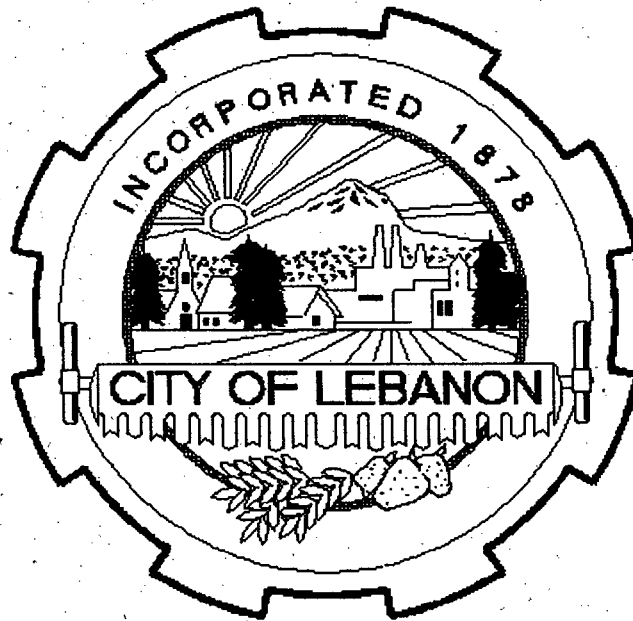


# Council Agenda



March 8, 2000

ARCHIVES



**CITY COUNCIL MEETING**  
**March 8, 2000**  
**7:30 p.m.**

School District Board Room  
485 S. Fifth Street

**AGENDA**

**CALL TO ORDER/FLAG SALUTE**

**ROLL CALL**

**APPROVAL OF MINUTES**

- 1) MINUTES OF THE FEBRUARY 23, 2000 CITY COUNCIL MEETING

**PRESENTATION**

- 2) CONCERTS IN THE PARK COMMITTEE - Tom Owen, Chair

**LEGISLATIVE ACTION**

- 3) CAPITAL IMPROVEMENT PLAN - DRAFT

Presented by: Mr. Allen Dannen, Project Engineer

Approval/Denial by RESOLUTION

- 4) CITY ADMINISTRATOR RECRUITMENT DISCUSSION

Presented by: Mr. Tom McHill, City Attorney

Approval/Denial by MOTION

- 5) DOG CONTROL

Presented by: Mr. Tom McHill, City Attorney

Approval/Denial by ORDINANCE

**OTHER MATTERS**

6) SISTER CITY DISCUSSION (CHILLIK, KAZAKHSTAN)

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

Discussion Only

**BOARD APPOINTMENTS**

7) SENIOR & DISABLED SERVICES ADVISORY BOARD APPOINTMENT

**EXECUTIVE SESSION**

**CITIZEN COMMENTS**

**ADJOURNMENT**

# AGENDA ITEM 1

**MINUTES  
LEBANON CITY COUNCIL  
FEBRUARY 23, 2000**

**MEMBERS PRESENT**

Mayor Scott Simpson; Councilor: Floyd Fisher, Ron Miller, Dan Thackaberry, Ken Toombs, Wayne Rieskamp

**STAFF PRESENT**

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 or order by Mayor Simpson at 7:30 P.M., February 23, 2000 in the Lebanon School District Room at 485 S. 5<sup>th</sup> Street. Roll Call was taken with five members present. Councilor Stan Usinger was absent.

**APPROVAL OF MINUTES**

**1. MINUTES OF JANUARY 26, 2000 LEBANON CITY COUNCIL MEETING**

The Minutes of the January 26, 2000 Lebanon City Council Meeting were approved as submitted.

**BOARD APPOINTMENTS**

**2. HISTORIC RESOURCE COMMISSION APPOINTMENTS**

Mayor Simpson stated that the Lebanon Historic Resource Commission has nine voting memberships. Six of these memberships require appointment. Three members have resigned and three HRC positions expired in January 2000. Current members, Larry Nelson, Mel Harrington and Shirlee Harrington have asked to be reappointed. The HRC has recommended that Jerry McVein, Perry Timmermans and Jan Phillips be appointed to the Commission. Mayor Simpson approved these appointment along with Larry Nelson, Mel Harrington and Shirlee Harrington. Steve Kassis, Linda Galeazzi and Ella Garboden also are members of the commission.

**PRESENTATION**

**3. LINN COUNTY TOBACCO-FREE COALITION**

Marlene Roles stated she has been an active member of the American Cancer Society for the last twenty years, has a nursing background, and is interested in public health. She then introduced Ray Hilt, an active member of the Linn County Tobacco-Free Coalition.

Mr. Hilt, 3012 SW Takena, Albany, stated that last November the Coalition mailed out 2,706 surveys to registered voters in five precincts in Albany, and two precincts in Lebanon. Mr. Hilt gave the results with graphs shown on the overhead projector. The Coalition has furnished the Councilors with portfolios giving results of these surveys.

Based upon the survey results, Mr. Hilt stated the Coalition is very encouraged by the response received from the community and they will continue to educate the public on these issues. Out of the 2700 surveys sent out, there was a return of approximately 350. They will be telephoning up to 500 people within the precincts to validate this survey because the experts say there should be an additional 500 people contacted. If the results are the same, it validates the survey.

Patty Brockman, Linn County Tobacco Prevention Health Educator, stated she has contacted Linn County Commission on Children for the Youth Council and they are going to do the telephone survey. LBCC has offered to let the Coalition use their phone bank. The phone survey will be conducted some time in April. Dr. Schindler, a public health professor at OSU, and an advisor to the Coalition stated that to make the survey valid, 80-83 telephone surveys must be made from each precinct.

Councilor Toombs asked if there has been a decline in youth smoking. Ms. Brockman replied that "unfortunately, it has not."

Ray Hilt stated that if the results are validated by phone, the Coalition would like to make another presentation to the Council and possibly have a work session to explore different options and alternatives based upon the input from the community.

Councilor Miller asked Ms. Brockman how long the no-smoking ordinance has been in effect in Corvallis. Ms. Brockman stated it has been in effect for "going on two years." Councilor Toombs asked how many places have closed. Ms. Brockman replied that no businesses have reported being affected.

#### **LEGISLATIVE ACTION**

##### **4. NO PARKING ZONE (Portion of 12<sup>th</sup> Street)**

Director of Public Works Ruef stated that this is a new "half-street" section of 12<sup>th</sup> Street which is a part of the McKenzie Meadows Manufactured Home Park Development. Neither the half-street sections nor the full street sections will allow for on-street parking. Because Staff believes parking in this area may be an issue in the future when the park starts filling up, this street needs to be designated as "No Parking" now.

City Attorney McHill read the following resolution by title:

**A RESOLUTION PROHIBITING STREET PARKING ON A PORTION OF TWELFTH STREET.**

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

**The Resolution prohibiting street parking on a portion of Twelfth Street be adopted.**

5. **LINN COUNTY JUVENILE PEER COURT PROGRAM**

Bill Jordan, Supervisor, Community Programs Unit of Linn County Juvenile Department, stated that the Linn County Juvenile Department is applying for a second year of funding through the Juvenile Accountability Incentive Block Grant (JAIBG) program. The JAIBG amount is \$61,330 and requires a cash match of \$6,814. Mr. Jordan stated that they thought the grant would include the in-kind cash match, 10% in kind. But they found it had to be a cash match; therefore the balance required was \$6,814 which amounted to \$760 needed from the participating communities. Apparently because of the Lebanon Police Department's levy not passing, Lebanon could not contribute their part. However some of the communities doubled their share so the total of \$6,814 was received. Mr. Jordan stated a total of \$9,000 is needed to balance the budget and keep the peer court program serving all areas of the county.

Each community participating in this program is being asked to find a portion of the peer court budget for the fiscal year 2000-2001; Lebanon with a contribution of \$1,500. The funds are needed after July 1, 2000 and no later than December 31, 2000.

It was the consensus of the Councilor that Lebanon continue to participate in this program and requested that the amount of \$1,500 be allocated in the budget. Chief Healy stated he will see that this amount is included in the budget.

6. **LAW ENFORCEMENT LEVY**

Police Chief Healy stated the necessary resolution to place the five-year Law Enforcement Levy on the May 16, 2000 ballot was placed in the Councilors' packet. The Levy will raise approximately \$312,078 its first year. This amount equates to approximately .68 per \$1,000 of assessed value. Chief Healy stated the Police Department has completed its research with regard to an effective reorganization of the department. The successful passage of the Law Enforcement Levy will play a major role in the reorganization plan. The biggest portion of the funds in the Police Department is Personnel Services at \$211,750, Material & Services at \$15,000, Capital Outlay at \$29,000. Municipal Court's amount of \$22,000 will restore a position that was cut to half time in the 99/00 budget; \$34,328 for Non-payment and Adjustment is for the percentage of people who don't pay the tax or have the taxes adjusted.

City Attorney McHill read the following resolution by title:

**A RESOLUTION OF THE CITY OF LEBANON, LINN COUNTY, OREGON  
CALLING AN ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY THE  
QUESTION OF AUTHORIZING A FIVE YEAR LAW ENFORCEMENT  
OPERATING LEVY**

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

**The Resolution of the City of Lebanon, Linn County, Oregon calling an election to**

**submit to the electors of the City, the question of authorizing a five year Law Enforcement Operating Levy be adopted.**

Chief Healy introduced Amanda Dalton who has volunteered to work on the campaign and has already started its organization.

## **OTHER MATTERS**

### **7. COUNCILOR RESIGNATION FROM WARD I**

City Attorney McHill stated that due to health reasons Councilor Stan Usinger has resigned from his position as Councilor of Ward I. Because the resignation has not been formally accepted, it is appropriate at this time for the Council to accept his resignation. Mr. McHill stated Council should then instruct Staff how to proceed. In the past it has been traditional to advertise to find those who may be interested in this position and setting up qualifications that are required. In the past Council has set up a sub-committee of no more than three Councilors, have an interview process and make recommendations to the Council. An advertisement has already been prepared but not published.

A motion was made by Councilor Fisher, seconded by Councilor Thackaberry and passed unanimously that:

**The resignation of Councilor Stan Usinger from the Lebanon City Council, Ward I be accepted and an advertisement stating an opening in Ward I, be placed.**

## **BOARD MINUTES**

### **8. MINUTES OF THE JANUARY 12, 2000 LIBRARY ADVISORY BOARD**

The Minutes of the January 12, 2000 Library Advisory Board were accepted as submitted by Mayor Simpson.

### **9. MINUTES OF THE JANUARY 19, 2000 SENIOR ADVISORY BOARD**

The Minutes of the January 19, 2000 Senior Advisory Board were accepted as submitted by Mayor Simpson.

## **CITIZEN COMMENTS**

Mel Harrington asked if when the Council granted retroactive compensation to City Administrator Pro Tem Judy Wendland, was that for the previous six months or for the coming six months? Mayor Simpson explained that the Council had considered the amount of time Ms. Wendland was spending in her capacity as City Administrator Pro Tem and as the City Finance Director. A person would normally be compensated with time and a half and the amount of money that was determined was less than the time and a half factor that she would have earned at her pay scale. Mr. Harrington thanked Mayor Simpson for this explanation.



**EXECUTIVE SESSION**

Mayor Simpson announced that the Lebanon City Council would move into Executive Session as authorized under ORS 192.660(1)(a) *To consider the employment of a public officer, employee, staff member or individual agent.* Mayor Simpson announced the regular session of the Lebanon City Council would not resume following the Executive Session.

**ADJOURNMENT**

There being no further business, Mayor Simpson adjourned the meeting at 8:08 P.M.

Recorded and transcribed by Dorothy Nicholson, Secretary

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J. Scott Simpson, Mayor

ATTEST:

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Judith L. Wendland, City Recorder Pro Tem

# AGENDA ITEM 2



**CITY OF LEBANON  
FINANCE  
MEMORANDUM**

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**TO:** Mayor and City Council  
**DATE:** March 2, 2000  
**FROM:** Judy Wendland, City Administrator Pro Tem *JW*  
**SUBJECT:** Concerts in the Park Funding Request

Tom Owen is the chair of the annual Concerts in the Park which are usually held in Ralston Park. The concerts are held each Tuesday in July. In the past, the city has provided financial assistance by paying for the portable restrooms. Last year, I told Tom that due to budget cuts, the City could no longer participate. This event had been going on long enough that it was time to look for other sources of funding. However, the payment promised for the 1998 restrooms had never been made, so I did make that payment in July, 1999. Mr. Owen has asked to make the request directly to the Council. He will also tell you about a special idea for the concert on July 4<sup>th</sup>.



VALLEY BROKERS

2600 SO. SANTIAM HWY, SUITE B  
LEBANON, OR 97355  
BUS. (541) 451-4513  
FAX (541) 451-4155

To: City of Lebanon  
From: Tom Owen, Chairman, Lebanon Concerts in the Park  
Re: 2000 Concert Proposal

February 29, 2000

To Whom It May Concern:

I request permission to present to the City Council a proposal for this years' Concerts in the Park. The proposal consists of two parts: 1. funding for porta-potties, approximate cost \$500, and 2. the use of River Park and Gills Landing for the 4th of July concert and fireworks show.

Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script that reads "Tom Owen".

Tom Owen  
Chairman, Lebanon Concerts in the Park

cc: tno

# AGENDA ITEM 3



**CITY OF LEBANON  
PUBLIC WORKS DEPARTMENT**

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**MEMORANDUM**

**TO:** Judy Wendland, City Administrator Pro Tem    **DATE:** March 2, 2000

**FROM:** James P. Ruef, Director of Public Works

**SUBJECT:** Capital Improvement Program Update

The Capital Improvement Program (CIP) Committee has completed their annual cycle of reviewing and updating the CIP. The changes proposed for this next update are attached. We would like to take the Committee's recommendation to City Council for review at the March 8<sup>th</sup> council meeting.

Staff appreciates the many hours of hard work, by the Committee, to reach this point.



**CITY OF LEBANON**  
**MEMORANDUM**

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**TO:** Jim Ruef, Director of Public Works      **DATE:** March 1, 2000  
**FROM:** Allen Dannen, Senior Engineer *AD*  
**SUBJECT:** Recommendation of Capital  
Improvement Program

**RECOMMENDATION:**

On February 14, the CIP Committee passed a motion to recommend City Council approval of the amended Capital Improvement Program for the Year 2000.

**DISCUSSION:**

The focus of the Program is similar to last year with the top priorities being continued construction of the Westside Interceptor and initiation of the design of the Wastewater Treatment Plant upgrades required by the City's new discharge permit conditions. A summary of the modifications from last year's Program is as follows:

**Completed Projects**

Hansard Area Improvements (Highway 34 Portion)  
High Priority Sidewalks Phase V  
Downtown Sewer Separation Phase II

**New Projects**

5<sup>th</sup> & Oak Street Intersection & Traffic Signal  
2<sup>nd</sup> & Oak Street Intersection Improvements  
Inflow & Infiltration Rehabilitation  
Reservoir Seismic Retrofit

**Plan Revisions**

- Santiam Travel Station Phase II and Main Street Beautification upgraded to active status due to upcoming funding availability.
- All project costs inflated from 1999 to 2000 dollars.
- Table of Contents and funding descriptions revised to make document more user-friendly.
- Project Map and Street Condition Map updated to reflect current conditions.

**ACTION:**

Motion to approve the Capital Improvement Program for the Year 2000.

# AGENDA ITEM 4





**CITY OF LEBANON**  
**FINANCE**  
**MEMORANDUM**

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**TO:** Mayor and City Council  
**DATE:** March 2, 2000  
**FROM:** Judy Wendland, City Administrator Pro Tem *JW*  
**SUBJECT:** City Administrator Recruitment

The City Attorney will be asking for a motion regarding the City Administrator Recruitment.

# AGENDA ITEM 5

**OFFICE OF THE CITY ATTORNEY  
CITY OF LEBANON**

*80 E. Maple St.  
Lebanon, OR 97355  
(541) 451-7419*

**To:** *Judy Wendland  
City Administrator, pro tem*

*February 4, 2000*

**From:** *Thomas A. McHill  
City Attorney*

**Re:** **Dog Control**

Over the last few years, we have seen an increase in incidents of dogs being out of control, running loose or "escaping" from inadequate fencing. More and more, these dogs have bitten persons, usually postal letter carriers or small children. We have also seen increasing numbers of "repeat offenders" with nuisance dogs.

As we see more of these cases brought before the Municipal Court, it also becomes apparent that the existing provisions of the code are inadequate at dealing with these problems. The maximum fine imposed, under the existing ordinance, is \$100. There is no mechanism in place under our current ordinances to deal with the problem animal that the owner will not take care of. The owner either fails to come to court to answer the citation, only resulting in increase fines if they do come to court, or additional fines for repeating offenses. There is no procedure to deal with the animal, in addition to the owner, under our code.

Because Chief Healy tends to bear the brunt of complaints from victims of uncontrolled dogs as to the codes inadequacies in dealing with the dog as the problem, he has been helpful in researching various jurisdiction's solutions to the problem of dogs which repeat offenses when their owners don't deal with them. The result is the presented ordinance which the Chief and I urge the council to consider and approve.

This ordinance changes some of our definitions for nuisance dogs by covering some more behavior which we have seen, or heard complained

**of, which were not previously covered by the ordinance. The additions are the barking dog, the dog that habitually "escapes", and the dog which trespasses on another's property (including public property). Also changed is an increase in the potential penalty to the owner which would allow the court to impose a fine of up to \$500.**

**The main changes in this provision would be the addition of a new chapter specifically dealing with dangerous dogs. This provision would be administered by the Chief of Police as the "Director". Generally speaking, a dog which exhibits certain behavior would first be designated a "potentially dangerous dog" which would require the owner to take certain precautions to prevent further problems, including having a special tag affixed to the dog and signage in place to warn members of the public. An annual fee of \$25 will be assessed to help cover the cost of materials and administration required for potentially dangerous dogs.**

**For dogs which repeat their offences, the Chief can declare them to be dangerous dogs. The ordinance would then require euthanizing the animal.**

**The ordinance provides an appeal of the Chief's decision to the Municipal Court for review of classifications. There would be no appeal from the decision of the judge. In the event when the dog is impounded during the appeal process, the owner would be assessed those charges.**

**This ordinance is modeled primarily upon the ordinance in place in the City of Albany. I have also reviewed ordinances from Stayton and Woodburn and have used some of their ideas as well.**

**The Chief and I ask that this ordinance be presented to the City Council for the first meeting in March. This will allow some time to brief interested persons, primarily the United States Postal Service, about this new proposal. It is our belief that this ordinance will provide assistance in protecting not only Letter Carriers in Lebanon, but also other victims of dogs which are not supervised by their owners, which usually consist of children.**

**cc: Chief Healy**

**A BILL FOR AN ORDINANCE AMENDING TITLE )ORDINANCE BILL NO. \_\_\_\_\_  
6 OF THE LEBANON MUNICIPAL CODE )BILL NO. \_\_\_\_\_  
CONCERNING DOGS, AND CREATING A NEW )  
CHAPTER 6.14, DANGEROUS DOGS**

It is hereby ordained by the City of Lebanon as follows:

**Section 1.** Section 6.12.040 of the Lebanon Municipal Code, Nuisance-Conditions Constituting-Designated, is hereby amended to read as follows:

Dogs shall be considered a public nuisance under the meaning of this chapter in the following instances:

- A. Any dog, when unprovoked, bites any person or animal, or shows a propensity to do so;
- B. Any dog which chases vehicles or, when off the premises of the owner or keeper, chases any person or persons;
- C. Any dog which damages or destroys property of persons other than the owner of the dog;
- D. Any dog which scatters garbage other than that of its owner or keeper;
- E. Any dog which trespasses on private property, other than its owner's or on public rights of way;
- F. Any dog which barks continuously for more than ten minutes during any one hour period when such barking is audible off the premises of the dog's owner or keeper;
- G. Any dog which is a female in heat and running at large; or
- H. Any dog which habitually escapes from confinement and trespasses on public or private property. Trespass of more than two occasions shall be considered "habitual" under the meaning of this section.

**Section 2.** There is hereby established in the Lebanon Municipal Code, a new chapter, Chapter 6.14, which shall be entitled "Dangerous Dogs", and which shall read as follows:

**6.14.010. Definitions.** As used in this chapter, unless the text requires otherwise, the following definitions shall apply:

A. "Dog at large" means any dog :

1. On private property without the permission of the owner or person entitled to possession and not restrained by a physical control device and under the control of a person capable of physically restraining the dog; or

2. On public property and not restrained by a physical control device and under the control of a person capable of physically restraining the dog.

B. "Council" means the City Council of the City of Lebanon.

C. " Dangerous Dog" means any dog that has been found to have engaged in any of the behaviors specified in Lebanon Municipal Code, Section 6.14.020(B).

D. "Director" means the Chief of Police of the Lebanon Police Department, or such other person appointed by the council to act under this chapter.

E. "Euthanize" means to put to death in a humane manner by a licensed veterinarian or animal control officer.

F. "Municipal Court" means the Municipal Court of the City of Lebanon.

G. "Owner" means the person having possessory property right in a dog or who harbors, cares for, exercises control over, or knowingly permits a dog to remain on premises occupied by that person.

H. "Person" means any natural person, association, partnership, firm or corporation.

I. "Potentially Dangerous Dog" means any dog that has been found to have engaged in any behavior specified in Lebanon Municipal Code Section 6.18.020(A).

J. : "Physical Control Device" means a sufficiently strong collar, connected to a leash or tether, made of chain link or other material as strong, so as to prevent the escape of the dog.

K. "Serious Injury" means any physical injury that results in a broken bone or the need for stitches, or any other medical condition determined by the Director, in consultation with any medical doctor, to be of equal or greater severity.

**Section 6.14.020 - Classification of Levels of Dangerousness.**

A. A dog shall be classified as potentially dangerous based upon specific behaviors exhibited by the dog as follows:

1. While at large, on more than two occasions within a twenty-month period, the dog bites any domestic animal, or

2. While at large, the dog bites a human being or seriously injures any domestic animal.

B. The dog shall be classified as dangerous if it causes the serious injury or death of any person or kills any domestic animal. A dog classified as a potentially dangerous dog shall thereafter be reclassified as a dangerous dog if, after the owner has received notice of the potentially dangerous classification, the dog again engages in conduct which would classify it as a potentially dangerous dog.

C. The Director shall have the authority to refrain from classifying the dog as dangerous or potentially dangerous, even if the dog has engaged in the behavior specified in subsections A or B above, if the Director determines that the behavior was caused by abuse or torment of the dog or other provocation.

D. No dog shall be found to be dangerous or potentially dangerous if it is a dog trained for law enforcement purposes and is on duty under the control of a law enforcement officer at the time it exhibits such behavior under subsections A or B above.

**Section 6.14.030 - Identification of Dangerous and Potentially Dangerous Dogs -**

**Appeals - Restrictions Pending Appeals**

A. The Director shall have authority to determine whether any dog has engaged in the behavior specified in Lebanon Municipal Code Section 6.14.020. The determination shall be based upon an investigation that includes observation of the dog's behavior by animal control officers or by other witnesses who personally observed the behavior. If the determination is based upon observations of witnesses other than animal control officers or police officers, the witness or witnesses must first sign Affidavits attesting to the observed behavior and must agree to provide testimony regarding the dog's behavior if called upon to do so by the Director.

B. The Director shall give the dog's owner written notice by certified mail or personal service. Said notice shall describe to the owner the dog's specific behavior, of the dog's classification as a dangerous or potentially dangerous dog and of the additional restrictions applicable to the dog by reason of the dog's classification. Other forms of notification which result in actual notice of the information required herein shall be sufficient for the purposes of this section. If the owner denies that the behavior in question occurred, the owner may appeal the Director's decision to the Municipal Court by filing, with the Director, a written request for a hearing. The request for a hearing must be received by the Director within ten days of the following, whichever occurs first:

1. The date of the mailing of the notice to the owner by certified mail;



2. The date the notice is personally served upon the owner; or

3. The date when the owner acquired actual knowledge of the information required to be contained in the notice.

C. The Municipal Court, shall hold a hearing on any appeal from the Director's decision to classify dog as a dangerous or potentially dangerous dog within 10 days of the receipt of the request for hearing. The owner or any other person having relevant evidence concerning the dog's behavior as specified herein, shall be allowed to present testimony. The court shall determine whether the behavior specified in Lebanon Municipal Code 6.14.020 was exhibited by the dog. The hearing shall be summary in nature, and the City shall have the burden of proving the classification of the dog by a preponderance of the evidence. The court shall allow all relevant evidence to be presented according to the Oregon Revised Statutes contained in Chapter 183 concerning a "contested proceeding." The court shall issue an order containing the court's determination, which shall be final.

D. Once the owner has received notice of the dog's classification pursuant to subsection B above, the owner shall comply with the restrictions specified in the notice until such time as the Director's decision is reversed on appeal. Additionally, the Director shall have authority to impound the dog pending completion of all appeals if the Director has reasonable grounds to believe that the owner of the dog has failed to comply with any of the restrictions specified in the notice of classification. If the Director's decision concerning the classification of the dog is upheld on appeal, the dog's owner shall pay to the City all costs incurred in the dog's impoundment.

E. If the Director finds that a dog is a dangerous dog, the dog shall be impounded pending

the completion of all appeals. If the Director's decision is upheld on appeal, the dog's owner shall pay to the City all costs incurred in the dog's impoundment.

**Section 6.14.040 - Regulation of Potentially Dangerous Dogs.** In addition to complying with all other requirements of this chapter, the owner of a potentially dangerous dog shall:

A. Physically restrain the dog to prevent it from having access to any public sidewalk, roadway, adjoining property, or any other portion of the property from which the public is not excluded;

B. Fasten a collar to the dog and keep on the dog at all times, such tag as may be issued by the City of Lebanon, identifying the dog as a potentially dangerous dog;

C. Pay an annual fee of \$25 to the city at the time the tag described in subsection B above is issued, and a like fee each year thereafter, so long as the dog remains within the corporate limits of the City of Lebanon. This fee shall be in addition to any other license fee required by law;

D. Notify the Director by certified mail where the dog is kept within ten days of any change of such location; and

E. Post a warning sign, supplied by the Director, at the location the dog is kept, in a conspicuous place visible from the public sidewalk or road adjoining the property. If no such public sidewalk or road adjoins the property, then at the boundary line of the property where access is provided to the property.

F. The requirements of this section shall apply to any person to whom ownership of a potentially dangerous dog is transferred.

**6.14.050 - Euthanasia for Dangerous Dogs.** Any dog that has been found to be a

dangerous dog shall be euthanized. If a dog is euthanized by a licensed veterinarian, the veterinarian shall certify to the City of Lebanon that the dog has been euthanized.

**6.14.060 Penalty.** The violation of any provision of this chapter shall be punishable as subject to the penalties set forth in Section 6.20.010. In addition to those penalties, the Municipal Court may order the dog in question euthanized if the court finds that the owner of the dog has failed to comply with any of the requirements of the chapter after having received notification that the dog in question has been classified as a dangerous or potentially dangerous dog.

**6.14.070 - Impoundment Pending Adjudication of Infraction.** If the owner of any dog is cited for an infraction based upon a violation of any provision of this chapter, the Director may impound the dog pending adjudication of the infraction if, in the exercise of reasonable discretion, the Director believes the dog constitutes a threat to public safety and/or private property. If the dog's owner is convicted of the infraction which caused the impoundment, the dog's owner shall pay to the City all costs incurred in the dog's impoundment and unless such costs are paid within ten days of the date when the owner is convicted of such infraction, the dog shall be euthanized. Euthanasia shall not relieve the owner of his or her responsibility to pay impoundment costs previously incurred under this chapter.

**Section 3.** Lebanon Municipal Code Section 6.20.010 - Violation/Penalty is hereby amended to read as follows:

Any person who violates this title shall be punished, upon conviction, by a fine of not more than \$500.00.

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Passed by the Council of the City of Lebanon by a vote of \_\_\_\_\_ for and \_\_\_\_\_  
against, and approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

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MAYOR

ATTEST:

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City Recorder

# AGENDA ITEM 6

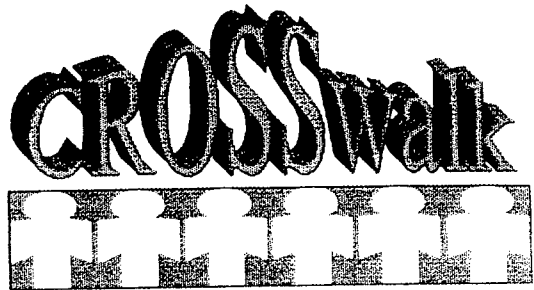


**CITY OF LEBANON  
FINANCE  
MEMORANDUM**

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**TO:** Mayor and City Council  
**DATE:** March 2, 2000  
**FROM:** Judy Wendland, City Administrator Pro Tem   
**SUBJECT:** Sister City Program

I have attached the request from Mike Coen for the city to be involved in this program. Please let me know if you wish me to pursue it.



## People Helpers

February 3, 2000

City of Lebanon  
City Council  
C/O Judy Wendland  
Acting City Manager

RECEIVED

Dear Judy:

Thank you for helping me get my suggestion to the City Council.  
Enclosed in this packet are:

- Letter and copy of same letter to Mayor Scott Simpson (one to copy for Council)
- Copy of our newsletter describing the various cultural exchange activities that were part of our trip to Kyzylorda, Kazakhstan last November
- Copies of brochure for Arvada chapter of Sister Cities International to see the purpose and how simple the plan is. The international convention for SSI will be in Denver in late June of this year if anyone would like to come our way to attend, pursue the idea I am suggesting etc.
- Copy of the document the mayor of Kyzylorda presented to us at the city's 180<sup>th</sup> anniversary celebration (it was in color and nicely framed of course)

I hope that the City Council will appoint an appropriate individual to pursue the development of a sister city chapter for Lebanon with a possible goal of creating a cultural exchange with Chillik, Kazakhstan. A humanitarian worker from Chillik is home here for a few months and could help on this. I am offering my services to assist in the study and possible adoption of Chillik as a sister city. (pronounced chill EEK)

Thank you for presenting my suggestion to the council,

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Coen".

Mike Coen  
President

# CROSSwalk People Helpers

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13308 West 68th Place - Arvada, Colorado 80004

January 28, 2000

Lebanon City Council  
925 Main  
Lebanon, Oregon 97355

Dear Mayor Scott Simpson and Council,

I am acquainted with your city because my father Charles Coen has lived there for the past 10 years and his mother and brother lived there before he arrived. Recently, I was visiting the Republic of Kazakhstan to develop a sister-city relationship for my own city of Arvada, Colorado. While there, I looked over another city with Lebanon in mind. They are of similar size and have a mixture of agriculture and timber as their potential industries.

I am offering to help connect Lebanon with Chillik, Kazakhstan through a gradual process of declaring friendship and developing cultural exchange with eventual sister-city relationship. Sister Cities International (SSI) was the idea of President Eisenhower to encourage world peace through building relationships between American cities and other cities of the world.

By its bylaws, SSI requires volunteers to pay their own travel expenses so there need be no cost to the city. In our case, the mayor of each city was agreeable to sign a letter of good will and friendship to one another that was carried by the visiting team.

I would simply like to offer my assistance to people of your community who would like to represent your city and make a difference in this world. Please accept my compliments to you as a progressive and delightful community. I hope to be able to work closely with some of your people on my next visit to Oregon.

Sincerely,



Mike Coen, President





# KAZAKHSTAN

November 1999 project to the city of Kyzylorda in The Republic of Kazakhstan

## Project Kazakhstan - delightful, successful!

From the time we began seriously planning we knew there would be something very special about this trip. While going about the various activities of our days, I remarked more than once, "These are the best two weeks of my life!" It wasn't the physical sense but rather the awareness that what we were accomplishing was very important and its effects were potentially far reaching.

We reached the community of Kyzylorda with a plan to establish preliminary and positive relationships with the city and the law enforcement authorities. Our reception was beyond our highest expectation. In addition, we were able to make quite a significant connection to the educational community by presentations to students from elementary through university levels.

A surprising development allowed us to have significant interchange of ideas with the medical community as well. We even arranged to do a



follow-up project: a pilot program for rehabilitation of alcoholics. (photo at bottom left)

The culmination of our work was to address the large crowd in the city auditorium on the day of the big celebration of Kyzylorda's 180th anniversary. A master of ceremonies called speakers and honored guests out from the audience to come forward and up the steps where special seating was arranged on the stage. I was able to address the leaders and citizens of the city and oblast with the heart-felt message we had been delivering all week in the schools, the university, and through scores of toastmaster gatherings with educators, law enforcement and political authorities. (photo at top left)

See the article about law enforcement to hear about our escort to the airport where our YAK-40 perched off from a runway of solid ice to take us east to Almaty! We were able to squeeze in a very moving and informative visit to the enterprise in the eastern village of Chilkik that has been such a blessing to disadvantaged people of several ethnic groups.

"I BELIEVE IN YOU!" school assemblies worth coming back to school during fall break

Since it was the week of the big 180th anniversary of the city, school was dismissed and the children came back voluntarily! The message was challenging to present cross-culturally but it was well received by students and faculty in the end. A combination of pep talk, science lesson, drug awareness seminar, motivational sermon and comic routine ended each time with a Q&A time and autographing of the children's story books we gave.

The buildings had absolutely no heat yet the students removed their hats in respect to the guest lecturer and eagerly asked questions of the American team. Some schools even arranged for their students to perform or dance to traditional Kazakh music. See photo 1.

Best of all was the orphanage that houses 150 children. Their little beds and dressers were neatly arranged for our "inspection" and they were so grateful and proud of the two major improvements our partner organization had made recently to their deteriorating building. An entirely new roof structure and a new water system was installed to serve them. Our tears were the only possible response to the many mixed emotions of this place.

LAW ENFORCEMENT  
an unlikely place to find such open hospitality!

It was our thinking that if the local "powers that be" could see that our friends with SHARE International were good for their people, it would bode well for their visibility. Their 3 year history of humanitarian and educational work were somewhat eclipsed by the overwhelming needs in this developing former soviet republic.

This proved to be exactly the truth. The city opened its arms to us from the mayor's office to the city chief of police to the general of the whole oblast! We were asked to give greetings to a large crowd gathered in the city auditorium for the 180th anniversary celebration of Kyzylorda. (photo 2&3)

The surprise was how the law enforcement professional on the team was favored with an entire week of superlative hospitality, hunting/fishing, dining, and sightseeing excursions. The police even drove the entire team to the airport with a lights and siren escort stopping traffic all the way for us to pass through. (photos 3 & 4)

The efforts to build relationships with law enforcement authorities yielded such benefits to the permanent team that we are considering that as a key aspect to all future people helping trips.

#### COUNSELING SERVICES

We are getting regular inquiries and have been providing some counseling services online. We also have clients who were looking on the net for someone like us in the Denver area and are working with them in person. Half of all proceeds from counseling services is a donation for them and puts money into the people helping projects side of our organization.

#### PEOPLE HELPING PROJECTS

We are waiting for funds to accumulate and requests to sort themselves out before we plan our next project. We are invited to Brazil, South Africa, Haiti and for a return trip to Kazakhstan. We have good contacts in Israel and many other nations of the world as well to consider for future projects.

#### DONATIONS

CROSSwalk People Helpers is a charitable non-profit 501(c)(3). Guidestar has a complete report on our organization on file. Look us up! ([www.guidestar.org](http://www.guidestar.org) is their website)

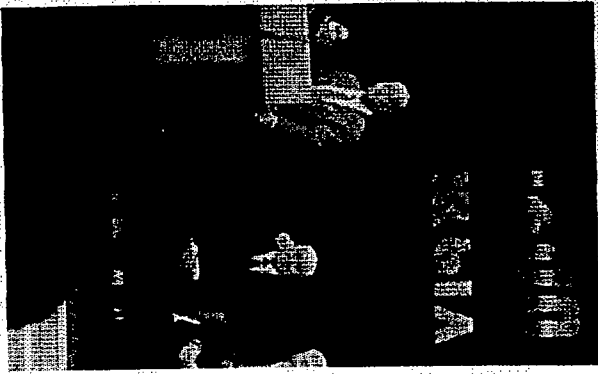
You can reach us by hand mail if you prefer:

CROSSwalk People Helpers  
1336 West 68th Place  
Arvada, Colorado 80001

CROSSwalk People Helpers



1



2



3



4



5



The children are their future and we blessed them with a message of hope. That their Creator God believes in them and will help if they ask.

Arvada, Colorado,  
The United States of America  
To : Robert G. Frie, Mayor  
Gayle Middleton, Arvada Sister Cities  
International President

IN RESPONSE TO THE  
DECLARATION WE TOOK  
TO K-STAN FROM ARVADA

MAYOR  
↓

Akimat of Kyzylorda declares  
our friendship and approval to your  
suggestion to become a sister city. We look  
forward to the mutual cooperation and  
bussiness partnership.

On behalf of our citizens we give our  
warmest and sincere regards to the all citizens  
of Arvada.

With the best wishes of success and  
kindness.



13.XI.1993.

Bakbergen Dosmanbetov - Mayor  
Kyzylorda, Republic of Kazakstan

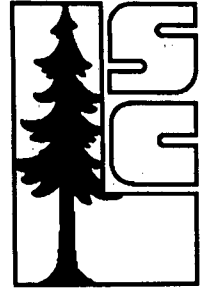
# AGENDA ITEM 7




## SENIOR AND DISABLED SERVICES

LEBANON SENIOR CENTER  
585 PARK STREET  
LEBANON, OREGON 97355

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



DATE: February 17, 2000  
TO: Mayor Scott Simpson  
FROM: Susan Tipton   
Program Manager  
RE: Senior and Disabled Services Advisory Board Appointment

The Senior and Disabled Services Advisory Board has completed its application and recommends the appointment of Jennifer Abbott to replace Jody Burton who had to resign because of work considerations. Jennifer is the administrator of Villa Cascade Rehab and Living Center and will bring expertise in issues involving seniors to this board. Jennifer will complete Jody's term; her appointment will run from March 2000 – December 2000.

The Board requests that the appointment be made at the March 8<sup>th</sup>, 2000 City Council Meeting.

If you need any additional information, I can be reached at 451-7444. Thank you for your consideration.

cc: Judy Wendland