

# Council Agenda



October 23, 2002  
7:30 p.m.

**CITY COUNCIL MEETING**  
**October 23, 2002**  
**7:30 p.m.**

School District Board Room  
485 S. 5th Street

**AGENDA**

**CALL TO ORDER/FLAG SALUTE**

**ROLL CALL**

**CONSENT CALENDER**

a) MEETING MINUTES:

- ◆ City Council Meeting Minutes – October 9, 2002
- ◆ City Council Work Session Minutes – October 9, 2002
- ◆ Library Advisory Board Meeting Minutes – September 11, 2002
- ◆ Planning Commission Meeting Minutes – September 18, 2002
- ◆ Senior Advisory Board Meeting Minutes – September 18, 2002

b) EASEMENT FOR PUBLIC ACCESS AND UTILITIES:

- ◆ Lebanon School District No. 9

**APPOINTMENT(S)**

LIBRARY ADVISORY BOARD APPOINTMENT(S) – Presented by: Mayor Scott Simpson

**PRESENTATION**

LMS MASTER PLAN (Report on Open House) – Presented by: Mark Seder of Seder & Assoc.

**LEGISLATIVE SESSION**

1) PROPOSED AMENDMENT TO SKATEBOARD PARK

Presented by: Mr. Rod Sell, Maintenance Division Manager

Approval/Denial by ORDINANCES

2) CITY/CHAMBER AGREEMENT

Presented by: Mr. John Hitt, City Administrator

Approval/Denial by MOTION

3) REHABILITATION GRANT PROGRAM MANAGER SELECTION

Presented by: Mr. Casey Cole, Finance Director

Approval/Denial by MOTION

4) SANTIAM TRAVEL STATION (PHASE II)

Presented by: Mr. Allen Dannen, City Engineer

Approval/Denial by MOTION

5) 5<sup>TH</sup> AND MARY STREET TRAFFIC ANALYSIS

Presented by: Mr. Allen Dannen, City Engineer

Discussion Only

6) CITY ADMINISTRATOR'S REPORT

Presented by: Mr. John Hitt, City Administrator

Discussion Only

**CITIZEN COMMENTS** - *Those citizens with comments concerning public matters may do so at this time.*

**ITEMS FROM COUNCIL MEMBERS**

**ADJOURNMENT**

# Consent Calendar

## a) MEETING MINUTES:

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## b) EASEMENT FOR PUBLIC ACCESS AND UTILITIES:

- ◆ Lebanon School District No. 9

**MINUTES  
LEBANON CITY COUNCIL MEETING**

**October 9, 2002**

**Members Present:** Mayor Scott Simpson, Councilors Mel Harrington, Ron Miller, Roger Munk, Dan Thackaberry, Ken Toombs and Stan Usinger

**Staff Present:** City Administrator John Hitt, Attorney Tom McHill, Police Chief Mike Healy, Finance Director Casey Cole, City Planner Doug Parker and Administrative Assistant Linda Kaser

**CALL TO ORDER/FLAG SALUTE/ROLL CALL**

Mayor Simpson called the regular session of the Lebanon City Council to order at 7:32 p.m. in the Lebanon School District Board Room at 485 S. 5<sup>th</sup> Street. All members were present.

**CONSENT CALENDER**

a) MEETING MINUTES:

- ◆ City Council Meeting Minutes – August 14, 2002
- ◆ City Council Meeting Minutes – September 25, 2002

b) Easement for Public Utilities – Lebanon School District No. 9

c) Easement for Public Utilities – Lebanon Pioneer School (Sidewalk)

d) Easement for Public Utilities – Lebanon Pioneer School (Water)

Mayor Simpson added items "C" and "D" to the consent calendar and made a correction to the August 14 Council Minutes. Page 15, Paragraph 2, change "front" to "from".

**A motion was made by Councilor Thackaberry, seconded by Councilor Munk and passed unanimously that the *Consent Calendar of October 9, 2002* be approved as amended.**

**APPOINTMENT(S)**

Mayor Scott Simpson asked Council if he should appoint members to the CIP Committee, since it was so close to election time or wait for the new Mayor to make the appointments. Mayor Simpson noted staff's recommendation of immediate appointments, since the annual meeting will begin this month. A motion was made by Councilor Harrington to table the appointments until the first meeting in November. The motion died due to lack of a second.

The mayor asked Council if they accepted his appointing Paul Aziz and Bob Elliott to the CIP Committee. Councilors Miller, Munk, Thackaberry, Toombs and Usinger accepted the Mayors appointments. Councilor Harrington expressed opposition to the appointments.

## ANNOUNCEMENT

Mayor Simpson announced Environmental Specialist Nitin Joshi's resignation. Mr. Joshi accepted a position with the City of Salem. Mr. Joshi thanked the staff and citizens for allowing him to serve the City of Lebanon for seven years.

## PRESENTATION

Ms. Cindy Ongers gave a brief update on the response to the newly created Recreation Program. The adult classes were not well attended. However, the children's classes were quite successful. Councilor Miller asked Ms. Ongers if she felt that the program could be incorporated with the Boys and Girls Club somehow. Ms. Ongers felt that it would be a good idea. The Boys and Girls Club were instrumental in helping her thus far. Ms. Ongers asked Council what they intended on doing since her volunteerism of the program is at its end.

Mayor Simpson suggested she come back to Council when they begin discussions for the next fiscal year's budget. Ms. Ongers agreed to come back to the December 11 Council Meeting with a proposal.

## LEGISLATIVE SESSION

### 1) **REQUESTION FOR TRANSIENT ROOM TAX FUNDING**

Lebanon Tourism Commission (LTC) Chairperson Peggy Christopherson recommended that the City Council donate \$2,640 to the Cheadle Lake Foundation for the development of a marketing packet. Ms. Christopherson stated that the LTC also recommended awarding \$750 to the Rollin Oldies Car Club to fund the purchase of three new banners.

On behalf of the Lebanon Cheadle Lake Foundation, Warren Beeson thanked City staff for the support and encouragement throughout the Cheadle Lake process. Mr. Beeson gave a brief history of the project that has been accomplished with volunteers and requested that Council fund a marketing packet to promote the site.

***A motion was made by Councilor Toombs, seconded by Councilor Miller and passed unanimously to fund the Lebanon Cheadle Lake Foundation request for \$2,640 from the Transient Room Tax Fund to develop and print a marketing packet.***

Mayor Simpson stated that the second largest event in Lebanon was put on by the Rollin' Oldies Car Club. There were 191 entries this year coming from all over the United States. The Club has been instrumental in making improvements to River Park.

***A motion was made by Councilor Harrington, seconded by Councilor Usinger and passed unanimously to fund the Rollin' Oldies Car Club \$750, from the Transient Room Tax fund, to purchase three new banners.***

Councilor Harrington brought the Council up-to-date on the LTC. There are still five voting members and a couple nonvoting volunteers. ODOT has put up the signs directing visitors to the new visitor's center.

## 2) PROSPECTIVE PETITION

Mrs. Pat Dunn, on behalf of the Friends of Lebanon, asked the City Council to refer the proposed charter amendment to the voters. The proposed charter amendment would require voter approval of all annexations, unless mandated by State Law or necessitated by failing septic systems or health hazards.

Councilor Munk asked what the advantage was doing it this way versus a petition. Mrs. Dunn stated this would save time soliciting signatures.

McHill explained that a prospective initiative was submitted on September 27. As law requires, City Attorney McHill prepared a ballot title and filed it with City Recorder Hitt on October 4. If the ballot title passes without objection than a formal packet would be prepared and signatures would be received. If the required number of signatures are received then it would be put before the voters. Article 41, of the City Charter, states the Charter can be amended by referring a resolution directly to the people. If the council took such action, it would eliminate the necessity of gathering the signatures.

***A motion was made by Councilor Thackaberry, seconded by Councilor Usinger and passed unanimously to table council's action until the Council has made a decision on the Wal-Mart hearings.***

## 3) CITY ADMINISTRATOR'S REPORT

- LMS Master Plan. The open house will be held on October 22, from 2 – 8 p.m. in the LBCC lobby. This is an excellent opportunity to provide comments and recommendations to architect Mark Seder.
- Santiam Travel Station. The bid results have been opened by ODOT, but awarding the contract is still pending.
- League of Oregon Cities Annual Conference. The conference is November 7 – 9 in Portland. Mayor Simpson stated he would like to attend.
- City Library. Five Gates computers have been installed with excellent software and great Internet access. There is also a new computer in the children's section that has a wonderful selection of children's software programs.
- CIP Committee Meeting is Monday, October 14, at 6:30 p.m.
- A large-scale residential development proposal has been made. If it goes through it will be the largest (in value) development in Lebanon's history.

- There will be a second visit tomorrow from a company with an industrial development proposal.

**CITIZEN COMMENTS** - *Those citizens with comments concerning public matters may do so at this time.*

Mayor Simpson's wife Elaine addressed the Council and staff regarding the recent allocations of the Mayor's residency.

**ITEMS FROM COUNCIL MEMBERS**

Councilor Harrington expressed concern about whether the Mayor had been fairly treated in recent weeks and that some people probably owed him an apology.

**ADJOURNMENT**

Mayor Simpson adjourned the meeting at 8:17 p.m.

Meeting recorded and transcribed by Administrative Assistant Linda Kaser.

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J. Scott Simpson, Mayor [ ]  
Ken Toombs, Council President [ ]

ATTESTED BY:

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John E. Hitt, City Recorder



**MINUTES  
LEBANON CITY COUNCIL & PLANNING COMMISSION  
RUSSEL DRIVE AREA WORK SHOP**

**October 9, 2002**

**City Council Present:** Mayor Scott Simpson, Councilors Mel Harrington, Ron Miller, Roger Munk, Dan Thackaberry, Ken Toombs and Stan Usinger

**Planning Commission:** Chairman Don Robertson, Commissioners Paul Aziz, John Brown, Jon Davis, Tom Owen, Barry Scott, Peggy Snyder and Mike Wells.

**City Staff Present:** City Administrator John Hitt, City Planner Doug Parker and Administrative Assistant Linda Kaser.

Mr. Rick Satre of Satre and Associates gave a summary of the Russell Drive area neighborhood meetings held in July and September.

Visuals were shown on: Mixed Use Proposed Improvements, Mixed use Comp Plan Designation and a Design Work Sheet detailing different alternatives. Further information can be found on the City's website.

Mr. Satre noted that on a whole the citizens who participated in the previous neighborhood meetings were excited about the improvements to the area. There are several areas of concern the citizens would like addressed. The two main questions are 1) The need to know where the proposed "frontage" road will be located, and (2) The costs of property taxes and utility fees once the area is annexed into the City.

Several possible solutions brought up by the citizens were to move the frontage road farther away from Primrose Street, move it to the west side of the railroad tracks, or move it to the east side of the railroad tracks. Mr. Satre explained that calling it a frontage road is not accurate; maybe it would be better to call it a neighborhood collector.

*A thorough overview of the meeting is attached.*

**Comments from Council/Planning Commission/Staff**

City Administrator Hitt was surprised by the citizen's concern for the Primrose frontage street alignment. Mr. Satre explained the citizens were reacting to the split image and highway-type road.

Councilor Miller asked how many expressed support for the Westside RR alignment of the road. Mr. Satre stated he felt that it may not handle Highway 20 traffic and could possible fail.

City Planner Parker stated that County Commissioner Lindsey told him that the County wanted to improve Porter Street immediately and would like city infrastructure to be done simultaneously. The city will need to provide relief to the highway. Mr. Parker stated that the city could look at a possible two-phased approach to the project. However,

City Administrator Hitt addressed the fears of a few citizens who thought their homes were targeted for removal due to the new road. He reminded everyone that there have been no properties identified, at this time, as being required for a public purpose. If a property ends up being in the right-of-way of a new road, or enlarged current road, then the owner of those properties will be paid the full cash value of his/her property needed for a public project. Such payment includes any and all improvements that were done by either the current owner or previous owners. There is also additional assistance available to help pay for such things as moving expenses and the costs of acquiring a new, comparable, property.

The meeting ended at 7:02 p.m.

Recorded and transcribed by: Administrative Assistant Linda Kaser

**Russell Drive Area Mixed Use Neighborhood Plan  
Joint Planning Commission / City Council Briefing #1  
Wednesday, October 9, 2002**

**REVIEW OF PUBLIC MEETING #1**

**A. MATERIAL REVIEWED**

1. Introduce the Project
  - \* Project Purpose and Objectives – Copy Attached
2. Existing Conditions – Physical Context
  - \* Aerial Photo, Utilities, Proposed Improvements, Base Map – Presentation Boards
3. Existing Conditions – Planning Context
  - \* Comprehensive Plan, Zoning, Land Use – Presentation Boards
4. Mixed Use Neighborhoods
  - \* Concept of Mixed-Use Neighborhood Centers, Principles of Smart Development, Examples – PowerPoint Presentation

**B. PUBLIC COMMENT**

1. Those Present Asked Questions or Shared Comments
  - \* Over Three Dozen Comments, Most Were Questions – Copy Attached

**C. WHAT WE HEARD**

1. There Was Commonality in the Public Comment
  - \* Concern/Questions about the Proposed Frontage Road
    - And its Impact on Residences and Traffic
  - \* Concern Over the Timing and Cost of Streets and Utilities
    - Expressed Desire to Annex, Support Street and Utility Improvements
  - \* Wanted to Know What Could Be Done Now
2. Folks Care About the Future of Their Neighborhood

**RUSSELL DRIVE AREA MIXED USE CENTER**

# **PURPOSE and OBJECTIVES**

1. To Prepare a PLAN that Integrates:
  - a. Multi-Modal Transportation:
    - Vehicles.                      -- Transit.
    - Bicycles.                      -- Pedestrians.
  - b. Mixed-Use Development:
    - Neighborhood Commercial Development.
    - Mixed-Density Residential Development.
  
2. A PLAN that:
  - a. Focuses Local Traffic Away from Highway 20.
  - b. Decreases the Need for Motor Vehicle Trips for Area Residents.
  - c. Improves Connectivity:
    - Improved Local Street System.
    - Streets Brought up to City Standards with Paving and Sidewalks.
  - d. Reduces the Pressure for Strip Development along Hwy 20.
  - e. Provides Development and Infrastructure Guidelines:
    - Compatible Residential and Commercial Development Standards.
    - Extends City Water, Sewer, Storm Drainage.
  
3. A PLAN that will be Closely Coordinated with:
  - a. An Update of the City's Transportation System Plan:
    - Highway Access, Through Movement on Highway 20.
  - b. Proposed Amendments to the City's Development Code.
  - c. Flexible, Incremental Development over Time.

**RUSSELL DRIVE AREA MIXED USE CENTER  
PUBLIC MEETING #1**

Tuesday, July 9, 2002  
7:00 p.m.

**PUBLIC COMMENT**

Note: The numbered items below are public comments/questions.  
The italicized text represents consultant/City responses.

1. What are the plans for a neighborhood park in the Russell Drive neighborhood?  
*The Comprehensive Parks Plan shows a new neighborhood park to the north side of Russell Drive. No specific site has been identified for acquisition. The park would include play areas, a paved court, pathways, picnic area, parking, irrigation and wetland restoration activities if developed adjacent to the railroad.*
2. Show a map of the whole City at the meetings.  
*The City will bring large size map of the whole City – Comp Plan and Zoning – to put up at future meetings.*
3. What are existing permitted uses in the neighborhood?  
*The majority of the area is zoned UGM-10 (Urban Growth Management 10 acre minimum parcel size). This zoning district acts as a placeholder until City zoning is applied upon annexation. The County UGM-10 zone allows one house per legal lot and other limited uses such as farm use and home occupations. Repair and remodeling of existing homes are allowed. If owners want to add bedrooms, septic system adequacy must be explored with County staff.*
4. Can light industry be part of the mixed use?  
*It is possible. One of the outcomes of this project will be to develop a recommended mixed-use designation for the Russell Drive neighborhood.*
5. What is the County permit issuance situation?  
*Residents and property owners should contact County personnel to ascertain current County permit issuance policy for the Russell Drive neighborhood.*
6. Where are the right-of-way boundaries? I think my house sits close to the right-of-way.  
*County Tax Assessor maps have been utilized to prepare the maps shown at the meeting. To find a specific property line, check with the County Surveyor's Office. It may be*

*necessary to have a surveyor measure locations and mark them in the field. In addition, the City is preparing 8-1/2 x 11 maps of the project area showing streets and tax lots. They will be available as handouts at the September 21<sup>st</sup> meeting.*

7. What do we do if our well is in the right-of-way?

*First of all, residents and property owners should confirm where the right-of-way is. If your well is in the right-of-way, ask the County if it wants to do anything about it. If nothing is done at this time, it will be an issue to be dealt with upon annexation and subsequent street and utility development. It is possible that nothing will need to be done as the well would be abandoned upon utility installation.*

8. What do we do if we think there are code or sanitation violations in the neighborhood?

*Contact the County.*

9. Is there a timeline for installing public services?

*It is a function of requests from property owners in the neighborhood and finding money to pay for it. No specific timeline exists.*

10. What is the process for requesting annexation and or services?

*Per Municipal Code 17.60, an applicant petitions the City for an annexation. The decision is made by City Council. No City provided services (e.g., water, sewer) are available until an area has been annexed into the City.*

11. Who decides what uses will be permitted in the mixed-use area?

*Anyone participating in this project will have the opportunity to suggest possible permitted uses in the new Russell Drive Area Mixed-Use designation.*

12. Is there any government assistance for folks who wish to improve their homes?

*One should contact Linn County Affordable Housing, Linn-Benton Housing Authority, or the Community Services Consortium for information.*

13. There is a huge area of un-annexed land (the area east of the railroad) excluded from this study. Why?

*The Russell Drive study area is within the boundaries of the Urban Renewal District (URD). One of the Urban Renewal District recommendations was to study this specific Russell Drive neighborhood. Grant funds are limited and were procured to cover this specific study. That does not mean that studies may not be warranted for other areas in the community.*

14. One of the connectivity yellow circles in the presentation goes through my house. Can the City condemn land for a right-of-way?

*The City (and any public municipality in Oregon) has the right to condemn land for public need. Whether the City of Lebanon has or would use its condemnation rights is up to the City Council. The yellow circles in the presentation were merely suggesting possible locations for improving internal street, bike or pedestrian connections. Specific recommendations for connectivity are one of the outcomes of this project. Anyone involved in the project can yet suggest connectivity recommendations.*

15. A sewer line is being installed right now (in Primrose near Dewey?). Is this a City line?  
*It is currently a private line. If asked to add it to the City system, the City would inspect it to make sure it meets public system requirements. This has not yet occurred.*

16. At Primrose and Alder, there were folks interested in annexing, but could not afford it. Is there a way for the URD or the City to help out?

*Funds from new taxes from new development in the URD could possibly be utilized to assist with annexation and/or street and utility improvements. That is a decision not yet made, but one could recommend it. Additionally, the City may be able to help with the annexation process, at least provide information and help facilitate it. Contact the City.*

17. Once this area is annexed are the costs of services distributed over the whole City?

*This question cannot be answered at this time. However, typically, it is the beneficiaries of services that pay for such services.*

18. One speaker noted hearing a lot of fear from folks in the audience. She stated that what she sees is that the City is trying to find a way to help the residents and property owners of the area. She appreciates that.

*Yes, this project is intended to assist residents and property owners in the neighborhood. Help with annexation, street construction, utility installation and other public improvements may be proposed. These decisions are some of the outcomes of this project.*

19. Does the neighborhood as a whole annex or does each individual household have to do it?

*It can happen either way. It is a function of specific annexation requests. Several property owners could go together in a single annexation request.*

20. Can part of this project's grant go towards the cost of annexation?  
*This project's grant funds are limited to developing a Russell Drive Mixed Use Center plan. Recommending assistance with annexation may be one of the outcomes of the project.*
21. One of the concerns of the neighbors is not having the money to pay the cost of annexation or for utilities.  
*The Urban Renewal District may eventually be a source of funding to help the neighborhood. Other sources or programs may be found in the future.*
22. Is the proposed frontage road parallel to Highway 20 running through the neighborhood as shown in the Urban Renewal District plan at commitment? Is the alignment finalized? What is the timeline? How will it be paid for?  
*The City is committed to the function of a frontage road paralleling Highway 20 through the neighborhood. However, its specific alignment as well as its design, timeline and financing are not yet determined.*
23. The proposed frontage road and suggested alignment is a burden on improving and/or selling homes which are located in the alignment.  
*Property owners who may be affected by the proposed frontage road are encouraged to remain involved in the project. The specific road alignment has not yet been determined.*
24. Many folks were involved in the development of the Cheadle Lake URD plan. More were in favor of it than were opposed. It has the potential of attracting investment and jobs to the community. New tax revenue from the URD could help the Russell Drive neighborhood.  
*The URD was completed only a little over a year and a half ago. Not much activity has occurred yet, but the potential for new development, and thus new tax revenue for the neighborhood, is substantial.*
25. There is a Russell Drive and a Russell Street in the neighborhood. Can we fix that?  
*Changing a street name is certainly a recommendation that one can make.*
26. How much warning would there be to folks before the frontage road would be built? Before services would go in?  
*Planning, engineering and building a new road is a complex process. It could easily take one to two years once funding is available and the decision is made to proceed.*



27. The funding process is very complex for implementing improvements.  
*True.*
28. If the Russell Drive neighborhood is under County jurisdiction, is there anyone from the County here tonight? Involved in the project?  
*County personnel are aware of the project. Some were at a meeting earlier in the day. They will be kept informed of project activities and progress.*
29. Please express to County staff disappointment in no one being here at the meeting.  
*Will do.*
30. Is there a timeline for the URD? Does it expire after a certain time?  
*The Cheadle Lake URD is set to expire in some 15 to 18 years.*
31. What can be done now, in the short term, to improve the neighborhood?  
*The County has jurisdiction for code, land use, construction, sanitation and any other current issues. Contact the County about existing conditions.*
32. Is there money dedicated to the URD other than from new taxes raised through development?  
*Not to the knowledge of City staff involved in this project.*
33. The study area should be expanded.  
*The boundaries for this specific study are set. Similar neighborhood studies in other areas of the community may take place in the future.*
34. Provide a conceptual diagram and photos of the area as it currently exists and what some of the possibilities are.  
*Developing a conceptual plan for the future of the Russell Drive neighborhood is one of the outcomes of this project. Residents and participants in the process will begin helping with that at the next public meeting.*
35. Sixty percent of transportation infrastructure problems would be eliminated if Russell Drive was changed to River Drive. Thus traffic on Russell Street would be lessened considerably.  
*It has been suggested that the name of either Russell Drive or Russell Street be changed to lessen the confusion that exists over the similar names.*
36. Concerned that my light industrial use could be affected.  
*One may want to check with the County to ascertain what uses are currently permitted in the neighborhood. As to the long term, participation in this project affords the opportunity*

*to suggest that certain light industrial uses may be permitted in the future Russell Drive Mixed Use designation.*

37. No jobs in this area.

*One of the advantages of a mixed-use area is the provision of employment opportunities close to home, in the immediate neighborhood.*

38. Acknowledge the number of stories that can be built.

*UGM-10 zoning district height limit is 35 feet, thus accommodating no more than three stories. City zoning district height limit for the new Russell Drive mixed use center is yet to be defined and would be another outcome of this project.*

39. Thank you for all of your hard work.

*You are welcome.*

**RUSSELL DRIVE AREA MIXED USE NEIGHBORHOOD PLAN**  
**PUBLIC MEETING #2**  
Saturday, September 21, 2002

**PUBLIC COMMENT**

**TEAM EXERCISE – TEAM #1**

**Review of Railroad Alternative**

- Railroad option will not take traffic off of Hwy 20.
- Should have traffic control at Railroad and Hwy 20.
- Pedestrian improvements (pedestrian bridge?) should be considered on Hwy 20 to improve ped safety and provide safe access.
- A big issue is peds from the neighborhood trying to cross Hwy 20.
- Railroad option is the least disruptive and provides the most direct access to the north (access is best with this option).
- Need to move the medium volume east/west street south onto existing ROW rather than through existing residential development.

Number one positive – Primary high volume street does not cut the neighborhood in half.

Number one negative – Proposed lower volume streets impact existing development.

**Review of Willow Alternative**

- Concern on both of the top options (Willow and Primrose) that the high volume street disrupts existing residential development too much.
- Like that none of the street improvements through the neighborhood increase traffic volume.
- There is little need for additional commercial uses inside the neighborhood (RMU) given the amount of commercial development on the perimeter.
- Don't like that the high volume street cuts the neighborhood in half.
- Like the medium volume north/south alignment on Primrose.

Number one positive – No higher volume streets proposed through the center of the residential portion of the neighborhood.

Number one negative – High volume street cuts the neighborhood in half.

**Team #1 New Alternative**

- Locates new collector along west edge of railroad right-of-way.
- Keeps Russell Drive as a through street.
- Locates neighborhood commercial between Safeway and Russell Drive.
- Places new neighborhood park north of Russell Drive, between new collector/railroad and new connection to Willow.
- Improves pedestrian crossings on Highway 20 at Cascade and Truman intersections.

**Team #1 General Comments**

- Minimum disruption of the neighborhood.

- Need city-grade improvements soon.
- OK with some increase in existing commercial along N-S alignment of Primrose & or Parkway, but conflicted about joining the two.

## TEAM EXERCISE – TEAM #2

### Review of Primrose Alternative

- Conducive with what is in place.
- Airport at Hwy 20 is already a problem.
- Russell at Hwy 20 is also a problem.
- Likes park location.
- Park should be close to homes.
- Tie Airport into Porter.
- Need at least 350 to 400 feet depth for Hwy 20 commercial.
- Current Primrose location too close to Hwy 20.
- Curve at furniture store too sharp, not safe.
- Primrose as a collector would be a problem.
- Heard that there is a hotel proposal for the Airport Russell neighborhood?
- Don't like Primrose option.
- Locate high density residential near park and Airport Primrose intersection.
- County can help fund improvements to existing roads?
- Too many intersections at Airport, Russell, River Drive, etc.

### Review of Willow and Railroad Alternatives

- Railroad edge is low spot in neighborhood, fill would be expensive. There would be drainage and wetland issues.
- Willow alignment at north end is good idea. Not so good at south end, too close to Hwy commercial, not enough depth from hwy to provide large lots for Hwy development.
- Railroad alignment better maximizes larger Hwy lots at south end of study area.
- Add River Drive connection.
- Bury all utilities, provide setback from railroad.

### Team #2 New Alternative

- Uses Porter as new collector.
- Connects Airport with northward Porter extension.
- Locates Porter extension southward into east-west center of industrial property to the south.
- Closes Russell Drive connection with Hwy 20.
- Closes Truman connection to Hwy 20.
- Improves Airport and Dewey intersections for both pedestrians and vehicles.
- Proposes new Hwy 20 connection at Market Street.
- Proposes new railroad crossing south of study area, between Market and Gilbert.
- Expands commercial between Hwy 20 and Primrose Porter.

- Locates medium density residential between Porter and railroad, mixed use residential between Primrose and Porter.
- Locates new neighborhood park east of railroad, with wetland mitigation along both sides of rail line.

### **TEAM EXERCISE – TEAM #3**

#### **Review of Primrose Alternative**

- Like the Airport/River Drive alignment for through traffic.
- Likes the larger park area.
- Bump out around furniture store needs to be bigger, less sharp.
- Residential mixed-use zone as a buffer is a good idea.
- Having two intersections on Russell so close together is not good.

#### **Review of Willow Alternative**

- Willow alignment better avoids furniture store expansion.
- Locate new neighborhood park south of Russell Drive. Would better serve the neighborhood.
- Willow alignment bisects the neighborhood. Not a good thing.

#### **Review of Railroad Alternative**

- Keeping through traffic to the perimeter of the neighborhood preserves the neighborhood.
- Preserves the residential area.
- Intersections so close to railroad could be a challenge.

#### **Team #3 New Alternative**

- Places new collector east of railroad.
- New collector crosses railroad at Airport.
- Closes Russell Drive rail crossing.
- Provides access for east side properties, greater access to Cheadle Lake area.
- Preserves Russell neighborhood for quiet streets and residential quality.
- Allows for future east side growth and development.
- Russell Drive becomes a neighborhood street, along with Willow, Primrose, Porter, and all the other existing local streets.
- Truman and Russell connections to Hwy 20 are eventually closed.
- Airport and Dewey connections to Hwy 20 are improved.
- New Hwy connections at Market and Cascade.
- New Hwy connections include pedestrian safety improvements, maybe island refuges.
- Two neighborhood parks are proposed – one at Willow south of Russell, one east of railroad, north of Russell.
- Residential mixed use is proposed for the area south of Safeway, to serve as a commercial/residential transition.
- Medium density residential is shown north of Russell, between the new mixed-use area and the railroad, and between Porter and the railroad south of Russell.

- A large area of low-density residential is shown in the center of the neighborhood. Commercial is kept along Hwy 20; industrial is kept south of Gilbert.

### **Team #3 General Comments**

- Storm drainage is major issue. Most homes have crawl spaces full of water all winter. Gravel streets have been overlaid with more and more gravel and are now higher than the houses. Drainage runs through neighborhood towards railroad, then northward under Russell and behind Safeway.
- General street layout is next most important issue – new connector as well as neighborhood residential streets.
- Pedestrian safety throughout the neighborhood, crossing Hwy 20, accessing new elementary school and future park is third most important issue.
- If can't locate new collector east of tracks at least place it along the west side of the tracks. Keep the neighborhood whole.
- Some questions:
  1. What is the city tax rate vs. the county tax rate?
  2. Where are existing public railroad crossings? How difficult would it be to get another crossing?
  3. What does it cost to build a new collector or arterial street?
  4. What is the cost of a new railroad crossing?

### **LARGE GROUP REVIEW OF TEAM EXERCISES**

- The Team #2 alternative seems to be turning a lot of the neighborhood into commercial development.
- How would Porter as the new collector interact with residential use, driveways and pedestrian safety?
- Quite a few properties are impacted by Porter as the new collector.
- Could pedestrian overpasses be built over Highway 20?
- The proposed collector east of the railroad is outside of the URD. Can the URD boundaries be changed?

### **Some Common Themes**

- Neighborhood residents want to see the neighborhood kept intact. Don't place the new collector in the middle of the neighborhood. Don't split the neighborhood.
- Preserve residential character, residential uses.
- Keep options open. Whatever decisions are made now, keep options open for the future. What we do now should still work 20 years from now.
- Pedestrian safety is an issue throughout the neighborhood.
- All three of the team alternatives move the collector eastward from the original Primrose alignment.
- There is general sentiment towards annexation and development of water and sewer facilities. Make it happen sooner rather than later.

### Some Questions

- Can we investigate the railroad alignment alternative further?
- How much would street development, utility installation and monthly utility costs cost the homeowner? What are the unit costs/ monthly costs for urban services?
- What are available financing options for streets and utilities...should revenue from the URD not materialize?
- What is the process for moving forward with group annexation?

**Russell Drive Area Mixed Use Neighborhood Plan**  
**Joint Planning Commission / City Council Briefing #1**  
**Wednesday, October 9, 2002**

**REVIEW OF PUBLIC MEETING #2**

A. MATERIAL REVIEWED

1. Review of Public Meeting #1
2. Explain Workshop Details
  - \* Three Alternatives – Presentation Boards
  - \* Instructions, Ground Rules, Reference Materials
3. Form Teams and Team Exercise
  - \* Round Table Discussion of Alternatives for the Russell Drive Neighborhood
  - \* Identify Pros and Cons of the Alternatives
  - \* Generate Their Own Alternative
4. Post Results

B. PUBLIC COMMENT

1. Brief Team Presentation
  - \* Pros and Cons, New Ideas, General Questions – Copy Attached

C. WHAT WE HEARD

1. There Was Commonality in the Public Comment
  - \* Neighborhood residents want to see the neighborhood kept intact. Don't place the new collector in the middle of the neighborhood. Don't split the neighborhood.
  - \* Preserve residential character, residential uses.
  - \* Keep options open. Whatever decisions are made now, keep options open for the future. What we do now should still work 20 years from now.
  - \* Pedestrian safety is an issue throughout the neighborhood.
  - \* All three of the team alternatives move the collector eastward from the original Primrose alignment.
  - \* There is general sentiment towards, *and support for*, annexation and development of water and sewer facilities. Make it happen sooner rather than later.
2. Residents Identify With, Care About, Want to be Proud of *Their* Neighborhood



**Russell Drive Area Mixed Use Neighborhood Plan  
Joint Planning Commission / City Council Briefing #1  
Wednesday, October 9, 2002**

**REVIEW OF EMERGING THEMES**

**A. PROJECT PURPOSE & OBJECTIVES**

*How does the comment received so far support Project Objectives?*

1. Neighbors want improvements for vehicles and pedestrians.
2. Neighbors recognize value of existing nearby commercial services.
3. They want to preserve their residential environment, while improving it.
4. They agree that some sort of new frontage road is a good idea – just don't split the neighborhood, wreck the residential character, make it unsafe with traffic or for driveways and pedestrians. Maybe call it, locate it, and design it as a neighborhood collector, not a frontage road.
5. Neighbors want streets and utilities. Are willing to annex. Are simply worried about the costs.

**B. TRANSPORTATION SYSTEM PLAN**

*How does the comment received so far fit with identified TSP needs?*

1. Neighbors support concept of a new street to take local traffic off of Hwy 20. Just don't make it a short cut for through traffic.
2. They recognize need to modify, improve, and possibly close some of the adjacent local street connections to the highway. Just make sure they can still get to adjacent stores and that the pedestrian isn't forgotten.

**C. NEIGHBORHOOD PRIORITIES**

*How does the Project and TSP fit with neighbor comments?*

1. Concurrence with TSP needs.
  - \* Manage highway access, improve safety.
  - \* But don't wreck the neighborhood in the process.
2. Recognition of URD potential.
  - \* Use URD to help satisfy neighborhood needs – Streets and Utilities.
  - \* Get creative, find the money, make it happen.
3. Support for mixed-use neighborhood center.
  - \* Don't try to designate additional commercial area, focus on access and safety.
  - \* Don't take away residential land use; focus on addressing needs and improving the neighborhood as a place to live.
  - \* Oh, and don't forget about access to schools, parks and open space.



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

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## LIBRARY ADVISORY BOARD Meeting Minutes September 11, 2002

The Library Advisory Board meeting was called to order at 5:35 p.m. Attending: Shirley Foulds, Carol Hiebert, Jane Hutchings, Carolyn Misa, Tom Stewart, Glenda Claborn, Councilman Roger Munk, and Library Director Denice Lee.

Minutes of the August 14, 2002 meeting were approved as written.

### **DIRECTOR'S REPORT:**

CIRCULATION: August 2002: 7,856	July 2001 7,429
YTD 2002: 15,902	YTD 2001: 14,444

**NOMINATION:** Nancy Eaton was nominated and approved as a member of the Library Advisory Board. She will fill a one year term. Her nomination will be forwarded to the Mayor for presentation to the City Council.

The **COMPUTERS** from the Bill and Melinda Gates Foundation will be arriving September 26, with training on September 26 and 27. The library will be closed for the installation and training.

The **HIRING PROCESS** has been completed. We have added Paulina Wilcox to our staff, filling the part time vacancy left when Denice Lee was hired as Library Services Director.

**JOB RESSIGNMENTS** are in the process. We are looking at the skills, abilities, and interests of our newly formed staff, and making off-desk job assignments accordingly. The reassignments have been made, and the staff is in the process of transitioning.

**FALL STORYTIME** started September 12. Our new hire, Kendra Antila, was a great success. There was a great deal of sound coming from the back room that indicated the children were involved in the program.

A CHILDREN'S ROOM COMPUTER with filtered Internet access and word processing and games will be arriving with the Gates computers. Staff and Board agree that the age for unattended children at the computer should be those 9 years of age and older. The Advisory Board recommended that the Children's Policy be written in such a way that a parent can make arrangements for a child to use the computer unattended regardless of age if they feel their child is capable. This relates only to the children's room computer. Denice will submit a draft of the Children's Internet Policy at our next meeting.

THE FRIENDS OF THE LIBRARY meeting with Tom McHill, the City Attorney, and John Hitt, City Administrator, took place on Monday, September 9 at the Friends meeting. It was determined that the Friends group is independent from the City.

### **FRIENDS OF THE LIBRARY REPORT**

Receipts from the August book sale were \$94.50.

**NEW BUSINESS:** The Board discussed the current donation form used by the library and made suggestions for improvements. Suggestions included a phrase informing donors that their books or funds derived from the sale of their books can go to places other than the library. Denice will rework the form and present a rough draft for Board approval.

**ADJOURNMENT:** The meeting was adjourned at 6:20 p.m.

**NEXT MEETING: October 9, 2002**

**853 Main Street**

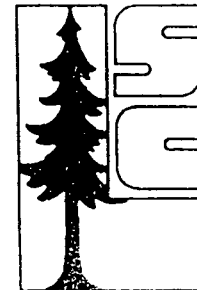
**5:30 p.m. – 6:30 p.m.**



## SENIOR AND DISABLED SERVICES

LEBANON SENIOR CENTER  
585 PARK STREET  
LEBANON, OREGON 97355

(541) 451-7481 Fax (541) 258-7286



### ADVISORY BOARD MEETING

September 18, 2002

#### MINUTES

Members present: Sandra Mallette, Jackie Pendleton, Frances West, Susan Tipton, Cheryl Wagner

Members absent: Bob Johnson, Heather Loveall, Lori McNulty, Bonnie Prince, Remona Simpson, Jim Toftner, Stan Usinger, Kathy Grinnel

#### MINUTES:

Minutes for the July 17<sup>th</sup> meeting were reviewed and there were no additions or corrections by those in attendance, however there was not a quorum so minutes will be reviewed at the October meeting.

#### CHAIRPERSON'S REPORT:

Jackie noted that Lyn Jones term as Rotating Community Business Member has expired and due to her current heavy workload she was not able to accept a second term. Lyn noted that if at some time an opening comes on the board coinciding with a lessened workload, she would like to have the opportunity to apply.

#### REPORTS:

- Senior Meals Program- Cheryl reported that with their new contract with the meal provider it is more cost effective to give second meals to people needing them than have the volume of meals provided drop which would cause a 40-cent per meal price increase. She noted that the current budget situation would result in hundreds of layoffs at the human resources division. These cutbacks will trickle down to each of us in our programs.
- Senior Outreach Program- Kathy was on vacation but Cheryl reported that the cutbacks in OPI will cause reverberations as many people who were able to manage in their home with in-home help will now have to be placed in facilities due to lack of in-home care.
- Senior Center- Susan reported that the wood carving class is growing, slowly and classes for fall will be Line Dancing, Cowboy Dance and Writing your Story. Susan said that on September 27<sup>th</sup>, the senior center will host Together Rx a program from Samaritan Health Services and Novartis to provide a free Rx discount card to people eligible for Medicare and within certain economic guidelines.

#### CONTINUING BUSINESS:

- Susan shared with the board the list of items that would have to be inspected and have costs attributed in order to arrive at the estimate of financial impact to re-locate the senior center at the LMS site. City Council would need this information in order to approve the move.

- Susan also reported on the progress of the Cookbook project. We have linked with a company that organizes and prints cookbook projects for non-profits. We mailed off our recipes and they will have 100 cookbooks back to us with a 6-week turn around time. The cost will be about \$200. We anticipate selling these cookbooks for \$7.50 each.
- Jackie reported on the workshop held September 16<sup>th</sup> with Donna Shewey to guide the LPLSC Trust in their capital campaign. Participants felt they got a lot out of the workshop and there will be follow-up meetings to assist the group raise money for the new senior center and the library.

**NEW BUSINESS:**

No new business

**ITEMS FROM THE FLOOR:**

Cheryl gave an update on the status of Diana Spencer, who was injured in an automobile accident. Diana is making progress but is not able to return to work. Cheryl will maintain contact with Diana.

**ADJOURNMENT:**

The meeting was adjourned.

**Next Meeting: Wednesday, September 18<sup>th</sup> 2002**

MINUTES  
CITY OF LEBANON  
PLANNING COMMISSION

SEPTEMBER 18, 2002

MEMBERS PRESENT: Chairman Don Robertson, Vice Chairman Barry Scott, Commissioners Paul Aziz, John Brown, Robyn Carson, Jon Davis, Tom Owen, Peggy Snyder and Mike Wells.

STAFF PRESENT: City Planner Doug Parker, City Attorney Tom McHill, City Administrator John Hitt and Linda Kaser, Administrative Assistant.

**1. CALL TO ORDER/ROLL CALL**

Chairman Robertson called the meeting of the City of Lebanon Planning Commission to order at 7:02 p.m., on September 18, 2002, in the Lebanon School District Board Room at 485 S. 5<sup>th</sup> Street. Roll call was taken with all members present.

**2. APPROVAL OF MINUTES**

The August 21 and 22 meeting minutes were postponed until the next Planning Commission meeting.

**3. CITIZEN COMMENTS**

There were none.

**4. PUBLIC HEARING (continued from August 21, 2002) – Comprehensive Plan Text Amendment CPTA-02-01**

Chairman Robertson reopened the hearing stating that all testimony, written and verbal, had been received. Therefore, no new testimony will be added to the record.

Chairman Robertson asked the Commissioners to declare any ex parte contact. All Commissioners disclosed they had contact from several people in favor and in opposition of the CPTA, as well as receiving the Friends of Linn County (FOLC) Newsletter. All Commissioners felt they could render an impartial decision.

Chairman Robertson pointed out three major concerns from the opposition. 1) Whether the text amendment is a major or minor change to the Comp Plan; 2) Whether the CPTA would create commercial sprawl; and 3) Whether the Transportation Planning Rule (TPR) would be in violation.

## Major or Minor Comp Plan Change

Chairman Robertson referred to Lebanon Comp Plan 1-15 and read the definition of major and minor changes to the Comp Plan. Commissioner Scott felt the proposed text amendment would be a minor change because it would not effect the community as a whole. Commissioner Aziz agreed that according to the definition it would be a minor change.

Chairman Robertson asked for comments on the justification of public need. Commissioner Scott stated that the applicant made a clear case that the commercial land use studies established what the needs are. Commissioner Scott stated that Christine Cook's written testimony (Pg 2.) referenced the Commercial Land Study and stated, "It is not entirely clear from any evidence offered in connection with this application, precisely how many acres now exist in the city that are zoned to allow commercial development." Commissioner Scott stated it was clear from the study that the city had approximately 200 acres proposed in 1995 for redesignation. The property, as part of this hearing, was not even under consideration. During the time of that study, all the property involved [with the subsequent hearings] was currently in commercial use. The study concluded that in addition to the property that will come under consideration, the need was 100 - 200 *additional* acres. Commissioner Scott stated the study already established the public need and the CPTA would simply effect what was already adopted seven years ago. Chairman Robertson asked if there were any questions. Hearing none, Chairman Robertson asked if everyone was in agreement with Commissioner Scott. All were in agreement.

## Commercial Sprawl

Chairman Robertson referred to 5-5 of the Comp Plan. "Recommendations concerning commercial development are aimed at preventing further commercial sprawl, creating a strong commercial core, and providing for additional compact commercial centers." Chairman Robertson asked the Commissioners if they felt this amendment would violate the commercial sprawl issue. Commissioner Davis stated that the amendment would reinforce the existing commercial area.

After brief discussion of the meaning of sprawl development, Chairman Robertson asked for clarification of the term "sprawl development". Commissioner Snyder stated "Central Commercial" should be better defined as well. City Planner Parker read several definitions of "sprawl" from Webster's Dictionary - to creep awkwardly, to spread or develop irregularly, to cause to spread out carelessly or awkwardly. Planner Parker explained the State has tried to come up with a definition, but has not yet come up with one for planning issues.

Commissioner Scott referred to 5-15 of the Comp Plan - Commercial Reserve and Commercial Development Standards. The Section states, "Future shopping centers should be allowed within the Mixed Density Residential District". The Comp Plan lists the criteria to base the location and development standards for shopping center commercial clusters on, stating No. 2 (Developments should be centralized and not allowed to spread into a commercial strip) speaks to the sprawl issue. Commissioner Scott explained they were not looking at the particular development proposal, rather specifically at the commercial land needs of the city, which was clearly established in the 1995 study. Commissioner Scott did not see any particular development proposal within the commercial needs assessment that would need to be evaluated based on sprawl.

Commissioner Owens didn't see where it would be considered additional "sprawl" when regardless of zoning, the land has been used commercially for years. Commissioner Snyder felt that the testimonies were in *anticipation* of sprawl, but not in itself considered sprawl. The consensus of the Commission was that the CPTA would not violate 5-5 of the Comp Plan.

#### Transportation Planning Rule (TPR)

Chairman Robertson referred to Christine Cook's comments regarding Statewide Planning Goal 12. Transportation is "to provide and encourage a safe, convenient and economic transportation system . . . Rather it can be concluded that access to Highway 20 over the intersecting streets will become more congested and more dangerous." Chairman Robertson asked for comments on whether allowing development south of Market Street would create a traffic hazard. Commissioner Carson stated with the amendment you could not clearly tell what development would be allowed down the road.

Commissioner Aziz referred to Mr. Bernstein's report that rated the Cascade Drive and Highway 20 intersection a level "F". This intersection would actually improve with development and the proposed changes to the area. Commissioners Davis and Snyder felt safety would be improved. Commissioner Wells stated the Text Amendment would not change the traffic issues, but would be dealt with in the development plan.

Commissioner Scott addressed the written testimony of Ms. Reynolds from ODOT identifying regulations that specifically effect transportation. The letter points out that if a municipality amends a Comp Plan or land use regulations it needs to make sure that the allowable land uses be appropriate with transportation issues. Commissioner Scott responded that allowing this different type of land use carries additional requirements of development. At this stage there is nothing that approving the text amendment could possible do to Goal 12. It does not reduce the requirements of Goal 12, but enhances the requirements. Commissioner Scott's response to Mr. Bernstein's letter was it might be true as it stands today, but any future development is required to meet appropriate standards and it has no relevance to the CPTA.

Commissioner Aziz addressed page 5-14 of the Comp Plan under Shopping Centers and asked the Commissioners if they had any strong feelings on this section. His feelings weren't strong on the issue. The other Commissioners had no further comments on this issue.

Commissioner Brown addressed an opponent's comments "there seem to be plenty of commercial land available at this time, between 90 and 110 acres is unused". There is also reference to the ECO NW Study, Brown read first sentence page 3-17, 3.2.5.6 Lebanon, of the ECO NW Study. The opponent stated that all communities have a surplus of commercial office and industrial land use sites in the UGB. The ECO NW land study acknowledged it, however, it did not consider the size and configuration of vacant sites. A closer review of the land designated for commercial use may reveal that parcel size and location may not be conducive to commercial development. The size of parcels limits the types of development.

Commissioner Scott clarified that the city needs to create available parcel sizes. Commissioner Brown stated that there are quite a few smaller parcels up and down the corridor, but it is limited to the buyer's needs for size. Commissioner Brown stated, "Basically, it doesn't do any good to have commercial land sitting on Oak Street or north of town if the buyer wants to have a business on the



highway south of town." Commissioner Snyder reiterated Mr. Hitt's previous testimony that he had received several requests for larger parcels of land.

Chairman Robertson summed up the letter from Marguerite Nabeta, the state Department of Land Conservation and Development. Essentially if the CPTA is not passed, the City is not in compliance with the Comp Plan Map. Commissioner Carson quoted a sentence from Ms. Nabeta's letter, "It is important to be exact in the development of the plan policy so that it includes all areas where future commercial development will be authorized." Commissioner Carson stated as long as that is kept in mind and we move forward with these things we can prevent or address this at the planned development.

Commissioner Brown reiterated that the CPTA would need to be approved in order to be in compliance with the DLCD.

Commissioner Scott referred to staff's finding #1 and suggested adding a finding that also complies with Section 9.020, which is probably a little different than the Public Hearing requirements. Commissioner Scott stated it may also be appropriate to develop a finding regarding Statewide Goal 12 (TPR), asking for clarification from Planner Parker, in that if this amendment doesn't comply with Goal 12 then the transportation issues will certainly be dealt with by nature of the land uses that will be created by this amendment. Mr. Parker stated that the properties impacted by this amendment are exclusively designated as Special Development District and the zone is Mixed Used. Consequently, that requires that any land use approval be subject to, at a minimum, a Conditional Use, public hearing by the Planning Commission. Transportation issues are being addressed in subsequent proposals as far as the Wal-Mart development. Not only does the current procedure demonstrate the transportation issues are a routine part of the procedures, but it would be required of future development as well.

Commissioner Scott stated that all Special Development District lands are subject to a planning process addressing transportation issues that Goal 12 would satisfy.

A motion was made by Commissioner Carson, seconded by Commissioner Davis, and passed unanimously **that the Planning Commission recommend to City Council the approval of the Comp Plan Text Amendment (CPTA-02-01) with staff' proposed finding and additional findings developed by the Planning Commission.**

## **5. OLD BUSINESS**

Staff will proceed with Comp Plan updates with all of the policy issues. Had the TSP been completed a year ago, it would not be an issue. However, staff cannot wait any longer for the TSP to be completed and intends to follow through with the proposed Comp Plan updates. If possible, staff may not touch the transportation element until the TSP is done. At the same time, staff plans to not only do the open space standard amendments discussed, but to do other zoning ordinance updates and adopt the land use regulation amendments that were completed one year ago. Staff intends to redirect attention from other activities and focus on the updates. The updates need to be concluded in order to provide the appropriate guidance tools for land use decision-making. Mr. Parker anticipates bringing updates to the Commission starting the first of next year and to be completed by summer.

## 6. OTHER BUSINESS

- A. Mr. Parker announced three hearings scheduled for October 16 and 17. The two dates are needed in case the first meeting runs too long. Along with the Map Amendment, Annexation and Planned Development another important application to the city as a whole is the conditional use request for modifications to the High School. The High School construction schedule would be substantially impacted if not on the October agenda. Mr. Parker added there was a good chance of finishing the first night. However, the second night is available if needed.

Commissioners Robertson, Scott and Snyder would not be able to make the second night. However, Commissioner Scott will try to change his plans to attend. At Chairman Robertson suggestion, the consensus was to start the meeting at 6:00 p.m.

Commissioner Scott asked when the Commissioners would receive information on the other public hearings. After brief discussion on receiving the information, Mr. Parker explained that the material will be received in increments due to the rebuttal periods and staff should be able to get it out on October 4 in advance of the agenda.

- B. Oregon Planning Institute. There was no response. Therefore, no one was enrolled.
- C. Mr. Parker reminded the Commissioners of the neighborhood meeting held on Saturday, September 21, from 9:00 until 1:00 p.m., at the Lebanon Chapel on South Main Road. Linn County will have staff in attendance as well. Also, there will be a joint briefing between City Council and Planning Commission on Wednesday, October 9 at 5:30 p.m. on the status of the Russell Drive Project at the School District Board Room. Commissioner Davis stated that he most likely wouldn't be able to attend.

## 7. COMMISSIONER COMMENTS

Chairman Robertson asked when the Council would review the Planning Commission's recommendations. City Administrator Hitt stated that it would be either October 23 or November 13 due to the appeal process and advertising requirements. Chairman Robertson asked if the opponents could appeal the recommendation to City Council. City Attorney McHill stated that they couldn't appeal a recommendation. The Council would need to take action for an appeal to be made.

## 8. ADJOURNMENT

Chairman Robertson adjourned the meeting at 8:05 p.m.

Meeting recorded and transcribed by Linda Kaser, Administrative Assistant

EASEMENT FOR PUBLIC ACCESS AND UTILITIES

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between LEBANON SCHOOL DISTRICT NO. 9, herein called Grantors, and the CITY OF LEBANON, a Municipal corporation, herein called "City."

WITNESSETH:

That for and in consideration of the total compensation to be paid by the City, the Grantor does bargain, sell, convey and transfer unto the City of Lebanon, a perpetual and permanent easement and right-of-way, including the right to enter upon the real property hereinafter described, construct sidewalk, and to maintain and repair public utilities for the purpose of conveying public utilities services over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public utilities and the further right to remove trees, bushes, under-growth and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted is described as follows:

SEE ATTACHED "EXHIBIT A"

- 2. The permanent easement described herein grants to the City and to its successors, assigns, authorized agents or contractors, the perpetual right to enter upon said easement at any time that it may see fit for construction, maintenance, evaluation and/or repair purposes.
3. The easement granted is in consideration of \$ 1.00, the receipt of which is hereby acknowledged, and in further consideration of the public improvements to be placed upon said property and the benefits Grantor may obtain therefrom. Nothing herein shall reduce or limit grantor's obligation to pay any costs or assessments which may result from the improvements.
4. The Grantor does hereby covenant with the City that Grantor is lawfully seized and possessed of the real property above described, has a good and lawful right to convey it or any part thereof, and will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.
5. Upon performing any maintenance, the City will make reasonable efforts to return the site to its original condition.
6. No permanent structure shall be constructed on this easement.

IN WITNESS WHEREOF, we have set our hands hereto this 11 day of October, 2002

IN WITNESS WHEREOF, we have set our hands hereto this day of \_\_\_\_\_, 20\_\_

STATE OF OREGON)
County of Linn) ss.
City of Lebanon)

STATE OF OREGON)
County of Linn ) ss.
City of Lebanon)

Tom McMill, Board Chair [ ]
Doug Libby, Vice Chair [X]
Jim Robinson, Clerk

J. Scott Simpson, Mayor [ ]
Ken Toombs, Council President [ ]
John E. Hitt, Recorder

GRANTOR(S)

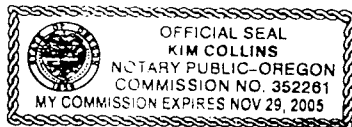
GRANTEES

On the 11 day of October, 2002, personally appeared the within named who acknowledged the foregoing instrument to be a voluntary act and deed.

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, personally appeared \_\_\_\_\_ and JOHN E. HITT, who each being duly sworn, did say that the former is the \_\_\_\_\_ and the latter is the Recorder for the City of Lebanon, a Municipal Corporation, and that the seal affixed to the foregoing instrument was signed and sealed in behalf of said corporation by authority of its City Council, which accepted this easement on the day of \_\_\_\_\_, 20\_\_, and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME: [Signature]
NOTARY PUBLIC FOR OREGON
My commission expires: 11/29/05

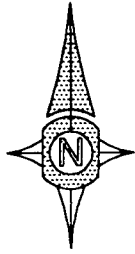
BEFORE ME: \_\_\_\_\_
NOTARY PUBLIC FOR OREGON
My commission expires: \_\_\_\_\_



## EXHIBIT "A"

A portion of land in Section 10, Township 12 South, Range 2 West, of the Willamette Meridian, in the City of Lebanon, Linn County, Oregon, more particularly described as follows:

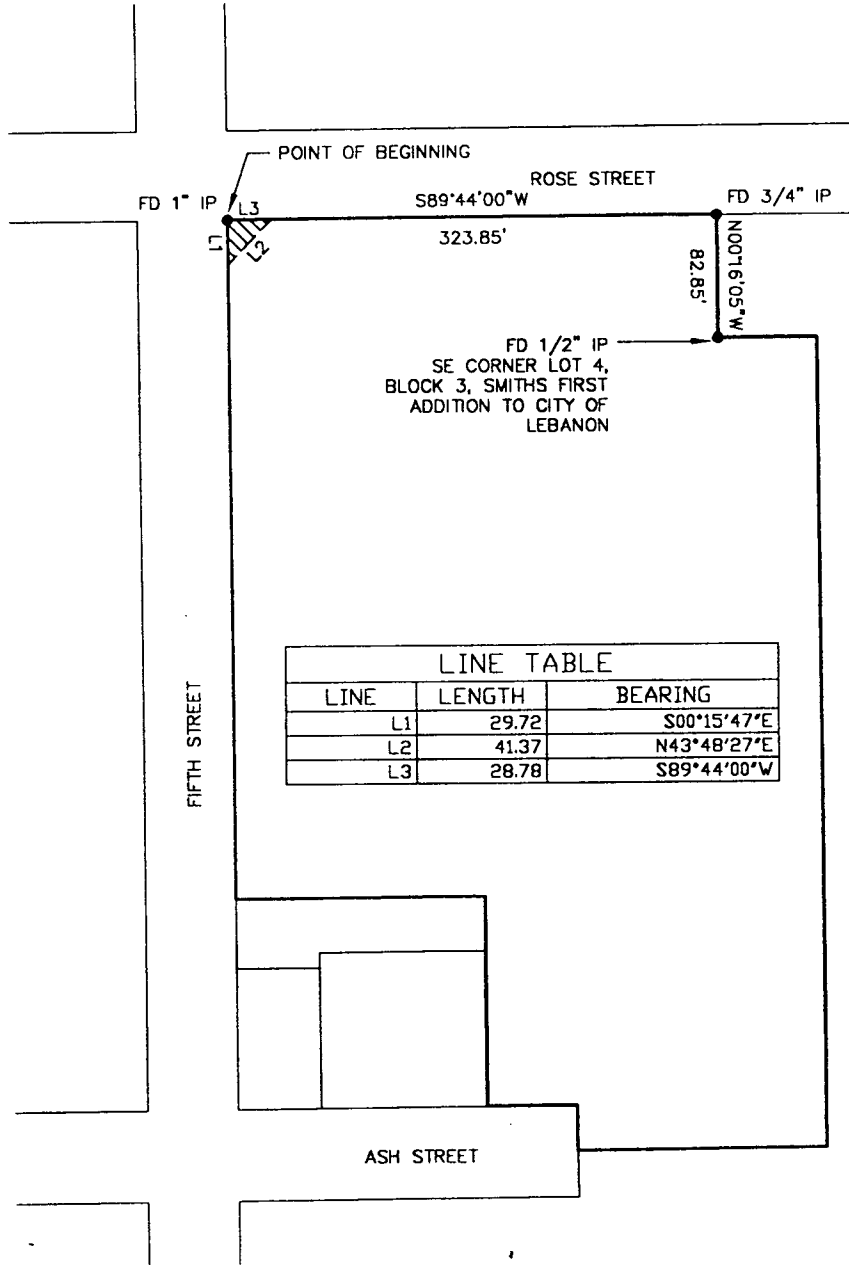
Beginning at a 1" iron pipe at the southeast corner of Rose Street and Fifth Street intersection, which is North  $00^{\circ}16'05''$  West 82.85 feet, and South  $89^{\circ}44'00''$  West 323.85 feet from the southeast corner of lot 4, block 3, of Smiths First Addition to the City of Lebanon; thence South  $00^{\circ}15'47''$  East 29.72 feet along the east right-of-way of Fifth Street; thence North  $43^{\circ}48'27''$  East 41.37 feet to a point on the south right-of-way of Rose Street; thence South  $89^{\circ}44'00''$  West 28.78 feet along south right-of-way of Rose Street to the point of beginning.



SCALE: 1"=100'

# EASEMENT EXHIBIT "B"

SEC. 10, T. 12 S., R. 2 W., W.M.  
CITY LEBANON, LINN COUNTY, OREGON



LINE TABLE		
LINE	LENGTH	BEARING
L1	29.72	S00°15'47"E
L2	41.37	N43°48'27"E
L3	28.78	S89°44'00"W

ENGINEER 8072 SURVEYOR 1366  
**JAMES F. UDELL**  
 ENGINEERING & SURVEYING  
 63 EAST ASH ST.  
 LEBANON, OREGON  
 97355  
 PH. (541) 451-5125  
 FAX (541) 451-1366  
 JOB NAME: SCHOOL\_ADMI.DWG

# *Appointment(s)*

## LIBRARY ADVISORY BOARD

- 1) Nancy Eaton
- 2) Glenda Claborn

October 18, 2002

Mayor Scott Simpson,

As the secretary for the Library Advisory Board for the Lebanon Public Library, I am forwarding the Board's recommendation to the Mayor for the appointment of Nancy Eaton to a one year (July 2002-June 2003) term on the Advisory Board; and Glenda Claborn to a full four year (July 2002-June 2006) term on the Advisory Board.

Nancy is a past Advisory Board member and a current library volunteer. She and her family are longtime library users. Glenda is a teacher for the Lebanon Community School District. She and her girls are longtime library users as well. They have both been library supporters for many years.

The Advisory Board recommends their appointment by the Mayor, and looks forward to receiving such notification.

Sincerely,

Denice Lee

Lebanon Public Library Advisory Board Secretary

Board Members

Carol Hiebert, Chairperson

Carolyn Misa, Vice Chairperson

Shirley Foulds, Friends of the Library Representative

Tom Stewart

Jane Hutchings

Roger Munk, Council Representative

# *Presentation*

LEBANON MIDDLE SCHOOL MASTER PLAN  
OPEN HOUSE REPORT

Presented by: Architect Mark Seder



# Agenda Item 1

**A BILL FOR AN ORDINANCE )  
AMENDING SECTION 10.04.010 )  
DEFINITIONS, OF THE LEBANON )  
MUNICIPAL CODE )**

**Ordinance No.** \_\_\_\_\_  
**for 2002**

**Bill Number** \_\_\_\_\_

The people of the City of Lebanon do ordain as follows:

**Section 1.**

Section 10.04.010 of the Lebanon Municipal Code is hereby amended to read as follows:

10.04.010 Definitions.

In addition to those definitions contained in the adopted sections of the motor vehicle laws of Oregon, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:

- A. "Alley" means a narrow street through the middle of a block.
- B. "Bicycle" means a device propelled by human power upon which a person may ride, having two or more tandem wheels, either of which is six inches or more in diameter.
- C. "Bus stand" means a fixed area in the roadway adjacent to the curb, to be occupied exclusively by buses for layover in operating schedules or waiting for passengers.
- D. "Curb" means the extreme edge of roadway.
- E. "Holidays" means, where used in Chapters 10.04 through 10.24, 10.32 through 10.48 and 10.56 of this code or on signs erected in accordance with Chapters 10.04 through 10.24, 10.32 through 10.48 and 10.56 of this code, legal holidays designated as such by the statutes of the state of Oregon.
- F. "Loading Zone" means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or material or freight.
- G. "Park" or "parking" means the standing of a vehicle, whether occupied or not.
- H. "Parkway" means that portion of a street not used as a roadway or as a sidewalk.
- I. "Passenger loading zone" means a loading zone reserved only for the loading or unloading of passengers and their luggage.
- J. "Pedestrian" means a person afoot.
- K. "Person" means a natural person, firm, partnership, association or corporation.
- L. "Roller skates" or "roller blades" mean a shoe or boot with a set of wheels attached for skating over a flat surface. These terms also include a metal frame with wheels attached that can be fitted to the sole of a shoe or boot.

A BILL FOR AN ORDINANCE )  
AMENDING CHAPTER 12.12, OF THE )  
LEBANON MUNICIPAL CODE, )  
ADDING A NEW SECTION )  
PROHIBITING OPERATION OF )  
BICYCLES, SCOOTERS, ROLLERSKATES, )  
OR OTHER WHEELED VEHICLES, IN )  
AREAS OF CITY PARKS )

Ordinance No. \_\_\_\_\_  
for 2002

Bill Number \_\_\_\_\_

The people of the City of Lebanon do ordain as follows:

**Section 1.**

A new section of the Lebanon Municipal Code, Section 12.12.130, Operation of Bicycles, Scooters, Rollerskates and Other Wheeled Vehicles, Prohibited, is hereby added to read as follows:

No person, other than a police officer or reserve police officer in the furtherance of the officer's duty, shall ride or operate a bicycle, scooter, skateboard, rollerskates or rollerblades upon benches, upon picnic tables, alongside or under picnic shelters or alongside or under gazebos located within any city park or recreation area open to the public, except upon designated bike trails within said parks or recreation areas.

**Section 2.**

This ordinance shall be effective 30 days from its passage.

Passed by the City Council of the City of Lebanon by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
J. Scott Simpson [ ]

\_\_\_\_\_  
Ken Toombs, Council President [ ]

ATTEST:

\_\_\_\_\_  
John Hitt, City Recorder

**A BILL FOR AN ORDINANCE )  
AMENDING SECTION 12.12.015 )  
DEFINITIONS, OF THE LEBANON )  
MUNICIPAL CODE )**

**Ordinance No.** \_\_\_\_\_  
**for 2002**  
**Bill Number** \_\_\_\_\_

The people of the City of Lebanon do ordain as follows:

**Section 1.**

Section 12.12.015 of the Lebanon Municipal Code is hereby amended to read as follows:

12.12.015 Definitions.

The following definitions shall apply for the purposes of this chapter

“Alcoholic beverage” is any beverage having an alcoholic content of more than one-half of one percent by volume.

“Neighborhood park” is defined to mean the following municipal parks located within the Lebanon corporate limits: Ralston Park, Century Park, Weldwood Park, Christopher Columbus Park, Jaycee Park, Booth Park and Had Irvine Park; but such definition shall not include River Park.

“Roller skates” or “roller blades” mean a shoe or boot with a set of wheels attached for skating over a flat surface. These terms also include a metal frame with wheels attached that can be fitted to the sole of a shoe or boot.

“Skateboard” means a board or similar platform made from any substance mounted on wheels.

“Scooter” means a foot operated vehicle, consisting of a narrow board mounted between two wheels tandem with an upright steering handle attached to the front wheel.

**Section 2.**

This ordinance shall be effective 30 days from its passage.

Passed by the City Council of the City of Lebanon by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
J. Scott Simpson [ ]

\_\_\_\_\_  
Ken Toombs, Council President [ ]

ATTEST:

\_\_\_\_\_  
John Hitt, City Recorder

# Agenda Item 2



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

## MEMO

October 18, 2002

To: Mayor and City Council

FM: City Administrator

RE: Proposed Chamber of Commerce/City of Lebanon Agreement

The attached, proposed agreement has been drafted in accordance with the motion approved by the City Council on September 25<sup>th</sup>.

It is similar to the previous agreement with the Chamber that expired a couple of years ago. The following are the principle differences:

1. The current agreement calls for reimbursement of actual expenses incurred by the chamber in fulfilling the agreement
2. The Chamber is required to submit documentation to verify that the \$500 monthly allocation was spent in tourism promotion activities.
3. The Chamber's reimbursable expenses are limited to the "dissemination of information" about tourist and recreational facilities and activities.

Staff believes that this agreement is consistent with the motion approved by the City Council in September and recommends your approval

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

## AGREEMENT

This Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2002, by and between the City of Lebanon, a municipal corporation and political subdivision of the State of Oregon, with its principle office at 925 Main Street, Lebanon, Linn County, Oregon, and hereinafter referred to as "City" and the Lebanon Area Chamber of Commerce, a non-profit corporation organized under the laws of the State of Oregon, having its principle place of business located at 1040 Park Street, Lebanon, Linn County, Oregon, hereinafter referred to as "Chamber".

### WITNESSETH

WHEREAS, in accordance with the provisions of Lebanon Municipal Code, Chapter 3.12, the city desires to participate in a program for the operation of tourism in Lebanon and seeks provisions for the attraction and promotion of programs designed to provide tourism activities, general information and referral assistance to all prospective visitors to Lebanon and surrounding areas; and

WHEREAS, Section 3.12.220 of the Lebanon Municipal Code provides that all revenues derived from the transient room tax shall be spent for the promotion, acquisition, construction, operation and maintenance of recreational, cultural and tourist-related services, and that it is the intent that revenue from the transient room tax shall be used to promote Lebanon, Oregon; and

WHEREAS, the Chamber desires to undertake and has the ability to support and promote tourism for the City of Lebanon; and

WHEREAS, the City desires to use the services of the Chamber pursuant to the requirements, limitations and direction of LMC Chapter 3.12;

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and covenants contained herein, the parties agree as follows:

1. The Chamber agrees to staff and operate a Visitor's Information Center. Services provided will include, but not be limited to, providing local citizens and visitors with information about Lebanon area visitor facilities, recreational opportunities, city services and provide a clearinghouse for the dissemination of other requested information about the Lebanon area. In addition, the Chamber shall provide coordination for the dissemination of information which is generated by written or e-mailed requests for information.
2. The Chamber agrees to ensure that the "Visitor Information Center" signs which are on roads and highways in the general vicinity of the City will provide directions as to where persons may obtain further information about the Lebanon area.
3. The Chamber agrees to maintain office and telephone service which shall be open and available to the public from each Monday through Friday, except for holidays or such other times as which may be determined reasonably necessary by the Chamber for prudent business reasons or safety issues.



4. The Chamber agrees to maintain books, records, documents and other evidence of accounting procedures, and to provide a quarterly statement to the City that documents evidence of tourism support functions of the Chamber. Reimbursable expenses shall be limited to expenses for mailing brochures, answering tourism related telephone calls and e-mails, and assisting visitors who enter the Visitor Information Center. The charges for these functions shall not exceed the actual costs to the Chamber in the way of staff salaries, postage, telephone and utility expenses incurred by the Chamber for each charge to satisfy the defined tourism functions agreed to herein. Those records shall be subject to the inspection, review or audit by the City at all reasonable times.
5. Chamber agrees to indemnify, defend and hold harmless the City, its agents, officers and employees, from and against any and all liability, claims, suits, loss, damages, costs and expenses arising out of or resulting from the negligent or intentional acts, errors or omissions of the Chamber, its officers, employees or agents.
6. Chamber agrees to comply with the provisions of all Federal, State and local laws and ordinances that are applicable to the performance under this contract. The Chamber, its employees, volunteers and agents working under this agreement are subject employees under the Oregon Worker's Compensation Law and shall comply with ORS 656.017, which requires the Chamber to provide Worker's Compensation coverage for all of their subject workers.
7. The City agrees to reimburse to the Chamber, as consideration for services performed as described herein, on at least a monthly basis for tourism based functions described in paragraph four of this agreement an amount not to exceed \$500 per month. However, in the event that the Chamber expends more than this sum on expenses related to tourism, the Chamber may submit such billings to the City for review and consideration for payment of such additional sums. Notwithstanding this procedure, nothing herein shall prevent the Chamber from seeking prior approval from the City for reimbursement of additional expenses, activities or functions upon the same being incurred by the Chamber.
8. It is mutually agreed by the parties:
  - a. All funds paid to the Chamber pursuant to this agreement shall be used only as may be provided in this agreement, or according to law.
  - b. The parties agree that at all times herein, the Chamber shall be deemed as an "independent contractor" and not an agent of the City. Accordingly, the Chamber, while providing the labor or services required herein, is free from the direction and control over the means and manner of providing the labor or services, subject only to the right of the City to specify the desired results. The Chamber shall be responsible for obtaining and providing any and all tools or equipment necessary for the performance of the provisions of this agreement, and retains the authority to hire and fire employees to perform the labor or services required herein. The Chamber assumes and continues to have any and all responsibility for paying its employees, withholding federal and state mandated income taxes, and making all necessary reports of the same to the government entities as required by law.
  - c. The Chamber agrees not to discriminate on the basis of race, religion, sex, color, mental or physical handicap or national origin in the enforcement and execution of this agreement.

- d. This agreement is not subject to transfer by merger, consolidation, sale, assignment or otherwise without prior, express written consent of the City of Lebanon.
- e. A waiver of any breach of any provision of this agreement by either party shall not operate as a waiver of any subsequent breach of the same or any other provision of this agreement.
- f. This agreement shall run for a period of three years from it's adoption except that either party, upon written notice to the other party of no less than 180 days, may terminate this agreement if either the Board of Directors of the Chamber of Commerce or the Lebanon City Council determines that there has not been faithful performance as required under the terms of this agreement. Upon termination, the Chamber shall also provide to the City, within thirty days, a current accounting of any and all funds expended pursuant to the agreement up until the time of termination.

IN WITNESS WHEREOF, the parties have executed this Agreement at Linn County, Oregon, the day and year first above written.

City of Lebanon

Lebanon Area Chamber of Commerce

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
By President, Board of Directors

Approved as to form:

\_\_\_\_\_  
By Executive Director

\_\_\_\_\_  
Thomas A. McHill OSB# 81312  
Lebanon City Attorney

\_\_\_\_\_  
By Vice President, Board of Directors

# Agenda Item 3



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

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**TO:** John Hitt, City Administrator

**DATE:** October 16, 2002

**FROM:** Casey Cole, Finance Director *CC*

**SUBJECT:** Housing Rehab Grant Program Manager

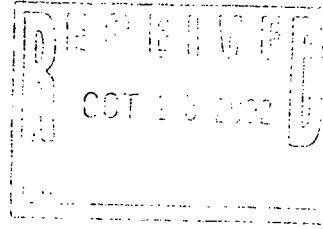
On August 14, City Council authorized City staff to advertise a request for proposals to provide program management and administration services for an Oregon Community Development Block Grant Award. This grant, in the amount of \$300,000, will fund housing rehabilitation by offering deferred payment loans to qualified, low to moderate, income homeowners.

The deadline for responses to this request for proposals was Tuesday, October 15. One response was received, from Linn County Affordable Housing. In an agreement between Linn County Affordable Housing, and Oregon Rural Housing Services, Sarah Branson and David VanDerlip are to be Co-Program Managers with each party responsible for various steps that fit their experience and expertise. Sarah Branson is currently program manager for a Linn County rehab grant, and David VanDerlip has been our Program Manager on our last four rehab grants.

Of the \$300,000 grant, their fee will be \$60,000 - or the 20% allowed under the Oregon Community Development Block Grant guidelines.

Action requested:

Motion directing the City Administrator to enter into a contract with Linn County Affordable Housing to provide grant program management and administration services.



October 14, 2002

City of Lebanon  
Terry Lewis  
853 Main Street  
Lebanon, OR 97355

Re: Request for Proposal for Project Coordination/Administration of Grant # H01006

Dear Mr. Lewis,

Please find enclosed the Linn County Affordable Housing response to the Request for Proposal to administer and manage the City of Lebanon Housing Rehabilitation Community Development Block Grant # H01006.

Linn County Affordable Housing is pleased to provide, to the City of Lebanon, the required submittals as well as resumes for each of its management team members. These items are provided for your consideration and review with the hope of securing the proposed contract for professional services to provide much needed housing rehabilitation loans to low and moderate income homeowners in Lebanon.

Thank you,

*Sarah Branson*

Sarah Branson  
Program Manager

745 Main Street Lebanon, Oregon 97355  
Phone: 541. 259. 2166 Fax: 541. 258. 3791

## Organizational History

Linn County Affordable Housing (LCAH) is a 501 (c)(3) community development corporation that has been administering local, state and federal grants and loans since its inception in 1991. LCAH has, to date, developed 126 units of affordable rental housing in East Linn County bringing over nine-million in housing resource dollars to the area. Through strong partnerships with Oregon State Departments, national intermediaries, and private lenders and investors, LCAH continues to successfully provide safe, decent, affordable housing solutions to low-and-moderate income householders in East Linn County.

Starting in 1999 when the CDBG Housing Rehabilitation Program began developing new guidelines, LCAH began working with the Oregon Economic and Community Development Department (OECD) and the City of Lebanon to examine these changing guidelines in order to identify a working model that would insure access to these funds in East Linn County. Working with the jurisdictions of Lebanon, Linn County, and Scio, LCAH helped facilitate with the Community Development Law Center, an affiliate of Oregon Legal Aid Services, the Linn County Housing Rehabilitation Partnership (LCHRP), a regional partnership committed to the preservation of safe, decent single-family housing in East Linn County through acquisition of these CDBG grants and additional leveraged private and public funds. LCAH has leveraged additional funds for housing rehabilitation through USDA Rural Development, the regional weatherization program, and by continuing to build the LCAH Regional Revolving Loan Fund. The LCAH Regional Revolving Loan Fund is a commitment to the sustainable future of the housing rehabilitation program for low-moderate-income households in East Linn County. Most recently, LCAH was invited to participate in the Lebanon Russell Drive Study to address affordable housing development in a new Urban Renewal District (URD). The area is currently within Linn County just outside the Lebanon City Limits, where there are significant environmental and housing quality issues, making this a perfect opportunity for the LCHRP and the LCAH Regional Revolving Loan Fund to make a difference. In summary, LCAH is fully committed to quality administration and management of the CDBG Housing Rehabilitation Grant Program and to the leveraging of funds that would expand the program to meet the qualitative needs of both the individual homeowner and the larger community.

In January 2000, LCAH began administering and managing a \$500,000 CDBG housing rehabilitation grant for Linn County as the first CDBG grant activity of the LCHRP. On September 18, 2002 the Linn County Housing Rehabilitation Program Grant # H99006 was audited by Oregon Housing and Community Services. An audit of the Recipient and Program Managers files was conducted. The response from Oregon Housing and Community Services was: "the grant project is in compliance with federal and state requirements. The project is proceeding on schedule and grant administration is running smoothly. Indications are that the project will remain on track through completion."

## Management Team

The LCAH Office is centrally located in downtown Lebanon and open to the public from 9:00 AM to 5:30PM Monday through Friday making it easily accessible to potential borrowers. The proposed Management Team for the Lebanon Grant would consist of: Diana Cvitanovich, Sarah Branson, Bob May, David VanDerlip, and Nick Lahanas.

As Executive Director of LCAH, Diana Cvitanovich will act as *Grant Administrator* of Lebanon Grant # H01006. She and her staff will be responsible for budget oversight, quality control, compliance with state and federal programs, monitoring project progress and OHCSA audits.

Sarah Branson, LCAH Housing Rehabilitation Specialist, and David VanDerlip, Executive Director of Oregon Rural Housing Services, as *Co-Program Managers* will be responsible for the following and will ensure the timely and correct execution of the grant.

- Maintain an active working knowledge of the Oregon and Federal Community Development Block Grant (CDBG) Management Handbook (2001) to support program policy and implementation.
- Maintain a strong working relationship with CDBG program management within the Oregon Housing and Community Services Department
- Work directly with the Linn County Housing Rehabilitation Partnership (LCHRP) in development, evaluation, and reporting of all grant activity providing timely public notification of meetings, access to LCHRP meeting minutes and policies established
- Direct loan repayments to be deposited in the LCAH Regional Revolving Loan Fund and facilitate a community based advisory committee to create mission driven policy
- Provide and coordinate staff support for the Housing Rehabilitation Program to assure quality control of all aspects of program.
- Market the program with materials and application forms displaying appropriate logos, fair housing practices, affirmative action and all current program requirements
- Provide brochure/training to homeowners describing program perimeters and responsibilities to ensure good homeowner— contractor— program relations
- Develop and oversee rehabilitation standards acceptable to HUD and State of Oregon basic building codes as adopted by C.A.B.O.
- Provide qualified list of contractors licensed with the Oregon Construction Contractors Board to assist homeowners with bid process and ensure that bids adhere to Federal HUD and Oregon State standards and practices.
- Administer construction contracts according to program policy
- Develop and implement program policies as stated and agreed upon in the grant
- Draft procedures for the program to create a sequentially ordered outline of tasks to be performed by the housing rehabilitation staff
- Meet all Federal and State Historic Preservation (SHPO) standards as required
- Investigate, document, report and resolve all environmental issues in compliance with current federal and state standards as required by the grant including lead-based paint issues prior to the closing of each loan.
- Draft guidelines and exceptions for the loan review committee for approval/denial that best support the goals of the program.
- Process all loan applications, verifications, title reports, and legal documents

- Review title reports and resolve property ownership issues prior to loan close
- Coordinate and oversee loan closing and the appropriate recording of the trust deed
- Provide day-to-day financial management and record keeping for the program
- Review all required documents pertaining to payroll, contractors, and sub-contractors per HUD requirements and process all progress payments in a timely manner
- Approve or disapprove all change orders
- Ensure all permits have been issued and all inspections occur in a timely manner
- Facilitate dispute resolution processes according to written program policies
- Ensure that the City of Lebanon Housing and Rehabilitation Program is in compliance with all local, state and federal regulatory requirements

*Specific responsibilities of management staff are outlined in “Memorandum of Understanding.”*

Bob May, Housing Rehabilitation Specialist certified by the National Association of Housing and Redevelopment Officials (NAHRO), brings more than 18 years of CDBG Grant Management experience to the team. Bob has been an important member of the existing Linn County Grant and will continue to provide his expertise to the Lebanon grant.

David VanDerlip and Nick Lahanas bring with them over thirty-eight years of experience with the CDBG Housing Rehabilitation Program and will assist with the Lebanon Grant. Nick Lahanas is a licensed contractor with over 23 years experience in all aspects of home construction, remodeling and repair. He is a state certified structural and mechanical inspector and has provided inspection and construction management services for more than five hundred CDBG funded home loans. He is currently certified by the State of Oregon to do lead based paint risk assessments. Because of the year awarded, the Lebanon Grant will require lead-based paint assessment and abatement where indicated.

Nick Lahanas, *Rehabilitation Construction Inspector* will provide program oversight as follows:

- Participate in the pre-construction conferences between homeowners and contractor
- Inspect qualified applicants home, develop written scope of work
- Inspect for lead base paint, and other required environmental due diligence as required by federal and state law. Work with regulating jurisdictions and provide information to homeowner throughout process.
- Implement rehabilitation standards acceptable to HUD and basic building codes as adopted by C.A.B.O.
- Ensure all permits have been issued and conduct inspections in a timely manner
- Provide construction management to include:
  1. Written scope of work to describe rehabilitation needed to preserve structural integrity, health and safety, and quality of life for homeowner and community
  2. Drawings and specifications where needed
  3. Report to Program Manager providing all required documents for Records
  4. Submit accurate and timely substantiation to program manager for progress payments, including review of any change orders and identified retainage for timely and appropriate payment to contractors
  5. Ensure that all required building inspections and permits by regulating jurisdiction occur in a timely manner and retain documentation for owner and LCAH Program Manager files.



## **Experience**

The proposed Administrative and Management Team of: Diana Cvitanovich, Sarah Branson, Bob May and David VanDerlip have been, or are currently responsible for these CDBG grants.

### ***CDBG Experience***

1987 City of Sheridan Housing Rehabilitation Grant	\$300,000
1988 Yamhill Co. Farm Labor Housing Rehabilitation Grant	\$500,000
1990 Hood River County Farm Labor Housing Rehab Grant	\$250,000
1990 Malheur Co. Farm Labor Housing Rehabilitation Grant	\$250,000
1993 City of Lebanon—Housing Rehabilitation Grant	\$500,000
1995 Linn County—Linn County Housing Rehabilitation	\$300,000
1996 City of Lebanon—Housing Rehabilitation Grant	\$300,000
1996 City of Sweet Home—Housing Rehabilitation Grant	\$300,000
1998 City of Lebanon—Housing Rehabilitation Grant	\$500,000
1998 CDBG Housing Rehab—Lebanon Grant	\$500,000
2000 CDBG Affordable Housing Infrastructure Grant—Sweet Home	\$375,000
2000 Union County—Housing Rehabilitation Grant	\$500,000
2001 Linn County—Linn County Housing Rehabilitation Program	\$500,000

### **HUD—CDBG Program Grantees References**

Linn County	Linn County Housing Rehabilitation Program Rick Partipilo at 541-967-3821.	\$500,000
Union County	Housing Rehabilitation Partnership Dennis Spray at 541-963-1001	\$500,000
City of Sweet Home	Housing Rehabilitation Program Pat Gray at 541-367-5128	\$300,000

### **Organizational References**

Betty Markey	Oregon Housing and Community Services Housing Resources Department Director Phone—503-986-2116
Pat Gray	City of Sweet Home Finance Director Phone—541-367-5128
Bill Van Vliet	Network for Oregon Affordable Housing Executive Director Phone—503-223-3211
Charlie Harris	Community Development Law Center Attorney, Co-Director Phone—503-471-1182

**Budget**

See attached budget.

**Time Commitment per staff position**

EMPLOYEE	PROPOSED WORK	HOURS PER WEEK/MONTH
Sarah Branson	Program Manager	25 week
Bob May	Assist Program Manager	2 week
Diana Cvitanovich	Program Administrator	3 week
Nick Lahanas	Construction Inspector	10 week
David Vanderlip	Co-Manager/Construction	10 week

**PROJECT SCHEDULE**

ITEM	COMPLETION DATE
Begin processing loans	November 2002
Obligate 25% of funds	February 2003
Obligate 50% of funds	June 2003
Obligate 75% of funds	September 2003
Obligate 100% of funds	December 2003
Complete all rehabilitation construction contracts—Project close-out/completion report by	March 2004

Linn County Affordable Housing will comply with all requirements of the federal and state government regarding professional services contractors funded through the HUD CDBG program.

## Diana Cvitanovich

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### Experience

- 1995-2002                      Linn County Affordable Housing                      Linn County, OR  
Executive Director
- Increased assets from \$6K to \$9 Million.
  - Developed six projects/126 units of affordable housing county-wide.
  - Winner Oregon Housing & Community Services "1999 Excellence in Housing" award.
- 1996                                      Lebanon
- Developed Carolina Court: 10 Multi-Family Affordable Townhouse Units near Boys & Girls Club
  - Population: Families at or below 60% and 50% of area median income (AMI)
  - Sources: HUD/HOME, Oregon Housing TRUST Fund, Permanent Loan by NOAH
  - Total Cost: \$847,000, Construction Lending by Bank of America.
- 1997-1998                      Harrisburg
- Developed Sommerville Place: 28 unit Multi-Family Townhouses for families at 50-60% AMI
  - On-site Community Center w KIDCO HeadStart, summer and after-school programs.
  - Sources: HUD.HOME, Oregon Housing TRUST Fund, Low-Income House Tax Credit Equity, Oregon Affordable Housing Tax Credits, Permanent Loan by NOAH.
  - Total Cost: 2,572M Construction Lending by Wells Fargo Commercial Lending
- 1999                                      Sweet Home
- Developed Ames Creek Court: 30 cottage style units of independent living for seniors.
  - Community Garden, Community Room, Monthly Socials, In-Home Care as needed.
  - Sources: HUD/HOME, Oregon Housing TRUST Fund, Low-Income House Tax Credit Equity, Oregon Affordable Housing Tax Credits, Permanent Loan by NOAH.
  - Total Cost 2,320M Construction Lending by Wells Fargo Commercial Lending
- 1999                                      Sweet Home
- Acquired/Rehabilitated Cascadia Village, 32 one, two, & three bdrm units, and "expiring use" HUD property to be preserved as affordable housing for low and very-low income households.
  - Built New Community Center on site: community meetings, boy-scouts, girl-scouts, social, classes
  - Sources: HUD/HOME, Oregon Housing TRUST Fund, Low-Income House Tax Credit Equity, Oregon Affordable Housing Tax Credits, Permanent Loan by NOAH.
  - Total Cost: 1,715M Construction Lending by Wells Fargo
- 2001-2003                      Sweet Home
- Began Development of Planned Unit Development: Sunset Corners, 23 unit subdivision
  - CDBG Public Infrastructure grant: \$450,000 to provide all public infrastructure (complete)
  - Phase I: Five cottage style duplexes/10 unit special needs housing \$947,000 (under construction)
  - Phase II: 13 Single family homes for low-moderate income first-time buyers (infrastructure ready)
- 2002                                      Lebanon
- Acquired Carolina 100: 16 units requiring minor rehabilitation for additional affordable housing
  - Sources: Bridge Lending/OHCSD and NOAH \$667,000.

### Education

- 1987                                      Union Institute                                      San Diego, CA
- B.A., Psychology and Arts & Communication

**Sarah Branson**  
161 W Mary Street  
Lebanon, OR 97355  
541-451-4770

**OBJECTIVE: Program Manager/Accounting Assistant**

**EXPERIENCE**

Linn County Affordable Housing  
**Housing Rehabilitation Specialist/Program Manager** Lebanon, OR 97355  
2000 to current

Duties: Community Development Block Grant management, loan servicing, work write-ups, bid request, monitoring construction projects, meeting with applicants and contractors to discuss progress of work, and marketing the rehabilitation program in Linn County.

CDI Corporation West  
**EHS Assistant** Corvallis, OR 97330  
1999-2000

Duties: assisted Environmental Health and Safety Specialist with Workers' Compensation and OSHA. I took many courses with OSHA and am certified in recordkeeping, employer coverage, hazard communication, and ergonomic awareness. Other duties included taking reports from injured workers, on-site inspection and phone conversations with injured workers.

CDI Corporation West  
**Process Operator** Corvallis, OR 97330  
1994-1998

Trained with Corporate Risk Management for behavioral purposes. Operated Encap machines and did inspection on products. Assisted subordinates and supervisors in identifying and resolving problems. Trained new employees in my area on Encap machines and OSHA regulations.

**EDUCATION**

Linn Benton Community Collage  
**Accounting Certificate** Albany, OR 97321  
1998-1999

Significant courses included: accounts payable/receivable, ledgers, journals, computerized accounting, payroll-manual and computerized. Computer experience: MS Word, Excel, Access, PowerPoint, WordPerfect, 10-key, and business math. Speech experience and additional writing courses.

# ROBERT DEAN MAY

## RESUME

### CURRENT POSITION

Housing Programs Manager  
Community and Shelter Assistance Corporation (CASA)  
212 East First Street  
Newberg, Oregon 97132

### PERSONAL DATA

Address: 7355 Blanchard Road  
Sheridan, Oregon 97378  
Telephone: (503) 843-4413  
Born: October 9, 1947 - Oregon City, Oregon  
Marital Status: Married (no dependents)  
Citizenship: U.S.A.  
Social Security: 541-52-8754

### EDUCATIONAL BACKGROUND

- Public School System: West Linn, Oregon
- 1965 graduate, West Linn High School; West Linn, Oregon
- Oregon State University (one year)
- Clackamas Community College (one year)
  - 1973 graduate, Carpenters Apprenticeship Program; Mt. Hood Community College
  - 1987 & 1988, I completed a number of graduate level courses in Public Administration at Portland State University.

### WORK EXPERIENCE

07/89 to Present: CASA of Oregon  
212 East First Street  
Newberg, Oregon 97132

Title: Housing Programs Manager

Duties: I participate, with others in the office, in performing the art of housing development. To play my part I must have and use my expertise in housing program finance, development and management; grant writing; grant management; property acquisition; , bid requests and bid specifications; construction contract management; construction inspection; public speaking and advocacy work to develop, market and administer low-income housing programs throughout the state of Oregon.

From 07/84 to 07/89: Housing Authority of Yamhill County  
414 North Evans Street  
McMinnville, Oregon 97128

Title: Housing Rehabilitation Specialist

Duties: Grant writing, grant management, loan servicing, Property Acquisition, work write-ups, bid requests, monitoring construction projects, notary public, public speaking, and advocacy work to develop and market low-income housing programs throughout Yamhill County.

From 1968 to 1984: I was involved in all phases of construction. I was a Journeyman Carpenter, and have been a Carpenter Foreman, a Construction Superintendent, and a Contractor. I have had experience in design, remodel, commercial construction, maintenance, residential construction, bidding, estimating and personnel management. I have a broad base of knowledge in regards to all types of construction and construction projects.

From 09/77 to 06/78: Amity High School  
503 Oak  
Amity, Oregon 97101

Title: Building Construction Teacher

Duties: Introduced students in grades 9 through 12 to the "World of Construction". Under my guidance, the Building Construction class remodeled two classrooms and built and sold a 1,200 sq. ft. house.

### MEMBERSHIPS

- National Association of Housing and Rehabilitation Officials (NAHRO)
- Oregon Rural Housing Coalition
- Buell - Red Prairie Water Board of Directors

### REFERENCES

Charlie Harris, Exec. Director, CASA of Oregon	(503) 471-1182
Paul Colbert, Exec. Director, Coos - Curry Housing Authority	(541) 756-4111
Peter Hainley, Exec. Director, CASA of Oregon	(503) 537-0319
Scott Foster, Exec. Director, Housing Authority of Jackson County	(541) 779-5785

## CDBG ADDENDUM

My Community Development Block Grant experience is as follows:

1984 City of Willamina Housing Rehabilitation Grant	\$300,000
1985 Yamhill Co. Dayton- Lafayette Hous. Rehab Grant	\$500,000
1986 Yamhill Co. Carlton – Cove Orchard Hous. Rehab Grant	\$400,000
1987 City of Sheridan Housing Rehabilitation Grant	\$300,000
1988 Yamhill Co. Farm Labor Housing Rehabilitation Grant	\$500,000
1990 City of Newberg Homeless Shelter for Families with Children	\$127,500
1990 Hood River County Farm Labor Hous. Rehab Grant	\$250,000
1990 Malheur Co. Farm Labor Housing Rehabilitation Grant	\$250,000
1992 City of Woodburn – Nuevo Amanacer	\$252,000
1993 City of Hood River – Street Improvement	\$ 65,500
1994 Marion County – Farm Labor Housing Rehabilitation	\$250,000
1995 HUD Contract to provide Tech Assistance to CDBG Grantees	\$ 46,396
1996 City of Ontario -Sierra Vista Street Improvement	\$128,447
1998 City of Lafayette – Abbey Heights public storm sewer	\$150,000

**DAVID L. VANDERLIP**  
**749 MAIN STREET**  
**LEBANON OR 97355**  
**PHONE (541) 259-6840**  
**FAX (541) 259-6842**

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**EDUCATION**  
**BACKGROUND:** Linfield College – McMinnville, Oregon  
B.S., Management Science 1989

Center for Degree Studies – Scranton, Pennsylvania  
Business Administration (Accounting)

Beloit College - Beloit, Wisconsin  
Liberal Arts

**CERTIFICATIONS:** Rehabilitation Finance Specialist (NAHRO)  
Rehabilitation Construction Specialist (NAHRO)

**AWARDS:** Winner, 1994 Oregon Better Government Competition (Cascade Policy Institute)

**WORK**  
**EXPERIENCE:**

◆ **Oregon Rural Housing Services – 10-19-2000 to present**

**Position:** Board Chairman and Executive Director

**Duties and Responsibilities:** Organize non-profit corporation to specialize in the management of housing rehabilitation programs. Responsible for fund raising, reports, preparing agendas and presiding over board meetings, managing the day to day operations of the organization.

◆ **VanDerlip and Associates - 1-15-91 to present**

**Position:** Owner

**Duties and Responsibilities:** Preparation of applications and administration of grants for housing rehabilitation, housing development, water/waste water and other community development projects. The firm has secured more than \$10.7 million in grant funding for clients. Grant contracts and/or revolving loan funds are currently being administered for the cities of Sweet Home, Lebanon and Newport and Union County.

◆ **CLAYVAN LLC - 9-15-95 to present**

**Position:** Partner and Manager

**Duties and Responsibilities:** Set up Limited Liability Company and arranged financing to purchase, rehabilitate and manage a distressed commercial property in Newport Oregon which included two restaurants and a fish processing plant. Negotiated settlement of claims filed against the property prior to purchase including IRS and state tax liens, estate claims, attorney claims, judgments and other liens. Restructured debt, rehabilitated property and completed partition and sale of the property.

◆ **D & R Properties - 6-1-90 to present**

**Position:** Owner and Manager

**Duties and Responsibilities:** Purchased, rehabilitated and refinanced six single family homes utilizing seller, bank and tax credit financing and weatherization loans and rebates. Perform all rental management activities.

◆ **Community Services Consortium - 7-1-88 to 1-15-91**

**Position:** Director, Housing and Community Development

**Supervisor:** Dennis Naughton

**Duties and Responsibilities:** Administration of agency housing rehabilitation and community development program. Preparation of grant applications; development of forms, record keeping systems and procedures to implement and manage programs; preparation and management of 1.1 million annual department budget; hiring and supervision of staff; preparation of reports and written materials for city/county officials, media, government agencies and committees. Responsible for securing and administering more than 5.2 million in funding.



◆ **Community Services Consortium - 7-1-81 to 7-1-88**

**Position:** Housing and Energy Manager

**Supervisor:** Pat Eastwood

**Duties and Responsibilities:** Responsible for the management of the agency's low-income weatherization and housing rehabilitation programs. Prepared grant applications; developed forms, procedures and filing systems; supervised staff of 12; prepared program reports and department budgets. Integrated and coordinated CDBG, weatherization and FmHA housing assistance programs for rehabilitation projects.

◆ **Community Services Consortium - 10-15-79 to 6-30-81**

**Position:** Rehabilitation Specialist

**Supervisor:** Isaac Stringer

**Duties and Responsibilities:** Processed loan applications and inspected homes to determine repair needs for housing rehabilitation program. Prepared work write-ups and specifications. Monitored construction activities and performed final inspections, prepared loan documents and maintained project files.

## GRANT ADMINISTRATION EXPERIENCE

1991	CDBG Housing Rehab	(Newport)	325,000
1991	CDBG Housing Rehab	(Silverton)	325,000
1991	FmHA Housing Preservation	(Brownsville)	60,000
1992	CDBG Housing Rehab	(Sweet Home)	300,000
1992	CDBG Housing Rehab	(Newport)	300,000
1992	CDBG Housing Rehab	(Silverton)	300,000
1992	HOME Housing Rehab	(Silverton)	157,218
1992	HOME Housing Rehab	(Sweet Home)	137,413
1992	OHCS Housing Development	(Newport)	100,000
1993	CDBG Housing Rehab	(Silverton)	500,000
1993	CDBG Housing Rehab	(Mount Angel)	500,000
1993	CDBG Housing Rehab	(Scotts Mills)	200,000
1993	CDBG Water Improvements	(Idanha)	70,000
1993	CDBG Housing Rehab	(Lebanon)	500,000
1994	CDBG Housing Rehab	(Lowell)	300,000
1994	CDBG Housing Rehab	(Gervais)	300,000
1994	CDBG Handicapped Access	(Silverton)	200,000
1995	CDBG Handicapped Access	(Lebanon)	164,230
1995	CDBG Housing Rehab	(Keizer)	393,525
1995	CDBG Housing Rehab	(Silverton)	300,000
1995	CDBG Housing Rehab	(Linn County)	300,000
1995	CDBG Housing Rehab	(Cottage Grove)	300,000
1995	CDBG Water Improvements	(Idanha)	680,000
1995	CDBG Water Improvements	(Idanha)	80,000
1996	CDBG Housing Rehab	(Heppner)	300,000
1996	CDBG Housing Rehab	(Lebanon)	300,000
1996	CDBG Housing Rehab	(Sweet Home)	300,000
1996	CDBG Housing Rehab	(Cottage Grove)	300,000
1997	CDBG Housing Rehab	(Turner)	300,000
1997	CDBG Housing Rehab	(Mount Angel)	350,000
1998	CDBG Housing Rehab	(Lebanon)	500,000
1998	CDBG Community Facilities	(Sweet Home)	600,000
1998	CDBG Housing Rehab	(La Grande)	500,000
2000	CDBG Housing Rehab	(Union County)	500,000
		<b>TOTAL</b>	<b>10,742,386</b>

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## REFERENCES

Wes Hare, City Manager  
City of La Grande  
PO Box 670  
La Grande OR 97850  
(541) 962-1302

Dennis Spray, Director of General Services  
Union County  
1106 K Avenue  
La Grande OR 97850  
(541) 963-1001

Craig Martin, City Manager  
City of Sweet Home  
1140 12th Avenue  
Sweet Home OR 97386  
(541) 367-8969

# NICK S. LAHANAS

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31425 Allen Lane, Tangent OR 97389

(541) 926-2700

## Resume

### EDUCATION BACKGROUND

Oregon State University  
Major: Science, Minor: Architecture  
Bachelor of Science Degree, 1982  
Bonneville Power Administration Energy Auditor and Inspector Training  
Oregon/Washing Carpenter's Apprenticeship Program. One year training

### CERTIFICATIONS & COMMISSIONS

State of Oregon C.A.B.O. Structural Inspector Certification, 1990  
State of Oregon C.A.B.O. Mechanical Inspector Certification, 1990  
NAHRO Rehabilitation Construction Specialist Certification, 1989  
State of Oregon UBC C-Level Structural Inspector's Certification, 1987  
BPA Energy Auditor and Energy Inspector Certification, 1985  
State of Oregon Pesticide Operator's License, 1990  
State of Oregon Notary Commission, 1987  
Albany School District Board Member 1999  
State of Oregon Lead Based Paint Risk Assessment Certification, 2002  
State of Oregon Lead Based Paint Inspector Certification, 2002

### WORK EXPERIENCE

#### *American West Inspection Services, 12/1/90 to present*

*Position: Owner*

*Duties and Responsibilities:* Own and operate inspection services business. Business provides inspection and construction management services for residential and commercial management services for more than 500 CDBG housing rehabilitation projects. Inspections assess state building code violations, health and safety standards, structural, electrical, plumbing, and mechanical deficiencies, identifies insect pest infestations and provides determination of environmental hazards and hazardous materials such as radon, asbestos and lead based paint. Prepare written specifications, drawings and cost estimates. Provides technical assistance to contractors on how to perform repairs.

#### *Community Services Consortium, 6/1/87 to 12/1/90*

*Position: Rehabilitation Construction Inspector*

*Supervisor: David L. VanDerlip*

*Duties and Responsibilities:* Inspect dwellings for state code violations including health and safety deficiencies as defined by HUD Section 8 specifications in Linn, Benton and Lincoln Counties. Issue findings in report form. Coordinates rehabilitation activities provided by other programs. Inspect work in progress for regulation compliance. Approves contractor/homeowner progress payments and recommends final payment. Resolve disputes between homeowners and contractors. Provide construction technical assistance to self-help clients and contractors. Assists in grant field study preparations. Lending duties include: Writing applications, securing ownership, equity, fire insurance, assets and credit worthiness documentation. Recommend loan approval, write loan documents, secure title insurance, close loans and record trust deed.

#### *Wells Creek Home Remodeling, 7/15/77 to present*

*Position: Owner Oregon State Builders #64469*

*Duties and Responsibilities:* Operate remodeling company. Evaluate needed repairs and provide bids for work required in residential and commercial structures. Work includes additions (kitchen, bathrooms, bedrooms), foundations (new and retrofit), dryrot repair, framing, roofing, siding, sheet rock and finish work.

### REFERENCES

Available upon request

MEMORANDUM OF AGREEMENT

This AGREEMENT is made and entered into between Linn County Affordable Housing, hereinafter referred to as LCAH and Oregon Rural Housing Services, hereinafter referred to as ORHS.

WITNESSETH:

It is mutually agreed that LCAH and ORHS and their staff both possess unique qualifications and experience in the administration of CDBG Housing Rehabilitation Programs and Regional Revolving Loan Funds and that it is in the best interest of both organizations to work together so that they may best utilize their respective qualifications and experience in the delivery of housing rehabilitation programs. Therefore, the parties wish to enter into an agreement to submit a proposal to administer the 2001 City of Lebanon Housing Rehabilitation Program.

THEREFORE, the parties agree as follows:

LCAH will enter into an agreement with ORHS to provide Program Management services as described in the attached Rehabilitation Loan Processing Procedures. The program will be co-managed by Sarah Branson (LCAH) and David L. VanDerlip (ORHS). Mr. VanDerlip will be responsible for steps 3, 4, 5, 6, 7, 11, and 19. Sarah Branson will be responsible for steps 2, 13, 15, 16, 20, and 21 and will also perform some of the tasks in steps 5, 6, 7, 11 and 19 in consultation with Mr. VanDerlip. All other tasks and required for the administration of the grant will be the responsibility of LCAH. ORHS will provide technical assistance as requested in the performance of these other tasks without additional compensation. Mr. Lahanas will be the Rehabilitation Construction Inspector and will be responsible for steps 8, 10, 12, 14, 17 and 18.

ORHS will be paid \$36,000, using a performance based contract based on loans approved and loan funds disbursed, for the satisfactory performance of the activities and services described above subject to negotiation of a contract approved by the boards of each organization and the State of Oregon. An additional bonus of \$1,500 will be paid to ORHS if they commit all the rehabilitation funds in less than 12 months from the date and agreement is executed by the parties. LCAH is authorized to use the resumes and references of both David L. VanDerlip and Nick Lahanas in its proposal to the City of Lebanon.

OREGON RURAL HOUSING SERVICES

*David L. VanDerlip*  
\_\_\_\_\_  
David L. VanDerlip, Executive Director

*10/15/02*  
\_\_\_\_\_  
Date

LINN COUNTY AFFORDABLE HOUSING

*Diana Cvitanovich*  
\_\_\_\_\_  
Diana Cvitanovich, Executive Director

*10-15-02*  
\_\_\_\_\_  
Date

**LEBANON  
REHABILITATION LOAN PROCESSING  
PROCEDURES**

ADDRESSED TO	STEP	PROCEDURE
Applicant	1	Contacts Program Staff to request information about rehabilitation loans.
Program Manager/Staff	2	Prescreens applicant over phone. Checks household size and income; occupancy status; location in target area; assessed RMV value and amount owed; and if assets other than home exceed \$15,000 (\$30,000 if over 62); if applicant is a homeowner.
Program Manager/Staff	3	If applicant meets requirements based upon prescreening, appointment is made for home interview.
Program Manager/Staff	4	Sends applicant document checklist letter identifying documents required to verify loan eligibility.
Program Manager/Staff	5	Obtains income, asset and liability verification; verification of housing value and amount of debt owed on house; completes application. If income is between 50% and 80% of median, obtains verification of monthly payment, interest rate and remaining term of house loan, if any, and monthly payment, interest rate and remaining term of other credit card, installment revolving credit and other debt.
Program Manager/Staff	6	Orders and review preliminary title report. Verifies liens on title report with application. Prepares Lien Consent and forwards to lien holders for signatures. If income is between 50% and 80% of median, orders credit report.
Program Manager	7	Reviews application, title report, and credit report (if applicable). If applicant is not eligible for the low interest deferred loan the applicant is notified that they are not eligible and given the reason for ineligibility. If applicant meets income eligibility and is forwarded to Rehabilitation Construction Inspector. If the applicant appears to be eligible for a bank loan or refinance, they are referred to a bank and offered assistance in completing application forms and obtaining documentation.
Rehabilitation Construction Inspector	8	Inspects building and prepares Inspection Report/Bid Form listing deficiencies and repairs needed to meet program standards. Sends four copies to homeowner. Prepares cost estimate for file. Assists applicant in obtaining bid.
Applicant	9	Obtains bids from contractors for work listed on Inspection Report. Forwards bids to Rehabilitation Construction Inspector for review.
Rehabilitation Construction Inspector/Program Manager	10	Review bids. One bid is acceptable if it is lower than cost estimate. Checks builder's registration, bonding and claims information.
Program Manager	11	Prior to loan approval, the Program Manager will review the loan application and supporting documentation. The Program Manager will verify that household income eligibility requirements have been met, the collateral requirements have been met, and that the Lender's Loan Committee or Designated City Staff has authorized any policy exceptions required. The Loan Approval Letter is then signed by the Program Manager and Designated City Staff and the Site Specific Environmental Review Form is signed by the Certifying Officer. The Inspection Report/Bid Form and drawings (if applicable) are forwarded to the Local Building Department.

Local Building Inspector	12	Issues letter notifying homeowner of required permits and licenses. Copy sent to contractor, Rehabilitation Construction Inspector and City.
Program Manager/Staff	13	Prepares Construction Contract, Note, Trust Deed, Truth in Lending, Right of Recision and State of Non-Collusion/Notice to Proceed.
Rehabilitation Construction Inspector	14	Notifies successful and unsuccessful bidders.
Program Manager/Staff	15	Sends Fire Insurance Verification form to Insurance agent. Schedules loan closing. Conducts Pre-Construction conference and obtains signatures on loan documents and Construction Contract and related documents.
Program Manager/Staff	16	Records Trust Deed, purchases title insurance and sets up escrow account for disbursement of loan funds if applicable.
Rehabilitation Construction Inspector/Staff	17	Provides copies of approved Construction Contract and Notice to Proceed to applicant and Contractor.
Rehabilitation Construction Inspector/Designee	18	Conducts periodic inspections of work and recommends progress payments in accordance with Construction Contract. Records permit and local building official inspection information on Payment Request Voucher. Prepares Contract Change Orders and Additional Advance Note(s) as required. Provides technical assistance to contractors and homeowners as required.
	18a	Performs final inspection and obtains owners signature on Certificate of Acceptance and Contractors signature on Lien Waiver and Evaluation form.
Program Manager	19	Approves progress payments. Approves Contract Change Order(s) within amount authorized prior to final payment, reviews loan file for completeness and prepares reconciliation of project payments to the note(s) as required. Approves final payment.
City Staff	20	City staff verifies loan payoff amount from Program Manager or project file. Sends pay off letter to lender or title company if required. After receipt of funds, sends original Trust Deed or Deed of Reconveyance to lender or title company. Records loan repayment in grant program income account.
Program Manager/City Staff	21	Prepares trust deed assignment documents to transfer loans to Linn County Affordable Housing, Inc. after closeout of the grant.

OREGON COMMUNITY BLOCK GRANT  
2-year BUDGET

Grantee: City of Lebanon

Project Name: Linn County Housing Rehabilitation Partnership

Activities	OCDBG Grant	Other Sources and Amounts	Total
1. Owner-Occupied Rehabilitation	\$240,000		\$240,000
2. Program Management-Housing Rehabilitation	45,000		45,000
3. Grant Administration	15,000		15,000
<b>Total</b>	<b>\$300,000</b>		<b>\$300,000</b>

**Salaries**

Program Management 45,000  
Grant Administration 9,000

**Total** \$54,000

**Other**

Milage 1,000  
Rent, phones, supplies 1,200  
Insurance 1,150  
Publishing, marketing, notices 500  
Accounting 2,150

**Total** \$6,000

Hourly Rate

Grant Administrator=\$45.00

Program Manager=\$35.00



# Agenda Item 4



# CITY OF LEBANON

## PUBLIC WORKS DEPARTMENT - CAPITAL IMPROVEMENTS MEMORANDUM

**TO:** Jim Ruef, Director of Public Works **DATE:** October 16, 2002  
**FROM:** Allen Dannen, City Engineer ASD  
**SUBJECT:** Santiam Travel Station Funding  
Santiam Travel Station, Phase II, Project No. 98750

This memo provides information to City Council regarding bid results and budget status for the Santiam Travel Station, Phase II project.

### BACKGROUND

On September 26, 2002, the Oregon Department Of Transportation (ODOT) opened bids for the Santiam Travel Station, Phase II project. The low bid was \$393,135.37, which was submitted by Preferred Construction, Inc. from Springfield Oregon. The engineer's estimate for the project is \$362,863.57. ODOT policy is to award the bid as long as it is determined to be responsive, and is within ten percent of the engineer's estimate. The bid submitted for the Santiam Travel Station was approximately 8.3% higher than the engineer's estimate.

The original grant amount for the second phase of the project was \$390,257.61 with \$69,000 City matching funds for a total of \$459,257.61. Approximately \$23,800 was spent from City matching funds to cover overruns from the Phase I project. Design costs to date for the Phase II project are \$65,200. This leaves approximately \$370,000 of remaining grant funds available for construction. ODOT allows an additional 10% of the bid amount for construction engineering. Thus, the estimated cost to complete the project is approximately \$432,500. This amount does not include any allowance for contingency.

### RECOMMENDATION

In the 2002-2003 fiscal year budget, there was \$65,000 allocated in fund 571 (STP Funds) to supplement any shortfalls with the project financing. I recommend that City Council consider a motion to authorize the use of STP funds for the project.

Staff is pursuing other options to control impact to the City budget. Additional construction funds may be available from ODOT for this project. In addition, during their meetings in the spring, the Santiam Travel Station Oversight Committee identified certain items of the work that can be considered for elimination from the contract.

cc: Ron Whitlatch, Senior Engineer

# Agenda Item 5



**CITY OF LEBANON**  
**PUBLIC WORKS DEPARTMENT – ENGINEERING**  
**MEMORANDUM**

**TO:** Jim Ruef, Director of Public Works      **DATE:** October 16, 2002  
**FROM:** Allen Dannen, City Engineer ASD  
**SUBJECT:** 5<sup>th</sup> and Mary Street Intersection Traffic Analysis

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At the September 25, 2002 City Council meeting, Council directed staff to perform an engineering analysis regarding the suitability of a four-way stop at the intersection of 5<sup>th</sup> and Mary Street. Engineering staff has completed the analysis. This memo provides background information, analysis results, and recommendations.

**BACKGROUND**

A map of the intersection is attached. Presently, 5<sup>th</sup> Street is considered the major street for traffic control purposes. Mary Street is considered the minor street and, therefore, traffic is stopped in both directions at its intersection with 5<sup>th</sup> Street. This configuration was put in place earlier this year when 5<sup>th</sup> Street was extended north of Mary Street past the new Pioneer School to Reeves Parkway. Prior to the extension, Mary Street was the major street and traffic stopped on 5<sup>th</sup> Street.

Some specific items of concern at this intersection are as follows:

1. Pedestrian traffic, especially children, generated by the Pioneer School facility to the north on 5<sup>th</sup> Street.
2. Speeding on 5<sup>th</sup> Street.

To determine if a change in traffic control is warranted, engineering staff performed a pedestrian and vehicular analysis. The intersection was instrumented and observed on October 9, 2002. Data gathered included vehicle volume counts, vehicle directional counts, pedestrian counts, and traffic speed classification. This information was compared to requirements of the Manual on Uniform Traffic Control Devices (MUTCD), a national standard published by the U.S. Department of Transportation, Federal Highway Administration.

The MUTCD identifies four conditions, any of which may warrant a multi-way stop installation. These specific conditions are attached and are summarized below:

1. The intersection has five or more accidents in one year of a type correctable by a multi-way stop, or
2. A specific combination of vehicular traffic volume, pedestrian traffic and vehicular delays on the minor street (Mary Street) is sufficient to stop traffic on the major street (5<sup>th</sup> Street), or
3. Where no single criterion is met but the above criteria are both satisfied to 80% of the minimum values, or

4. A traffic signal is warranted (a multi-way stop can be installed as an interim measure). The MUTCD identifies eight separate warrant conditions for a traffic signal.

## **ANALYSIS**

### **Accident History**

The intersection has only been in its current configuration since August. No accidents have been reported at the intersection since that time. Therefore, the intersection does not meet the warrant for accident history.

### **Traffic Volume**

This warrant determines whether the combination of vehicular volume, pedestrians, and delays to traffic on the minor street (Mary Street) is sufficient to justify stopping traffic on the major street (5<sup>th</sup> Street). The following conditions must be met:

1. The total vehicular volume entering the intersection from the major street (5<sup>th</sup> Street) must average at least 300 vehicles per hour over eight hours of an average day, and
2. The combined vehicular and pedestrian volume entering the intersection from the minor street (Mary Street) must average at least 200 units per hour for the same eight hours, and
3. The average delay to minor street vehicular traffic must be at least 30 seconds during the maximum hour.

For these measurements, engineering staff used hose type traffic counters and visual counts. Because staff was unable to obtain visual observations over an entire eight-hour period, the observations were during the morning and evening peak hour traffic periods for the intersection. The peak hours at this intersection closely coincide with beginning and end of the school day at Pioneer School. By using peak hour information, the traffic counts obtained for item 2 should be much more conservative than an average eight-hour period.

The eight-hour average vehicular volume on 5<sup>th</sup> Street was measured at 127 vehicles, less than required for the above item 1. For item 2, our visual counts measured a morning peak hour volume of 80 units (42 vehicles and 38 pedestrians). The evening peak hour volume was 90 units (30 vehicles and 60 pedestrians). The average delay for Mary Street vehicular traffic was approximately 10 seconds during the morning peak hour and approximately 5 seconds during the evening peak hour. Based on these observations, the intersection does not meet the warrant for traffic volume.

It should be noted that Pioneer School provides two adult crossing guards at the intersection during the peak times immediately before and after school. This provides an additional measure of safety for children using the crosswalks at the intersection.

### **Combined Accident History and Traffic Volume**

When no single criterion for a multi-way stop is satisfied, a multi-way stop may still be warranted

if the accident history and traffic volume criteria are satisfied to 80% of the minimum values. Thus, all of the following would warrant a four-way stop at the subject intersection:

1. Four accidents of a correctable type during a one-year period.
2. Average vehicular volume of 240 vehicles per hour on 5<sup>th</sup> Street.
3. Average total volume of 160 units per hour on Mary Street.
4. Average delay of 24 seconds for Mary Street vehicular traffic.

Based on the observations for the first two warrants, none of these criteria are met and the intersection does not meet the combined criteria warrant.

### **Traffic Signal Warrants**

The MUTCD requires a separate engineering study to determine if any of eight separate warrants are met for installing a traffic signal. While our investigation does not meet the specific requirements for an engineering study as required by the MUTCD, sufficient data was gathered to assess the likelihood of meeting any signal warrant. In reviewing each of the eight separate warrants, it is reasonable to conclude that the intersection does not meet any of the warrants that would allow a traffic signal to be installed.

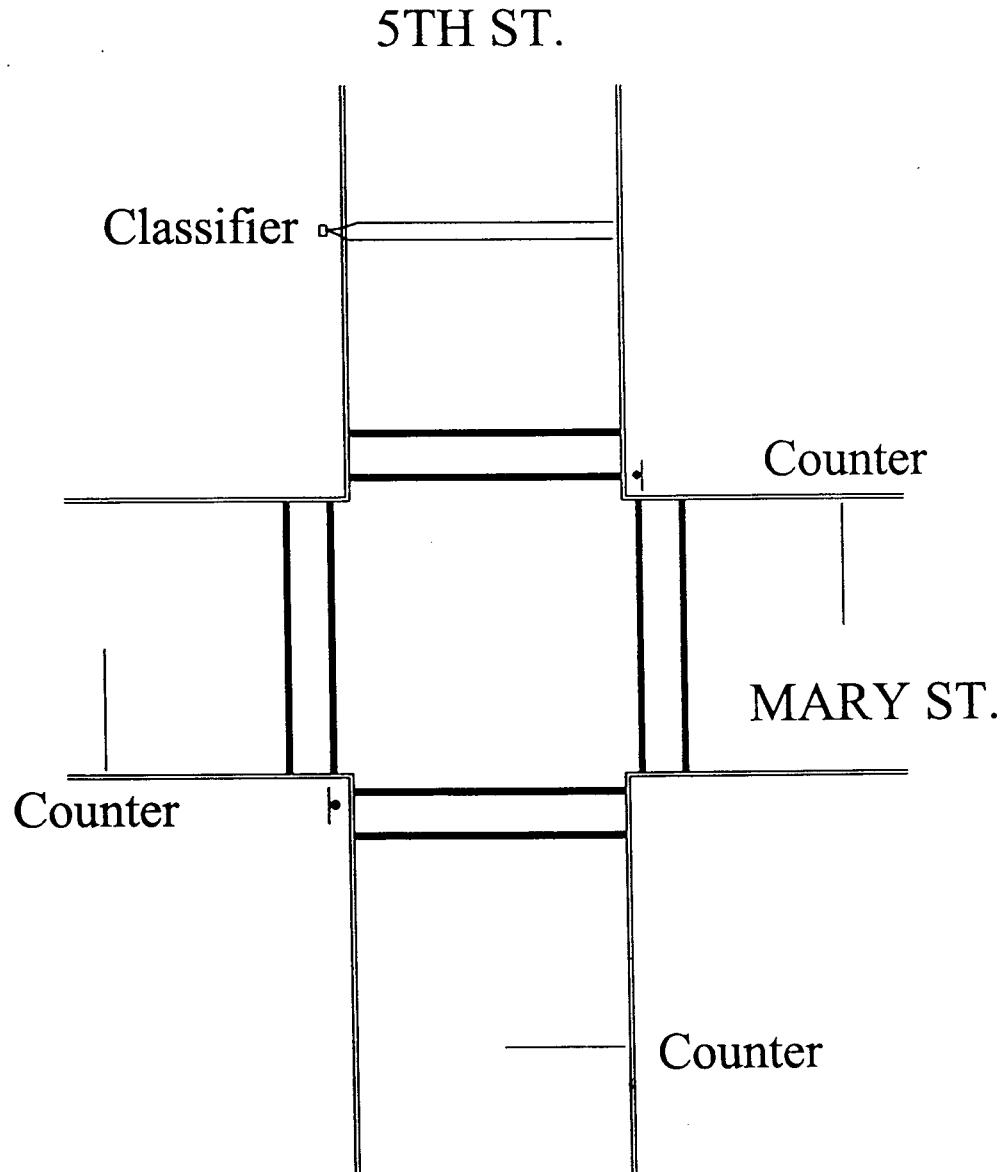
### **RECOMMENDATION**

Since this intersection meets none of the warrant requirements for a four-way stop, I recommend the existing traffic control measures be maintained. The Police Department has been enforcing traffic regulations in the area, especially around the beginning and end of the school day. This enforcement activity should continue as necessary in the neighborhood.

cc: Mike Healy, Chief of Police  
Rod Sell, Maintenance Division Manager  
Jeff Kent, Engineering Technician



CITY OF LEBANON  
Warrant Investigation  
5th & Mary Street



Warrent Investigation  
Location: N. 5th & Mary  
10/09/02  
Conducted by: jkent  
File: 5th&Mary

# Agenda Item 6

City Administrator's Oral Update