwood & Roberts, Architects

- 9) PETITION TO REROUTE TRUCK ROUTE - DISCUSSION
Presented by: Mr. Joseph Windell, City Administrator

(Temporarily adjourn the regular order of business of the Lebanon City Council and convene for an Executive Session)

(Executive Sessions are not open to the public; upon adjournment of the Executive Session, citizens may return to attend the remainder of the regular order of business of the Lebanon City Council)

EXECUTIVE SESSION: As per ORS 192.660(1)(i) - City Administrator's Informal Evaluation
As per ORS 192.660(1)

(Adjourn Executive Session and convene into regular order of business of the Lebanon City Council by MOTION)

CITIZEN COMMENTS

ADJOURNMENT

AGENDA ITEM 1

MINUTES
LEBANON CITY COUNCIL MEETING
January 26, 1994

MEMBERS PRESENT: Mayor Bob Smith; Councilors Ron Miller, Jim Mills, Ken Toombs, Wayne Rieskamp, and Diane Branson.

STAFF PRESENT: Joseph Windell, City Administrator; Tom McHill, City Attorney; Jim Ruef, Director of Public Works; Walt Richmond, Police Chief; and Linda Kaser, Secretary.

CALL TO ORDER/ROLL CALL:

The meeting was called to order by Mayor Smith at 7:30 p.m. in the School District Board Room, 485 S. 5th Street. Roll call was taken with Councilor Winters being absent.

APPROVAL OF MINUTES:

1) January 12, 1994 City Council Meeting Minutes.

Minutes were approved with an addition to page three authorizing both the Finance Director, and the City Attorney to enter into a contract with TSC to purchase the new telephone system.

LEGISLATIVE ACTION:

2) REPEAL OF LEBANON MUNICIPAL CODE 15.16.120 - TRAILER PARK FEE

This Code was enacted by Ordinance 1093, Section 2(c) in 1961 requiring trailer parks within the City limits to pay an annual license fee of \$2.50 a year per trailer parking unit.

The terms of this Ordinance had not been enforced for years, therefore, City Attorney McHill proposed an Ordinance which would repeal this section of the Code.

ORDINANCE BILL NO. 2, ORDINANCE NO. 2143; A BILL FOR AN ORDINANCE REPEALING LEBANON MUNICIPAL CODE 15.16.120, PARK-FEE was read by title. Motion by Councilor Toombs, seconded by Councilor Rieskamp to Adopt the Ordinance. The motion passed unanimously, by roll call vote.

3) DOWNTOWN PARKING PROPOSAL

Mr. Scott, Chamber Director (representing the Lebanon Chamber of Commerce Parking Committee), addressed the Council with the unanimous recommendation of the Parking Committee to the Council to make the city parking lots at Main and Grant Streets, and Main and Vine Streets, long-term parking lots with no overnight parking. The parking proposal would allow shoppers more time in the downtown area.

The design has been successful since most of the school's students are on the south side.

One problem cropped up with the parking zone for parents to drop off or pick up their children. The City had put parking back on the north side of Academy Street. However, it did not work well because people exiting the drop off area had difficulty seeing to the left. Therefore, staff requested that Council prohibit street parking on a portion of Academy Street between 2nd and Main Streets, the 40 foot west curb side parking area on the north side drive-through.

Staff also proposed a second resolution prohibiting left turns from Second Street onto Academy Street. This would not take effect until June 13, 1994, which had been agreed upon with the Lebanon School District, so the school kids and parents could be notified well in advance of the changes before the new school year.

School Superintendent Ike Launstein, and Rod Leland, Principal of Lebanon Middle School addressed the Council on the no left turn issue. Having a left turn, coupled with two different crosswalks, was a safety hazard. They felt that by reducing it down to only one crosswalk, and not allowing the left turn, would allow 2nd Street traffic to flow better as well as being a safer route for the school children. By doing this, the students would be in just one area, making it easier for the drivers to observe the one crosswalk.

Mr. Launstein and Mr. Leland commended Jim Clark, and Chuck Eaton, for being very cooperative and supportive. The District's safety issues have been met. The redesign of Highway 34 has been much improved. However, they were also concerned with the P. E. students crossing the street. There are two classes at the same time and, in late spring, crossing up to 60 students at a time on the north crossing area onto Santiam Field. They will stress this point to the teachers and review it with the students.

A RESOLUTION PROHIBITING STREET PARKING ON A PORTION OF ACADEMY STREET was read by title. Councilor Toombs moved to Adopt the Resolution. Councilor Mills seconded the motion. The motion passed unanimously.

A RESOLUTION REGARDING TRAFFIC IN THE CITY OF LEBANON PROHIBITING LEFT HAND TURNS FROM SECOND STREET ONTO ACADEMY STREET was read by title. Councilor Rieskamp moved, Councilor Toombs seconded to Adopt the Resolution. The motion passed unanimously.

6) RIGHT-OF-WAY AGREEMENT (8TH STREET)

One of the conditions of approval for the Villa Cascade Nursing Home was the improvement of Eighth Street from Tangent Street to Isabella Street. Several years ago the work had been done but the right-of-way was never dedicated. A right-of-way for the northerly 380 feet of the street was dedicated to the City by the current property owner.

A RESOLUTION ACCEPTING RIGHT-OF-WAY FOR A PORTION OF 8TH STREET, LEBANON, OREGON was read by title. Councilor Miller moved to Adopt the Resolution, Councilor Mills seconded the motion. The motion passed unanimously.

A RESOLUTION CHANGING TIME LIMITS FOR PARKING IN DOWNTOWN CITY OWNED PARKING LOTS IN LEBANON, OREGON was read by title. Motion by Councilor Miller, seconded by Councilor Branson to Adopt the Resolution. The motion passed unanimously.

4) MARKET STREET VACATION

Director of Public Works Ruef briefed Council on the adjacent property owners reaching an agreement on how they wanted the Market Street property vacated. The owners wanted all of the property vacated except the corridor.

The issue was whether or not to vacate the corridor. The City staff felt the public had no further use for the property, and it should be vacated.

City staff gave Council two ordinances to choose from, which would either vacate all of the property except the corridor, or vacate all of the property including the corridor, and retain an easement for public access.

Councilor Miller asked if the county surveyor was involved. Director Ruef explained that he was involved, but basically wanted the property owners to work it out. The staff did not know or have control of how the property would be divided. Director Ruef reported that the property owners knew how it would be divided and have worked this out with the surveyor.

Councilor Toombs asked if the property owners would be responsible for maintaining the proposed access road and public parking. Director Ruef stated that the property owners would be responsible. The right-of-way would be the responsibility of the City under the first ordinance.

Pat Emmons, Counsel for property owner Schwindt stated that either ordinance would be satisfactory, as long as they included access for the triangular strip.

Councilor Miller asked City Attorney McHill if there was a disclaimer in the ordinance about the County Surveyor. City Attorney McHill stated that it was not necessary because, according to the Statute, the surveyor has the authority to set the new boundaries.

After discussion, Council decided on the second Ordinance:

ORDINANCE BILL NO. 1, ORDINANCE NO. 2142; A BILL FOR AN ORDINANCE VACATING A PORTION OF MARKET STREET RIGHT-OF-WAY BETWEEN MARKET STREET AND THE SANTIAM HIGHWAY AND DECLARING AN EMERGENCY was read by title. Motion by Councilor Miller, seconded by Councilor Branson to Adopt the Ordinance. The motion passed unanimously, by roll call vote.

5) TRAFFIC CONTROL - 2ND AND ACADEMY

Director of Public Works Ruef briefed Council on the effects of the redesign of the traffic pattern around the Lebanon Middle School. Staff had done turning counts, and 24 hour traffic counts and found a five-fold decrease in traffic off of Tangent Street around the south side of the school.

7) LIBRARY GRANT

Martha Stiffler, a Library Assistant, wrote a grant application to the Ezra Jack Keats Foundation. The library was awarded \$500 to receive an after school reading program for the first through fifth graders.

A RESOLUTION APPROPRIATING GRANT FUNDS was read by title. Councilor Branson moved to Adopt the Resolution, Councilor Toombs seconded the motion. The motion passed unanimously.

OTHER MATTERS

8) LIBRARY ADVISORY BOARD MINUTES OF NOVEMBER 10, 1993

9) RECYCLING UPDATE

Jeff Andrews, Albany-Lebanon Sanitation Manager, brought Council up-to-date with the rate increase put into affect about 15 months ago. The programs that the company recommended, and the Council endorsed had worked out better than they had dreamed. The participation and recovery were both higher than expected.

Three programs have been implemented:

- 1) Mixed paper recycling began in February of 1993, collecting an anticipated 160 tons annually.

Curbside recycling participation had grown by 40% from this time last year.

- 2) Yard debris recycling began in April and was the most surprising program, because of its unanticipated success. Customers had there choice of several different ways to compost yard debris. The program was expected to divert 5,665 tons of material from the landfill this year.
- 3) Commercial and multi-family recycling began in February. The program collected approximately 3.34 tons of recyclable material each week and was expected to divert 174 tons from the landfill annually.

CITIZEN COMMENTS

Mary Harris addressed the Council regarding noise in her neighborhood last Sunday evening. Her neighbor had approximately seventeen boys from ages 13 to 19 hanging around her neighbor's home. Gun fire and fighting had occurred.

Some problems in her neighborhood over a short period of time have consisted of:

Her next door neighbor's dog had its throat cut from ear to ear; and someone tried to get into her car. They were unsuccessful, but she had to have her window repaired.

Ms. Harris stated that these kids run around all day and they should be in school. She called the School District, but they have only one truant officer for all of Linn County.

Ms. Harris commented on the exceptional police department, but felt the community needs to assist the police. Ms. Harris proposed a 10:00 p.m. curfew.

Chief Richmond told Council that the issue related to community policing ideas. If the Police Department receives the grant they were hoping for, they will have an extra person on the force. The person would be able to spend time in some of the problem areas as well as work with the schools. The police do a good job working with the grade schools through the D.A.R.E. program, but there are no programs for the older kids. The City has the need, but is unable to afford it at the present time.

Councilor Branson expressed concern that a curfew would in effect punish the kids that were not creating the trouble. Councilor Rieskamp added that, on occasion, some of the kids don't get back into town from school activities until later than 10:00 p.m.

Staff will let Council know how other cities have handled this. City Attorney McHill will let Council know whether or not a time restriction would be possible.

* * *

City Administrator Windell reminded Council of the City/County Annual Dinner scheduled for March 2, 1994, 6:00 p.m., at Pineway. Mr. Windell passed around a list of suggested topics and told Council they could add or delete topics from the list, but to let him know by the end of the week.

ADJOURNMENT:

There being no further business to come before the Council, the meeting was adjourned at 8:45 p.m.

Recorded by: Linda Kaser, Secretary

ATTEST:

Robert G. Smith, Mayor

Joseph A. Windell, City Recorder

AGENDA ITEM 2

PUBLIC NOTICE AND NOTICE OF PUBLIC HEARING

The City of Lebanon is eligible to apply for a 1994 Community Development Block Grant (CDBG) from the Oregon Economic Development Department.

CDBG funds come from the U.S. Department of Housing and Urban Development and are intended to provide decent housing, a suitable living environment and expanding economic opportunities, principally for low and moderate income persons.

Funds will be available for public works, community facilities, handicapped accessibility, new and rehabilitated housing, economic development and technical assistance projects.

Approximately \$15 million will be awarded to Oregon non-metropolitan cities and counties in 1994. The most any city or county can receive will be up to \$600,000 for a construction project and/or \$10,000 for a technical assistance grant.

A public hearing will be held by the City Council at 7:30 pm on February 23, 1994 at the Lebanon School District Business Office, 485 S. 5th Street, Lebanon.

The purpose of this hearing is for the City Council to obtain citizen views and to respond to proposals and questions about:

- Community development and housing needs, especially the needs of low and moderate income persons, as well as other needs in the community that might be assisted with a CDBG project.
- The performance of the City of Lebanon in carrying out its community development responsibilities.

Written comments are also welcome and must be received by February 23, 1994 at Lebanon City Hall, 925 Main Street, Lebanon, Oregon 97355. Both oral and written comments will be considered by the City Council in deciding whether to apply.

A second public hearing will be held prior to completion of an application for a specific project.

The location of the hearing is accessible to the disabled. Please let Joseph A. Windell at 451-7422 know if you will need any special accommodations to attend or participate in the meeting.

More information about the Oregon Community Development Block Grant program and records about the City's past use of CDBG funds is available for public review at Lebanon City Hall, 925 Main Street, Lebanon, Oregon 97355 during regular office hours. Advance notice is requested. If special accommodations are needed, please notify Joseph A. Windell at 451-7422 so that appropriate assistance can be provided.

AGENDA ITEM 3



CITY OF LEBANON

MEMORANDUM

TO: Joseph A. Windell, City Administrator

DATE: February 16, 1994

FROM: Judy Wendland, Finance Director 

SUBJECT: Resolution Authorizing Sale of Urban Renewal Bonds

In December, the City Council authorized me to have our bond counsel enter into a validation proceeding for the remaining balance of \$1,080,000, the City's Urban Renewal bond authority. The validation was completed on January 31; and our financial advisor, Seattle Northwest, recommends we go to market before the March elections to get the best interest rate.

Attached is the resolution to allow the sale to occur. The maximum interest rate the Council is authorizing is 6%, based on the recommendation of Seattle Northwest. The proposed sale date is March 2 or 3, depending on market conditions. In this resolution, the City Council authorizes the City Administrator or me to enter into the sale and sign the documents.

Action Required:

Motion to approve the resolution.

JW/lgk

A RESOLUTION OF THE CITY OF)
 LEBANON, OREGON AUTHORIZING)
 THE ISSUANCE AND NEGOTIATED)
 SALE OF GENERAL OBLIGATION)
 BONDS, SERIES 1994; DESIGNATING)
 THE UNDERWRITER, BOND COUNSEL,)
 PAYING AGENT AND BOND REGISTRAR;)
 AUTHORIZING THE DESIGNATION OF)
 AN EXPERT ADVISOR.)

RESOLUTION NO. _____
 for 1994

WHEREAS, the Common Council of the City of Lebanon, Linn County, Oregon (the "City") submitted to the voters of the City at an election on November 8, 1983, Measure 22-2 which presented the question of contracting a general obligation bonded indebtedness in an amount not to exceed \$1,500,000 to finance necessary street, sanitary sewer, storm drainage and street light improvements within the South Main Urban Renewal District (collectively the "Projects").

WHEREAS, at such election, the voters of the City voting at the election approved of the issuance of such general obligation bonded indebtedness.

WHEREAS, on November 5, 1984, pursuant to Ordinance No. 1946 enacted by the City on October 10, 1984, the City issued its General Obligation Street Bonds, Series 1984 which were in the original principal amount of \$420,000.

WHEREAS, there remains the authority to issue \$1,080,000 of additional general obligation bonds pursuant to the authorization granted by the voters at the November 8, 1983 election.

WHEREAS, on December 8, 1993 the City adopted Resolution No. 32 authorizing and providing for the issuance of general obligation bonds in the aggregate principal amount not to exceed \$1,080,000 for the South Main Road Project under the authority of Measure 22-2.

WHEREAS, on February 8, 1994 the Circuit Court of the State of Oregon for the County of Linn, Oregon in Case No. 931786 entered its Judgement of Validation holding that Resolution No. 32 is a constitutional and valid legal action of the City and the issuance of general obligation bonds pursuant to Resolution No. 32 and Measure 22-2 approved by the voters of the City on November 8, 1983 is valid.

WHEREAS, the City now desires to proceed with the issuance of the remaining general obligation bond authority to finance the Projects.

WHEREAS, the proceeds of the general obligation bonds will be for the purpose of providing funds to pay costs of the Projects and to pay the costs of issuance of the general obligation bonds. Such bonds will be issued as general obligations of the City payable from ad valorem taxes levied upon all taxable property within the City without limitation as to rate or amount.

NOW, THEREFORE, the City of Lebanon, Oregon, acting by and through its Common Council, does resolve as follows:

Section 1. Issuance of Bonds. The City authorizes the issuance and sale of not to exceed \$1,080,000 in original issue amount of general obligation bonds (the "Bonds"). The Bonds shall be issued in denominations of \$5,000 each, or integral multiples thereof, as negotiable general obligation bonds of the City and shall bear interest at a true effective rate not to exceed six percent (6.0%) per annum. The Bonds shall be sold to the Underwriter at a price not less than ninety-nine percent (99.0%) of par value, exclusive of original issue discount. The City authorizes the City Administrator or Finance Director (the "Authorized Representative") to determine and designate the principal amount, dated date, the maturity dates, the principal serial maturities, the optional redemption dates and premiums, if any, term bond maturity or maturities and mandatory redemption dates, to fix the interest payment dates and to determine such other provisions as are deemed necessary and desirable for the sale and issuance of the Bonds.

Section 2. Title and Execution of Bonds. The Bonds shall be entitled "City of Lebanon, Linn County, Oregon General Obligation Bonds, Series 1994", or such other title designated by the Authorized Representative, and shall bear the manual or facsimile signature of the Mayor of the City and the manual or facsimile signature of the City Recorder. The Bonds shall be initially issued in book-entry form as a single typewritten bond for each single maturity and issued in the registered name of the nominee of The Depository Trust Company, New York, New York in book-entry-only form. The Bonds will be issued without certificates being made available to the bond holders. The Bonds may be issued in separate series at the determination of the Authorized Representative.

Section 3. Book-Entry-Only System. Ownership of the Bonds shall be recorded through entries on the books of banks and broker-dealer participants and correspondents that are related to entries on The Depository Trust Company book-entry-only system. The Bonds shall be initially issued in the form of a separate single fully registered type-written bond for each maturity of the Bonds (the "Global Certificates"). Each Global Certificate shall be registered in the name of Cede & Co. as nominee (the "Nominee") of The Depository Trust Company (the "Depository") as the "Registered Owner", and such Global Certificates shall be lodged with the Depository until redemption or maturity of the Bond issue. The Paying Agent shall remit payment for the maturing principal and interest on the Bonds to the Registered Owner for distribution by the Nominee for the benefit of the bondholder (the "Beneficial Owner" or

"Record Owner") by recorded entry on the books of the Depository participants and correspondents. While the Bonds are in book-entry-only form, the Bonds will be available in denominations of \$5,000 or any integral multiple thereof.

The Authorized Representative shall file with the Depository a Letter of Representation to induce the Depository to accept the Bonds as eligible for deposit at the Depository. The Underwriter is authorized to provide the Depository with the Preliminary Official Statement, together with the completed Depository's underwriting questionnaire.

The execution and delivery of the Letter of Representation and the providing to the Depository of the Preliminary Official Statement and the underwriting questionnaire shall not in any way impose upon the City any obligation whatsoever with respect to persons having interests in the Bonds other than the Registered Owners of the Bonds as shown on the registration books maintained by the Paying Agent and Bond Registrar. The Paying Agent and Bond Registrar, in writing, shall accept the book-entry-only system and shall agree to take all action necessary to at all times comply with the Depository's operational arrangements for the book-entry-only system. The Authorized Representative may take all other action to qualify the Bonds for the Depository's book-entry-only system.

In the event:

(a) the Depository determines not to continue to act as securities depository for the Bonds, or

(b) the City determines that the Depository shall no longer so act, then the City will discontinue the book-entry-only system with the Depository. If the City fails to identify another qualified securities depository to replace the Depository, the Bonds shall no longer be a book-entry-only issue but shall be registered in the registration books maintained by the Paying Agent and Bond Registrar in the name of the Registered Owner as appearing on the registration books of the Paying Agent and Bond Registrar and thereafter in the name or names of the owners of the Bonds transferring or exchanging Bonds in accordance with the provisions of Section 10 herein.

With respect to Bonds registered in the registration books maintained by the Paying Agent and Bond Registrar in the name of the Nominee of the Depository, the City, and the Paying Agent and Bond Registrar shall have no responsibility or obligation to any participant or correspondent of the Depository or to any Beneficial Owner on behalf of which such participants or correspondents act as agent for the Registered Owner with respect to:

(i) the accuracy of the records of the Depository, the Nominee or any participant or correspondent with respect to any ownership interest in the Bonds,

(ii) the delivery to any participant or correspondent or any other person, other than a Registered Owner as shown in the registration books maintained by the Paying Agent and Bond Registrar, of any notice with respect to the Bonds, including any notice of redemption,

(iii) the selection by the Depository of the beneficial interest in Bonds to be redeemed in the event the City redeems the Bonds in part, or

(iv) the payment to any participant, correspondent or any other person other than the Registered Owner of the Bonds as shown in the registration books maintained by the Paying Agent and Bond Registrar, of any amount with respect to principal or interest on the Bonds. Notwithstanding the book-entry-only system, the City may treat and consider the Registered Owner in whose name each Bond is registered in the registration books maintained by the Paying Agent and Bond Registrar as the Registered Owner and absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, or for the purpose of giving notices of redemption and other matters with respect to such Bond, or for the purpose of registering transfers with respect to such Bond, or for all other purposes whatsoever. The City shall pay or cause to be paid all principal of and interest on the Bonds only to or upon the order of the Registered Owner, as shown in the registration books maintained by the Paying Agent and Bond Registrar, or their representative attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligation with respect to payment thereof to the extent of the sum or sums so paid.

Upon delivery by the Depository to the City and to the Registered Owner of a Bond of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee then the word "Nominee" in this Resolution shall refer to such new nominee of the Depository, and upon receipt of such notice, the City shall promptly deliver a copy thereof to the Paying Agent and Bond Registrar.

Section 4. Optional Redemption. The Bonds may be subject to optional redemption, with or without premium, together with accrued interest to the date fixed for the redemption, in whole, or in part, in integral multiples of \$5,000, and by lot within a maturity as determined by the Authorized Representative.

Notice of redemption shall be published as provided by law and shall be given by registered or certified mail not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books of the City maintained by the Paying Agent. Bonds called for redemption shall be payable at the office of the Paying Agent.

Section 5. Appointment of Underwriter. The City does appoint Seattle-Northwest Securities Corporation as underwriter (the "Underwriter") for the issuance of the Bonds.

Section 6. Sale of Bonds. The Authorized Representative is authorized to sell the Bonds at a private negotiated sale to the Underwriter pursuant to ORS 287.028 and determine the requirements for the negotiated sale of the Bonds, subject to the provisions of this resolution, that provides the most advantageous terms to the City.

Section 7. Payment of Bonds. If the book-entry-system has been discontinued, then the principal of the Bonds shall be payable upon presentation of the Bonds at maturity at the principal corporate trust office of the Paying Agent in Portland, Oregon. Payment of each installment of interest shall be made by check or draft of the Paying Agent mailed on each interest payment date to the registered owner thereof whose name and address appears on the registration books of the City maintained by the Paying Agent as of the close of business on the 15th day of the month next preceding any interest payment date.

Section 8. Form of Bonds. The Bonds shall be issued substantially in the form as approved by the Authorized Representative and Bond Counsel.

Section 9. Appointment of Paying Agent and Bond Registrar. The City designates First Interstate Bank of Oregon, N.A., Portland, Oregon, as the Paying Agent and Bond Registrar of the Bonds. The Authorized Representative is authorized to negotiate and execute on behalf of the City the Paying Agent and Bond Registrar Agreement. This Agreement shall provide for compliance with Oregon Administrative Rule 170-61-010. In addition, the City requests and authorizes the Paying Agent and Bond Registrar to execute the Certificate of Authentication as of the date of delivery of the Bonds.

Section 10. Transfer of Bonds. If the book-entry system is discontinued the Bonds will be issued in certificate form. If in certificate form, the Bonds are transferable, or subject to exchange, for fully registered Bonds in the denomination of \$5,000 each or integral multiples thereof by the registered owner thereof in person, or by the owner's attorney, duly authorized in writing, at the office of the Bond Registrar. The Bond Registrar shall maintain a record of the names and addresses of the registered owners of the Bonds. The records of the registered bond ownership are not public records within the meaning of Oregon Revised Statutes 192.410(4).

All bonds issued upon transfer of or in exchange for Bonds shall be valid general obligations of the City evidencing the same debt and shall be entitled to the same benefits as the Bonds surrendered for such exchange or transfer. All fees, expenses and charges of the Paying Agent and Bond Registrar shall be payable by the City. The Bond Registrar shall not be required to transfer or exchange any Bond after the close of

business on the 15th day of the month next preceding any interest payment date or transfer or exchange any Bond called or being called for redemption.

Section 11. Printing of Bonds. If the Bonds are not in book-entry form, then the Authorized Representative is authorized to contract for the printing of the Bonds. The Authorized Representative may provide for the printing of, in addition to the original issue of Bonds, if any, additional bonds to be printed in blank form as to registration and to be designated by appropriate number for the Bond Registrar for delivery to the registered owner upon transfer or exchange of Bonds. The additional bonds shall be dated the date of the Bonds, shall be signed by the manual or facsimile signature of the Mayor of the City and by the manual or facsimile signature of the City Recorder and the Paying Agent and Bond Registrar shall manually sign the Certificate of Authentication as of the date of delivery or transfer of the Bonds.

Section 12. Tax Levy and Pledge. The City shall levy annually, as provided by law, a direct ad valorem tax upon all of the taxable property within the City in sufficient amount, without limitation, to pay the principal of and interest on the Bonds promptly as they become due and payable. The City covenants with the owners of the Bonds to pledge such ad valorem taxes in sufficient amount to pay the principal of and interest on the Bonds as they respectively become due and payable.

Section 13. Covenant as to Arbitrage. The proceeds of the Bonds shall be used and invested in such manner that the Bonds shall not become "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable regulations. The City covenants that, within its lawful powers, it will not do, and will refrain from doing, anything in the issuance of the Bonds and in the investment and expenditure of the proceeds thereof which would result in the interest on the Bonds becoming taxable for federal income tax purposes.

Section 14. Appointment of Expert Advisor. The Authorized Representative is authorized to designate an Expert Advisor to the City for the issuance of the Bonds.

Section 15. Appointment of Bond Counsel. The City does appoint the law firm of Mersereau & Shannon of Portland, Oregon as Bond Counsel for the issuance of the Bonds.

Section 16. Designation as Qualified Tax-Exempt Obligations. The City hereby designates the Bonds for purposes of paragraph (3) of Section 265(b) of the Code as "qualified tax-exempt obligations" and covenants that the Bonds do not constitute private activity bonds as defined in Section 141 of the Code, and that not more than \$10,000,000 aggregate principal amount of obligations, the interest on which is for federal income tax purposes (excluding, however, private activity bonds other than qualified 501(c)(3) bonds) including the Bonds, have been or shall be issued by the City, including all subordinate entities of the City, if any, during the calendar year 1994.

Section 17. Rebate Exception for Small Governmental Units. The City finds and determines that the Bonds comply with the statutory requirements of Section 148(f)(4)(C) of the Code in that the City is a governmental unit having general taxing powers, the Bonds are not being issued for a private activity purpose, more than 95% of the net proceeds of the Bonds will be used for local governmental activities of the City, and the aggregate face amount of all tax-exempt obligations which will be issued by the City during the calendar year 1994 is not reasonably expected to exceed \$5,000,000.

Section 18. Preliminary and Final Official Statement. The City shall cause the Underwriter to prepare a preliminary official statement for the Bonds which shall be available for distribution to prospective investors. In addition, an official statement shall be prepared by the Underwriter and ready for delivery to the purchasers of the Bonds no later than the seventh (7th) business day after the sale of the Bonds. When advised that the final official statement does not contain any untrue statement of a material fact or omit to state any material fact necessary to make the statements contained in the official statement not misleading in the light of the circumstances under which they are made, the Authorized Representative is authorized to certify the accuracy of the official statement on behalf of the City.

Section 19. Closing of the Sale and Delivery of the Bonds. The Authorized Representative is authorized to execute all documents, including a Certificate as to Arbitrage, and any and all other things or acts necessary for the sale and delivery of the Bonds. Such acts of the Authorized Representative are for and on behalf of the City and are hereby authorized by the Common Council of the City.

Passed by the Common Council of the City of Lebanon by a vote of _____ for and _____ against, and approved by the Mayor this _____ day of February, 1994.

Mayor

ATTEST:

City Recorder

AGENDA ITEM 4




CITY OF LEBANON

MEMORANDUM

TO: Joseph A. Windell, City Administrator

DATE: February 14, 1994

FROM: Judy Wendland, Finance Director 

SUBJECT: Transfer Resolution for Planning Fees

Per your request, I have attached a resolution to increase the amount budgeted to pay COG for contract planning services. Increased hours are required due to unprecedented development activity.

Action Required:

Motion to approve Resolution.

A RESOLUTION AUTHORIZING
CERTAIN INTRA-FUND TRANSFERS
IN THE 1993-94 BUDGET

)
)
)

RESOLUTION NO. _____
FOR 1994

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 23rd day of February, 1994.

Robert G. Smith, Mayor

ATTEST:

Joseph A. Windell, City Recorder

EXHIBIT "A"

		<u>USE</u>	<u>SOURCE</u>
General Fund, Administration			
10-195-80005	Contingencies		20,000
10-110-61130	Contract Services	20,000	

Justification:

For unanticipated planning costs due to increased development.

AGENDA ITEM 5



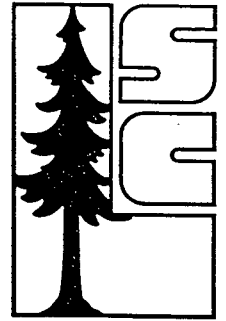
SENIOR AND DISABLED SERVICES

LEBANON SENIOR CENTER
585 PARK STREET
LEBANON, OREGON 97355
(503) 451-7481 Fax 451-1260

CITY OF LEBANON
FEB!

94 JAN 32 AM 6:39

ADMINISTRATOR'S OFFICE



DATE: January 28, 1994

TO: Bob Smith, Mayor

FROM: Lou Ann Grosch, Program Manager

REGARDING: Advisory Board Appointment By City Council

The Senior and Disabled Services Advisory Board would like to recommend the appointment of Ken Tschanz to this Board. At the January 26, 1994 Advisory Board meeting the board members unanimously voted in favor of Ken's appointment. This appointment is a four year term running from January 1, 1994 - December 31, 1998.

Ken is the manager of the HUB Clothing store and has been serving on the Board as a Rotating Community Business Member (RCBM) (non-voting) for the last six (6) months. As a business representative Ken has provided a valuable perspective to many of the decisions made by the board. Ken's commitment has proven to be broader than his role as a RCBM as he has demonstrated outstanding leadership abilities as a member of the Library/Senior Center building committee, needs assessment committee and as chair of the grants/finance/fundraising committee for this project.

Ken has been a wonderful asset to the Senior and Disabled Services Advisory Board and we look forward to working with him in the years to come.

We would like to request that this appointment be placed on the City Council agenda for February 9, 1994. Maxine Gassner, Chair of the Advisory Board will make the presentation to Council. Mr. Tschanz will also be present.

If you have any additional questions please feel free to contact me.

cc: Joseph A. Windell, City Administrator

AGENDA ITEM 6



CITY OF LEBANON

MEMORANDUM

TO: JOSEPH A. WINDELL
CITY ADMINISTRATOR

DATE: FEBRUARY 17, 1994

FROM: DOUGLAS S. PARKER 
CITY PLANNER

SUBJECT: RECOMMENDED APPOINTMENTS FOR THE HISTORIC RESOURCES COMMISSION

Attached is the proposed Historic Resources Commission roster indicating in **bold**, two voting position appointments and two non-voting appointments. Additionally, positions #3 and #6 are up for re-appointment.

The Historic Resources Commission (HRC) recommends that the City Council appoint Ella Garboden to position #7 and Shirlee Harrington to position #9. The HRC also recommends appointment of Joella Larsen and Mel Harrington to non-voting positions. Additionally, the HRC recommends re-appointment of position #3 and #6.

DSP/la

AGENDA ITEM 7



CITY OF LEBANON

MEMORANDUM

TO: MAYOR & CITY COUNCIL

DATE: FEBRUARY 18, 1994

**FROM: JOSEPH A. WINDELL
CITY ADMINISTRATOR**

SUBJECT: PLACING A TOTEM POLE IN RIVER PARK

Enclosed you will find a request from the Lebanon Fine Arts & Crafts to place a welcome totem pole in River Park. Also included are comments from staff concerning the request.

I am asking that you take action on this matter by motion.

If the Council would like to set certain conditions, that also needs to be a part of the motion.

arg



CITY OF LEBANON

MEMORANDUM

TO: JOSEPH A. WINDELL
CITY ADMINISTRATOR

DATE: FEBRUARY 17, 1994

FROM: DOUGLAS S. PARKER *DP*
CITY PLANNER

SUBJECT: PLANNING COMMISSION REVIEW OF PROPOSED RIVER PARK IMPROVEMENTS

I have reviewed the proposal to place a totem pole in River Park and have concluded that special planning review of this proposal (including Planning Commission review) is not warranted nor required.

DSP/la



CITY OF LEBANON

MEMORANDUM

TO: JOSEPH WINDELL
CITY ADMINISTRATOR

DATE: FEBRUARY 16, 1994

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

SUBJECT: PLACING A TOTEM POLE IN RIVER PARK

I have reviewed the proposal by Lebanon Fine Arts & Crafts to place a Totem Pole in River Park similar to the one already installed in Mural Park. After discussions with parks maintenance crew members I see no problems with the proposal. Our only concern was alleviated by the commitment by the Lebanon Fine Arts & Crafts members to continue to be responsible for maintenance of the Pole.

We would like to be involved in some of the specifics of the exact location of the pole and the foundation design. These matters can wait until just before it is erected.



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

TO: Joe Windell
City Administrator

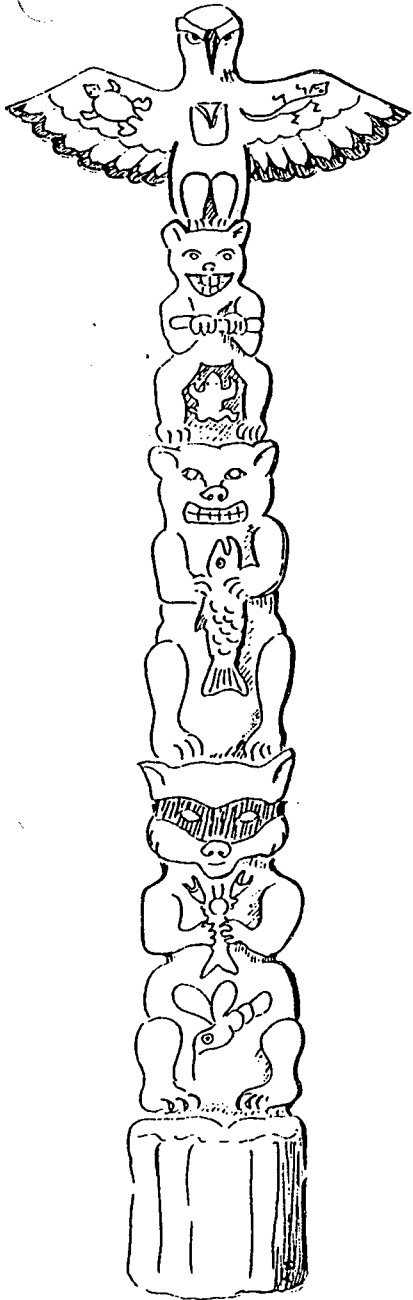
DATE: February 18, 1994

FROM: Leonard Zucker *LZ*
Lieutenant

SUBJECT: Placement of totem pole in River Park

From a law enforcement standpoint the placement of the totem pole in River Park would create no special problems for the Police Department.

LRZ/bem



LEBANON FINE ARTS & CRAFTS
P. O. BOX 863
LEBANON, OREGON 97355

REQUEST TO PLACE
TOTEM POLE
IN
RIVER PARK

IMPACT ON LEBANON

ECONOMIC

We feel that the arts are as much a source of income for our city as any business. We have a valuable untapped resource in all the artisans in the area who are presently traveling in order to sell their work. With Lebanon creating tourist attractive events, and sights, as well as developing our present assets such as the transportation depot and historic houses, we will be able to keep this resource here for the benefit of all. Lebanon can be recognized as beautiful, cultural, and fascinating as well as that of a small comfortable town.

TOURISM

We are willing to do things here in Lebanon to draw the attention of Vacationers who are looking for the unusual and aesthetic. If they stop to look, they will naturally spend money on food and services, and perhaps even spend the night.

REPUTATION

We never want that small town comfort to go by the way. Our goal is to add to it by showing that we are a community that pulls together for the enrichment of the area. The city's clean up program last Spring demonstrated this attitude very clearly. People who pass through Lebanon need to see a reason to stop and get to know us. The Totem Poles could be just one of the many things that will entice the visitor, and have impact on the general public as well. Public pride is contagious. Let's start something.

BIOGRAPHY

LEBANON FINE ARTS & CRAFTS

It is said that we go back as far as 1946. Some of our members remember joining as young people around that period.

In 1971 we became a Non-Profit Corporation with 501 3C status.

Over the years we endeavored to make "The Arts" a meaningful part of Lebanon.

Some of our people are responsible for the beautiful Murals in downtown Mural Park. More recently, we added the proud "Welcome Totem" in that same park. We have been discussing with Joe Wendell a Spring renovation and repair project on the park walls. We want to continue in the same vein, and with your approval we will diligently work toward that end.

TONY STANOVICH

Tony is a retired commercial fisherman who became a wood carver upon retirement and carved mostly in the Northwest Native American tradition. He is trying to keep this style of carving alive for all to enjoy. Living with the Tlinget natives for several years helped him feel qualified to carve a totem worth showing. In addition to the fourteen foot totem in Mural Park, he did a twenty three foot one standing in Lummi Island in Washington State. Many smaller totems from fourteen inches to forty eight inches tall stand to his credit. Mr. Stanovich has carved a five foot totem for Alcoa Aluminum in Ferndale, Washington. Other carvings include a two and one-half foot by three foot deep relief mural for congressman Al Swift of Washington, and a four foot by two foot cedar relief for the President of Mutual of Omaha in New Jersey.

DESCRIPTION

SIZE 20 foot tall.

PLACEMENT Entrance to River Park in Lebanon
See Map

SAFETY It is our opinion that the Totem Pole presents no more hazzard to the public in general, or children in particular than any of the equipment and/or the fort structure in River Park.

COST \$300.00 per foot.

This money will be generated by public donation and commercial involvement. (We need your go ahead to begin the sponsor drive).

MAINTAINANCE A Totem Pole by nature is a very low maintainance work of art. Being of cedar helps it be impervious to pests. The paint and sealer prevent it from weathering any more than the average house. Occasionally a crack will need bolting. (a process where by a huge bolt is run through the pole to pull the crack together and prevent it's further splitting.) Any ablebodied member of LFAC will be capable of performing this minor repair.

MEANING

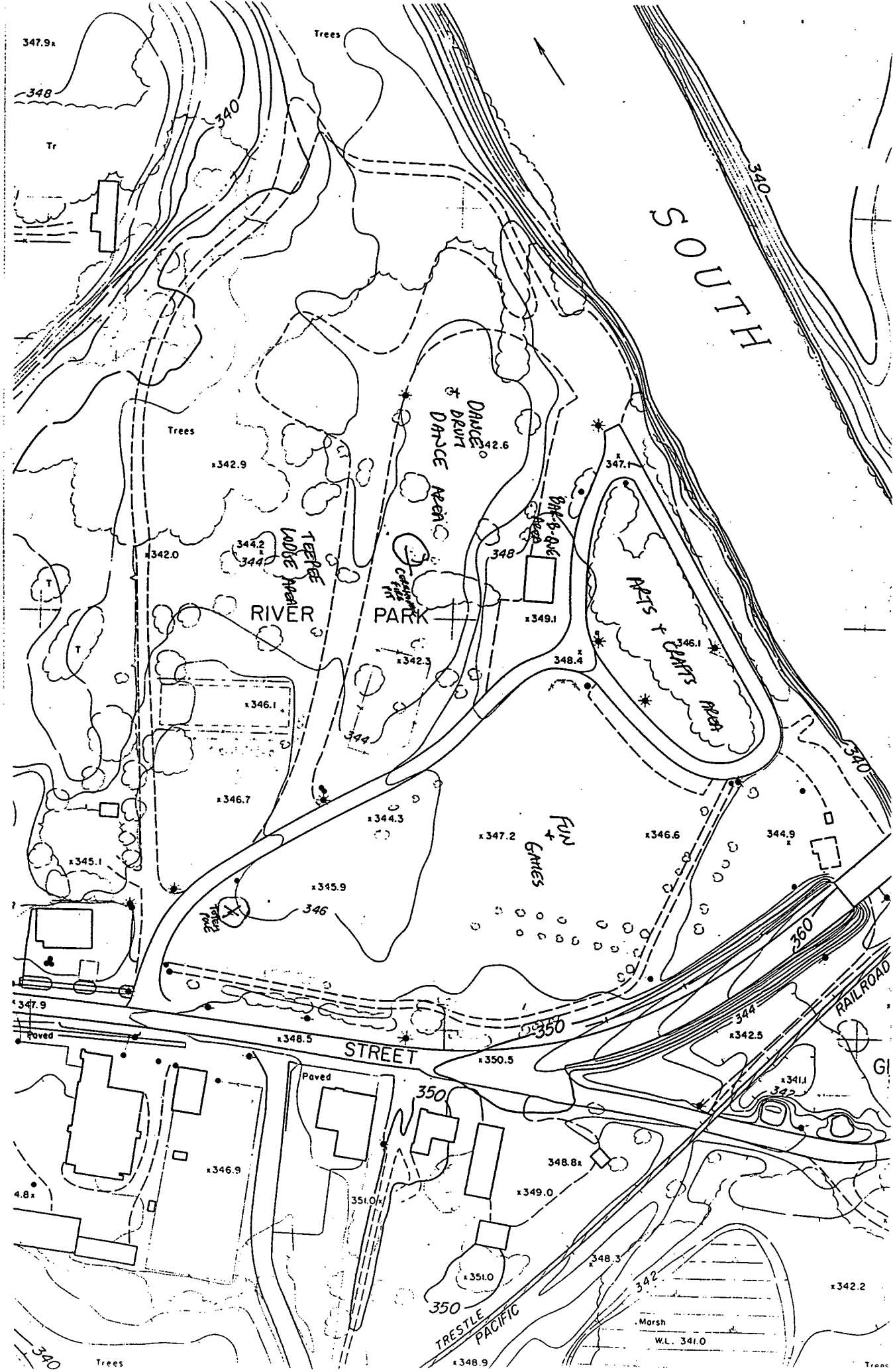
The totem to be erected will be another Friendship Totem. It will have eight main totems and twelve sub-totems. It will be carved on both sides and will be erected near the entrance to River Park. The side facing the river will have totems associated with the water. They will consist of an eagle at the top, a turtle and salamander on the wings of the eagle, a beaver with a frog on the tail, a brown bear holding a salmon, a raccoon holding a crawfish with a mosquito on the stomach. The side facing the land or entrance will consist of the raven with a snake and lizard on it's wings, a wolf holding a rabbit, a buffalo with a prairie dog on the stomach, a black bear with a flicker on the stomach, and a humming bird on the chest. The totem shows respect for all living things the way the people of Lebanon show friendship and respect to all who come this way.

It has come to our attention that there are some people who think a Totem Pole to be a religeous object. This is definitely not so.

In the book, Totem Poles, An Illustrated Guide, by Marjorie M. Halpin it states "Totemism is ...essentially a system of classification." Ms. Halpin also remarks that the Northwest Coastal totems can be considered crests. Totem Poles have been the Native American's family crest or family tree. Many of our ansestors had their family crest emblazoned on their possessions, as a symbol of status and high birth, not as religeous symbols.

The Totem Pole in Mural Park is considered a Welcome Totem. The one in River Park is also to be a Welcome Totem as well as a celebration of the animal life in the area.

The native families who created and possessed Totem Poles displayed them with great pride and they attested to the families wealth and prominence. We feel pride in being a part of Lebanon and see the beginnings of a growing wealth for the area in the new people that come to our area and the youth that is growing into responsible adults. Let the Totem Poles proclaim our individuality and community pride to all who visit our city.



AGENDA ITEM 8

AGENDA ITEM 9

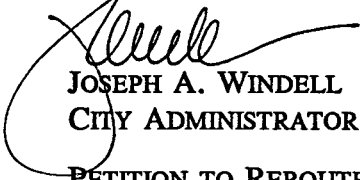


CITY OF LEBANON

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

DATE: FEBRUARY 17, 1994

FROM: 
JOSEPH A. WINDELL
CITY ADMINISTRATOR

SUBJECT: PETITION TO REROUTE THE TRUCK ROUTE

Attached is a copy of a petition requesting the truck route be rerouted. There are 96 signatures from the following streets:

<u>STREET</u>	<u>SIGNATURES</u>
"A" Street	6
Cedar Street	1
Eaton Street	2
Elmore Street	9
Grove Street	7
Isabella Street	2
Lcomb Drive	1
Main Street	1
Milton Street	27
Oak Street	2
Rose Street	1
Sherman Street	1
Vine Street	3
Wheeler Street	7
Williams Street	25

If the City Council so decides, as a first step to respond to this petition I recommend that the Council direct city staff to determine the procedure that will need to be followed to change the route. There are state statutes that regulate the procedure. And to also discuss the possibility of a change with our region's Oregon Department of Transportation staff to make sure we are aware of all that needs to be considered before we go to the next step. The next step being a study of alternatives, to include traffic engineering, impact determinations, and effect on our transportation master plan just to name some of the major considerations.

JAW/la

PETITION SUBMITTED BY:

DELBERT A. PALMER
Name

1-24-94
Date

CITY OF LEBANON

80 E. MILTON STREET
Address

451-3184
Phone No.

94 FEB 16 PM 12:10

LEBANON, OR 97355
City

ADMINISTRATOR'S OFFICE

We, the undersigned citizens of Linn County, hereby request that the truck route on Milton St., Williams St., and Wheeler St., in the city of Lebanon, be rerouted.

NAME	ADDRESS
1. Patricia Richards	179 MILTON ST.
2. Gary Richards	129 Milton ST.
3. Ed D Will	179 Milton ST.
4. Clarence J Knapp	1400 Elmore St
5. Lillie Sehn	1390 W. Row St
6. Melvin + Kathleen Gore	220 Milton ST.
7. Constance F. Hatfield (sep)	340 Milton St
8. Chester Durham	1107 Milton St
9. Phillip J Smith	143 E Milton
10. Jewel Foxford	141 E Milton
11. Dave Smith	117 E MILTON
12. Robert Smith	113 E Milton
13. Sig Smith	141 1/2 Milton
14. W. G. Smith	152 M. Hill
15. Wilma M. Roberts	153 Milton # 2
16. Ray A. Hemmrich	100 Milton St.
17. Judy K. Hemmrich	100 Milton St.
18. Ray P. Hemmrich	1479 Main St.
19. Bonnie Bennett	113 MILTON ST.
20. Diane Darling	112 MILTON ST.

PETITION SUBMITTED BY:

DELBERT A. PALMER

Name

1-24-94

Date

80 E. MILTON STREET

Address

451-3184

Phone No.

LEBANON, OR 97355

City

We, the undersigned citizens of Linn County, hereby request that the
truck route on Milton St., Williams St., and Wheeler St.,
in the city of Lebanon, be rerouted.

NAME	ADDRESS
1. Mr & Mrs L. H. Frye	274 Milton Lebanon
2. Herman Moore	1092 S. Williams, Lebanon
3. Wilmer R. Powell	1350 Williams Lebanon
4. Doc & Lonnie	1336 Williams Lebanon
5. Janet Barber	1270 Williams Lebanon
6. John H. Luby	992 Williams Lebanon
7. Skip McDough	956 Williams Lebanon
8. Dennis Newton	908 Williams St Lebanon
9. Doris Thomason	880 Williams St Lebanon
10. Virgil A. Evans	889 Williams St Lebanon
11. Stanley J. Gaudin	909 Williams St Lebanon
12. Harold W. Hatcher	308 E Oak Lebanon
13. Ricky J. Robertson	308 E Oak Lebanon
14. Dorela Stinson	1110 Williams Lebanon
15. Goldie Speer	325 Church Lebanon
16. M. A. Carter	35 Williams Lebanon
17. Patricia A. Subert	10 S. Williams Lebanon
18. James Allan	23 Crane St Lebanon
19. Dennis Neal	176 Wheeler St Lebanon
20. Pat Madson	128 Wheeler St Lebanon

PETITION SUBMITTED BY:

DELBERT A. PALMER
Name

1-24-94
Date

80 E. MILTON STREET
Address

451-3184
Phone No.

LEBANON, OR 97355
City

We, the undersigned citizens of Linn County, hereby request that the
truck route on Milton St., Williams St., and Wheeler St.,
in the city of Lebanon, be rerouted.

NAME	ADDRESS
1. <u>Deane R Paul</u>	<u>260 Milton Lebanon</u>
2. <u>Dennis D Wilson</u>	<u>1377 GROVE ST. Lebanon, Or</u>
3. <u>Oray Parker</u>	<u>1337 Grove St. Lebanon Or</u>
4. <u>Mary Lou Parker</u>	<u>1337 Grove St. Lebanon Or</u>
5. <u>Beryl Todd</u>	<u>1275 Grove St Lebanon Or</u>
6. <u>Dennis Eilers</u>	<u>222 Elmore St Lebanon Or</u>
7. <u>Tilbert E Eiles</u>	<u>222 Elmore St Lebanon Or</u>
8. <u>Raymond Lee</u>	<u>244 Elmore St Lebanon Or</u>
9. <u>Willie Iowa</u>	<u>266 E. Elmore</u>
10. <u>Frieda Lee</u>	<u>266 E. Elmore</u>
11. <u>Kathleen Cepurna</u>	<u>259 E. Elmore St.</u>
12. <u>Leroy M. Henage</u>	<u>219 Elmore</u>
13. <u>Melanie Batten</u>	<u>209 Elmore St</u>
14. <u>Marla K. Hamstrom</u>	<u>198 E MILTON #3</u>
15. <u>Lydell Phillips</u>	<u>192 Milton.</u>
16. <u>Katrina Phillips</u>	<u>34373 Leards Dr</u>
17. <u>C. RAYMOND FRANCIS</u>	<u>100 MILTON ST LEBANON OR 97355</u>
18. <u>Christina Francis</u>	<u>100 Milton St Lebanon Or</u>
19. <u>Delbert Palmer</u>	<u>80 E. Milton St Lebanon</u>
20. <u>Gamma S. Palmer</u>	<u>80 E. Milton St. Lebanon</u>

PETITION SUBMITTED BY: DELBERT A. PALMER
Name

1-24-94
Date

80 E. MILTON STREET
Address

451-3184
Phone No.

LEBANON, OR 97355
City

We, the undersigned citizens of Linn County, hereby request that the
truck route on Milton St., Williams St., and Wheeler St.,
in the city of Lebanon, be rerouted.

NAME	ADDRESS
1. Jim Marquisse	65 Williams St.
2. Linda Marquisse	65 Williams
3. Tom Clark	295 E. Wheeler St.
4. Kris Cook	295 E. Wheeler St.
5. Patricia J. Rust	251 W. SILENT ST.
6. Betty Fisher	149 Wheeler St.
7. Jim Davis	13 Eaton St & Wheeler
8. Herminia Davis	13 Eaton & Wheeler
9. Bennie L. Boster	111 E. Milton
10. Leopold Boster	111 E. Milton
11. W. B. Boster	320 E. Ash St.
12. Wendy Stewart	320 E. Ash St.
13. Doug Carney	321 Ash St.
14. Marilyn Harrison	312 E. Sherman
15. Alta L. Poosa	317 E. Wine St.
16. Shairon K Rhine	333 S Williams
17. Ann Emerson	265 Williams
18. ANDREA Edwards	239 Williams
19. Clifford Sporer	330 e-Isabella

PETITION SUBMITTED BY:

DELBERT A. PALMER

Name

1-24-94

Date

80 E. MILTON STREET

Address

451-3184

Phone No.

LEBANON, OR 97355

City

We, the undersigned citizens of Linn County, hereby request that the truck route on Milton St., Williams St., and Wheeler St., in the city of Lebanon, be rerouted.

NAME	ADDRESS
1. Billy Redigo	315 E Ash St Lebanon
2. Linda Redigo	315 E Ash St Lebanon
3. Edward E. Shankles	750 Williams St Lebanon
4. Sybil M. Shankles	750 Williams St. Lebanon
5. Cheri Otto	293 E. Vine St. Lebanon
6. Dorena Austed	293 E. Vine St. Lebanon
7. Carolyn Pantoney	426 Williams
8. Madeline Court	360 Williams St. Lebanon
9. Marguerite Barnes	340 Williams St. Lebanon
10. Marie Spack	194 E. Gabello Lebanon
11. Michael Staper	284 E. Ash Lebanon
12. Karilyn M. Shultz	989 Williams St. Lebanon
13. Beverly Hunter	1028 Williams Lebanon

EXECUTIVE SESSION

Application Form
TRANSPORTATION AND URBAN GROWTH MANAGEMENT PROGRAM
Department of Transportation
Department of Land Conservation and Development

Date: February 15, 1994

Type of Grant: **URBAN GROWTH MANAGEMENT GRANT (Category 3)**

PROJECT TITLE: **Linn County/Lebanon UGB Growth Management Agreement**

LEAD APPLICANT JURISDICTION: Linn County Planning and Building Dept.
P.O. Box 100
Albany, OR 97321

CONTACT PERSON: Steven Scherma

TELEPHONE: (503) 967-3816

FAX: (503) 926-8228

ODOT REGION: Region 2

CO-APPLICANT JURISDICTION: City of Lebanon

SUMMARY DESCRIPTION OF PROJECT:

1. Under this grant, the current urban growth boundary management agreement between the City of Lebanon and Linn County would be revised, updated, and enhanced to create a new "model" agreement. This **model UGB growth management agreement** will be used in the future to formulate similar agreements with other cities in the county, including Albany, Sweet Home, Harrisburg, Mill City, Brownsville, and Tangent.
2. A **countywide workshop** will initiate the process of UGM revision. All cities in Linn County will be invited to participate in a workshop to identify issues of importance and review the project scope of work identified in this grant. Once the Lebanon model has been developed, the cities will be invited to a **second countywide workshop** to examine and evaluate the agreement, give feedback and suggestions for improvement, and evaluate their own needs.
3. The standards generated from the UGM agreement will be summarized in an **informational guide** explaining the development process in the Lebanon urban growth area.

PROJECT PERSONNEL:

Project manager: Marvin Gloege
Director, Linn County Planning and Building Department

Other personnel: Steve Michaels
Staff Manager, Linn County Planning and Building Department

Steven Scherma
Assistant Planner, Linn County Planning and Building Department

Doug Parker
Lebanon City Planner

Jim Reuf
City of Lebanon Public Works Director

PROPOSED WORK PROGRAM:

The work program would emphasize a thorough evaluation and revision of the Urban Growth Boundary Management Agreement between Linn County and the City of Lebanon and all related comprehensive plan policies, implementing ordinances, standards, and procedures.

The evaluation and revision will address the following issues as they apply to the current Urban Growth Boundary Management Agreement and to the relevant sections of City and County comprehensive plans, and zoning and subdivision ordinances:

Authority:

- a. delineation of county/city planning responsibilities
- b. creation of a process of joint review, by both Linn County and the City of Lebanon, of development proposals in the UGB that have regionwide impacts
- c. development of a mechanism that allows the City of Lebanon and Linn County to refer disputes to mediation
- d. development of effective methods of data sharing and transfer
- e. consideration of city review of development proposals in selected areas beyond the current UGB

Development standards:

- a. coordination of county and city comprehensive plans and transportation plans
- b. closer coordination of county and city zoning designations
- c. definition of development standards for the UGB and development of a means to transition from rural to urban standards
- d. definition of road maintenance and development responsibilities
- e. review and evaluation of large lot holding zone standards
- f. development of urban conversion partitioning and subdivision standards
- g. consideration of delayed annexation and other techniques for the management of development within the urban growth area
- h. coordination of historic resources

Urbanization and infilling:

- a. urban conversion plans, infilling, and specific development plans
- b. development of policies to foster infill in developing areas

Method of Completion

The method of completion to be used for this grant project will be:

1. A collaborative process between the City of Lebanon and Linn County. Work will be split between the City and County staffs.
2. Regular meetings between the City and County staffs will be held to coordinate and refine the project.
3. Linn County Board of Commissioners, Lebanon City Council members, and both City and County Planning Commissions will be asked for input and kept informed of project progress on an ongoing basis.
4. A technical advisory committee made up of planning, road department, and public works staff members from both the City and County will be formed.

Oversight, Monitoring, and Administration

Oversight, monitoring, and administration of the project will be the responsibility of Marvin Gloege, Director, Linn County Planning and Building Department.

Work Program Products

The work program will produce four products by the end of the award period:

1. **an updated and revised UGB growth management agreement**
2. **urban growth management amendments to city and county comprehensive plans**
3. **zoning, subdivision, and other development standards amendments**
4. **an informational guide to development in the urban growth area for use by elected officials, planning commissioners, property owners, and the public**

PROPOSED WORK SCHEDULE:

The project schedule will be broken into a three phases of four months each:

Preparation: Early July

- a. countywide workshop to identify and review issues of importance

Phase 1: July 1 to October 31

Authority:

- a. delineation of county/city planning responsibilities
- b. creation of a process of joint review, by both Linn County and the City of Lebanon, of development proposals in the UGB that have regionwide impacts
- c. development of a mechanism that allows the City of Lebanon and Linn County to refer disputes to mediation
- d. development of effective methods of data sharing and transfer
- e. consideration of city review of development proposals in selected areas beyond the current UGB

Phase 2: November 1 to February 28

Development standards:

- a. coordination of county and city comprehensive plans and transportation plans
- b. closer coordination of county and city zoning designations
- c. definition of development standards for the UGB and development of a means to transition from rural to urban standards
- d. definition of road maintenance and development responsibilities
- e. review and evaluation of large lot holding zone standards
- f. development of urban conversion partitioning and subdivision standards
- g. consideration of delayed annexation and other techniques for the management of development within the urban growth area
- h. coordination of historic resources

Urbanization and infilling:

- a. urban conversion plans, infilling, and specific development plans
- b. development of policies to foster infill in developing areas

Phase 3: March 1 to June 30

- a. **Review and consolidation** of policies, ordinances, amendments, agreements, provisions, and other proposals developed in Phase 1 and Phase 2.
- b. **Review of the new UGB Growth Management Agreement** by all concerned parties.
- c. **Reconvening of the countywide workshop** for all cities to examine and evaluate the agreement, give feedback and suggestions for improvement, and evaluate their own needs.
- d. **Production of the informational guide** explaining the development process in the Lebanon urban growth area.

AWARD CRITERIA:

1. *The work will result in specific products.*

1. **UGB growth management agreement (updated and revised)**
2. **urban growth management amendments to city and county comprehensive plans**
3. **zoning, subdivision, and other development standards amendments**
4. **informational UGB development guide**

These products will be ready for adoption by the end of the grant period. The City and County staffs will be working together in a collaborative process. The Linn County Board of Commissioners, Linn County Planning Commission, Lebanon City Council, and the Lebanon Planning Commission will all be kept informed and updated on progress on the agreement and solicited for suggestions and/or policy directions throughout the process. This will ensure end products that will be approved by all interested parties and should allow for a smooth adoption process.

The **UGB growth management agreement** will serve as a model agreement for the other cities in the County.

2. *The application demonstrates a likelihood of success in achieving its stated objectives*

Sufficiency of budgeted resources

Both Lebanon and Linn County staff will be devoting a total of nearly 1000 personnel-hours to this project. Both staffs concur that this will be a sufficient staff effort to produce a complete and adoptable project.

Experience and abilities of project manger and personnel

Marvin Gloege, Director of the Planning and Building Department, will be assuming lead responsibility in the development of the new model agreement. Other personnel will be involved, including Linn County Planning Manager Steve Michaels, and Lebanon City Planner Doug Parker. All members will bring a wealth of experience to the project. Given the governmental commitment and experienced personnel, the project will be accomplished within the one year time frame.

Support from affected entities

Linn County and Lebanon both support this grant, the products to be produced from the grant, as well as the process to arrive at those products. *The grant is a joint application from Linn County and the City of Lebanon.* Planning staff from Linn County and planning and public works staff from Lebanon jointly drafted the scope of the project.

Support from applicant's elected officials

Both the Linn County Board of Commissioners and the City of Lebanon City Council endorse the work proposal of this grant application.

Coordination with interested parties

As mentioned above there will be a high level of coordination between the planning staffs of Lebanon and Linn County. The planning commissions of both jurisdictions and the Linn County Board of Commissioners and the Lebanon City Council will be involved throughout the process. Lebanon Public Works and Linn County Road Department staffs will contribute their special expertise to the project.

Likelihood of adoption of plan or ordinance material

There is a high likelihood of adoption. The relevant adopting bodies will be participating in the process from the beginning. The current UGB agreements are acknowledged by all interested parties to be out-of-date, inadequate to present conditions, and in need of general overhaul. Lebanon is going through its periodic review process and mentioned specifically the need to update UGB agreements. Both jurisdictions are willing to devote considerable staff time and effort to the project and will want to see tangible, adoptable products result from that effort.

3. *The project complements and is coordinated with periodic review, ODOT-sponsored corridor planning, and other related activities.*

Linn County is in the process of fulfilling the requirements of the Transportation Planning Rule (TPR) by updating the transportation system plan (TSP) component of its Comprehensive Plan. As part of that process the County will be examining transportation related issues in the UGBs. Several of the issues that will be addressed in the UGB agreement model will also be at issue in the transportation plan. These include:

- a. define county/city road maintenance and development responsibilities
- b. coordinate county/city comprehensive plan/transportation plans
- c. define development standards for the area and a means to transition from rural to urban standards (including the road network)
- d. more closely coordinate county/city zoning designations (and examine land use/zoning as it relates to the transportation network)

The City of Lebanon commented on the need for a reevaluation of development standards in the UGB in its current periodic review process. The City of Lebanon is also working on the requirements of the TPR and would look to incorporate the products of this grant into their TSP.

4. *The project will make a significant contribution to the testing or demonstration of one or more of the urban growth management tools.*

Strengthened urban growth management agreement

Urban growth management refers to the exercise of planning, zoning, and service extension powers. Urban growth management methods and authority in the Lebanon UGB will be updated, revised, and strengthened through the process of formulating a new Urban Growth Boundary Management Agreement and associated ordinances and standards.

Alternative approaches

Currently, responsibility within the Lebanon UGB for growth management is not clearly defined. The level of coordination and need for a clear determination of planning authority should be strengthened. This project would determine how authority for planning in the UGB would be managed. The staff will examine feasibility of four different approaches:

- a. designating a single jurisdiction -- city or county -- to have lead responsibility for urban growth management
- b. creating a joint committee to have lead responsibility for urban growth management
- c. create a review process for cross-acceptance of planning actions in the UGB
- d. use a combination of the above approaches

Minimum standards

Areas of growth determined by Lebanon within the UGB needs to be coordinated so that development standards allow for intelligent, obstacle free development. Resolving issues such as responsibility for zoning authority, the use of shadow plats/preliminary plats, and development of a policy paper with guidelines to effectuate a transition from rural to urban development are some of the goals of this project. The UGB and the region surrounding the UGB needs coordinated planning action taken and a clearer planning direction. Creation of policies concerning an urban reserve/transition area needs to be undertaken. There are also a number of disparate issues that can be considered and resolved in this process. They include:

- a. utility plan coordination
- b. stormwater drainage and riparian corridor management
- c. fire district requirements
- d. riparian corridor
- e. local addressing system
- f. Goal 5 coordination
- g. park/trail coordination
- h. effective management of non-city enclaves (virtual islands of unincorporated areas characterized by substandard development)

The project staff will examine recommendations of the Urban Growth Management Task Group on Development Inside Urban Growth Boundaries for use in the Lebanon UGB. Specifically the staff will examine recommendations to:

- a. clearly identify lead responsibility for urban growth management
- b. directly coordinate planning authority and provision of public services
- c. if the city or joint commission is given lead authority in the UGB, enable applicants to obtain development approvals from those bodies
- d. provide a method to site facilities of regional or statewide significance in the UGB
- e. invest a lead jurisdiction with the responsibility of infilling areas of partial or incomplete development with the cooperation of the other jurisdiction
- f. if authority for planning in the UGB is held jointly by Linn County and Lebanon, determine a method of cross-acceptance for actions that have UGB-wide significance or have impacts that extend into other jurisdictions

5. *The project is presented in a way that will serve as a model for other communities.*

Although developed for the City of Lebanon this agreement and resulting ordinance amendments would have widespread applicability throughout the County and serve as a model for similar agreements and provisions with other cities. Currently, the UGM agreements in the County are in need of revision and updating. The agreements and ordinances were developed many years prior to the TPR and the new emphasis on transportation planning/land use planning coordination and before the recommendations of the Urban Growth Management Task Force. As a result, taking a fresh look at these agreements will enable the County and the Cities to incorporate new strategies to accomplish effective growth management within the UGBs and promote development patterns that take into consideration transportation issues.

A **countywide workshop** will initiate the process of UGM revision. All cities in Linn County will be invited to participate in a workshop to identify issues of importance and review the project scope of work identified in this grant. Once the Lebanon model has been developed, the cities will be invited to a **second countywide workshop** to examine and evaluate the agreement, give feedback and suggestions for improvement, and evaluate their own needs.

The standards generated from the UGM agreement will be summarized in an **informational guide** explaining the development process in the Lebanon urban growth area.

6. *The project demonstrates special merit (e.g., collaborative process; innovative approach; joint project; etc.)*

This grant is pursued jointly with the City of Lebanon. Linn County and the City of Lebanon will collaborate in the development and management of the project. A joint workshop with all interested cities will be held before and after the model is developed.

Awards will be made on the criteria listed. However, up to 10% of the total amount in each category may be awarded to smaller jurisdictions to assure a reasonable distribution of available grant funds among various sizes of communities.

Note: The City of Lebanon has a population of 11,110 residents.

JOINT APPLICATION: City of Lebanon
925 Main St.
Lebanon OR. 97355

CONTACT: Doug Parker

TELEPHONE: (503) 451-7435

BUDGET SUMMARY

JURISDICTION: Linn County

PROJECT TITLE: Linn County/Lebanon UGB Growth Management Agreement

Category	Grant Requested	Local Contribution	Total Budget
Personnel Services (salary + benefits)	\$25,000 <u>834 person-hours</u>	\$4,412 <u>146 person-hours</u>	\$29,412 <u>980 person-hours</u>
Travel	<u>\$170</u>	<u>\$ 30</u>	<u>\$200</u>
Supplies	<u>\$170</u>	<u>\$30</u>	<u>\$200</u>
Reproduction	<u>\$160</u>	<u>\$28</u>	<u>\$188</u>
Contractual Services	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Other	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
TOTAL	<u>\$25,500</u>	<u>\$4,500</u>	<u>\$30,000</u>

Amount of Local Match:

Local match will be \$4,500.

Source of Local Match:

Linn County Planning and Building Department and the City of Lebanon



LINN COUNTY BOARD OF COMMISSIONERS

RICHARD STACH
Commissioner

DAVE SCHMIDT
Commissioner

JOEL FOSDICK
Commissioner

*Linn County Courthouse
P.O. Box 100, Albany, Oregon 97321
(503) 967-3825 FAX: 926-8228*

RALPH E. WYATT
Administrative Officer

February 16, 1994

Richard Benner, Director
Department of Land Conservation
and Development
1175 NE Court Street
Salem, OR 97310

Dear Mr. Benner,


The County recognizes the importance of coordinating development inside of urban growth boundaries (UGB). This grant is an excellent opportunity for the County to revise and improve the existing urban growth boundary agreement with the City of Lebanon. The new Lebanon urban growth boundary management agreement will then serve as a model for use throughout the rest of the County.

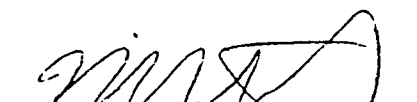
The county's current UGB agreements were developed before the new emphasis on linking land use and transportation and before the recommendations of the Urban Growth Management Task Group. Increasing development pressures within the County's UGBs make the proposed grant work program timely.

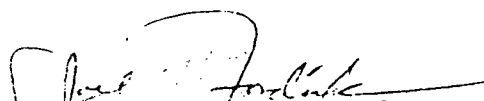
This collaborative process with the City of Lebanon will allow the County to incorporate necessary development management considerations into our UGB agreements. We are supportive of the process which establishes a close working arrangement with the City of Lebanon. Further, we endorse preparation of an updated UGB management agreement that will serve as a model for other communities in the county.

Sincerely,

LINN COUNTY BOARD OF COMMISSIONERS


David R. Schmidt, Chairman


Richard Stach, Commissioner


Joel Fosdick, Commissioner

Application Form

TRANSPORTATION AND URBAN GROWTH MANAGEMENT PROGRAM
Department of Transportation
Department of Land Conservation and Development

DATE: February 16, 1994

TYPE OF GRANT: Transportation Planning Rule

PROJECT TITLE: Lebanon Bike, Pedestrian and Transit Friendly Development Ordinances and Plans

APPLICANT JURISDICTION: City of Lebanon Planning Department
c/o Lebanon City Hall
925 Main St.
Lebanon, Oregon 97355

CONTACT PERSON: Doug Parker, City Planner
TELEPHONE: 451-7435
FAX: 451-1260

ODOT REGION: 2

SUMMARY DESCRIPTION OF PROJECT

The City of Lebanon is in the beginning of its periodic review process. The grant request is to provide staff funding for the preparation and adoption of bike, pedestrian and transit friendly amendments to Lebanon's Zoning Ordinance, Comprehensive Plan and Transportation Master (System) Plan which implement Section 045 of the Transportation Planning Rule.

The City is currently experiencing its fastest rate of growth and development in over 15 years including subdivisions, a mobile home park and multi-family residential development. The Lebanon Planning Commission has had a training session on TPR requirements and has pro-actively implemented select elements of TPR in the absence of ordinance and plan amendments. Funding of this proposal will result in expedited adoption and full implementation of Section 045 of the TPR.

PROJECT PERSONNEL

Project Manager: Doug Parker
Lebanon City Planner since 1987

Other Personnel: Jim Ruef
Lebanon Public Works Director

Jim Clark
Lebanon Engineering Services Division Manager

PROPOSED WORK PROGRAM

The proposed work program will include consultation with ODOT and DLCD agency staff and with staff of jurisdictions who have already adopted and experienced TPR Section 045 bike, pedestrian and transit friendly ordinance and plan amendments. The intent of the consultation is to learn (from those in a lead role) which are the most successful approaches to achieving the intent of the TPR. The APA produced "Recommendations for Pedestrian, Bicycle and Transit Friendly Development Ordinances" will serve as the model ordinance and principal guide for development of ordinance and plan amendments.

A special advisory committee will be formed comprised of local citizens representing bicyclists, special transportation/access needs groups, the existing Lebanon Sidewalk Committee, the Lebanon School District, transit providers, the business community, Planning Commission and City Council to provide input and feedback throughout TPR ordinance amendment process. Additionally, a public informational meeting will be held at the beginning of the project to introduce TPR requirements and objectives to the general public and solicit their participation and input throughout the process.

A second public informational meeting will be held upon the completion of draft ordinance and plan amendments. At that time the TPR requirements, committee recommendations and public input received will all be detailed and identified as to where they have been addressed and incorporated into the proposed amendments. ODOT and DLCD staff will be invited to attend and participate in both public informational meetings.

Public hearings will be conducted before Planning Commission and City Council to adopt ordinance and plan amendments that implement TPR Section 045.

OVERSIGHT, MONITORING AND ADMINISTRATION

Oversight, monitoring and administration of the project will be the responsibility of Doug Parker, Lebanon City Planner since 1987.

WORK PROGRAM PRODUCTS

Amendments to the Lebanon Zoning Ordinance, Comprehensive Plan and Transportation Master (System) Plan which implement Section 045 of the TPR.

PROPOSED WORK SCHEDULE

The project will be organized into three phases of four months each:

Phase 1 July 1 through October 31, 1994

Organization and Information Gathering

1. Obtain examples of model ordinances, recommendation and actual ordinances that have successfully implemented Section 045 of the TPR.
2. Consult with ODOT and DLCD agency staff and staff of other jurisdictions who have successfully addressed TPR Section 045.
3. Establish and convene the special advisory committee.
4. Conduct public informational meeting.

Phase 2 November 1 through February 28, 1995

Develop Draft Ordinance Amendments

1. Convene special advisory committee (at least twice) to identify special local issues, considerations and interests.
2. Review of local ordinance and plans to target areas requiring amendment in order to comply with TPR Section 045.
3. Develop draft ordinance and plan amendments.
4. Conduct second public informational meeting to get feedback and comment on draft amendments.

Phase 3 March 1 through June 30, 1995

Adoption of Ordinance and Plan Amendments

1. Initiate formal process for adoption of ordinance and plan amendments including public and agency notice.
2. Planning Commission public hearing and recommendation.
3. City Council public hearing and adoption.

AWARD CRITERIA

1. The work will result in specific products. The objective of this proposal is to produce and adopt amendments to the Zoning Ordinance, Comprehensive Plan and Transportation Master (System) Plan that successfully implement TPR Section 045.
- 2&3. Likelihood of success in achieving stated objectives, and the project complements and is coordinated with periodic review. The City of Lebanon is initiating its periodic review process and will be updating and amending its ordinances and plans. This project is a vital component of the periodic review process. Public involvement will help to assure adoption and implementation. A public hearing conducted in support of the periodic review evaluation process identified strong local support for TPR Section 045 program elements - this information was included in the Periodic Review Evaluation submitted to DLCDC.
4. Meets objectives of TPR. The City of Lebanon is currently in a stage of rapid development activity and consequently it is an opportune time to implement TPR Section 045 requirements. The Planning Commission and public have identified implementing TPR Section 045 as a high priority during a periodic review public hearing. This project will specifically address TPR Section 045 requirements.
5. Enhance opportunities for bicycles, walking and transit. This is the specific objective of this proposed project.
6. Demonstrates special merit. The project will include significant public involvement and collaboration with other jurisdictions and agency staff.

Budget Summary

JURISDICTION: City of Lebanon

PROJECT TITLE: Lebanon Bike, Pedestrian and Transit Friendly Development Ordinances and Plans

Category	Grant Requested	Local Contribution	Total Budget
Personal Services (salary plus benefits)	\$6,600 120 person hours	\$1,650 30 person hours	\$8,250
Travel	0	0	0
Supplies	0	100	100
Reproduction	0	150	150
Contractual Services	0	0	0
Other	0	0	0
TOTAL	\$6,600 (77%)	\$1,900 (23%)	\$8,500 (100%)

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REPORT**

TO THE MEETING