

COUNCIL AGENDA



April 28, 1999

Cancelled

**CITY COUNCIL MEETING
APRIL 28, 1999
7:30 p.m.**

School District Board Room
485 S. Fifth Street

AGENDA

NO NOON SESSION

CALL TO ORDER/FLAG SALUTE - 7:30 P.M.

ROLL CALL

APPROVAL OF MINUTES

- 1) MINUTES OF THE APRIL 7, 1999 CITY COUNCIL MEETING
- 2) MINUTES OF THE APRIL 14, 1999 CITY COUNCIL MEETING

PUBLIC HEARING

- 3) WEST VINE STREET COST RECOVERY

Presented by: Mr. Jim Ruef, Director of Public Works

Approval/Denial by MOTION

LEGISLATIVE ACTION

- 4) 1997/98 AUDIT PRESENTATION

Presented by: Ms. Judy Wendland, City Administrator Pro Tem

Approval/Denial by MOTION

- 5) FORMAL ADOPTION OF 1999/2000 COUNCIL GOALS

Presented by: Ms. Judy Wendland, City Administrator Pro Tem

Approval/Denial by MOTION

6) AWARDING OF BID - DOWNTOWN SEWER SEPARATION

Presented by: Mr. Jim Ruef, Director of Public Works

Approval/Denial by MOTION

OTHER MATTERS

7) DISCUSSION OF BUDGET ISSUES

MONTHLY BOARD MINUTES

8) LIBRARY ADVISORY BOARD MEETING MINUTES FROM MARCH 10, 1999

9) SENIOR AND DISABLED SERVICES ADVISORY BOARD MEETING MINUTES
FROM MARCH 17, 1999

EXECUTIVE SESSION

As per ORS 192.660(1)(a) To consider the employment of a public officer, employee, staff member or individual agent.

CITIZEN COMMENTS

ADJOURNMENT

AGENDA ITEM 1

**MINUTES
LEBANON CITY COUNCIL
APRIL 7, 1999**

MEMBERS PRESENT Mayor Scott Simpson, Councilors: Floyd Fisher, Ron Miller, Wayne Rieskamp, Dan Thackaberry, Ken Toombs

STAFF PRESENT Judy Wendland, City Administrator Pro Tem; Tom McHill, City Attorney; Mike Healy, Chief of Police; Jim Ruef, Director of Public Works

CALL TO ORDER, FLAG SALUTE, ROLL CALL

The regular meeting of the Lebanon City Council was called to order by Mayor Simpson at 6:30 P.M., April 7, 1999 in the Lebanon School District Room at 485 S. Fifth Street. Roll call was taken with five members present. Councilor Stan Usinger was absent.

EXECUTIVE SESSION

At 6:33 P.M. Mayor Simpson announced the Lebanon City Council was hereby moving into Executive Session as authorized under:

ORS 192.660(1)(i) To review and evaluate, pursuant to standards, criteria and policy directives adopted by the council; the employment related performance of the chief executive officer, a public officer, employee or staff member unless the person whose performance is being reviewed and evaluated requests an open hearing.

Mayor Simpson announced there would be no official action taken after the Executive Session, so the meeting would not resume after the Executive Session.

The Executive Session closed at 7:30 P.M.

Mayor Simpson reopened the regular meeting of the Lebanon City Council at 7:30 P.M.

Announcement

City Administrator Pro Tem Wendland announced there will be a Farewell Reception for former Mayor Bob Smith, April 20, 4:00 - 6:00 at Mama Linda's Restaurant.

ADJOURNMENT

There being no further business to be conducted, Mayor Simpson adjourned the meeting of the Lebanon City Council at 7:33 P.M.

J. Scott Simpson, Mayor

ATTEST:

Judith L. Wendland, City Recorder Pro Tem

AGENDA ITEM 2

**MINUTES
LEBANON CITY COUNCIL
APRIL 14, 1999**

MEMBERS PRESENT Mayor Scott Simpson, Councilors: Ron Miller, Wayne Rieskamp, Dan Thackaberry, Ken Toombs, Stan Usinger

STAFF PRESENT Judy Wendland, City Administrator Pro Tem; Tom McHill, City Attorney; Tim Fitzwater, Police Sargeant; Jim Ruef, Director of Public Works; Jim Clark, City Engineer; Brian Hall, Maintenance Services Division Manager

CALL TO ORDER, FLAG SALUTE, ROLL CALL

The regular meeting of the Lebanon City Council was called to order by Mayor Simpson at 7:30 P.M., April 14, 1999 in the Lebanon School District Room at 485 S. Fifth Street. Roll call was taken with five members present. Councilor Floyd Fisher was absent.

APPROVAL OF MINUTES

1. MINUTES OF THE MARCH 10, 1999 CITY COUNCIL MEETING

The Minutes of the March 10, 1999 Lebanon City Council Meeting were approved as corrected. Correction: Page 5, *Mayor Simpson closed the Citizen Input.* (Not Mayor Smith.)

PRESENTATION

2. OUTGOING CIP COMMITTEE MEMBER - DORIS MODDERMAN

Mayor Simpson presented a plaque to Doris Modderman and thanked her for her volunteer service as a member of the CIP Committee for 6½ years and noted her many years of service as a volunteer in several other capacities.

PUBLIC HEARING

3. LIQUOR LICENSE - CHANGE OF OWNERSHIP

Mayor Simpson opened the Public Hearing at 7:38 P.M.

Sergeant Tim Fitzwater reported Planet Pizza, 1765 South Main Rd., Lebanon, Owners Chadam, Inc. has requested a "Change of Ownership," "Restaurant" liquor license approval recommendation for O.L.C.C. --- the Police Department does not possess any documented evidence to support the denial of this request.

There being no comments from the audience, Mayor Simpson closed the Public Hearing at 7:40 P.M.

A motion was made by Councilor Rieskamp, seconded by Councilor Thackaberry and passed with four yeas and one nay by Councilor Miller that:

The request for a "Change of Ownership," "Restaurant" liquor license for Planet Pizza be approved.

LEGISLATIVE ACTION

4. SUPPORT - SELF HELP HOUSING

Judy Wendland, City Administrator Pro Tem, explained that there have been several projects around the community to help low and very low income families with housing. Community Services Consortium has received a technical assistance grant to develop up to 24 units of Mutual Self Help Housing for these families. She explained that all that is required of the Council is a letter of support for developing this first project on Cypress Court in Lebanon. She assured the Council this project incurs no obligation to the City with this resolution of support. Ms Wendland introduced Jerry Burd, of Housing and Community Resources of the Community Services Consortium. Councilor Miller asked Mr. Burd what the income level is in this project. Mr. Burd responded that the income level is based at 80% of the median income for the county. An approximation of the figure is in a four person family the maximum income would be \$31,500. Ms Wendland stated she has a schedule and would place it in the Councilor's Read File.

City Attorney McHill read the following resolution by title:

A RESOLUTION SUPPORTING THE EFFORTS COMMUNITY SERVICES CONSORTIUM TO CREATE AFFORDABLE HOUSING IN LEBANON

A motion was made by Councilor Miller, seconded by Councilor Usinger and passed unanimously that:

The Resolution supporting the efforts of the Community Services Consortium to create affordable housing in Lebanon be adopted.

5. DOWNTOWN PARKING

City Attorney McHill presented a proposed ordinance which complies with the direction of the Council given on March 10th containing an emergency clause. The Ordinance extends the time limit on parking on the two city owned parking lots and the cross streets from Oak Street to Vine Street to three hours. Main Street and Park Street time limit will remain at two hours. The amount of the fine has been changed, allowing the Municipal Judge to assess fines up to \$25. He will have the authority to establish a bail schedule.

City Attorney McHill read the following Ordinance by title:

A BILL FOR AN ORDINANCE AMENDING SECTION 10.24.140, PARKING TIME LIMITS IN DOWNTOWN AREAS, AND DECLARING AN EMERGENCY

A motion was made by Councilor Miller, seconded by Councilor Usinger and passed unanimously by roll call that:

The Bill for an Ordinance amending Section 10.24.140, Parking Time Limits in Downtown Areas, and declaring an emergency was adopted.

6. 1999-2000 CIP DRAFT PLAN

Director of Public Works Ruef stated that on March 8, 1999 the CIP Committee made the following recommendations to the City Council: To include a part time public relations person in the 1999-2000 budget. City Administrator Pro Tem Wendland stated this is already in the 1999-2000 budget. Also recommendations were to approve the following CIP Committee membership criteria: Prospective members should live within the urban growth boundary, be a registered voter, have lived in the Lebanon area for at least six months; a maximum of three committee members may live outside the Lebanon city limits but within the urban growth boundary and to adopt the amended CIP Plan for 1999. Another recommendation made was to select one of three options for wastewater rate increases to fund necessary wastewater projects. An initial increase, effective July 1, 1999 for each option, will be followed by annual rate increases of 5 percent: Option 1 is a 50 percent initial increase; Option 2 is a 45 percent initial increase; Option 3 is a 40 percent initial increase. The Committee recommends that the City Council direct staff to provide information to the public regarding wastewater rate increases.

A motion was made by Councilor Toombs, seconded by Councilor Miller and passed unanimously to:

Adopt the recommendation to employ a part time public relations person, approve the CIP Membership criteria, and adopt the amended CIP Plan for 1999.

Mr. Ruef then stated Staff would like some direction if Council wants to consider increases in the water and wastewater rates.

A motion was made by Councilor Miller, seconded by Councilor Toombs and passed unanimously that:

Staff be directed to obtain as much public input as possible on the issue of water and wastewater rate increases.

Mayor Simpson opened the meeting to public input.

Linda Bahrke addressed the issue of hiring a public relations person for the Public Works office. She stated she could think of numerous things "heard through the grapevine" that the City is cutting that the citizens want. She referred to the possibility of the City's cutting a part time person that does the watering of the flowers downtown, also not

having public restrooms for the Concerts in the Park. She stated there are lots of things that "we hear" are being cut: the Police Department staff and the library staff. She does not feel this is the time to hire another person for public relations. City Administrator Pro Tem Wendland stated the person hired as a part time public relations person would also serve as an administrative assistant to the City Administrator.

7. **LEBANON COMMUNITY CENTER SUMMIT MEETING**

City Attorney McHill stated that at the meeting of January 23rd regarding possible future construction of the Lebanon Community Center, it was requested by members of the Building Committee and participants of the Summit Meeting that there be a formal endorsement by the Council. At the Goal Setting session on Saturday, April 10, 1999 there was extensive discussion about the alternatives but Staff feels it is important that Council formally endorse the consensus of the participants of the Summit Meeting.

City Attorney McHill read the following Resolution by title:

A RESOLUTION SUPPORTING THE STRATEGY SUMMIT FOR THE CONSTRUCTION OF THE LEBANON COMMUNITY CENTER PROJECT

A motion was made by Councilor Rieskamp, seconded by Councilor Usinger and passed with four yeas and one nay by Councilor Thackaberry that:

The Resolution supporting the Strategy Summit for the construction of the Lebanon Community Center Project be adopted.

8. **GILL'S LANDING GRANT APPLICATION**

Director of Public Works Ruef stated that the City has the opportunity to apply for another grant. This grant is for a restroom/shower facility to be constructed at Gill's Landing in anticipation of moving the existing camping facility at River Park to that location, allowing for a much improved camp ground with some Recreation Vehicle hook-ups. The estimated cost of the project is \$172,738 and the grants would cover 45% or \$77,440. Brian Hall, Maintenance Division Manager explained further the plans for this project. He proposed that the City apply for two grants for the project totaling \$77,440 from the Oregon State Marine Board and the Department of Fish and Wildlife. Mr. Hall explained and showed plans for the camping facility which will provide 20 camping spaces with twelve spaces. Mr. Hall estimated revenue from the 20 spaces, 40% occupancy would gross \$58,000 & \$60,000 a year.

City Attorney McHill read the following resolution by title:

A RESOLUTION AUTHORIZING THE SIGNING OF GRANT APPLICATIONS FOR RESTROOM IMPROVEMENTS TO GILL'S LANDING

A motion was made by Councilor Usinger, seconded by Councilor Rieskamp and passed unanimously that:

The Resolution authorizing the signing of grant applications for restroom improvements to Gill's Landing be adopted.

9. SEWER CONNECTION PRIOR TO ANNEXATION - 1768 AIRWAY ROAD

Director of Public Works Ruef stated a request has been received from Robert Robertson, 1768 Airway Road, to allow his property, located outside Lebanon City Limits, to be connected to city sewer. This is a single family residence and they are having septic tank drain field problems. Mr. Robertson has applied for annexation but feels he cannot wait for this process to be completed. Mr. Ruef stated he recommended the resolution, allowing the sewer connection for six months.

City Attorney McHill read the following resolution by title:

A RESOLUTION AUTHORIZING CONNECT TO CITY SEWER

A motion was made by Councilor Miller, seconded by Councilor Toombs and passed unanimously that:

The Resolution authorizing connect to city sewer be adopted.

10. APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO GO TO BID - SOUTH MAIN ROAD PROJECT

Director of Public Works Ruef explained that there are only five sidewalks remaining in the five year effort by the City of Lebanon to have sidewalks installed. Because the time has expired and the City has given these property owners limited time period extensions which have expired some time ago. The City then builds the sidewalks and places a lien on the property for the costs incurred. The five property owners have been notified. A letter was received from Thomas J. Plinski, property owner, Star Water Systems, of 200 Market St. requesting that he be able to do the work himself. However, Mr. Ruef stated the City has already incurred some costs. The intention is to have these five property owners share these costs. Mr. Plinski's share would be \$1,770. Councilor Miller questioned the costs and Mr. Ruef told him he would furnish him with a breakdown of these costs.

It was the consensus of the Councilors to table the action on Mr. Plinski's request.

A motion was made by Councilor Miller, seconded by Councilor Rieskamp and passed with four yeas and one nay by Councilor Thackaberry that:

The plans and specifications be accepted and that Star Pump be allowed to build his project according to the signed bid and that we proceed with the construction and that we table the assessment until we have further detail on what makes up that assessment.

Councilor Thackaberry was asked why he did not approve the motion. He responded that he did not see why the assessment needs to be tabled, that Council will get the facts next week and move forward to approval.

11. APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO GO TO BID - SOUTH MAIN ROAD PROJECT

Director of Public Works Ruef stated that Staff was concerned that the size of the project and the original one season construction schedule might deter some smaller contractors from bidding on this project. In order to provide for more competition and encourage lower bids, staff has proposed a schedule of two construction seasons with

1. Construction from Cedar Drive to Vaughn Lane by October 1999 and
2. Construction from Cedar Drive to Airport Road by October 2000.

Nothing in the schedule would preclude a contractor from completing all construction in one year. Councilor Rieskamp objected to the idea of having this project strung out over two years. Councilor Miller stated there would have to be some kind of a performance bond. Councilor Rieskamp asked how long it takes to collect on a performance bond. City Engineer Jim Clark, responded that a year can be lost in trying to collect on the performance bond. Councilor Rieskamp asked why the Cedar Drive to Airport Road would not be completed first. Mr. Ruef responded that Cedar Drive to Vaughn Lane is in the worst condition.

A motion was made by Councilor Miller, seconded by Councilor Usinger and passed unanimously that:

We authorize Staff to go to bid on the South Main Road Project using the plans and specifications as presented.

City Administrator Pro Tem Wendland stated that as Staff has been going through this year trying to figure out whether the City would get any money at all for this project, one of the things Staff was very uncertain about was whether the City would get all of the money for the entire project with one bond issue. That was another reason the project was divided into two parts.

12. WESTSIDE INTERCEPTOR UPDATE

City Engineer Clark stated that since the last time the Westside Interceptor project was brought before the Councilors in February 1999 a plan has been made to take out the Hwy 20 crossing and the canal crossing from the contract awarded this year. The contractor's work is "wrapping up." Mr. Clark stated three additional holes (25 to 40 feet deep) have been drilled along the canal bank. No visual inspection has revealed any petroleum contamination. Lab results were given to the Councilors. Mr. Clark stated the next steps are to come up with a canal crossing plan that will meet Albany's requirements. There was no action taken because this was considered an up-date provided for information only.

BOARD APPOINTMENTS

13. COMMITTEE APPOINTMENTS

Planning Commission

Mayor Simpson stated that four Planning Commission positions expire in April 1999. Commissioners Robert Elliott (position #5), Dan Miner (position #7) and Mel Harrington (position #8) are all eligible for and have requested reappointment to these positions. Chairperson Retha Larson (position #9) has served 2 two-year terms and according to the Planning commission - Re-establishing Ordinance, *unless determined otherwise by the City Council, no commissioner shall serve more than two (2) consecutive (two-year) terms*. In the past, the City Council has determined it to be in the best interest of the Planning Commission to re-appoint a commissioner to more than two terms. Such a determination necessary in order to respond to Retha Larson's request for re-appointment. Mayor Simpson stated he feels it is very important that there be good continuity on some of these very important committees. Councilor Thackaberry stated he felt there must have been some logic for having these rulings and wondered why they would change the ruling. There must be a reason why we would change the ruling. He stated they did it when he was on the Planning Commission but it was because four people were leaving the Commission at once, so they called him back to serve. With no one leaving he did not see why this exception would be made. Councilor Rieskamp recommended this issue be brought back to the Council after a research has been made as to what other cities are doing.

A motion was made by Councilor Rieskamp, seconded by Councilor Toombs and passed unanimously that:

We grant Retha Larson another term on the Planning Commission and re-appoint the others whose terms are expiring: Robert Elliott, Dan Miner and Mel Harrington.

Budget Committee

Mayor Simpson stated two individuals are needed in each ward to serve on the Budget Committee as follows: Ward I, Bob Smith, Deb Robertson; Ward II, John Richard, Ray Garboden, Judy Phillips, Ella Garboden; Ward III, Bob Elliott, Shirlee Harrington. Mayor Simpson appointed all of these requests. In a discussion involving the appointment of four persons to Ward II, rather than two, City Attorney McHill stated there is no statutory law limiting the number in each ward. Mr. McHill stated he will advise the Councilors via the Read File subject to his findings.

MONTHLY BOARD MINUTES

14. MINUTES OF THE FEBRUARY 10, 1999 LIBRARY ADVISORY BOARD MEETING

15. MINUTES OF THE FEBRUARY 17, 1999 SENIOR AND DISABLED SERVICES ADVISORY BOARD MEETING

CITIZEN COMMENTS

There were none.

EXECUTIVE SESSION

At 9:00 P.M. Mayor Simpson announced the Lebanon City Council was hereby moving into Executive Session as authorized under:

ORS 192.660(1)(h) *To consult with legal counsel concerning legal rights and duties of the Council regarding current litigation or litigation likely to be filed. And*

ORS 192.660(1)(i) *To review and evaluate, pursuant to standards, criteria, and policy directives adopted by the Council; the employment related performance of the chief executive officer, a public officer, employee or staff member unless the person whose performance is being reviewed and evaluated requests an open hearing.*

Mayor Simpson announced that official action was expected after the Executive Session, so the meeting would resume after the Executive Session.

At 9:43 Mayor Simpson resumed the regular meeting of the Lebanon City Council.

A motion was made by Councilor Toombs, seconded by Councilor Rieskamp and passed unanimously that:

That City Administrator, Joe Windell's non-pay leave be extended until April 28, 1999.

ADJOURNMENT

There being no further business to be conducted, Mayor Simpson adjourned the meeting of the Lebanon City Council at 9:45 P.M.

Recorded by Dorothy Nicholson, Secretary

J. Scott Simpson, Mayor

ATTEST:

Judith L. Wendland, City Administrator Pro Tem

AGENDA ITEM 3



**CITY OF LEBANON
PUBLIC WORKS DEPARTMENT**

MEMORANDUM

TO: Judy Wendland, City Administrator Pro Tem **DATE:** April 22, 1999

FROM: Jim Ruef, Director of Public Works

SUBJECT: West Vine Street Cost Recovery

City Council voted to continue the discussion on the March 10, 1999 council item on the West Vine Street Cost Recovery proposal. The discussion was continued to give staff more time to answer questions raised by a resident who may in the future be asked to provide cost recovery. The answers to those questions are attached. A copy of the answers has also been sent to Mrs. Larson and Ms. Merry J. VanAtta who raised the questions.

I recommend that City Council approve the West Vine Street Cost Recovery Request.



CITY OF LEBANON
MEMORANDUM

TO: Jim Ruef, Director of Public Works DATE: April 21, 1999
FROM: Jim Clark, City Engineer *J.M. Clark*
SUBJECT: West Vine Street Cost Recovery

A public hearing on this council agenda item was originally held on March 10, 1999. At the public hearing, several questions were raised about the cost recovery process. As a result, the agenda item was continued to allow reply to the questions raised.

A council motion to approve or deny the cost recovery is required.

Background - Cost Recovery

Chapter 13.16 of Lebanon's Municipal Code (Cost Recovery) allows a party funding a public improvement to be reimbursed from adjoining properties that benefit from, but have not participated in paying for, the public improvement. Typically, this occurs when a developer is required to construct new public improvements. Quite often, the developer is required to "up front" the improvement cost in order to develop and occupy a site. Frequently, these new public improvements benefit other properties. Cost recovery is an option for a developer to recoup costs.

Essentially, the city acts as a "middle man" between the person installing the public improvements and those others who also benefit.

The cost recovery process is similar to that for an LID. The basic steps are as follows:

- The new public improvement is constructed and accepted by the city.
- A written request for cost recovery is made, providing all actual costs in constructing the public improvement.
- The City Engineer, in an Engineering Report, develops equivalent assessments for benefitting non-participating properties.
- Property owners are given written notice of proposed equivalent assessments. A public hearing is scheduled only if a property owner requests a hearing within 15 days of receiving notice.
- A public hearing may be held (see above).

- If approved, properties are liened in the amount of the equivalent assessment.
- Equivalent assessments are **pending** and are collected by the city only upon connection to the improvement.
- Collected assessments (less 20% for city costs) are paid to current owners of parcels which originally paid for the improvement.

West Vine Street Cost Recovery

This is Lebanon's first request under the current cost recovery ordinance. The West Vine Street Sanitary Sewer & Water Cost Recovery District was initiated by written request from an adjacent developer. As part of the Vine Street zero lot line development, on the South side of West Vine Street between 12th and 14th Streets, the developer was required to install an 8-inch water main and a 10-inch sewer main along West Vine Street between 12th and 14th Streets. With the sanitary sewer main, service laterals were required to be provided to each property on the North side of West Vine Street. Because the water main was constructed on the North side of the street, outside of the new paving, water service laterals were installed only to the newly developed properties on the South side. Future water services can easily be provided to the northern properties.

In this case, five properties on the North side of West Vine are adjacent to, and benefit from, the new water and sanitary sewer lines installed by the developer.

An Engineer's Report (attached) was developed which calculated equivalent assessments based upon actual costs and foot frontage for both water and sewer. Notices (example attached) were sent to the affected property owners advising them of the proposed equivalent assessment amount and the 15 day period for requesting a public hearing.

Because we have received a request (attached) for a public hearing, notices were sent (example attached) to all affected property owners advising them of the public hearing.

Questions Raised

During the March 10th public hearing, Ms. Merry J. VanAtta, representing Mrs. Larson, presented and read a letter (attached) which addressed several legal questions to the City Attorney. Because of a conflict of interest, the questions required referral to another attorney, Robert Snyder of Sweet Home.

Mr. Snyder's reply is attached. In summary, he concludes that proper procedure was followed and the process is viable.

Action Requested

A council motion is required to either approve or deny the cost recovery request.

C: Casey Cole, Finance Operations Manager

Mayor, council members, ladies, gentlemen:

On behalf of Mrs. Larson and myself, I would like to thank Ed Patton, Doug Parker, and other city employees for their patience and help in working with us to find answers to our questions.

Our remaining concerns are addressed to your city attorney, Mr. McHill.

Has the city followed proper procedure?

According to Mr. Clark's engineering report, dated 12-04-98, Mid-Valley Holdings, LLC submitted their letter of initiation for the Cost Recovery process on March 9, 1998. At that point in time, the portion of Vine Street where the improvements were ultimately made, was not even in the city limits. It's my understanding that Annexation A-98-4 wasn't approved by the Planning Commission until Tuesday, June 16th, 1998. When we talked to Doug Parker on June 1st, he assured us that we would not be required to participate in the costs of the public improvements. The city knew the process for Cost Recovery had been initiated. Isn't the city required by law to disclose all the information they have when asking for annexation?

In Section 13.16.060, the city engineer is directed to provide a copy of a preliminary report to all affected property owners. It appears to me that this is to be done before the city accepts the improvements. I believe the City has already accepted the improvements, yet this is the first Mrs. Larson was notified.

Actually, is the concept of Chapter 13.16 Cost Recovery viable at all. I would think a developer would recover his costs when he sold the homes in his development. I know other cities beside Lebanon have recovery ordinances, however, I've been told that this is the first time it's been used in Lebanon. I'm wondering if this has been tested in the courts?

In closing, we have actively participated in every hearing when this project has been discussed, as have many of our neighbors. We were concerned about traffic, livability, and yes-potential costs. Traffic has definitely increased, the new residents have to park their recreational vehicles in the street because they have so little room and now you tell us we will have to pay. Getting a letter from the City of Lebanon is about as welcome as getting a letter from the Internal Revenue Service saying you are about to be audited.

Merry J VanAtta

March 10, 1999

MORLEY, THOMAS & McHILL, LLC

Attorneys at Law

William R. Thomas
Thomas A. McHill
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Steven A. Heinrich
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Lebanon, OR 97355-3257
Phone: (541) 258-3194
Fax: (541) 258-7575

March 30, 1999

~~Robert Snyder
Attorney at Law
1275 S. Main Street
P.O. Box 486
Sweet Home, OR 97386~~

Re: City of Lebanon v. West Vine Street Cost Recovery-Public Hearing

Dear Mr. Snyder:

I am writing to you with the request that you review the enclosed materials to determine whether or not the City of Lebanon has followed the appropriate procedures in applying Chapter 13.16 of the Lebanon Municipal Code (Cost Recovery). This matter came before the Lebanon City Council on March 10, 1999. I am enclosing the City Staff Report, City Engineering Report, the entire Chapter 13.16 of the Lebanon Municipal Code and an "open" letter to the mayor and council from Merry Vanatta. Ms. Vanatta read the letter to the council and the council wanted to have her questions answered before proceeding on this cost recovery district. Ms. Vanatta is a client of mine and Mrs. Larson, her mother, is also a client of mine. Therefore, I advised the council that if the council wanted to receive answers to these questions, I felt that my conflict of interest would make it inappropriate for me to answer those questions.

The council would like to review this matter again at its meeting on the evening of April 14, 1999. I would suggest that if you have any further need for information, you contact the Lebanon City Engineer directly, Mr. Jim Clark, at 451-7434.

We appreciate your helping as a "pro tem" city attorney on these issues.

Very truly yours,

MORLEY, THOMAS & McHILL

/s/ THOMAS A. McHILL

Thomas A. McHill
Lebanon City Attorney

TAM:th

cc: Judy Wendland, Finance Department
Jim Clark, City Engineer
Jim Ruef, Public Works

MEMO

DATE: April 21, 1999
TO: JUDITH WENDLAND, CITY OF LEBANON ADMINISTRATOR PRO TEM
FAX: 541-451-5583
FROM: ROBERT SNYDER, CITY ATTORNEY PRO TEM FOR CITY OF LEBANON
SUBJECT: WEST VINE STREET COST RECOVERY

In response to the concerns of Merry J. VanAtta and Lucille E. Larson set forth in their letter dated March 10, 1999, the first concern I wish to address is the conversation that they had with Doug Parker wherein Merry J. VanAtta states that Doug Parker on June 1, 1998, assured Ms. VanAtta and Ms. Larson that they would not be required to participate in the cost of public improvements. I talked with Doug Parker about this matter and he explained to me that he had conversations with Ms. VanAtta and Ms. Larson concerning other matters when this particular question came up. He told them that they would not have to participate in the improvements unless an LID was formed or development occurred on their property. Therefore, his statement is consistent with the Lebanon City Ordinances that declare that until property owners develop their property as to necessitate the use of water and/or sewer they will not have to pay any lien. If Ms. VanAtta and Ms. Larson never develop their property as to require the use of the utility lines, then they will never have to pay said assessments which is what Mr. Parker told them.

The other concern addressed in the first paragraph of the letter, was whether the initiation of the cost recovery process could start before the annexation was complete. The developer in this case was required by the City of Lebanon to extend service by the property of Ms. VanAtta and Ms. Larson. The purpose of the cost recovery is for the developer who has benefitted other properties to recoup the cost thereof. The annexation in question does not change that relationship in that the developer is requesting recovery of moneys expended for City improvements. I do not see that the time line here is a major obstacle to the cost recovery. It is always advisable for the developer and for everyone else concerned to initiate the cost recovery process as soon as possible so that the hearings and other processes can go forward in due course.

The next issue to be raised by the letter is that of when should a copy of the City Engineer's Preliminary Report be sent to the property owners i.e. after or before the City accepts the improvements. The acceptance of improvements by the City of Lebanon has nothing to do with the cost recovery. The City will always accept the improvements if done in accordance with their permits and rules but that does not in itself decide the question

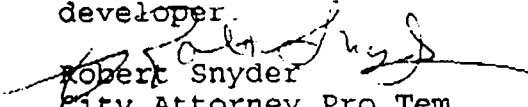
for cost recovery of--Is a property benefitted and if so, how much should the lien be. This question is still an open issue for the Public Hearing and is not dependent on whether the City has accepted the improvements or not. In practice the City has found it desirable to accept the improvements before doing the preliminary report so that exact figures are available and can be used in the report and at the Public Hearing.

The next issue raised by the letter is whether the cost recovery procedure has been tested in the Courts. I called the League of Oregon Cities and they have responded by telling me that this procedure exists in a number of Cities in Oregon and they are not aware of any cases that declare it invalid.

Finally, the other issues mentioned in the last paragraph of the letter need to be addressed at the time the development is being considered by the City. They are not issues that would be involved in the pending Public Hearing on the cost recovery.

I hope this answers the concerns raised in the letter of Merry L. VanAtta and Lucille E. Larson.

In conclusion the Cost Recovery Program is in place to afford a developer the opportunity to recover part of his costs from undeveloped properties that are benefitted by his development, once they are in fact developed. This procedure makes sense for the City and all the parties since it supplies the utilities at a fair and reasonable cost and considering the fact that the City on any future development will not run separate water or sewer lines parallel to the ones already in place since that would not be cost effective for the City nor would it be cost effective for the new developer.


Robert Snyder
City Attorney Pro Tem

RS/jec



CITY OF LEBANON
925 MAIN STREET
LEBANON, OREGON 97355-3200
FAX: (541) 451-1260

April 21, 1999

Lucille E. Larson
460 S. Thirteenth Street
Lebanon, OR 97355

Dear Ms. Larson,

With this letter I would like to share with you some recent information on the West Vine Street cost recovery request.

As you may recall, on March 10th the city council held a public hearing on this proposed district. At the public hearing, Ms. Merry J. VanAtta presented and read a letter on your behalf. Several questions were presented to our City Attorney. Because of a potential conflict of interest - Mr. McHill also represents you - the letter was referred to a different attorney, Mr. Robert Snyder of Sweet Home.

Mr. Snyder's response is attached for your review prior to the next council meeting. I would be grateful if you could also share this information with Ms. VanAtta. As mentioned in my previous letter, this matter is an agenda item for the next , April 28th, council meeting:

DATE: April 28, 1999
TIME: 7:30 P.M. (meeting begins)
LOCATION: Lebanon School District Administrative Offices
485 South 5th Street
Board Room

At this meeting, the council is to decide whether or not to form the cost recovery district.

Meanwhile, if you have any questions, please feel free to call me at 451-7434.

Sincerely,

Jim Clark
Lebanon City Engineer

C: Jim Ruef, Director of Public Works
Tom McHill, City Attorney

ACCOUNTS PAYABLE
ADMINISTRATION
BUILDING

451-7476
451-7421
451-7431

CIP PROJECTS OFFICE
ENGINEERING -82
FINANCE

451-7441
451-7433
451-7474

PLANNING
PUBLIC WORKS
WATER/SEWER BILLING

451-7435
451-7437
451-7471

MID-VALLEY HOLDINGS, L.L.C

1172 Old Salem Rd.
Albany, OR 97321

(541) 924-9462
FAX (541) 926-8571

MAR 25 1999

March 25, 1999

City of Lebanon, Mayor and City Council
% City of Lebanon Recorder
925 Main Street
Lebanon, OR 97355

RE: West Vine Street Cost Recovery – Results of Public Hearing of March 10, 1999.

Dear Mayor and City Council,

This letter documents Mid-Valley Holding's position regarding Cost Recovery for public improvements on West Vine Street in Lebanon. In general Mid-Valley Holdings is concerned about future relationships between developers and the City of Lebanon. A decision to subvert the Cost Recovery Ordinance would adversely effect the long-term relations with not only Mid-Valley Holdings but the contracting community as a whole. The following is a quote from Chapter 13.16, COST RECOVERY.

"Section 13.16.020 Intent of Provisions.

The intent of this chapter shall be to specifically establish a means of acquiring the installation of necessary public facility within the city while at the same time providing a means of fairly and justly apportioning the cost of the installations among the properties benefiting from the installations."

This ordinance was approved by city government to provide quality infrastructure capable of handling future growth of the city, to have this infrastructure paid for by individual development projects, and to provide a process by which developers could recover a fair and just portion of those costs from benefiting property owners. We ask you to please keep the intent of this ordinance and your obligation to the contracting community in mind as you make your decision on the approval of this cost recovery request.

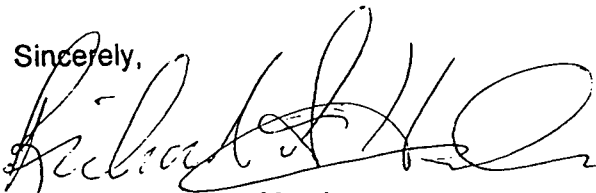
Specifically we would like to address the concerns presented in Merry VanAtta's letter (et. al.) read at the public hearing held at the Lebanon City Council Meeting on March 10, 1999. We would like to make the following comments concerning the information presented in that letter.

- It is our understanding that it is not unusual for the city to require public improvements even though they may not be within the city limits, then annex that property into the city at a later time. It is also our understanding that the Cost Recovery Ordinance applies to all "Public Facilities" owned by the people of the City of Lebanon. (13.16.020 and 13.16.030 H)
- Adjacent property owners were not required to participate in the cost of public improvements. Benefiting property owners are not required to pay for any of the public improvements at the time of construction. The cost recovery ordinance states that the benefiting property owners would pay only upon approval of a building permit or approval for connection to the public improvements. (13.16.090). Doug Parker's comment of June 1, although possibly misinterpreted by Ms. Vanatta and others, was essentially correct.

- Upon review of Section 13.16.060 of the Cost Recovery Ordinance, we see no requirement that the city engineer provide the preliminary report to affected property owners prior to acceptance of the public improvements. The city accepted the public improvements on June 26, 1998. In fact it was not until the city accepted these public improvements, that we had a complete and final list of costs associated with these public improvements. From our understanding of the ordinance, Mid-Valley Holdings and the City of Lebanon have complied with the process specified.
- Mid-Valley Holdings was required to increase the capacity of public improvements, install stub-outs, and provide other infrastructure to service adjacent properties. The associated cost was paid in full by Mid-Valley Holdings. Per the Engineering Report dated December 4, 1998, the equivalent assessment calculations account for distribution of costs to all properties including those developed by Mid-Valley Holdings. It seems unreasonable to expect the sale of properties within a development to recover costs incurred to benefit adjacent property owners. Mid-Valley Holding's cost for these public improvements as documented in the Engineering Reports was \$147,783.00. Of this just \$24,027.34 (\$30,034.58 – 20% to the City of Lebanon) would be reimbursed to Mid-Valley Holdings assuming all benefiting properties were to connect. This is 16.3% of the total cost. Of the 18 service connections provided through this project, 10 were utilized for our development and 8 (44%) were provided for future connection by adjacent properties. We feel the benefiting property owners should feel very fortunate that they did not incur the real costs to develop this infrastructure.
- It is true that this is the first use of the Cost Recovery Ordinance in Lebanon, but ordinances very similar, if not exactly like this one, have been used successfully in other cities.
- Traffic and parking are issues not a part of this cost recovery request. Mid-Valley Holdings worked closely with the City of Lebanon to provide adequate parking per city code. Traffic infrastructure was provided per requirements set by the City of Lebanon, Linn County, and the State Department of Transportation. As far as we know there is no real danger or risk to persons or property associated with the traffic or parking conditions. Even if there were, this is not the process to resolve this type problem.

Thank you for your consideration. We hope that the testimony presented in Ms. VanAtta's letter is weighted appropriately against the facts and the intent of the exiting Cost Recovery Ordinance, and that a decision to approve Mid-Valley Holdings request for Cost Recovery is granted. We feel the development of West Vine has been a real benefit to Lebanon. As the local neighborhood continues to grow, the utilities provided by this project will serve that neighborhood and the City of Lebanon well.

Sincerely,



Richard Herndon, Member
Mid-Valley Holdings L.L.C.

Cc: Jim Clark, City Engineer
Doug Parker, City Planner
Mr. McHill, City Attorney

(EXAMPLE)



CITY OF LEBANON
925 MAIN STREET
LEBANON, OREGON 97355-3200
FAX: (541) 451-1260

April 8, 1999

Homer B. and Delores G. Peters
143 Third Street
Lebanon, OR 97355

Dear Mr. and Mrs. Peters,

The purpose of this letter is to share with you the status of the proposed Vine Street Cost Recovery District.

As we mentioned in our last letter, because city staff received a specific request, a public hearing was held at the March 10 City Council meeting. At that meeting, additional information was requested. For that reason, the public hearing was put on hold and will continue at the following City Council meeting:

DATE:	April 28, 1999
TIME:	7:30 P.M. (meeting begins)
LOCATION:	Lebanon School District Administrative Offices 485 South 5th Street Board Room

This public hearing will be another opportunity to discuss the proposed equivalent assessments with the City Council before they decide whether or not to impose them.

Meanwhile, if you have any questions, you can call me at 451-7434, Ed Patton at 451-7460 or you can stop by the Community Development Center at 853 Main Street.

Sincerely,

Jim Clark
Lebanon City Engineer

**ATTACHMENTS FROM MARCH 10TH COUNCIL
MEETING**

Engineering Report

**WEST VINE STREET
SANITARY SEWER & WATER
Cost Recovery District**



EXP. 12/31/99

Date filed December 4, 1998

City of Lebanon
Linn County, Oregon

Engineering Report

West Vine Street Sanitary Sewer & Water Cost Recovery District

December 1998

Mayor
Robert G. Smith

City Council

Floyd Fisher

Ken Toombs

John Richards

Ron Miller

Wayne Rieskamp

Stan Usinger

Joseph A. Windell, City Administrator

James P. Ruef, Director of Public Works

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Request to Initiate District	10

West Vine Street Sanitary Sewer & Water Cost Recovery District Engineering Report

Summary:

This engineering report is prepared pursuant to Section 13.16 of the Lebanon Municipal Code which directs the City Engineer to prepare this report.

Project Description:

The West Vine Street Sanitary Sewer & Water Cost Recovery District was initiated by written request from an adjacent developer. As part of the Vine Street zero lot line development, on the south side of West Vine Street between 12th and 14th Streets, the developer was required to install an 8-inch water main and a 10-inch sewer main along West Vine Street between 12th and 14th Streets. With the sanitary sewer main, service laterals were required to be provided to each property on the north side of West Vine Street. Because the water main was constructed on the north side of the street, outside of the new paving, water service laterals were installed only to the newly developed properties on the South side. Future water services can easily be provided to the northern properties.

Chapter 13.16 of Lebanon's Municipal Code allows reimbursement from non-participating benefitting properties to the party funding the public improvement. In this case, five properties on the North side of West Vine are adjacent to, and benefit from, the new water and sanitary sewer lines installed by the developer.

Project Costs:

Documents, in the form of signed contracts and checks, have been submitted and reviewed to verify actual total costs. These cost categories include construction, engineering and administration. From this information, separate total project costs have been developed for the water and sewer systems.

These costs are summarized on page 4 of this report.

Equivalent Assessment Method:

Individual equivalent assessments are to be based on individual benefit. Each property which is benefitted by the new sanitary sewer and water mains will be assigned an equivalent assessment based on relative benefit. With the uniformity of parcel sizes and depth, foot frontage is the most equitable method of assigning benefit and calculating equivalent assessments.

The total cost for each utility (water and sanitary sewer) has been divided by the total frontage length along each respective utility to arrive at a total cost per foot. Individual equivalent assessments are then calculated by multiplying the per-foot cost by each property's utility frontage. Equivalent assessments are imposed on those benefitting properties on the north side of Vine Street which abut the new utilities. These five properties are listed in the appendix. Those properties on the south side of Vine Street which paid for the improvements, as well as those three properties with existing water and sewer service (with no possibility of future development), are not imposed an equivalent assessment.

Individual estimated assessments are indicated on the attached Equivalent Assessment Rolls - one each for water and sewer. A summary Equivalent Assessment Roll is also provided.

It is important to note that Equivalent assessments are pending only and would be due to the City of Lebanon only when:

- The property is within the City of Lebanon, and
- The property owner requests a building permit or approval to connect to the system (water or sewer)

Financing:

Two methods are available for financing assessments - City or private financing. With City financing, the City would secure a loan and charge an interest rate two percentage points over the loan interest rate. The term of the financing would be 10 years billed semiannually with no penalty for early pay off. In addition, a 10% loan fee, which is required by the lending institution, will be charged. The City will have the right to foreclose if assessments are not paid. Alternatively, the assessed property owners may obtain private financing.

Property owners 62 years of age or older, who are residing on the property assessed, may apply for a State-sponsored deferral of assessment payments. For those qualifying for this program, the State assumes and holds the loan at 6% interest until

the property changes hand or until the assessed owner(s) no longer reside on the property.

Distribution of Assessments:

All collected assessments are to be paid to the current owners of the parcels which originally contributed to the cost of the public improvement. In this case, these properties are the ten parcels constituting the Mid-Valley Greenwood subdivision as listed in the Appendix. Because these parcels are very near the same area and frontage, equivalent assessments are proposed to be divided equally - one tenth - to each property.

As required by Section 13.16.130B, prior to distribution of any fees, the city will retain twenty percent of the total assessment as compensation for costs incurred.

Recommendation:

Because there are no city liens and the sum of the proposed assessments are much lower than the total assessed valuation of the benefitted properties, this proposed Cost Recovery District is feasible.

W. Vine Street Cost Recovery

Project Costs

Engineering and Administrative Costs (E&A)

December 1, 1998

Description	Contractor/Vendor	Cost Incurred
Professional Engineering Services	PacWest Engineering	\$13,400.00
Drawing Revisions	CADD Advantage	\$8,500.00
Performance Bond	CDIC Insurance	\$2,311.00
Public Improvement Plan Review	City of Lebanon	\$400.00
Public Improvement Permit	City of Lebanon	\$2,888.28
Sanitary Sewer TV Inspection	City of Lebanon	\$1,753.05

Total E&A: \$29,252.33

Engineering and Administrative Costs as Percent of Construction Cost

Contractor	Total Construction Cost	Total E&A Cost	E&A as Percent of Construction
R.J. Armstrong & Assoc.	\$118,531.00	\$29,252.33	24.68%

Sanitary Sewer Main Line Cost per Lineal Feet of Frontage of Benefiting Properties

Sanitary Sewer Main Line Construction Cost	E&A as Percent of Construction	Total Construction Cost	Total Frontage	Construction Cost per Lineal Foot
\$28,275.00 *	24.68%	\$35,253.00	1204.70	\$29.26

Water Main Line & Fire Hydrant Cost per Lineal Feet of Frontage of Benefiting Properties

Water Main Line Construction Cost	E&A as Percent of Construction	Total Construction Cost	Total Frontage	Construction Cost per Lineal Foot
\$25,958.00 *	24.68%	\$32,364.19	1143.00	\$28.32

Sanitary Sewer Service Line Cost per Each Service Line

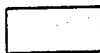
Sanitary Sewer Service Line Construction Cost (ea.)	E&A as Percent of Construction	Construction Cost per Each Service Line
\$341.05 *	24.68%	\$425.22

* (Based on verified costs.)

WEST VINE STREET SANITARY SEWER & WATER COST RECOVERY DISTRICT MAP



SCALE: 1"=100'
11/3/98



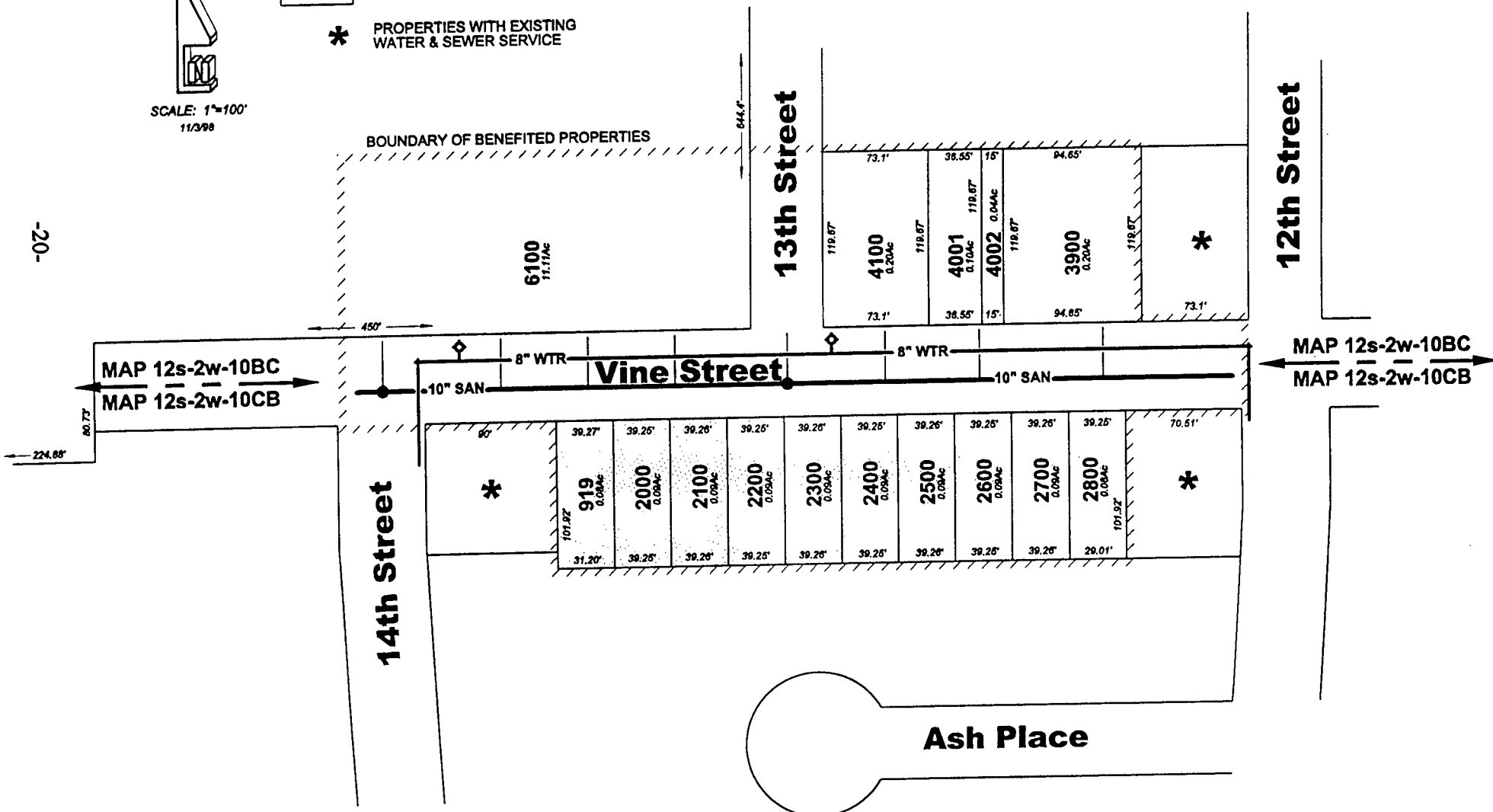
BENEFITED PROPERTIES WHICH
HAVE CONTRIBUTED



PROPERTIES WITH EXISTING
WATER & SEWER SERVICE

BOUNDARY OF BENEFITED PROPERTIES

-20-



W. Vine Street Cost Recovery

Pending Individual Assessments for Sanitary Sewer

November 4, 1998

Property Owner	Map No.	Tax Lot	Lot Frontage (Sanitary)	Sanitary Sewer \$ per L.F.	Sanitary Sewer Main	Sanitary Service Line (ea.)	Sanitary Services Cost	Sanitary Sewer Assm't
Homer B. & Dolores G. Peters 143 3rd Street Lebanon, Oregon 97355	12 2W 10BC	3900	94.65	\$29.26	\$2,769.46	\$425.22	\$425.22	\$3,194.68
Stacy A. McBride 1197 W. Vine Lebanon, Oregon 97355	12 2W 10BC	4001	36.55	\$29.26	\$1,069.45	\$425.22	\$425.22	\$1,494.67
Stacy A. McBride 1197 W. Vine Lebanon, Oregon 97355	12 2W 10BC	4002	15.00	\$29.26	\$438.90	\$425.22	\$0.00	\$438.90
Ronald & Carol A. Geddes 1199 W. Vine Street Lebanon, Oregon 97355	12 2W 10BC	4100	73.10	\$29.26	\$2,138.91	\$425.22	\$425.22	\$2,564.13
Lucille E. Larson 460 S. 13th Street Lebanon, Oregon 97355	12 2W 10BC	6100	271.45	\$29.26	\$7,942.63	\$425.22	\$1,700.88	\$9,643.51
Totals=					\$14,359.35		\$2,976.54	\$17,335.89

W. Vine Street Cost Recovery

Pending Individual Assessments for Water

November 3, 1998

Property Owner	Map No.	Tax Lot	Lot Frontage (Water)	Water Main \$ per L.F.	Water Main Assm't
Homer B. & Dolores G. Peters 143 3rd Street Lebanon, Oregon 97355	12 2W 10BC	3900	94.65	\$28.32	\$2,680.49
Stacy A. McBride 1197 W. Vine Lebanon, Oregon 97355	12 2W 10BC	4001	36.55	\$28.32	\$1,035.10
Stacy A. McBride 1197 W. Vine Lebanon, Oregon 97355	12 2W 10BC	4002	15.00	\$28.32	\$424.80
Ronald & Carol A. Geddes 1199 W. Vine Street Lebanon, Oregon 97355	12 2W 10BC	4100	73.10	\$28.32	\$2,070.19
Lucille E. Larson 460 S. 13th Street Lebanon, Oregon 97355	12 2W 10BC	6100	229.10	\$28.32	\$6,488.11

Totals=

\$12,698.69

W. Vine Street Cost Recovery

Pending Total Individual Assessments

November 25, 1998

Property Owner	Map No	Tax Lot	Sewer Assessment	Water Assessment	Total Assessment	Deposit	Remaining Assessment
Homer B. & Dolores G. Peters 143 3rd Street Lebanon, Oregon 97355	12 2W 10BC	3900	\$3,194.68	\$2,680.49	\$5,875.17	\$0.00	\$5,875.17
Stacy A. McBride 1197 W. Vine Lebanon, Oregon 97355	12 2W 10BC	4001	\$1,494.67	\$1,035.10	\$2,529.77	\$2,136.30	\$393.47
Stacy A. McBride 1197 W. Vine Lebanon, Oregon 97355	12 2W 10BC	4002	\$438.90	\$424.80	\$863.70	\$863.70	\$0.00
Ronald & Carol A. Geddes 1199 W. Vine Street Lebanon, Oregon 97355	12 2W 10BC	4100	\$2,564.13	\$2,070.19	\$4,634.32	\$0.00	\$4,634.32
Lucille E. Larson 460 S. 13th Street Lebanon, Oregon 97355	12 2W 10BC	6100	\$9,643.51	\$6,488.11	\$16,131.62	\$0.00	\$16,131.62
Totals=			\$17,335.89	\$12,698.69	\$30,034.58	\$3,000.00	\$27,034.58

Appendix

WEST VINE STREET WATER & SEWER COST RECOVERY DISTRICT

PROPERTY DESCRIPTIONS

Equivalent Assessments:

Those five (5) properties adjacent to West Vine Street that are located in Section 10 of Township 12 South, Range 2 West, Willamette Meridian, Linn County, Oregon and that are more particularly described as per Linn County Assessor's information as being:

1. Map 12-2W-1OBC Tax Lot 3900
2. Map 12-2W-1OBC Tax Lot 4001
3. Map 12-2W-1OBC Tax Lot 4002
4. Map 12-2W-1OBC Tax Lot 4100
5. Map 12-2W-1OBC Tax Lot 6100

Recipients:

Those five (10) properties comprising Mid-Valley Greenwood Subdivision adjacent to West Vine Street that are located in Section 10 of Township 12 South, Range 2 West, Willamette Meridian, Linn County, Oregon and that are more particularly described as per Linn County Assessor's information as being:

1. Map 12-2W-1OCB Tax Lot 919
2. Map 12-2W-1OCB Tax Lot 2000
3. Map 12-2W-1OCB Tax Lot 2100
4. Map 12-2W-1OCB Tax Lot 2200
5. Map 12-2W-1OCB Tax Lot 2300
6. Map 12-2W-1OCB Tax Lot 2400
7. Map 12-2W-1OCB Tax Lot 2500
8. Map 12-2W-1OCB Tax Lot 2600
9. Map 12-2W-1OCB Tax Lot 2700
10. Map 12-2W-1OCB Tax Lot 2800

Equivalent assessments to be distributed equally - one tenth (1/10) - to each property.

MID-VALLEY HOLDINGS, L.L.C

440 SE First Ave.
Albany, OR 97321

(541) 967-7954
FAX (541) 926-8571

March 9, 1998

Mr. Jim Clark, City Engineer
925 Main Street
Lebanon, OR 97355
(541) 451-7434
FAX (541) 258-6496

RE: Cost Recovery for Public Improvement on Vine St. between 12th and 14th.

Dear Mr. Clark,

I have received and reviewed a copy of Municipal Code 13.16 and as directed in 13.16.040 do hereby submit this letter of initiation for the Cost Recovery process.

Per our conversation on March 6, 1998, this letter is to inform you and your staff of Mid-Valley Holdings desire and intent to proceed with the cost recovery procedure as defined in Lebanon City Municipal Code, 13.16, "Cost Recovery". Mid-Valley Holdings has gone to great expense to provide public improvements, currently under construction, on Vine Street between 12th and 14th and would like to utilize this process to fairly and justly appropriate the cost of installation among the properties benefiting from these improvements. We realize the process provides for recovery only when the property owners connect to the public improvements.

These public improvements will benefit the abutting properties to the north of Vine Street between 12th and 14th. These property owners have not contributed to the cost of the public improvements currently under construction.

Please refer to the current 'Issued For Construction' (IFC) drawings for this PI project on file with Lebanon Public Works. If you desire additional drawing sets or a reduced set for this Cost Recovery Process please let me know and I will be glad to supply drawings or other documentation as needed. The current IFC drawing set clearly marks the beginning and ending of all public improvements, right-of-way boundaries, and the property lines of all abutting properties. The ten properties south of Vine Street and facing Vine Street (10 zero lot line homes) are the sole contributing properties to the cost of these improvements.

Thank you for your assistance in directing and processing our request. If you need any additional information to implement this process please do not hesitate to contact me at any time. You can contact me at (541) 967-7954 or (541) 501-1200 during normal business hours.

Sincerely,

Mid-Valley Holdings L.L.C.

Richard S. Herndon, Member



CITY OF LEBANON
925 MAIN STREET
LEBANON, OREGON 97355-3200
FAX: (541) 451-1260

December 9, 1998

Lucille E. Larson
460 S. 13th Street
Lebanon, OR 97355

Dear Ms. Larson,

This letter is to inform you of a request for "cost recovery" which affects you and your property.

"Cost recovery" is a method allowed in Lebanon's Municipal Code which imposes a **pending** charge, called an equivalent assessment, on properties which benefit from, but did not help pay for, new public improvements. The particular case in hand is the zero lot line development recently constructed on the south side of West Vine Street between 12th and 14th Streets. The developer was required to install an 8-inch water main and a 10-inch sewer main along West Vine Street between 12th and 14th Streets. Because your property, as well as others, have the ability to connect to either or both of these systems, you can be charged your fair share (equivalent assessment) of the total system cost should the developer make such a request to the City.

In this case, the developer has made a request for cost recovery. The next step is for the City Engineer to develop equivalent assessments. This is done in an engineering report, a copy of which is attached. In the Equivalent Assessment Rolls you can find the amount of the equivalent assessments - water and sewer - proposed for your property. For each property a lien will be filed in the amount of the equivalent assessment.

It is important to note that equivalent assessments are pending only and would be due to the City of Lebanon only when:

- The property is within the City of Lebanon, and
- The property owner requests either a building permit or permit to connect to the system.

Please also note that a first time connection to City water and sewer requires other fees in addition to an equivalent assessment. These fees include a building or plumbing permit, right-of-way permit and systems development charges.

ACCOUNTS PAYABLE	451-7476	CIP PROJECTS OFFICE	451-7441	PLANNING	451-7435
ADMINISTRATION	451-7421	ENGINEERING	451-7433	PUBLIC WORKS	451-7437
BUILDING	451-7431	FINANCE	451-7474	WATER/SEWER BILLING	451-7471

If you have any questions, you can call me at 451-7434, Ed Patton at 451-7460 or you can stop by the Community Development Center at 853 Main Street.

Lebanon's cost recovery ordinance also allows any affected property owner to request a public hearing before the City Council to discuss this matter. Such a request must be received within fifteen days from receiving this notice.

Sincerely,

A handwritten signature in cursive script that reads "Jim Clark".

Jim Clark
Lebanon City Engineer

c: Mid Valley Holdings, LLC

DEC 23 1998

Lucile E. Larson
460 S 13th Street
Lebanon, Oregon 97355
December 23, 1998

City of Lebanon
925 Main Street
Lebanon, Oregon 97355

Attention: Jim Clark, Lebanon City Engineer

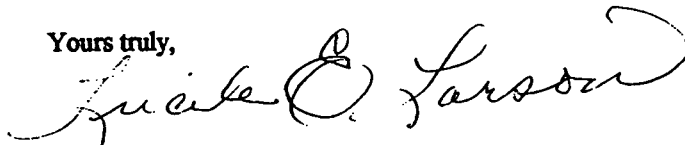
Dear Mr. Clark,

I would like to request a hearing before the city council concerning the proposed "cost recovery" assessment imposed against my property at 460 S 13th Street, Lebanon, Oregon, 97355, Map No 12 2W 10BC, Tax Lot 6100.

I have been working with Ed Patton and he has been very helpful, however, there is not adequate time for some of the assurances I have asked for to be provided.

This request is simply to insure that the proper requirements are met so, if I continue to have concerns, I have an opportunity to put my case before the city council.

Yours truly,



Lucile E. Larson



CITY OF LEBANON
925 MAIN STREET
LEBANON, OREGON 97355-3200
FAX: (541) 451-1260

February 25, 1999

Homer B. and Delores G. Peters
143 3rd Street
Lebanon, OR 97355

Dear Mr. and Mrs. Peters,

Recently, we wrote to you about a request for "cost recovery" which affects you and your property. This letter is to advise you of an upcoming public hearing on this matter.

In our letter, we explained that "cost recovery" is a method allowed in Lebanon's Municipal Code which imposes a **pending** charge, called an equivalent assessment, on properties which benefit from, but did not help pay for, new public improvements. We also mentioned that the city had received a cost recovery request from the developer of the zero lot line units on the south side of West Vine Street between 12th and 14th Streets. Also included with the letter was an engineering report and the amount of the proposed equivalent assessments - water and sewer - proposed for your property.

As we also mentioned in our letter, Lebanon's cost recovery ordinance allows any affected property owner to request a public hearing before the City Council. Because city staff has received such a request, a public hearing has been scheduled for the following City Council meeting:

DATE: March 10, 1999
TIME: 7:30 P.M. (meeting begins)
LOCATION: Lebanon School District Administrative Offices
485 South 5th Street
Board Room

This public hearing is an opportunity to discuss the proposed equivalent assessments with the City Council before they decide whether or not to impose them.

Meanwhile, if you have any questions, you can call me at 451-7434, Ed Patton at 451-7460 or you can stop by the Community Development Center at 853 Main Street.

Sincerely,

Jim Clark
Lebanon City Engineer

AGENDA ITEM 4



**CITY OF LEBANON
FINANCE**

MEMORANDUM

TO: Mayor and City Council
FROM: Judy Wendland, Finance Director *JW*
SUBJECT: Audit Report for 1997-98

DATE: April 21, 1999

It is with some embarrassment that I present to you the Audit Report for 1997-98 almost 3 months after it was completed. They have been sitting in a box and I simply forgot they were here.

As in prior years, the city has received a "clean" opinion and there was no management letter.

Action Required:

Motion to accept/not accept the 1997-98 City of Lebanon Audit Report

AGENDA ITEM 5



**CITY OF LEBANON
FINANCE**

MEMORANDUM

TO: Mayor and City Council

DATE: April 21, 1999

FROM: Judy Wendland, City Administrator Pro Tem 

SUBJECT: City of Lebanon Goals

Councilor Rieskamp suggested that it would be a good idea for the Council to formally adopt the short term goals they formulated at the Goal Setting Session on April 10. Accordingly, I have attached the short term goals in order of priority and the long term goals adopted by the Council a number of years ago.

Action required:

Motion to adopt/ not adopt City Council Goals

CITY COUNCIL GOALS FOR 1999 - 2000

FUNDING STRATEGIES

Develop strategies for stable, long-term funding for:

- Police Department
- Library
- Senior Services
- Parks & Recreation

- Dedicated Funds
- Partnering
- Special Districts

WASTEWATER

Adjust wastewater rates; have in place a system for annual adjustments. SELL bond and begin implementation of CIP.

WATER

Have in place a system for annual adjustments in water rates.

SCHOOL DISTRICT PARTNERING

Establish a partnership with the school district to explore areas of mutual interest and benefit.

- Economic Development
- Equipment
- Libraries
- Publications

STREET MAINTENANCE

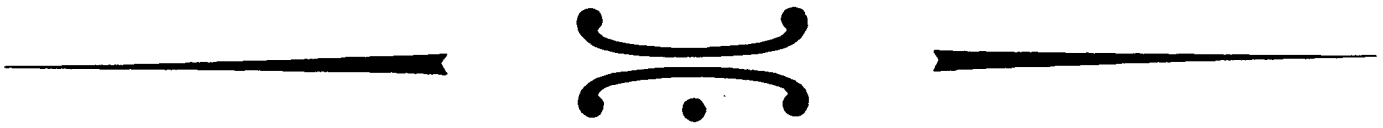
Have all franchise fee agreements in place.

ECONOMIC DEVELOPMENT


Inventory the various players, roles, and goals in the local economic development arena and identify any obvious gaps and overlaps.

VOLUNTEERS

Evaluate, develop strategies, costs and benefits for the most effective use of citizen volunteers.



CITY COUNCIL LONG TERM GOALS
(Developed in 1990)

- * Develop a funding base that ensures continued stability and also allows for planned growth
 - * Encourage and participate in planning and economic development
 - * Improve utility and transportation systems
 - * Continue efforts to improve communications with the community
 - * Continue to evaluate service delivery systems to better meet the expectations of the community
 - * Encourage and participate in downtown planning and revitalization
 - * Foster community pride
 - * Promote positive intergovernmental relations
 - * Broaden cultural and recreational opportunities
- 

AGENDA ITEM 6



CITY OF LEBANON
MEMORANDUM

TO: Jim Ruef, Director of Public Works
FROM: Brenda Stein, Senior Engineer, CIP
SUBJECT: Downtown Sewer Separation, Phase 1
Bid Results
Project #92714

DATE: April 21, 1999

This project is the first phase of a project which will disconnect stormwater inlets and downspouts from the sanitary sewer system in the downtown area. The scope of the work is installation of a complete storm sewer system. The sanitary pipe will also be replaced. This is the second time this project has been put out to bid. It was opened the first time on July 14, 1998. There was one bid for \$420,425.80. The bid was rejected for being too high. The project was delayed until this Spring with the hope of getting a better bidding climate. This strategy worked.

Six bids were received for this project. Attachment 1 is the bid tabulation sheet. Four of the bids were below the engineer's estimate of \$390,690.78. After the bids were opened an error was discovered in four of the bids. A cost was not included for item #23. See attachment 2 for an example of a correctly completed bid sheet. The omissions are highlighted on the bid tab sheet.

Our options are being discussed with the City Attorney and the recommendation will be presented at the City Council meeting

Action Requested: Will be presented at the meeting.

Attachment 2

Proposal Page 3 of 4

NO.	BID ITEMS	UNITS	QUANT	UNIT COST	TOTAL COST
23	CONSTRUCT AREA INLET	EA.	3	1030 ⁻	3090 ⁻
24	REMOVE & CONSTRUCT AREA INLET	EA.	6	1060 ⁻	6360 ⁻
25	REMOVE AREA INLET	EA.	2	220 ⁻	440 ⁻
26	REMOVE & CONSTRUCT CATCH BASIN	EA.	5	1100 ⁻	5500 ⁻
27	CONNECT TO EXISTING AREA INLET	EA.	7	390 ⁻	2730 ⁻
28	CONNECT TO EXISTING MANHOLE	EA.	1	1070 ⁻	1070 ⁻
29	CONTAMINATED MEDIA HANDLING & DISPOSAL	TON	1	510 ⁻	510 ⁻
				TOTAL	381,622.00

CITY OF LEBANON

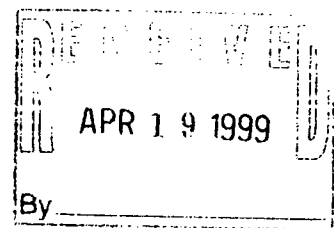
Downtown Sewer Separation - Phase 1 - Project #92714

ASH, GRANT, & ROSE ST. BASINS

By: JRK
Date: 4/20/99

NO.	BID ITEMS	UNITS	QUAN	3DC		Brown Contracting	
				UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	MOBILIZATION	L.S.		\$99,000.00	\$99,000.00	\$45,000.00	\$45,000.00
2	TEMP. PROTECTION & DIR. TRAF.	L.S.		10,000.00	\$10,000.00	3,500.00	\$3,500.00
3	EROSION CONTROL	L.S.		5,000.00	\$5,000.00	2,000.00	\$2,000.00
4	FLAGGERS	HR.		40.00	\$2,000.00	45.00	\$2,250.00
5	ALLEY GRADING	S.Y.	32	10.00	\$3,250.00	5.60	\$1,820.00
6	A.C. STREET PATCH	S.Y.	20	20.00	\$4,180.00	50.00	\$10,450.00
7	SURFACE PATCH	S.Y.	1	20.00	\$2,700.00	49.00	\$6,615.00
8	8" P.C.C. PAVING	S.Y.	140	35.00	\$49,000.00	40.00	\$56,000.00
9	8" P.C.C. ALLEY APPROACH	S.Y.	9	45.00	\$4,320.00	61.00	\$5,856.00
10	6" P.C.C.	S.Y.	4	35.00	\$1,540.00	45.00	\$1,980.00
11	4" P.C.C.	S.Y.	22	28.00	\$6,300.00	29.00	\$6,525.00
12	MODIFIED CURB & GUTTER	L.F.	15	20.00	\$3,000.00	29.00	\$4,350.00
13	STRAIGHT CURB	L.F.	1	50.00	\$950.00	27.00	\$513.00
14	18" STORM DRAIN	L.F.	37	71.00	\$26,625.00	71.00	\$26,625.00
15	15" STORM DRAIN	L.F.	20	70.00	\$14,000.00	68.00	\$13,600.00
16	12" STORM DRAIN	L.F.	99	68.00	\$67,864.00	63.00	\$62,874.00
17	10" STORM DRAIN	L.F.	23	58.00	\$13,746.00	57.00	\$13,509.00
18	48" MANHOLE	EA.		2,400.00	\$12,000.00	2,600.00	\$13,000.00
19	12" SANITARY SEWER	L.F.	43	63.00	\$27,090.00	124.00	\$53,320.00
20	10" SANITARY SEWER	L.F.	68	62.00	\$42,222.00	120.00	\$81,720.00
21	4" 3034 PVC SANITARY SERVICE	EA.	4	500.00	\$23,500.00	388.00	\$18,236.00
22	ROOF DRAIN CONNECTION	EA.		250.00	\$1,500.00	175.00	\$1,050.00
23	CONSTRUCT AREA INLET	EA.				950.00	\$2,850.00
24	REMOVE & CONSTRUCT AREA INLET	EA.		1,200.00	\$7,200.00	1,050.00	\$6,300.00
25	REMOVE AREA INLET	EA.		500.00	\$1,000.00	275.00	\$550.00
26	REMOVE & CONSTRUCT CATCH BASIN	EA.		1,200.00	\$6,000.00	1,190.00	\$5,950.00
27	CONNECT TO EXIST. AREA INLET	EA.		300.00	\$2,100.00	330.00	\$2,310.00
28	CONNECT TO EXIST. MANHOLE	EA.		1,000.00	\$1,000.00	550.00	\$550.00
29	CONTAMINATED MEDIA HANDLING & DISPOSAL	TON		500.00	\$500.00	1,500.00	\$1,500.00
				Bid Total	\$437,587.00	Bid Total	\$450,803.00

AGENDA ITEM 7



1400 Queen Ave. SE • P.O. Box 685 • Albany, Oregon 97321-0227
(541) 967-8720 • FAX (541) 967-6123

April 15, 1999

MEMORANDUM

TO: Ken Toombs and Jim Ruef

FROM: William R. Wagner, Executive Director

RE: Lebanon Dues to the Council of Governments

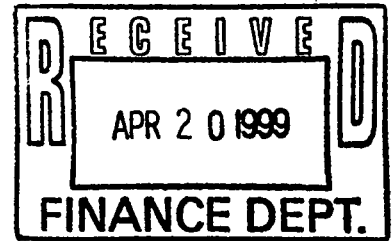
This year the Council of Governments Board approved a dues schedule including a 2.2% cost of living adjustment as compared to last year. For Lebanon the two components of COG dues are \$6,400.21 for General Purpose dues and \$2,133.40 specifically for Community Development work. These two amounts total to \$8,533.62, an increase of \$377.73 as compared to last year.

COG's budget primarily consists of numerous contracts to carry out a specific task for the benefit of or on behalf of our member governments. Dues amount to 1.6 % of the total revenue expected next fiscal year. Although dues are a small amount of our income, those dollars are a critical and unique source of matching funds required or allowed by several federal agencies. Without the dues our direct services to smaller member governments like Lebanon would be impossible and our Senior and Disabled Services program would have to go significantly understaffed.

Community and Economic Development (including Transportation)

In general, the dues specifically collected for support of the Community Development program, are first matched with federal funds and then allocated to support both transportation and community development programs of benefit to all members. This leveraging brings in 3-4 times the amount of the dues to provide staff in four areas:

1. Minor technical support to member jurisdictions
COG provides project scoping and grant development services to Lebanon and our other jurisdictions. Dues fund COG staff to provide initial and/or minor support which is prior to, or outside the scope of any specific contract for services. For example, our initial staff work on the several EDA industrial park grants and the downtown improvement project grant.



Lebanon Lodge No. 1663

BENEVOLENT AND PROTECTIVE ORDER OF ELKS

633 Park Street

Lebanon Oregon 97355

Judy Wendland
City of Lebanon
925 Main St.
Lebanon, Oregon 97355

Judy,

As you are aware, the Elks Lodge has donated our building at 585 Park St. to be used as the Senior Center for the last 24 years for the sum rent of \$1.00 per year plus continued maintenance paid for by the city.

It has always been our pleasure to assist the community in having a place for the Senior Center and we wish to continue to do so. However, we find that we need to show a revenue from our building and therefore wish the following changes to be made to the renewal of the lease.

- #1. Rent shall be paid in the sum of \$800.00 per month.
- #2. The City of Lebanon will continue to be responsible for the maintenance on the building and take care of the taxes.

While we realize that money is always an issue when making a budget, the Board of Governors of the Elks has given this alot of thought and feels that this is not an unrcasonable request. In order to best manage the business of our Lodge, we have to look at all revenue and feel this is a fair and equitable offer.

Sincerely,

Harold Liming
HAROLD LIMING

Harold Liming
Chairman, Board of Trustees

Isolation can take a heavy toll on the mental and physical well being of older citizens who live alone. Studies show that seniors without social networks are *twice* as likely to be hospitalized as those with broader social contacts. By providing a reason to get dressed and leave the house, Senior Meals helps motivate our older folks to be more active.

The senior population as a whole is at greatest risk for malnutrition, often because it is increasingly difficult to buy and prepare well balanced meals for themselves. Malnourished seniors become ill, need longer hospital stays, and/or health deteriorates to the point where foster or nursing home care is the only viable option. Senior Meals is dedicated to providing the greatest nutritional benefit within our reach to our senior population.

Looking forward to partnering with you in that effort,

A handwritten signature in cursive script that reads "Nancy Robb".

Nancy Robb
Senior Meals Program Manager

CC: Judy Wendland, Interim City Manager

Brief Description of the Senior Meals Operation

The purpose of Senior Meals is to provide highly nutritious meals to seniors to help prevent malnutrition, and to promote good health and well being. **\$4,500 will provide 1,800 meals that may not otherwise be available to Lebanon senior citizens.**

Meals are prepared in a state-of-the-art kitchen in Salem which belongs to Mid-Willamette Valley Senior Services. (By contracting with Mid-Willamette Valley and Lane COG, Senior Meals has saved tens of thousands of dollars over the past five years. This savings has been put towards more meals for more clients.) The Salem kitchen prepares meals for Mid-Willamette Valley sites, as well as most of the Senior Meals provided in Linn and Benton counties. Food is prepared fresh daily and transported in specially designed trucks that have both an oven compartment and a refrigerated compartment. These keep the food at ideal temperatures during transport from Salem to six dining centers in Linn and Benton counties, including Lebanon Senior Meals.

There, a corps of volunteers package the meals for home delivery and volunteer drivers deliver Meals on Wheels to homebound seniors. More than 75 volunteers work each week for Lebanon Senior Meals. Currently of an *average 150 people* a day who receive Meals On Wheels, 60% live within Lebanon city limits. Many of these people also get frozen meals for the weekends and holidays. Of an *average 40 folks* a day at the dining center, 80% live within city limits.

When homebound seniors live alone with little or no active care by family or friends, interest in eating is easily lost. The volunteer Meals on Wheels driver becomes a friend who checks on the well being of these folks on a daily basis. Since drivers are usually different every day, there are five caring people calling on each of these homebound folks in a week's time.

Senior Meals provides tasty menus with good eye appeal and variety in taste and texture to encourage eating. Through surveys to the participants, we have found a high degree of satisfaction with the meals. The menu offers a choice of two entrees each day. The first entree is suitable for those watching fat and salt intake as well as being a good choice for diabetics, with substitutions for accompanying foods as needed. All menus provide a minimum of 1/3 RDA for the day.

Who We Serve

To qualify for Meals on Wheels, a person must be 60 years or older and assessed for eligibility by a Senior Services Outreach Worker. The participant must be homebound, unable to prepare well balanced meals, and have no other nutritional support system. This includes physical or mental limitations, as well as convalescence from hospitalization. The volunteer drivers report to the site manager when new problems or emergencies are observed. The site manager, Cheryl Wagner, reports this to the appropriate Senior Services Outreach or Case Manager, who takes preventive action.

But it is not only the homebound that we serve. Any senior who is able to get up and get out of the house is encouraged to go to the center Monday through Friday, and not just for the meal.



Senior Meals

1400 Queen Ave. SE • P.O. Box 1836 • Albany, Oregon 97321
(541) 967-8630 • FAX (541) 967-6423

March 30, 1999

Mayor Scott Simpson and City Council Members
City of Lebanon
755 West D Street
Lebanon OR 97355

Funding Request FY00 for \$4,500 to provide 1,800 nutritious meals

Dear Mayor Simpson and Council Members,

Senior Meals invites you to become a member of a partnership by regularly donating funds to provide meals for those seniors who can't donate for themselves. Cities who are already partners include Albany, Sweet Home, Mill City, Brownsville and Halsey. They and others are all long-time annual contributors to provide nutrition to their older residents. Lebanon Senior Meals is housed in the Lebanon Senior Center. Lebanon participants donate toward their meals as they can, as do others throughout the program. However, other funding sources are absolutely necessary in the fight against malnutrition, and for the well being of our elderly population.

Senior Meals Financial Structure

The Older Americans Act, Title XIX and other federal money provide two thirds of the budget. The rest comes from donations by participants, local cities and counties, United Way in Lincoln and Benton counties, and other local fund raising.

Participants are asked to donate \$2.50 (up from \$2.00 last year) for each meal *if they feel they are able*. Currently the average per-meal donation by Lebanon participants is \$1.07, compared to \$1.54 for the overall tri-county program. Lebanon Senior Meals raised \$5,770 through local fund raising last fiscal year. One of the on-going fund raisers is Tuesday Breakfast. An average of 25 seniors go to the center for breakfast. This brings in folks who do not eat lunch at the site, as well as those who do.

In FY98 Lebanon Senior Meals served 23% (53,347) of the program's total meals. As a comparison, twelve years ago the total meals served in the tri-county program was 57,000! (A whopping 233,000 meals were served by the tri-county program in FY98.) Lebanon has been our largest dining center for some years. Last fiscal year, 424 different people received meals. About 80% of dining center participants, and 60% of homebound participants live within Lebanon City limits. The average Lebanon Meals on Wheels participant is 81 years old and female. However, Lebanon is home to a centenarian, 105 years old, who not only goes to the dining center three days a week, but also stays around to play pool afterwards!

March 16, 1999

Judy Wendland, Finance Director
City of Lebanon
925 Main St.
Lebanon, OR. 97355

Dear Judy Wendland,

I am writing on behalf of the Lebanon Business Redevelopment Board, a non-profit standing committee of the Lebanon Area Chamber of Commerce. Our group's goal is to focus attention and funds on the business core of our community, that is, the historic downtown area, and have been working since 1995 to accomplish it's mission.

To that end, six months ago we began publishing the first ever newsletter devoted to Lebanon's downtown, "Lebanon Downtown on The Move". In this monthly publication, we feature articles about businesses, buildings, and people who are part of downtown Lebanon. It has been well-received by a cross-section of Lebanon residents. Our initial commitment was to publish 12 issues, one full year, see what the reaction was, and, if positive, to seek permanent funding for at least another year.

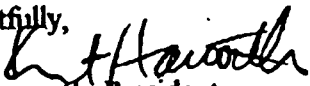
Which brings me to the purpose of my letter. The Lebanon Business Redevelopment District Board is requesting \$5,000 specifically to publish and distribute "Lebanon Downtown on The Move" for one year beginning August 1, 1999. The cost is based on printing & layout costs of \$250/ issue plus costs of mailing (the city is already paying this), increasing circulation from the current 200 to at least 400.

Why should the City consider such an expenditure? I believe that it could be an excellent vehicle of communication for the various city projects, i.e., the sewage separator, the Main St. project, the Depot/Travel Station, as well as issues the City has an interest in such as the Library-Senior Center, sign ordinance and parking.

In addition to the communication aspect I believe the newsletter could be an important public relations piece for the city. Currently it is mailed to business & property owners downtown but that list could be expanded. Of course, each issue would acknowledge the city's sponsorship with it's name and logo.

Please let me know how our board can help bring this important function to the city council before budget decisions for the next fiscal year are made.

Respectfully,


Kent Haworth, President
Lebanon Business Redevelopment District Board

C.C. Jim Reuff	Peter Richard
Scott Simpson	Dennis Yocum
Shirlee Harrington	Terry Kearns
Linda Bahrke	Doug Parker
Dick Ebbert	

With Parking, Local Commercial Property Revitalization the Streetscape Program and a Local Business Development Plan, the city would be in perfect position for the future growth and expansion over the next 5-15 years to come.

Funds Requested:

Parking: Annual Requested \$200,000.00 for Five Years

Local Property Revitalization: Annual Requested \$100,000.00 For Three Years

Streetscape Program: Annual Requested \$50,000.00 for Five Years

Business Development: Annual Requested \$24,000.00 for Five Years

Annual Total Requested \$374,000.00

Total Five Year Requested \$1,670,000.00

Administration and Management of the Economic Development Plan:

Note: 10% of Annual goes towards the administration of the project. The Five Year Goal is to achieve success in the complete revitalization of our downtown and have in place the means for growth and expansion for the next 15 years.

Note: Amplifications on details to each plan are available.

Judy.

This is what Peter Richard wanted to propose. I gave him a dose of reality concerning our budget.

He may propose a small \$5,000 → 15,000 grant from the City in support of the Chambers Economic Development Committee.

Jim R.

2-23-99

Business Development:

There is the need to create and stimulate business and industry in our downtown and surrounding areas. We are a mix of commercial, retail, wholesale, distribution, manufacturing, and professional offices. There are several identities we could utilize to help stimulate business for the entire business community. An effort to recruit and develop these entities is needed, and effective marketing can be done to insure growth for the downtown and other areas. The community needs better businesses and retail support and a reason to come downtown. An example idea of the first business development program would be to develop a Antique and Collectable District. This would include the cooperative effort on all present antique, craft and collectable dealers in town, (representing over a dozen stores) and the recruitment of other antique businesses. The building of a new Antique Mall housing between 40 - 100 Antique Dealers while providing local shows, auctions, activities and events for the downtown area. Emphasis will be put on community support by providing weekend business and longer hours. Many other downtown's have done this with great success. Since approximately 90% of all business from this market comes from out of town, success would generate considerable exposure to all other business. Restaurants, retailers, and service organizations all could benefit by the influx of new people. The community would also have a reason to come downtown thus increasing exposure for all other business. The plan will eventually influence more businesses to cater to our community by being more consistent with their store hours as well as weekend activities. The Antique Mall, new recruited antique shops, consolidating with the other antique, craft and collectable dealers would make Lebanon a highly attractive place for all antique shoppers to come to. There is a significant Antique shopping market so part of business development would be in the marketing, advertising, and exposure needed to attract new business and buyers.

Marketing to increase exposure and develop:

- A) High end antique dealers (to come to town to open a shop or come to shop)
- B) The antique buyers (target market population to market Lebanon to)
- C) Our own Community (have reasons to get our community to stop, visit and shop)

Marketing and Recruiting of businesses as well as creating the identity needed to make Lebanon a well know Antique and Collectable market would significantly enhance business and put us on the road for other avenues of business development. As business develops, more business buy into the program and become more active for the community. Better restaurants, better hours, less second hand stores, and more shops catering to the public are just a few of the benefits we should see.

Economic Development would like a Annual Budget of \$24,000.00. This would include the advertising in selecting magazines and newspapers, radio support, direct mail, internet marketing, assistance with shows, events and activities related to business development. The plan is to continue each year on establishing business identity and development in several areas. These items should be addressed to satisfy our short term goals (1-5 year plan) with continual emphasis placed on the recruitment of larger business and industry.
\$24,000.00 Annually over Five Years.

B) Local Commercial Property Revitalization Incentive:

Many of the buildings need a facelift with efforts being taking on by many new shop owners to revitalize there buildings. Unfortunate many of the property owners are out of town owners and since the rental market is far below the market rental average and yields the return for them, they are hesitant to invest without the knowledge of a return. With an incentive in place to match there financial efforts in revitalizing their building facade, supported with an educational program to encourage these owners to invest, justification of increase rents to the minimum standards could be made. By minimizing their investment while building a return, most owners will elect to invest.

The Commercial Property Revitalization incentive is essential towards motivating the improvements necessary in the development of the downtown and other areas. The plan should be for a three year period with an approximate budget allowance of \$300,000.00. \$100,000.00 in for matching funds should be allocated out of each years budget.

\$100,000.00 Annually over Three Years

C) Streetscape Program:

The City of Lebanon needs identity. Cities like McMinnville, Sisters, and others have a reason for people to come. When a city looks nice, quaint, has character, etc. you will find people taking pride and investing more actively in their community. Business, Industry, and Residential Development will increase significantly when the look and appearance of the downtown and surrounding business environment is nice. Although Lebanon is geographically located to many wonderful areas (coast, mountains, rivers, lakes, etc.) it has not created any identity for itself. With a Streetscape program in place (city streets a face lift and identity), combined with the improvements on the present buildings, more activity and higher yields on rentals can be expected thus making for a greater investment. Larger business development will be stimulated, and our community will take pride and ownership.

Projected plans include: Antique Lighting throughout the downtown area: More Trees in the main and side street areas. Organized signs and awnings program to balance consistency, potential curb outs of intersections to heighten pedestrian traffic.

The Streetscape Program will be a one to five year program with a plan in effect for each year.

A individual will be needed to assist in going after grants, getting local businesses to invest, and fundraising. The city should plan for \$50,000.00 each year for five years from the general fund. The dollars above are not for city administrations fees or grant fees etc. but dollars to invest in materials and items needed for the streetscape program. There are several plans in the planning stages at this time.

\$50,000.00 Annually over Five Years.

Ideas for budget presentation to City of Lebanon

Peter Richard 2/20/99

Economic Development:

Economic Development: There is a significant need to initiate a program towards developing business, revitalizing downtown buildings, improving the streetscape and parking, in the city of Lebanon, especially in the downtown where the present economic situation is bleak and the potential to improve is great. When considering the expansion requirements to meet projected growth of the city combined with the many specific items needed to meet today's needs, a plan for overall development must be considered and implemented. Local Business Development should be planned in small steps over a projected 1-15 year period with annual updates and adjustments made to this plan. New business and industry brings significant growth to Lebanon in many ways. Small or primary steps should focus on the local present condition and improvements necessary to make it an attractive and desirable place to do business. As appearances improve, and recruitment of smaller business fill the community needs for a well rounded downtown and city, efforts on soliciting and recruiting larger industry should take place. Therefore the initial 3-5 year plan should focus on all present upgrades and planning for projected growth for the years to follow. With Highway 34 projected completion date of the year 2000/2001, the downtown area as well as other outlining city areas should be addressed. The Lebanon Downtown initial Economic Development issues are:

A) Parking:

It is crucial in our planning to get caught up with today's needs and plan for all projected parking requirements for the downtown. Today presents a problem with inadequate parking for the business community (shop owners, merchants, employees, etc.), customers and downtown residents. A study shows that the purchase and development of 4-6 geographically located Parking lots within the downtown will satisfy today and tomorrow's projected needs. Spaces for approximately 200-300 cars should be planned for while also considering outer perimeter parking areas (such as the railroad property) for events and activities held in the downtown area. Increase parking would stabilize our present business population while illuminating the primary obstacle of business moving into the downtown area today. Projected real estate purchase and development projected over the next 3-5 years is \$750,000 - \$1,000,000. Note: If Real Estate is acquired early on a reduction in projected cost could be expected. Projected annual minimum is \$200,000.00 for a period of up to 5 years.

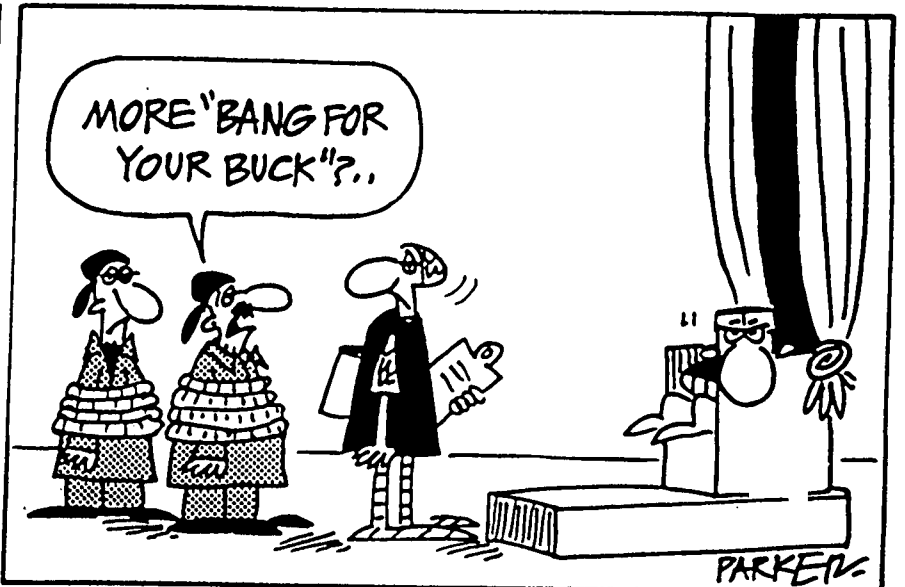
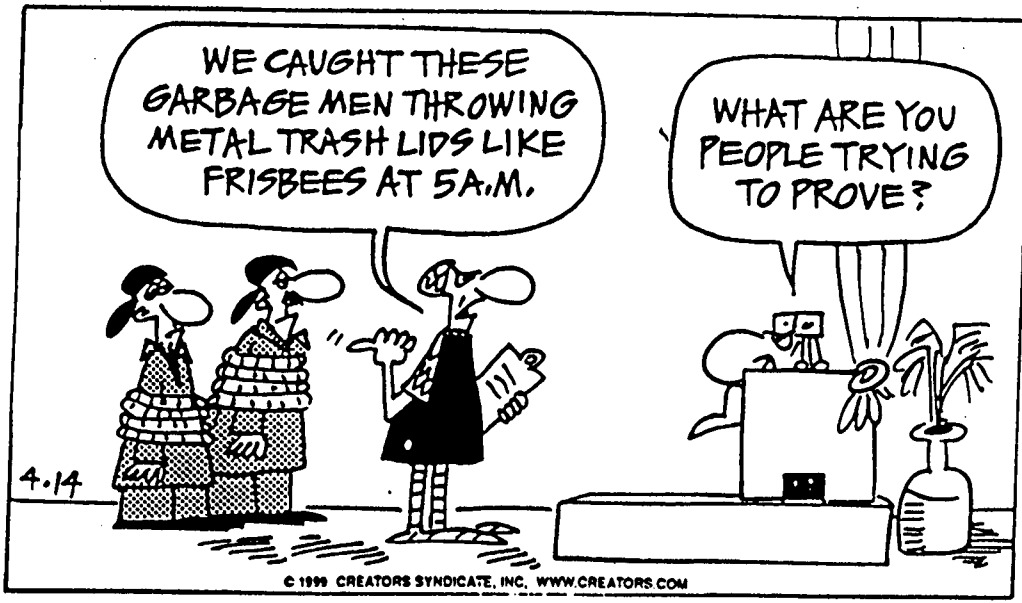
A key person should be in place to administrate, supervise, purchase and oversee the development of this project.

With the Parking plan in place and new lots under development, the recruitment of new business can be initiated.

\$200,000.00 Annually for up to Five Years

And speaking of money ...

WIZARD OF ID



DEANITO



**CITY OF LEBANON
FINANCE
MEMORANDUM**

TO: Mayor and City Council

DATE: April 22, 1999

FROM: Judy Wendland, Finance Director

SUBJECT: Budget Issues

I am seeking direction about whether or not to include some items in the budget. Mostly these are requests that I have received which I did not include because they require extremely General Fund money. Since some of them have extremely high community visibility, I want to be sure that you concur with my decisions.

<u>Name</u>	<u>Amount Requested</u>	<u>Type of Request</u>
Historic Resources Committee	\$ 3,500 for grant match	Phone
Peter Richard	\$ 374,000 economic development	Letter attached
Concerts in the Park	\$ 600 for porta potties	Prior budgets
Lebanon Redevelopment District	\$ 5,000 for Newsletter	Letter attached
Lebanon Chamber of Commerce	\$ 1,200 for dues	Prior Budgets
Senior Meals	\$ 4,500	Letter attached
Elks Club	\$ 9,600	Letter attached

There are two items which have been included in the budget that I wanted to confirm your support of

Linn County Juvenile Department	\$ 760	Peer Court	Letter attached
Parking Permit Fee for ½ places in City lots	\$ 4,500	for parking lot purchase	Mayor's request

I also deleted the Council of Government Dues (\$8,533) pending clarification of the benefits and break down by usage of City dues. Since then I received the attached letter explaining how our dues are determined. The main amount is for Senior Services, which allows us to receive Title XIX funds. The rest is for Community Development work.

2. Development of "new initiatives"
 - a. Linn-Benton Transportation District Feasibility Study which has the goal of improving inter-city transit services within Linn and Benton Counties;
 - b. Transportation Demand Management project which can help Lebanon workers find alternatives to single occupancy commuting to work/home;
 - c. Housing/Jobs study which will provide information to Lebanon and other communities to help them comply with state planning requirements and to address housing need issues; and,
 - d. Assistance to jurisdictions as they deal with issues associated to the listing of Salmon as an Endangered Species within the Willamette Valley.
3. Work of the Community and Economic Development Committee, including development of regional community and economic development agenda (OEDP) that:
 - a. Makes jurisdictions eligible for certain EDA funds and enhances their competitiveness for acquiring other funding;
 - b. Raises visibility of local and regional issues with state and federal agencies; and'
 - c. Increases jurisdictions' ability to address common issues.
4. Work of the ACT and Transportation Technical Committee:
 In the current year, state funds are matched (4-1) with Community Development dues to support the ACT and the COG Transportation Committee. The State will continue to fund the ACT for doing the things it wants accomplished. Local money (dues) will have to fund ACT activity developed independently of the State.

Senior and Disabilities Services

All departments of COG receive a portion of the \$112,812 general dues revenue (General Administration receives \$11,083, Community Development receives \$12,436, Senior Services receives \$85,860 and Disability Services receives \$4,512). Senior and Disability Services uses their distribution to match federal funds. The matched federal funds are used to more completely staff the program.

The staff funded in this way provide direct counseling and services to Lebanon's Seniors and Disabled persons who require some form of long term care assistance. Due to a quirk in the way the State provides the primary funding for this program the use of dues to enhance the staff that would otherwise be available has become critical. The COG and her sister Senior and Disabled Services agencies are lobbying for a long term fix for the chronic under-funding.

Lebanon has also chosen to put up additional money which we match to provide funding Lebanon uses to support your own Senior Center staff. Last year Lebanon gave us \$27,806 to match to federal Title XIX funds. We provided back \$63,153 you used to staff your Senior Center. That translates to \$35,347 additional funds above the money Lebanon provided.

In simplest cash flow terms, Lebanon's membership in COG, supporting our staff efforts to assist with City issues and programs **netted the City \$27,191.11**, in addition to all the Community Development, and Senior and Disabilities support described above. That same opportunity exists this next fiscal year if the City chooses to continue to take advantage of our services and the federal matching program.

AGENDA ITEM 8



LEBANON PUBLIC LIBRARY
626 SECOND ST.
LEBANON, OREGON 97355
(541) 451-7461

**ADVISORY BOARD MEETING
LEBANON PUBLIC LIBRARY
March 10, 1999**

The Library Advisory Board meeting was called to order by Chairperson Kathleen Blevins at 5:30 p.m. Also in attendance: Janice Hotrum, Barbara Jackson, Patricia Dunn, Lois Rands and Program Manager Susan Messersmith.

Minutes of the February 10, 1999 meeting were approved as written.

PROGRAM MANAGER'S REPORT:

LIBRARY STATISTICS: February 1999 circulation was 7,240. Total circulation for the fiscal year through February was 55,443.

Susan distributed copies of the 1997-98 Final Report of the Ready to Read Grant Program put out by the Oregon State Library.

REPORTS:

FRIENDS OF THE LIBRARY: Barbara Jackson reported that Corvallis author Evelyn Whitfield was unable to appear at the February Friends' meeting as planned. Her publisher filled in for her with a program and donated the following books to the library: Three Year Picnic by Evelyn Whitfield, Memories of a Berlin Childhood by Marianne Buchwalter, Swords, Ships, and Sugar: a History of Nevis to 1900 by Vincent K. Hubbard, and Ten Thousand Goodbyes: Lifetime Reflections of a Traveling Man by Robert M. Morgan.

BUILDING PROJECT: Susan distributed the summary of the January "Strategy Summit" meeting with the City Council for review. After the discussion, Chairperson Kathleen Blevins signed the document on behalf of the Library Advisory Board. A copy of the summary is attached to the minutes.

DISCUSSION:

SUMMER HOURS SCHEDULE: Susan presented the proposed schedule for service hours between Memorial Day and Labor Day. The schedule is:

Monday and Tuesday	10 a.m. - 6 p.m.
Wednesday thru Saturday	10 a.m. - 4 p.m.

The proposed schedule has the approval of Judith Wendland, City Administrator Pro Tem.

POSTAL RATE/INTERLIBRARY LOANS: Susan reported that an informal survey conducted with frequent users of the interlibrary loan service showed some support for increasing the interlibrary loan fee to at least \$1.50. Reaction was somewhat mixed as fees are never popular but most users of the service understand the need for covering costs. Susan reminded the board that the fee only partially covers the cost of mailing the item back to the lending library. The costs associated with obtaining the items is funded through the library budget. Susan also reported that the library staff favors an increase to \$2.00 per item ordered. After a short discussion, the board voted unanimously to increase the interlibrary loan fee from \$1.00 to \$2.00 effective July 1, 1999. This recommendation will be presented to the City Administrator for approval.

JOB DESCRIPTION: Susan advised the board that a job description for the library advisory board membership needed to be developed. She stated that to her knowledge a job description had never been written. She then distributed a generic form that the board used to develop the job description. Susan will present the draft at the April meeting.

OTHER:

BOARD VACANCIES: Susan stated that two board positions expire on June 30, 1999. It was suggested by Janice Hotrum that upcoming board vacancies be discussed at the April board meeting each year. The board agreed by consensus.

NEXT MEETING DATE:

The next board meeting will be held on April 14, 1999.

ADJOURNMENT:

The meeting was adjourned at 6:30 p.m.

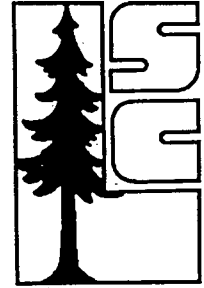
AGENDA ITEM 9



SENIOR AND DISABLED SERVICES

LEBANON SENIOR CENTER
585 PARK STREET
LEBANON, OREGON 97355

(541) 451-7481 Fax (541) 258-7386



MINUTES ADVISORY BOARD MEETING March 17, 1999

Members present: Rose Anne Cooper, Joan Haller, Bob Johnson, Linda Learn, Remona Simpson, Stan Usinger; Staff: Marj Cannon, Kathy Grinnell, Cheryl Wagner.

Members absent: Marlene Bolen, Ray Garboden, Wayne Mayhall, Bob Richardson, Dan Wilkerson.

MINUTES: Two corrections were made to the minutes: Bob Johnson and Marlene Bolen were present at the meeting. Minutes were approved with corrections.

CHAIRPERSON'S REPORT:

- Introduction of New Members: Jody Burton was welcomed as a new member of the Board.
- Volunteer Applications: Marj gave out applications to all new members and asked that they be returned for the office files. Linda reminded members to sign the list in the book at the front desk.
- Building Project Update: Linda reported that new sub-committees are forming to continue the work of the Building Project. These committees include: Membership Recruitment, Foundation Formation, Election Research, Fund Development, Building Projects Costs, Publicity and Fund Development. Information about the committees will be included with next month's packets. Members are encouraged to volunteer for these sub-committees.

REPORTS:

- Senior Meals Program: Cheryl reported that home meal deliveries are continuing to expand. At least seven former volunteers in the program are now receiving meals on wheels, an indication of the aging of the population. The program has raised all but \$500-600 of their fundraising money, which goes into the general meals program budget. Martha Hurst has been named as outstanding senior volunteer for the year and will be honored at a luncheon with volunteers from other meals programs. The program has addressed the Y2K issue and will handle the situation as it would for a storm.
- Senior Outreach Program: Kathy reported on the Senior Companion program, which provides a visitor for a few hours each week for seniors who are in need of some additional company and support. There is currently one companion in Lebanon and Kathy is hopeful that she can recruit another one.
- Senior Center: There were no questions about the printed report. The new brochure was distributed.

NEW BUSINESS:

- Dial-a-bus survey: Marj distributed a draft of a survey that will be given to all Dial-a-bus riders. The purpose of the survey is to determine rider satisfaction with the program, as well as priorities for future needs. It will be distributed during April and riders will receive a free ride when they return the survey. The Board had no recommendations for changes.

- **Business Literature in the Senior Center:** Marj explained that she receives requests from various businesses, such as tour companies, insurance agencies and care centers, to display literature and leave promotional items in the Center. Some of this information has been placed in the display rack, some of it has gone onto bulletin boards, and some of it has been set out on the counter. She asked for guidance from the Board about these practices. Bob stated that the Center should not be in the position of advertising for businesses. Jody suggested keeping a binder that contains one brochure or flier from each business that requests having information left at the Center. The binder could be divided into sections, such as housing, care centers, insurance, etc. In addition, it was suggested that a bulletin board be designated for events and fliers about special activities of interest to seniors. All fliers should be dated and removed after the event has passed or a prescribed period of time, such as 3 months. The Board was in agreement with all of these procedures. As time allows, Marj will see that they are instituted.
- **Care Center Networking:** Marj reported that she has been meeting with the administrators and activity directors of The Oaks, Villa Cascade and Willamette Manor in order to share resource ideas and be supportive of one another. As a result of this cooperation, she has been publishing information in the newsletter regarding events held at the care centers and support groups open to all seniors. She would like to expand this involvement to include offering classes at other facilities when the Senior Center is inadequate or unavailable. The Board was in favor of continuing to provide information in the newsletter of senior activities and services in Lebanon, even if not offered at the Center. If classes are offered at other places, the Board recommended ensuring that the Senior Center receive credit for the attendance at those activities. Marj will be meeting with a representative from East Linn LBCC to discuss new options for fall classes. She also distributed a draft of a survey to be distributed in the newsletter, through churches, etc. and stated she would be discussing expanding the survey to include questions from the Care Center group. The Board was in favor of this idea.

ITEMS FROM THE FLOOR:

- **Y2K:** Stan reported that the City has been working on various issues. He indicated there should be no problems with water service and that potential problems with the sewer system were being addressed. Stan stated there may be a problem with the traffic signals. Marj reported that there are very few computer-related systems in the Senior Center. She has received a letter from the bus manufacturer stating there are no date sensitive systems to be concerned about. The computers have been assessed and two of them have to be adjusted.
- **Chamber Dinner:** Linda reported that the awards dinner went well. A Senior Center brochure and an impressive list of volunteers was distributed to all in attendance. Marj thanked Remona for her assistance in preparing the handouts.
- **Green Thumb:** Marj announced that one of the current dispatchers, Barbara Whipple, will be approved to start dispatching 20 hours/week beginning in April. This will help alleviate continuing shortages of volunteers.
- **Retirement Party:** Joan invited the members to attend her retirement party March 26, 3-5:00 PM at the Odd Fellows Hall.

ADJOURNMENT