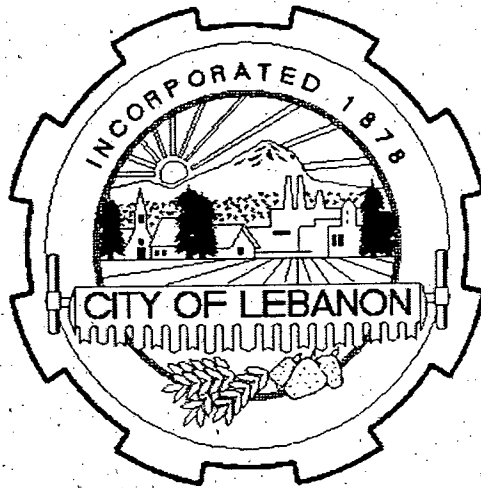


# City Council Agenda



June 23, 2004

Santiam Travel Station Board Room

7:30 p.m.

**LEBANON CITY COUNCIL MEETING**  
**Wednesday, June 23, 2004**  
**7:30 p.m.**

Santiam Travel Station  
750 3rd Street

**A G E N D A**

**CALL TO ORDER/FLAG SALUTE**

**ROLL CALL**

**CONSENT CALENDAR**

CITY COUNCIL AGENDA: June 23, 2004

MINUTES: Lebanon City Council Minutes – June 9, 2004  
Lebanon City Planning Commission Minutes – April 21, 2004  
Library Advisory Board Minutes – May 26, 2004  
Senior Center Advisory Board Minutes – May 19, 2004

**PRESENTATIONS**

**1) Senior Center Remodel Update**

Presented by: Susan Tipton, Senior Center Manager

DISCUSSION ONLY

**PUBLIC HEARINGS**

**2) Liquor License Renewals**

Presented by: Mike Healy, Police Chief

Approval/Denial by MOTION

**LEGISLATIVE SESSION**

**3) Albany-Lebanon Sanitation Rate Increase Proposal**

Presented by: Kevin Heinz, Manager, Albany-Lebanon Sanitation

Approval/Denial by ~~RESOLUTION~~ MOTION

**4) 03/04 Intrafund Transfers**

Presented by: Casey Cole, Finance Director

Approval/Denial by RESOLUTION

**5) OMI Contract Fee Increase Proposal**

Presented by: Jim Ruef, Public Works Director

Approval/Denial by MOTION

**6) City Administrator's Report**

Presented by: John Hitt, City Administrator

DISCUSSION ONLY

**CITIZEN COMMENTS** - *Those citizens with comments concerning public matters may do so at this time. Please identify yourself before speaking and enter your name and address on the sign-up sheet.*

**EXECUTIVE SESSION**

- ❖ *Pursuant to ORS 192.660(1)(e) To conduct deliberations with persons designated by the Council to negotiate real property transactions.*

**ITEMS FROM COUNCIL**

**ADJOURNMENT**

# *Consent Calendar*

CITY COUNCIL AGENDA: June 23, 2004

MINUTES: City Council Minutes – June 9, 2004  
City Planning Commission Minutes – April 21, 2004  
Library Advisory Board Minutes – May 26, 2004  
Senior Center Advisory Board Minutes – May 19, 2004

**MINUTES  
LEBANON CITY COUNCIL MEETING**

**June 9, 2004**

**Council Present:** Mayor Ken Toombs and Councilors Bob Elliott, Ron Miller, Roger Munk, Scott Simpson and Dan Thackaberry

**Staff Present:** City Administrator John Hitt, Police Chief Mike Healy, Public Works Director Jim Ruef, Finance Director Casey Cole, Executive Support Specialist Ginger Allen, City Engineer Malcolm Bowie, Senior Engineer Ron Whitlatch and Library Director Denice Lee.

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

Mayor Toombs called the regular session of the Lebanon City Council to order at 7:38 p.m. in the Santiam Travel Station Board Room and requested a moment of silence to honor the late U.S. President Ronald Reagan. Roll call was taken and Councilor Harrington was absent.

**CONSENT CALENDAR**

CITY COUNCIL AGENDA: June 9, 2004

MINUTES: City Council Minutes – April 28 and May 26, 2004

*Councilor Thackaberry moved, Councilor Elliott seconded, to approve the Consent Calendar as presented. The motion passed unanimously.*

**PUBLIC HEARINGS**

**1) City Fee Schedule**

City Administrator Hitt presented a brief summary of staff's proposed fee schedule revisions.

In response to Councilor Thackaberry, Administrator Hitt stated that fees are waived by him with the recommendation of that department's manager.

In response to waiving Building Department fees, Director Cole stated that the fee(s) waived would come out of that particular department, but it does not show up as a financial journal entry. Director Ruef stated that staff generally does not waive out of pocket expenses that the City pays to another entity.

*Mayor Toombs asked for public comment at 7:41 p.m. Hearing no public comments in favor or opposition of the City's proposed Fee Schedule, Mayor Toombs declared the public hearing closed at 7:43 p.m.*

City Administrator Hitt read the title of the Resolution.

*Councilor Munk moved, Councilor Elliott seconded, to approve A RESOLUTION ESTABLISHING FEES AND CHARGES FOR CITY SERVICES. The motion passed unanimously.*

## **2) State Revenue Sharing**

Director Cole briefed the City Council on the State Revenue Sharing program. The City's Approved Budget for 2004/05 has budgeted revenue of \$85,000 in the General Fund.

*Mayor Toombs asked for public comment at 7:43 p.m. Hearing no public comments in favor or opposition of the State Shared Revenue Payments, Mayor Toombs declared the public hearing closed at 7:46 p.m.*

City Administrator Hitt read the title of the Resolution.

*Councilor Elliott moved, Councilor Thackaberry seconded, to APPROVE A Resolution CERTIFYING THE CITY OF LEBANON PROVIDES MUNICIPAL SERVICES FOR ELIGIBILITY IN RECEIVING STATE SHARED REVENUE PAYMENTS. The motion passed unanimously.*

City Administrator Hitt read the title of the Ordinance.

*Councilor Elliott moved, Councilor Thackaberry seconded, to APPROVE an Ordinance DECLARING THE CITY OF LEBANON'S ELECTION TO RECEIVE STATE REVENUES. The motion passed unanimously.*

## **3) Adoption of Fiscal Year 2004/05 Budget**

Director Cole reviewed the changes made subsequent to budget approval as allowed by Oregon Budget Law. The total change is \$174,814 and is summarized as follows:

- \$4,222 in additional fuel and maintenance cost spread throughout the funds
- \$137,462 in the Wastewater Department
- \$80,000 ODOT grant for the transportation system plan
- \$46,870 reduction in Equipment Acquisition Fund

Summarized by Fund:

- \$2,000 increase to General Fund from additional cash carry forward to go towards fuel and building maintenance costs
- \$1,000 increase in Enterprise Fund for the Water Department
- \$422 increase Small Waterline Department for additional fuel costs
- \$137,462 increase Wastewater Department to repay a loan, added fuel costs, and contingencies
- \$80,000 increase to Intergovernmental Fund for the ODOT TSP Grant
- \$720 increase in Streets for fuel costs
- \$80 Storm Drainage for fuel costs
- \$46,870 reduction to Equipment Acquisition

*Mayor Toombs asked for public comment at 7:57 p.m. Hearing no public comments in favor or opposition of the 2004/05 City Budget, Mayor Toombs declared the public hearing closed at 7:58 p.m.*

*Councilor Elliott moved, Councilor Munk seconded, to APPROVE A RESOLUTION ADOPTING THE CITY OF LEBANON'S BUDGET AND MAKING APPROPRIATIONS FOR FISCAL YEAR 2004/05. The motion passed with 4 yeas (Councilors Elliott, Miller, Munk and Simpson) and 1 nay (Councilor Thackaberry).*

*Councilor Munk moved, Councilor Elliott seconded, to APPROVE A RESOLUTION LEVYING TAXES FOR THE CITY OF LEBANON'S BUDGET FOR FISCAL YEAR 2004/05. The motion passed unanimously.*

*(Mayor Toombs temporarily adjourned the regular order of business of the Lebanon City Council and convened as the Lebanon Urban Renewal Agency.)*

#### **4) Adoption of 2004/05 Lebanon Urban Renewal District Budget**

Director Cole stated that there were no changes to the previously approved budget of \$1,237,008.

*Mayor Toombs asked for public comment at 8:00 p.m. Hearing no public comments in favor or opposition of the 04/05 Lebanon URD Budget, Mayor Toombs declared the public hearing closed at 8:01 p.m.*

*Councilor Elliott moved, Councilor Thackaberry seconded, to APPROVE A RESOLUTION ADOPTING THE LEBANON URBAN RENEWAL BUDGET AND MAKING APPROPRIATIONS FOR FISCAL YEAR 2004/05. The motion passed unanimously.*

*Councilor Thackaberry moved, Councilor Elliott seconded, to APPROVE A RESOLUTION LEVYING TAXES FOR THE CITY OF LEBANON'S URBAN RENEWAL DISTRICT BUDGET FOR FISCAL YEAR 2004/05. The motion passed unanimously.*

*(Mayor Toombs adjourned as the Lebanon Urban Renewal Agency and convened as the NW Lebanon Urban Renewal Agency.)*

#### **5) Adoption of 2004/05 NW Lebanon Urban Renewal District Budget**

Director Cole stated that there were no changes to the previously approved budget of \$2,021,870.

*Mayor Toombs asked for public comment at 8:02 p.m. Hearing no public comments in favor or opposition of the 04/05 NW Lebanon URD Budget, Mayor Toombs declared the public hearing closed at 8:03 p.m.*

*Councilor Elliott moved, Councilor Thackaberry seconded, to APPROVE A RESOLUTION ADOPTING THE NORTHWEST LEBANON URBAN RENEWAL BUDGET AND MAKING APPROPRIATIONS FOR FISCAL YEAR 2004/05. The motion passed unanimously.*

*Councilor Thackaberry moved, Councilor Elliott seconded, to APPROVE A RESOLUTION LEVYING TAXES FOR THE CITY OF LEBANON'S NORTHWEST URBAN RENEWAL DISTRICT BUDGET FOR FISCAL YEAR 2004/05. The motion passed unanimously.*

*(Mayor Toombs adjourned as the NW Lebanon Urban Renewal Agency and convened as the Cheadle Lake Urban Renewal Agency.)*

## 6) Adoption of 2004/05 Cheadle Lake Urban Renewal District Budget

Director Cole stated that there were no changes to the previously approved budget of \$192,600.

*Mayor Toombs asked for public comment at 8:05 p.m. Hearing no public comments in favor or opposition of the Adoption of the 04/05 Cheadle Lake URD Budget, Mayor Toombs declared the public hearing closed at 8:06 p.m.*

*Councilor Munk moved, Councilor Elliott seconded, to APPROVE A RESOLUTION ADOPTING THE CHEADLE LAKE URBAN RENEWAL BUDGET AND MAKING APPROPRIATIONS FOR FISCAL YEAR 2004/05. The motion passed unanimously.*

*Councilor Thackaberry moved, Councilor Elliott seconded, to APPROVE A RESOLUTION LEVYING TAXES FOR THE CITY OF LEBANON'S CHEADLE LAKE URBAN RENEWAL DISTRICT BUDGET FOR FISCAL YEAR 2004/05. The motion passed unanimously.*

## LEGISLATIVE SESSION

### 7) Intergovernmental Agreement (City of Lebanon and Cheadle Lake URD)

Director Cole explained the two options that would establish indebtedness prior to levying a tax. Since the cost would be less with Option B, due to interest costs, staff suggested borrowing from the City until property tax revenue is realized.

*Councilor Munk moved, Councilor Thackaberry seconded, to Approve A RESOLUTION OF THE CHEADLE LAKE URBAN RENEWAL AGENCY OF THE CITY OF LEBANON, OREGON AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF LEBANON, OREGON. The motion passed unanimously.*

*(Mayor Toombs adjourned as the Cheadle Lake Urban Renewal Agency and reconvened with the regular order of business of the Lebanon City Council.)*

### 8) Intergovernmental Agreement (City of Lebanon and Cheadle Lake URD)

*Councilor Munk moved, Councilor Elliott seconded, to Approve A RESOLUTION OF THE CITY OF LEBANON, OREGON AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE CHEADLE LAKE URBAN RENEWAL AGENCY OF THE CITY OF LEBANON. The motion passed unanimously.*

*Mayor Toombs called for a five minute recess.*

### 9) Interfund Loan Resolution

Finance Director Cole explained the necessity of setting up an interfund loan from the Equipment Acquisition Fund to the Wastewater Fund. The interfund operating loan of \$130,000 is to be repaid in the upcoming fiscal year.

*Councilor Elliott moved, Councilor Thackaberry seconded, to APPROVE A RESOLUTION AUTHORIZING INTERFUND LOAN. The motion passed unanimously.*



## 10) Academy Square Siting Options

Director Ruef distributed and briefed Council on four alternative designs for the placement of buildings on the Academy Square site (attached).

After a brief discussion of the design options, staff recommended a review committee be formed made up of three councilors and three staff members. The Committee would then bring back its findings to Council. Mayor Toombs will form a Committee after further discussion with Council and staff.

## 11) Award 7<sup>th</sup> Street Improvements Bid

City Engineer Bowie distributed a memo and Bid Tab describing the 7<sup>th</sup> Street Reconstruction Project bid. The project is to include reconstruction of approximately 1200 lineal ft. of roadway, approximately 950 lineal ft. of multi-use path reconstruction, approximately 445 lineal ft. of new water main installation and 750 lineal ft. of storm drainage pipe installation, as well as the installation of a box culvert at Burkhart Creek.

Staff recommended awarding the contract to Mid Valley Gravel with a bid of \$455,108.50.

In response to Councilor Simpson, Director Ruef stated that with the previously agreed upon \$175,000 from the School District and the extremely low bid from Mid Valley Gravel, the project is within budget. Therefore, staff felt that more negotiations with the School District were not needed.

Councilor Simpson felt that the School District should still pay more than the \$175,000.

*Councilor Thackaberry moved, Councilor Elliott seconded, to AWARD THE BID CONTRACT TO MID-VALLEY GRAVEL FOR THE 7<sup>TH</sup> STREET RECONSTRUCTION PROJECT. The motion passed by roll call with 4 yeas (Councilor Elliott, Miller, Munk and Thackaberry) and 1 nay (Councilor Simpson). Councilor Simpson felt that since the School District had agreed to pay for half of the expenses in the past, and because they had not followed through, then he would temporarily vote no.*

## 12) Right-of-Way Dedication for 7<sup>th</sup> Street Reconstruction

City Engineer Bowie explained the purchase of right-of-ways for the construction of the two box culvert ends required in order to reconstruct the culvert.

*Councilor Thackaberry moved, Councilor Munk seconded, to AUTHORIZE THE PURCHASE OF TWO RIGHT-OF-WAYS, ONE FROM CHARLES D. FILER AND ADELINE O. FILER IN THE SUM OF \$600.00, AND THE OTHER FROM ILENE M. MOCK IN THE SUM OF \$1,500. The motion passed unanimously.*

## 13) Grant Street Bridge Design Contract

City Engineer Bowie presented the Statement of Work with OBEC Engineering to design the Grant Street Bridge, not to exceed \$596,000.

*Councilor Elliott moved, Councilor Munk seconded, to APPROVE THE CONTRACT AND STATEMENT OF WORK WITH OBEC ENGINEERING TO DESIGN THE GRANT STREET BRIDGE. The motion passed unanimously.*

## 14) City Administrator's Report

City Administrator Hitt gave an update on the following:

*City Council Schedule* – Meetings are scheduled for June 23, July 14 & 28, August 11, and September 8.

*Ralston Park* – Restrooms to begin 45 – 60 day construction period. Hitt confirmed with Council that there is no past City Policy restricting activities, other than illegal activities, at the parks.

*Downtown Parking* – Hitt received requests to take out the 3 hr parking limit and make it extended parking on some of the one-way streets. Consensus was to leave the 3 hour signs as is.

*Former LBCC Building* – Hitt stated he was reluctant to commit staff time for a costs analysis to move City Hall services or the Police Department into the LBCC building. Consensus from the Department Manager's was that it would not be cost effective.

Councilor Simpson and Elliott felt that the City could not afford the renovations or the cost for heating the building. The offer was gracious, but not affordable.

Councilor Miller felt that the property owner should put together a proposal; staff time should not be spent on it.

John will write a letter asking if Mr. McDaniels would like to make a more detailed proposal to the City .

*Engineering Grant* – Received a technical assistant engineering grant from Oregon Economic Development to do studies on wastewater and water systems.

*Miscellaneous Matters* – Pursuing possible acquisition of park lands. If our offer is accepted, it will come back to City Council before anything is final.

Administrator Hitt received Council's confirmation that City Hall would not be closed in observance of mourning President Reagan.

In response to Councilor Thackaberry, Administrator Hitt elaborated on the Engineering Grant. The grant is to look at alternative options for a possible economic develop prospect to provide information on ground water and wastewater disposal options to the company. The company would be a very desirable industry with family-wage jobs.

Councilor Thackaberry asked staff if they looked into buying the vacant lot north of Ralston Park for additional park use. Administrator Hitt stated that he will contact the owner, Jerry Latimer.

### CITIZEN COMMENTS – There Were None

### ITEMS FROM COUNCIL

Councilor Simpson thanked Maintenance Division Manager Sell for a fine job on the recent Park Tour.

Councilor Elliott stated that he appreciated Mr. Hitt's willingness to assist him in understanding the material in the Council Packet.

\* \* \*

Councilor Miller requested that the bulb-out curbs be painted.

### ADJOURNMENT

Mayor Toombs adjourned the meeting at 9:08 p.m.

Meeting Recorded by: Executive Support Specialist Ginger Allen  
Minutes Transcribed by: Administrative Assistant Linda Kaser

---

Kenneth I. Toombs, Mayor	[ ]
Ron Miller, Council President	[ ]

ATTESTED BY:

---

John E. Hitt, City Recorder

**City Of Lebanon  
Planning Commission Meeting**

**MINUTES  
April 21, 2004**

**MEMBERS PRESENT:** Chairman Don Robertson, Vice Chairman Barry Scott, Commissioners Jon Davis, Mike Reineccius, Peggy Snyder, Duston Denver, and Israel Garcia

**STAFF PRESENT:** Community Development Manager/City Planner Doug Parker, Assistant Planner Terry Lewis, City Attorney Tom McHill, City Administrator John Hitt, City Engineer Malcolm Bowie, and Community Development Secretary Jamie Bilyeu-Libra

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

Chairman Robertson called the meeting of the City of Lebanon Planning Commission to order at 7:09 p.m. on April 21, 2004 in the Santiam Travel Station Board Room at 750 3rd Street. Roll call was taken with Commissioners Aziz and Owen absent.

City Planner Parker introduced and welcomed new Planning Commissioner Israel Garcia.

**2. APPROVAL OF MINUTES – March 17, 2004**

Page 1, item 1: add language that Chairman Robertson turned the meeting over to Commissioner Brown as Honorary Chairman.

Page 4, 4<sup>th</sup> paragraph: correct spelling of "Reineccius"

Page 6, last paragraph: Commissioner Denver voted against the motion.

Page 3, 4<sup>th</sup> paragraph: change "amended" to "made a friendly amendment to"

Page 3, 5<sup>th</sup> paragraph: add language to reflect that all felt that their disclosure did not affect their ability to make a decision.

Page 6, 9<sup>th</sup> paragraph: add "Commissioner Brown *made a friendly amendment to add*", together. . ."

Last page: add "*Honorary Chairman John Brown adjourned the meeting. . .*"

***Commissioner Scott moved, Commissioner Davis seconded, to approve the March 17, 2004, Planning Commission Minutes as amended. The motion carried unanimously.***

Planner Parker asked the Commissioners to make an effort to use their microphones to make sure there is a clear, strong record of all of the discussions.

Chairman Robertson added one more item to the agenda under Other Business: *Election of Officers.*

**3. CITIZEN COMMENTS – *There were no comments.***

**4. NEW BUSINESS**

Chairman Robertson reviewed the public hearing procedures.

City Attorney McHill explained that ORS 197.763 requires that at the commencement of a public hearing, the applicable substantive criteria pertinent to the public hearings are identified in the staff reports and posted on the wall. He asked if there was anyone present who wished him to review the specific criteria. There was no one.

Attorney McHill stated that all testimony, arguments, and evidence presented must be directed toward the criteria listed or other criteria specifically identified by the individual presenting the testimony. The identified criteria must be listed in the Comprehensive Plan or Land Use Regulations documents. A failure to raise an issue with statements and evidence sufficient to allow the Commission and the parties to respond to the issue precludes any appeal on that issue.

**A. Annexation A-04-03 (McCanham / Edwards)**

Chairman Robertson opened the public hearing at 7:15 p.m. and asked the Commissioners to disclose any conflicts of interest or ex parte contacts. There were no disclosures made.

City Planner Parker briefed the Commission on the annexation request of an approximately 0.79 acre territory comprised of one parcel containing a single-family residence and an adjacent vacant parcel located east of the intersection of Hansard Avenue and Laurel Street. Assessor's Map 12S-2W-3C, tax lots 1200 and 1300.

Planner Parker stated that the Comp Plan Designation is Light Industrial, and the Zone Designation for the annexed property would be Limited Industrial (ML) upon annexation.

The applicants, Russ McCanham and Doris Edwards, have a failed septic system. When they went to the Linn County Environmental Health to get a repair permit for the septic system, they were told one could not be issued because the property was adjacent to an existing city sewer system and that they were eligible to hook up to it. Therefore, OAR 340-71-160(5)(f), prohibits the County from issuing permits for the failed septic system. The City's sewer ordinance has a provision for emergency hook-ups when someone has a failed septic system that they are eligible to annex to the City, and agree to petition for annexation to the City upon the hook-up (which did transpire recently). Slides and overheads were presented.

Parker reviewed the planning and engineering comments, and recommended that the Planning Commission recommend to City Council that the annexation be approved. He offered the staff report and proposed findings for the record. Chairman Robertson accepted them.

***Chairman Robertson opened the public testimony at 7:34 p.m. and invited the applicant to come forward and provide their testimony.***

Russ McCanham, 680 Laurel Street, Lebanon, Oregon stated that he is the applicant and owner of the subject property. He asked the Commission if they had any questions of him. There were none.

***Chairman Robertson invited anyone who wished to speak in favor of the proposal to do so at this time.***

Eric Kirby of Udell Engineering and Land Surveying, 63 E. Ash Street, Lebanon, Oregon said that his company represents the applicants. He is in favor of the annexation proposal and agrees with the staff report.

**Chairman Robertson invited anyone else who wished to speak in favor of the proposal to do so at this time. Hearing none, Chairman Robertson invited anyone who wished to speak in opposition of the proposal to come forward. Hearing none, Chairman Robertson closed the public hearing at 7:36 p.m. and announced that all further discussion would be between the Commissioners and staff.**

Commissioner Davis stated that this request was pretty straight forward and necessary due to the denial of permits issued by Linn County.

**Commissioner Davis moved, Commissioner Reineccius seconded, that the Planning Commission adopt the staff report, proposed findings, and testimony, and recommend approval of Annexation A-04-03 to the City Council. The motion passed unanimously.**

**B. Administrative Review AR-04-01 (Drive-Through Restaurant)**

Chairman Robertson opened the public hearing at 7:39 p.m. asked the Commissioners to disclose any ex parte contact or conflicts of interest. Commissioner Denver stated that he owns a business that is located around the corner and in the vicinity of the proposed use, but did not feel that would affect his decision. Seeing no additional disclosures, Robertson asked Planner Parker to present the staff report.

City Planner Parker stated that this is a request for a drive-through restaurant at the northwest corner of Second and A Streets, Assessor's Map 12-2W-10DD, tax lot 1900. The property is located in a Highway Commercial (CH) zone at the southwest corner of the intersection of Second and A Streets. The applicant is Tom Hermans.

Parker explained that typically Administrative Reviews are dealt with what is considered a limited land use decision requiring a staff-level review and notice of the proposal being mailed to surrounding property owners for a two-week comment period. Consequently, this notice resulted in the submittal of a petition signed by seven nearby property owners that were opposed to the proposal. Parker showed slides and overheads, and reviewed the City Department Comments and Criteria.

Staff recommends, unless adjacent property owners or others express unknown reasons why granting the requested proposal would be detrimental to their health, safety or welfare, that the Planning Commission approve the requested drive-through restaurant. Mr. Parker offered the staff report and proposed findings for the record. Chairman Robertson accepted them.

**Chairman Robertson asked if there were any questions of staff.**

Commissioner Davis asked when was the property designated as Highway Commercial. Parker responded that it was at the time the Comprehensive Plan and Zoning Ordinance were adopted in the early 1980s.

Commissioner Denver asked if there had been any traffic studies done in response to this proposal. Parker responded that there have been no traffic studies done, however the City does have a Transportation System Plan that identifies problematic intersections where some type of mitigation would be necessary, and this site was not identified. Denver thought that the bridge over the canal may create a vision blockage.

**Chairman Robertson opened the public testimony at 7:58 p.m. and invited the applicant to present the application proposal.**

Tom Hermans, 36206 Rock Hill Drive, Lebanon, Oregon, stated that he is the applicant and developer of the property. The plan is to put in an attractive drive-through restaurant. He responded to the City Department comments as follows:

1. The intercom is a potential possibility and it is not known at this time what kind of usage it will have. If installation of the intercom is necessary, they will comply with all the city noise standards. He conducted some research that showed that most intercoms are 68-70 decibels.
2. As laid out in the plan, initially they were going to do one drive-through, however he would like to put in both loops at the same time. Asphalt will be provided to the parking area.
3. The storage room will be an approximately 12 square foot, stick-built storage area to house additional freezer space and a half bath for employees. Along the side of the building there would be a five-foot enclosed fence to house the 90 gallon trash receptacles as well as the grease receptacles.
4. They will be using gas fryers with a Type 1 fire hood suppression system. It will all be engineered and inspected.
5. Cooking oils and grease will be recycled and stored in a closed container outside. An independent contractor will come in and remove it.
6. The initial proposal for a 14' x 28' modular building has been changed to a stick-built structure that will be a more attractive building and conform to the city's historic motif.
7. Right-of-way permits will be obtained for the sidewalks along A Street to tie in to the existing sidewalks.
8. There will be at least two trash receptacles, probably more, and will identify the optimal locations for those. They will keep the grounds clean and free of litter.

Mr. Hermans asked the Commissioners if they had any questions.

Chairman Robertson asked if the pedestrian traffic would be ordering from the same window as the drive-through. Hermans stated that there would be a walk-up window on the east side of the building. Commissioner Reineccius asked if they expected traffic to back up on the road. Hermans replied that he cannot foresee what the levels of traffic will be. Orders can be filled in approximately three minutes and the two driveways should help to minimize the waiting. Both windows will be open. In regard to the terms of the lease, Hermans said it is a year-to-year, however he is hoping to purchase the land. Vice Chairman Scott asked what the probability of change was to the format that might include serving breakfast items. Hermans said he did not know, but thought it was unlikely. Currently the schedule is 11 a.m. to 7 p.m., with the possibility of later hours during the summer months.

**Chairman Robertson asked if there was anyone that wished to speak in favor of the proposal.**

Eric Kirby of Udell Engineering and Land Surveying, 63 E. Ash Street, Lebanon, Oregon said that his company represents the applicant. He is in favor of the proposal and agrees with the staff report and believes that the applicant has met all the relevant criteria.

**Chairman Robertson asked if there was anyone else that wished to speak in favor of the proposal. Seeing no one, he asked if there was anyone that wished to speak in opposition of the proposal.**

Barb Breshears, 1180 School Lane, Lebanon, Oregon, said she is concerned with the potential odor and she hates fish. Additionally, if this is going to be a drive-through restaurant, she believes the customers will park along A Street to eat their meal and will litter the neighborhood with their garbage. If there is a car parked on either side of A Street, there will only be enough room for one lane of traffic. A Street is also a popular short cut to get from Second Street to Oak Street in order to avoid the traffic light or trains. There was a 3-car accident there about three weeks ago.

Fred Wright, 1140 School Lane, Lebanon, Oregon, lives at the corner of School Lane and A Street. He has concerns about the odors and parking. There is no seating or place to park and eat, so naturally the customers will be parking on A Street and School Lane after getting their food, and will litter the neighborhood. He wants to know who is going to pick up that trash. He feels his neighborhood will be blighted and will lose property value and enjoyment. Mr. Wright said that he has researched some internet sites and found that deep fried fish is the number one hardest odor to control. He submitted his research to the Planning Commission record. Regarding the traffic on Second Street, cars get stacked up about eight cars deep going north on Second. Many detour onto A Street. He believes it is an accident waiting to happen. Finally, the applicant claims that he will keep the lot in neat order and free of debris. Currently, the lot is littered and overgrown.

Chairman Robertson asked Mr. Wright how the houses will be devalued as a result of this proposal. Mr. Wright responded that he has about 25 years of real estate experience. Having a fast food restaurant with no parking, no seating, odor and debris, will cause the values to go down. If a reasonable person were looking at two identical houses to buy, one is next to a fast food restaurant, it is obvious which one would he buy. Robertson asked Mr. Wright if he had documentation to support that. Mr. Wright said that he could go to any number of local brokers and get that confirmation.

Vice Chairman Scott asked Mr. Wright how long he had lived at his residence on School Lane, and if he was aware at the time of the purchase that the neighboring property was zoned commercial. Mr. Wright said he bought the property about three years ago and was aware it was commercially zoned, however did not think that piece of property would ever be developed. Robertson asked if he was aware of any traffic problems associated with neighboring Dragon's Brew. Wright said that traffic enters and exits on both Second and Oak Streets, and he is not aware of any problems. He does however anticipate a very serious accident at the Second and A Street intersection. Regarding the odor, Robertson pointed out that the prevailing winds typically come from the south, away from Wright's property.

Earl Breshears, 1180 School Lane, Lebanon, Oregon, conferred with all previous concerns and added that School Lane is a gravel road and dust is a problem during the summer months caused by traffic.

**Chairman Robertson asked if anyone one else wished to speak in opposition. See no one, he asked the applicant if he wished to provide any rebuttal testimony.**

Applicant Hermans reiterated that this piece of property is zoned Highway Commercial and this type of use is allowed. Regarding the smells, in the vicinity of the proposal there are approximately five other restaurants: Juans, Mama Lindas, Oak Street Deli, Korner Kitchen, and Blue Sky Chinese. He did not anticipate that there would be much of a smell. Most winds are from the South. As far as parking along A Street, that is allowed. The area is already noisy with the traffic, trains, cars, sirens, etc. He will provide trash receptacles and will keep the area picked up. Adults will be working, not just teenagers. He does not see a huge traffic impact. Speeding in the area is for the Lebanon Police Department to deal with. The grass is periodically mowed on the vacant lot within the City guidelines.



Regarding the dust on School Lane, it is not his intention to impact that road. He does not have control over the dust situation.

Commissioner Davis asked the applicant if he had done any projections regarding trips per day generated by the proposed facility, and how much will he need to sell to break even. Mr. Hermans said it is too hard to project traffic. He will need to have one customer through every five minutes (12 cars per hour for 8 hours) in order to break even.

Chairman Robertson asked if there would be any type of filtration equipment to control the odors. Herman said there is a filter in the exhaust and it will be installed per code.

***Chairman Robertson closed the public testimony at 8:37 p.m. and announced that all further discussion would be between the Commission and staff.***

Commissioner Davis asked City Engineer Bowie if he knew the average hourly traffic count on Second and A Streets. Bowie responded that the current Transportation System Plan is about 500 per hour at peak on Second Street – there is no data for A Street. Parker confirmed that section has not been identified as being a problem area. Staff did not identify as a possible issue vehicles driving down or parking on School Lane. Additionally, A Street is a two-way street with parking on both sides. He also thought that the train made approximately two trips per day with an estimated 1-3 minute blockage.

Chairman Robertson compared the proposal with Hasty Freeze which also does not have inside seating for customers. He asked staff if they had received any complaints about trash around Hasty Freeze. Staff indicated they were not aware of any. Robertson asked if staff knew of any traffic problems with Dragon's Brew. Staff was not aware of any.

Commissioner Denver asked if the City had any ordinances relating to odors. Parker referred him to page 5 of the staff report, item "j", regulating noise or odors of a development. The problem at this juncture is speculative, and it is hard to determine the level of odor. Attorney McHill confirmed there is an odor ordinance in the nuisance section, but it is tough to quantify.

Commissioner Snyder said she has mixed feelings on the application – she understands the concerns of the property owners and the applicant. Vice Chairman Scott said that every property owner has a vested interest and therefore rules (or criteria) are established for how things are going to be handled. The Commission needs to look at the rules and apply them objectively. Chairman Robertson said that it appears there have been a number of issues raised, but no evidence has been provided to support them, except for the internet research regarding fish odor. Decrease in property values and parking concerns have not been substantiated. Vice Chairman Scott said that the proposed use is clearly a permitted use in this zone. The property has been available for a commercial use and he believes it meets the criteria. Commissioner Reineccius believes the applicant has a valid proposal and Commissioner Garcia agreed.

***Commissioner Davis moved, it was seconded by Vice Chairman Scott, that the Planning Commission adopt the proposed findings, staff report, and the applicant's testimony, and grant approval of Administrative Review AR-04-01, and furthermore direct the applicant to comply with the City comments and requests, including but not limited to those contained in the staff report. The motion carried unanimously.***

## 5. OLD BUSINESS

*Planner Parker provided updates on the following:*

- A. **Comprehensive Plan and Periodic Review Grant** – The last Comp. Plan Update Committee meeting was cancel because staff was sick and EcoNorthwest was not able to get the material completed and to staff in time for the meeting. The material has subsequently been received and staff is in the process of reviewing it. Staff will be meeting with the consultants tomorrow morning. Everything is proceeding along as hoped. Staff is in the process of preparing a new periodic review grant allocation for the purpose of hiring consultants to do a completeness and legal review of our Comp. Plan update before it is submitted for adoption.
- B. **Periodic Review Work Task submittal appeal** – Friends of Linn County has appealed the periodic review work task regarding the City's annexation policy to DLCDC. The hearing before LCDC will be on June 10 or 11 in Klamath Falls.

6. **OTHER BUSINESS**

- A. **Court of Appeals Update** – City Attorney Tom McHill distributed copies of the opinions of the Court of Appeal on the various LUBA cases that were issued today. They affirmed LUBA's decisions on all of the appeals. WalMart applications were affirmed as approved by LUBA. The other cases were remanded back to the City.
- B. **Meeting Schedule** – The next Planning Commission meeting is scheduled for May 19.
- C. **Industrial Site Certification** – This is still an on-going process. Currently there are two (possibly three) sites in the process. Staff is doing all they can to get our sites certified by the state.
- D. **DLCD Director Lane Shetterly's visit to Lebanon on May 10** – Each Commissioner received an invitation to the DLCDC luncheon on May 10. This is an opportunity to meet and talk with the new director of the DLCDC, Lane Shetterly. He will be asking what some of the changes are that we feel could be made to the DLCDC to better serve our needs. Lunch will be provided.
- E. **Election of Officers** - Barry Scott nominated Don Robertson for Chairman. It was seconded by Peggy Snyder, and passed unanimously. Don Robertson nominated Barry Scott for Vice Chairman. It was seconded by Jon Davis, and passed unanimously.

- 7. **COMMISSIONER COMMENTS** – Chairman Robertson asked the Commissioners if they understood why the Administrative Review came to the Commission. Planner Parker stated that in cases where he receives a lot of opposition, it is telling him that these people want an opportunity to be heard and this is the forum by which they can be heard. There may be issues or factors that staff is not aware of.
- 8. **ADJOURNMENT** – There being no further business, Chairman Don Robertson adjourned the meeting at 9:41 p.m.

*Meeting recorded and transcribed by Jamie Bilyeu-Libra.*



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

**LEBANON PUBLIC LIBRARY**  
Advisory Board Meeting Minutes  
May 26, 2004

The Library Advisory Board meeting was called to order at 5:35 p.m. by Denice Lee, who served in Carol's absence. Attending were Jane Hutchings, Harlan Mastenbrook, Sue Spiker, Tom Stewart, and Library Director Denice Lee.

The minutes of the April 14 meeting were approved.

**Director's Report:**

**Circulation:**

April 2004= 7607	YTD 2004= 81,287
April 2003= 8362	YTD 2003= 80,004

**Budget 2004-2005:**

The budget will involve some serious cuts for the library. There is a 24% cut to the book budget, and an overall reduction to the library budget of over 6%. However, the library will recover from the Friday closures in May and June with the start of the fiscal year July 1. This brings the library back to 40 hours of service to the public per week.

**City Council April 28:**

The library presentation to City Council April 28 was well received. Sue Spiker and Library Director Denice Lee presented the results of discussions with various library groups (Library Advisory Board, Friends of the Library, Library/Senior Center Trust Board, City management staff, and Library staff), the information gathered from visits to 3 libraries with a stand alone configuration and 2 facilities with a combined library/city hall configuration, and the results of the telephone survey.

**Summer Hours:**

The library will begin the Summer Hours schedule July 1: Monday-Tuesday 11-6, Wednesday-Thursday 11-5, and Friday-Saturday 11-4.

**Policy Amendments:**

The policy amendments approved at the last meeting (Internet Use Policy, Children's Room Computer/Internet Use Policy, and the Food/Smoking/Pets/Shoes/Shirts/Cell Phones Policy) were distributed to Board Members for inclusion in their Library Policy Manuals.

**Site Plans:**

As a result of the library presentation April 28 Council asked City staff to explore options on the Academy Square site with the library as a stand alone facility and the current gymnasiums remaining on the site. Staff is to return to City Council with options in late May or early June.

**Expired Board Terms:**

Carolyn Misa has graciously consented to serve another four year term on the Library Advisory Board. There will be a board vacancy July 1 when Jane Hutchings completes her four year term.

**FRIEND'S REPORT:**

The Friend's reported \$216 in sales from their April book sale.

Harlan also expressed a willingness to help the library with a float for the "big" Strawberry Parade next year. He has a 24' trailer that can be decorated.

**ADJOURNMENT:**

The meeting was adjourned at 6:16 p.m.

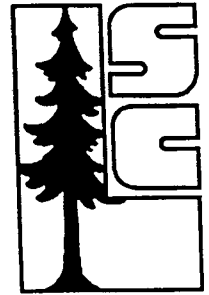
**Next meeting June 9, 2004**  
**750 3<sup>rd</sup> Street**  
**Santiam Travel Station - North**



## SENIOR AND DISABLED SERVICES

LEBANON SENIOR CENTER  
585 PARK STREET  
LEBANON, OREGON 97355

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



### ADVISORY BOARD MEETING

May 19<sup>th</sup> 2004

#### MINUTES

Members present: Bob Elliott, Bob Johnson, Linda Learn, Lori McNulty, Bonnie Prince, Remona Simpson, Jim Toftner, Frances West, Susan Tipton and Cheryl Wagner,

Members absent: Stan Usinger

**MINUTES:** Bonnie moved to accept minutes as written, Remona seconded the motion. Minutes approved

**CHAIRPERSON'S REPORT:** Jim accepted nominations for chair. Bonnie Prince was nominated and approved as new chair. She will serve until December 2005.

#### REPORTS:

- Cheryl discussed the resignation of her supervisor, Christy Locke. There is a 4 to 5 month process before a new director will be on board. Currently there is an acting manager. Cheryl said she has lost some drivers due to retirement and needs to recruit new drivers. She reported that Fridays are going OK, a few people want to come in and her staff just clarifies that the center is closed. To meet reduced budget in the meal program, the dessert will be eliminated and milk will change to 1% from 2%. This will allow the meal program to continue to meet the basic needs without raising the requested donation.
- Susan reported that the STF grant was awarded at last year's amount, \$18,000. In times of cutbacks getting the same as a previous year is a good thing. The 5311 grant that the transportation program receives will be about \$9,000 higher than last year and this is also good. Not enough to bring back a second bus certainly but it does help greatly. She hopes that the bus will be able to return to the 8:30 till 3:30 schedule once the grant amounts have been finalized.
- Susan mentioned the banner was up and it looked very nice. A major thank you to Lori McNulty and the board members for funding this project and for the maintenance department for installation.

#### CONTINUING BUSINESS:

- Susan gave an update on progress. The contract with LRS has been signed and approved by city and Oregon Economic and Community Development Department (OECD). Both the Environmental Exclusion Checklist and the

Handicapped Accessibility documents completed by Susan have been approved by OECDD. Susan placed an add in the two local newspapers according to requirements and the public comment period on those will be completed May 21<sup>st</sup>, OECDD will send a Notification of Release of Funds to Susan May 24<sup>th</sup>. Susan sent the as built plans to the architect so they can begin working on fine tuning the project. LRS will be doing a site field visit the week of May 24<sup>th</sup> and Susan and Dan will meet June 1<sup>st</sup> to begin preliminary planning for the contractor bidding process. Dan from LRS is preparing a Request for Qualification to locate qualified bidders to begin the boiler project. Susan is still working with Donna Shewey to get Donna's contract into compliance with State and city requirements so that can be signed.

- There was discussion about the siting of the library. Since council approved maintaining the old gyms the location of the library could impact the proposed parking for the senior center. Since quite a bit of money has been spent on getting the required engineering design and ODOT approval for a parking lot just to the east of the building concern was expressed about the financial impact this could have on the project if a new parking area needed to be looked at.
- Several board members expressed concern that city council approved taking on financial obligations for a skate park and two gyms while other city services such as the library and senior center have had operating cutbacks.
- The card project update. So far we have spent \$149.88 on supplies and sold 174 cards at .50 ea for \$87.00 profit. We are still in the hole \$62.88 but we ordered extra supplies to take advantage of a quantity price break so we don't need to order supplies anytime soon. This will allow us to catch up and perhaps begin earning a profit.

#### **NEW BUSINESS:**

#### **ITEMS FROM THE FLOOR:**

- Helen Ragsdale has been hired as the new executive director for the Sweet Home senior center and withdrew her application to join this board.
- Lori asked about the possibility of those with antique cars supporting the SC with on-board advertising during the Strawberry festival. Lori and Mac have an antique car that they will have in the parade and she plans to have some mention of the center on her car. Lori offered to make up signs if anyone had connections.
- Frances asked if anyone in the Red Hat Society was interested in presenting a program here at the center. Susan said they would always be welcome and if Frances knew someone to ask it would be wonderful.

#### **ADJOURNMENT**

- Linda moved for adjournment and Lori seconded. Motion approved.

**Next Meeting: Wednesday, June 16<sup>th</sup>, 2004**

# Agenda Item 1

Thursday, June 17, 2004

Memo

To: City Council Members

From: Susan Tipton

On Wednesday the 23 of June I will be bringing before council the updated architectural plans for the interior of the former middle school site. These plans were developed from ideas put forth by the Lebanon Public Library Senior Center Trust and members of the Senior Center Advisory Board during the summer of 2003.

Dan Purgiel from LRS Architectural firm met with board members at the old middle school location on June 13, 2003 and walked through the building with board members. Ideas and suggestions were incorporated in an architectural plan with a preliminary budget that was presented to the board at the July 8<sup>th</sup>, 2003 meeting. The board approved of the schematic drawings and these plans were incorporated in the application for the CDBG and approved by the Oregon Economic and Community Development Department in January 2004.

Before the Council are the refined plans for the interior modifications to the Middle School site as previously approved by the Library Senior Center Board. Some of the projects listed in the plan are alternates and may be done if there is money left over; specifically #11, the hoods over the cooking surfaces and illuminated signage #24.






# Agenda Item 2



**LEBANON POLICE DEPARTMENT  
MEMORANDUM**

TO: John Hitt, City Administrator  
FROM: Michael Healy, Police Chief   
DATE: 11 June 2004  
RE: LIQUOR LICENSE RENEWAL APPLICATION  
CC:

---

The following Lebanon, Oregon establishment is requesting consideration of change of privilege on the OLCC liquor license:

<u>Business Name</u>	<u>Address</u>	<u>Classification</u>
The Fire Pit	2230 Main Street Lebanon, OR 97355 Owner: Carolyn Cannon	From: Limited On-Premises Sales To: Full On-Premises Sales

The following Lebanon, Oregon establishment is requesting consideration of a new OLCC liquor license :

<u>Business Name</u>	<u>Address</u>	<u>Classification</u>
Lebanon Shell	300 N. Santiam Hwy. Lebanon, OR 97355 Owner: Nader Afram	Off-Premises Sales

The Police Department does not possess any documented evidence to support the denial of this request.

)

*"Integrity, Professionalism, and Teamwork"*

LIQUOR LICENSE APPLICATION APPROVAL/DENIAL FORM  
 FINANCE DEPARTMENT  
 CITY OF LEBANON

Date: 1 June 2004  
 APPLICANT NAME : The Fire Pit  
 LOCATION: 2230 Main Street, Lebanon, OR 97355  
 Change of Privilege  
 Owner: Carolyn Cannon  
 From: Limited On-Premises Sales To: Full On-Premises Sales

\*\*\*\*\*

RECOMMENDATION:	APPROVAL	DENIAL	DATE
FIRE DISTRICT <u>M. H. Wiley</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>6-4-04</u>
POLICE DEPT <u>M. H. Wiley</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>6/1/04</u>
PLANNING DEPT <u>D. Parker</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>6/3/04</u>
BUILDING DEPT <u>D. Parker</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>6/3/04</u>

**NOTE:** Recommendation for denial must be accompanied by supporting documentation.

INSURANCE COMPANY:

LIQUOR LICENSE APPLICATION APPROVAL/DENIAL FORM  
 FINANCE DEPARTMENT  
 CITY OF LEBANON

Date: 3 June 2004  
 APPLICANT NAME : Lebanon Shell  
 LOCATION: 300 N. Santiam Hwy., Lebanon, OR 97355  
 New Outlet  
 Owner: Nader Afram  
 License Type: Off-Premises Sales

\*\*\*\*\*

RECOMMENDATION:	APPROVAL	DENIAL	DATE
FIRE DISTRICT <u><i>J. P. Wilby</i></u>	✓		<u>6-4-04</u>
POLICE DEPT <u><i>M. Haly</i></u>	✓		<u>6/4/04</u>
PLANNING DEPT <u><i>F. Baer</i></u>	✓		<u>6/2/04</u>
BUILDING DEPT <u><i>D. Baker</i></u>	✓		<u>6/9/04</u>

**NOTE:** Recommendation for denial must be accompanied by supporting documentation.

INSURANCE COMPANY:

# Agenda Item 3



CITY OF LEBANON

---

MEMORANDUM

TO: Mayor Toombs & City Council

DATE: June 18, 2004

FROM: John Hitt, City Administrator

SUBJECT: Albany-Lebanon Sanitation Rate Increase

Albany-Lebanon Sanitation has asked to be placed on the agenda to propose a rate increase as outlined in the attached material.

Mr. Kevin Heinz, representing the company, will make a brief presentation to Council.

JEH/lgk

May 3, 2004

City of Lebanon  
925 Main Street  
Lebanon OR 97355

Dear Mr. Mayor and Members of the Council:

Enclosed is a request for an increase in garbage collection rates charged by Albany-Lebanon Sanitation within the City of Lebanon. Current rates have been in effect since October 2000. We are requesting the new rate structure be effective July 1, 2004.

The proposed rates represent an overall increase of 5.6% over existing rates. Residential rates would increase an average of 5%. For cart customers this means an increase of \$ .75/month.

We are proposing a change in the commercial container rates to a two tier system: a 'stab' rate and a manual rate. The manual rate would be applied to those containers the driver must exit the vehicle to service; the 'stab' rate would be charged to those containers we can service without exiting the vehicle. In addition, we have structured the 'on call' container rates to better reflect the additional expense associated with servicing these containers.

We are also proposing a new late payment service fee, a fee that we hope will encourage customers to pay their bill in a timely manner.

We continue to manage our expenses and routing efficiently. We hope the restructuring of the container rates will encourage customers to set up their containers in an accessible location, allowing us to continue to improve routing efficiency.

Included in the attached information is the following:

- Charts showing current and proposed rates
- A comparison between the proposed rates and those in other Cities
- A proforma of 2004 assuming the rate increase

We are pleased to have the opportunity to provide these services to our customers in Lebanon, and look forward to discussing this proposal with you. I look forward to your questions and comments.

Regards,



Carol Dion  
General Manager  
Albany-Lebanon Sanitation



# ALBANY - LEBANON SANITATION CO.

## CITY RESIDENTIAL COMPARATIVE RATES

City	Effective	Weekly Pickup	
		35 gal Cart	90 gal Cart
<b>ALS Proposed</b>		\$11.75	\$18.75
<b>Springfield</b>	Feb-03	\$11.80	\$20.15
<b>Medford</b>	Sep-02	\$12.20	\$28.70
<b>Bend</b>	Jul-99	\$12.35	\$22.45
<b>Salem</b>	Dec-02	\$18.84	\$28.40
<b>Tualatin</b>	Jul-98	\$17.15	\$31.00
<b>Beaverton</b>	Jun-03	\$19.65	\$33.72
<b>Canby</b>	Aug-00	\$18.45	\$32.75
<b>Gresham</b>	Aug-02	\$19.00	\$30.00
<b>Clackamas</b>	Jun-98	\$25.75	\$36.50

## CITY CONTAINER COMPARATIVE RATES

(Based on 1.5 cubic yards)

City	Effective	Stops per week				
		One	Two	Three	Four	Five
<b>ALS Proposed</b>		\$79.20	\$147.55	\$215.90	\$282.25	\$352.60
<b>Springfield</b>	Feb-03	\$89.95	\$171.70	\$254.00	\$336.20	\$418.30
<b>Medford</b>	Sep-02	\$81.69	\$132.35	\$191.25	\$250.20	\$298.80
<b>Bend</b>	Jul-99	\$92.80	\$158.10	\$223.40	\$288.65	\$353.95
<b>Salem</b>	Dec-02	\$94.40	\$178.80	\$263.20	\$347.60	\$432.00
<b>Tualatin</b>	Jul-98	\$93.95	\$173.80	\$253.00	n/a	n/a
<b>Beaverton</b>	Jan-03	\$100.01	\$172.66	\$245.30	\$317.95	\$390.55
<b>Canby</b>	Aug-97	\$108.80	\$209.35	\$309.90	\$410.45	\$511.00
<b>Gresham</b>	Jun-98	\$95.38	\$183.13	\$270.88	\$358.63	\$446.38

## CITY ROLL-OFF BOX COMPARATIVE

30 Yard Box

City	Effective	30 yd haul	30 yd disp(per ton)
<b>ALS Proposed</b>		\$180.00	\$23.50
<b>Springfield</b>	Feb-03	173 (includes \$20 delivery)	\$45.00
<b>Medford</b>	Sep-02	333.95 (includes haul & delivery)	6 (daily rental rate)
<b>Bend</b>	Jul-99	\$88.00	\$40.00
<b>Salem</b>	Dec-02	474.5 (includes delivery & 4 days rent & removal)	449.5 (per empty rate)
<b>Tualatin</b>	Jul-98	\$136.00	303.6 (set fee + \$25 delivery fee)
<b>Canby</b>	Aug-97	\$119.95	\$49.00
<b>Gresham</b>	Jun-98	\$137.50	67.18 (not including \$6 service fee)

# Albany-Lebanon Sanitation Co.

## Proposed Monthly Residential Service Rates for Lebanon

	Current	Proposed
1 Can	13.00	13.75
Each add can	11.00	11.75
32 gal cart	11.00	11.75
90 gal cart	18.00	18.75
2 can special	7.00	7.75
Up-drive fee	10.00	15.00
Enclosure fee	15.00	20.00

Additional 32 gallon carts are 11.75 per month  
Additional 90 gallon carts are 18.75 per month

### Yard Carts/Composters

- One 90 gallon carts with every other week collection or a home composter available at no extra charge when on weekly garbage service
- \$5.00 per month for additional carts or composters; or if not on weekly service

### Curbside Recycling

- Bins with weekly collection available upon request at no extra charge

### Temporary Containers

- 3 cubic yards
- Cost = \$49.00 per dump (includes delivery, pickup, and three days use)
- Rent = \$2.00/day beyond original three days

# Albany-Lebanon Sanitation Co.

## Proposed Commercial Manual Container Rates For Lebanon

Size	Approx # of cans	1/week	2/week	3/week	4/week	5/week
1.5 yd	9	91.75	174.10	256.45	338.80	421.15
2 yd	12	112.35	213.95	315.55	417.15	518.70
3 yd	18	143.34	273.10	407.95	533.70	666.20
4 yd	24	171.30	326.80	481.20	636.30	790.70
6 yd	36	238.05	457.10	673.95	890.85	1,107.55
8 yd	48	288.50	551.20	808.90	1,066.60	1,319.30

### Locking Containers

- One time setup fee of \$30 applies to all locking containers

### Excessive Weight

- Material weighing more than 500lbs/yard may be subject to an additional \$10.00/yard fee per dump.

## Proposed & Current Commercial Container Stab Rates For Inside City Limits (Lebanon)

Size	1/week current	1/week proposed	2/week current	2/week Proposed	3/week Current	3/week Proposed	4/week Current	4/week Proposed	5/week Current	5/week Proposed
1.5 yd	77.20	79.20	145.55	147.55	213.90	215.90	282.25	284.25	350.60	352.60
2 yd	94.30	96.30	178.50	180.50	262.70	264.70	346.90	348.90	431.10	433.10
3 yd	118.00	120.00	223.65	225.65	329.30	331.30	434.95	436.95	540.60	542.60
4 yd	141.00	143.00	268.05	270.05	395.10	397.10	522.15	524.15	649.20	651.20
6 yd	195.00	197.00	373.55	375.55	552.10	554.10	730.65	732.65	909.20	911.20
8 yd	238.50	240.50	456.20	458.20	673.90	675.90	891.60	893.60	1,109.30	1,111.30

### On Call Containers:

Size	Current Dump fee	Proposed Dump Fee	Current Rent	Proposed Rent
1.5yd	21.20	24.50	18.00	20.00
2 yd	25.75	29.50	20.00	22.00
3 yd	30.75	36.75	22.00	24.00
4 yd	37.20	46.50	24.00	26.00
6 yd	50.50	67.10	26.00	28.00
8yd	62.10	86.50	28.00	30.00

# Albany-Lebanon Sanitation Co.

## Proposed Industrial Drop Box Rates For Lebanon

Size	Current Haul Fee	Proposed Haul Fee	Current Delivery Fee	Proposed Delivery Fee	Current Daily Rental	Proposed Daily Rental	Current Monthly Rental	Proposed Monthly Rental
10	\$160	\$170	\$25	\$35	\$9	\$11	\$80	\$85
20	\$160	\$170	\$25	\$35	\$9	\$11	\$80	\$85
30	\$170	\$180	\$25	\$35	\$9	\$11	\$80	\$85
40	\$180	\$190	\$25	\$35	\$9	\$11	\$85	\$90

Size Compactor	Current Haul Fee	Proposed Haul Fee
15	\$205	\$215
20	\$205	\$215
30	\$235	\$245
40	\$235	\$245

Crank Lidded Boxes	Current Rent	Proposed Rent
10	\$97.5	\$102.5
20	\$97.5	\$102.5
30	\$97.5	\$102.5
40	\$102.5	\$107.5

Compactor pullout rate is the same as an open top haul fee

Roll Lidded Boxes	Current Rent	Proposed Rent
10	\$115	\$120
20	\$115	\$120
30	\$115	\$120
40	\$120	\$125

	Current Hourly	Proposed Hourly
Loader Charges	\$75	\$80
Labor Charges	\$45	\$50

### Notes

- All drop box rates pay current disposal fees at Coffin Butte Landfill.
- All industrial rates are maximum allowable rates charged.

## Miscellaneous Charges

	Current	Proposed
T-special/not on regular route day	\$17.25	\$19.00
Extra 32 gal can/garbage	\$4.00	\$5.00
Extra can larger than 32 gal can	\$7.00	\$8.00
55 gal drum dump & leave \$30	\$12.00 dump & take	\$13.00
Heavy can/dirt/rock/cement	\$4.00	\$5.00
Extra box/garbage (no larger than a 32 gal can)	\$4.00	\$5.00
Extra bag/garbage (no larger than a 32 gal can)	\$4.00	\$5.00
Extra loose garbage per yard	\$12.25	\$13.50
Time per minute to pick up loose garbage	\$ .75/per minute	\$0.85
Wash Cart	\$12.00	\$13.50
Wash Container (once a yr free)	\$30.00	\$33.00
Lock & Key Deposit for container	\$17.25	\$19.00
Late Fee will be 1.5% at 45 days from Invoice date		

## Single Items

Bathtub	\$23.00	\$25.00
Chair – recliner or large chair	\$13.00	\$15.00
Couch	\$20.00	\$22.00
Couch (Hide-a-bed)	\$23.00	\$25.00
Dishwasher	\$13.00	\$15.00
Dryer	\$13.00	\$15.00
Freezer	\$25.00	\$28.00
Mattress or boxspring – queen or king	\$16.00	\$18.00
Mattress or boxspring – twin or double	\$13.00	\$15.00
Refrigerator	\$25.00	\$28.00
Stove or Range (electric or gas)	\$20.00	\$22.00
Car Tires	\$4.00	\$5.00
with rim	\$7.00	\$8.00
Pickup Tires	\$12.00	\$13.00
with rim	\$23.00	\$25.00
Truck Tires	\$22.00	\$23.00
TV – console	\$16.00	\$18.00
Washing Machine	\$20.00	\$22.00
Water Heater	\$13.00	\$15.00

Albany-Lebanon Sanitation, Inc.  
Income Statement  
Twelve Months Ended 12-31-04

	<u>City of Lebanon</u>
Revenue	\$ 1,568,907
Direct Costs of Operations	
Labor	\$ 334,925
Equipment Operating Costs	\$ 59,898
Franchise Fees	\$ 58,383
Disposal Charges	\$ 363,344
Depreciation and Interest	\$ 79,326
Shop Costs	\$ 102,379
Other Costs	\$ 33,687
Total Direct Cost of Operations	\$ 1,031,941
Gross Profit	\$ 536,965
General and Administrative Costs	\$ 270,043
Operating Income	\$ 266,922
Miscellaneous Income (Expense)	
Profit Before Income Taxes	\$ 266,922
Provision for Income Taxes	\$ 111,040
Net Income	\$ 155,883
Net Income as a percentage of Sales	9.94%

Albany-Lebanon Sanitation, Inc.  
Income Statement  
Twelve Months Ended 12-31-04

City of Lebanon

General and Administrative Costs	
Salaries	\$ 48,444
Depreciation	\$ 811
Charitable Contributions	\$ 1,361
Dues & Subscriptions	\$ 2,451
Insurance & Damages	\$ 30,964
Management Services	\$ 122,530
Miscellaneous	\$ 14,571
Bad Debt Expense	\$ 17,141
Professional Services	\$ 1,671
Occupancy	\$ 27,572
Travel, Meals & Entertainment	\$ 2,528
	<hr/>
Total General and Administration Costs	\$ 270,043

# Agenda Item 4





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

---

**TO:** John E. Hitt, City Administrator  
**FROM:** Casey Cole, Finance Director *cc*  
**SUBJECT:** Final Transfer Resolution for FY2003-04

**DATE:** June 16, 2004

Attached is the final transfer resolution for FY2003-04. This is essentially "budget housekeeping" that assures we will not exceed budget in any department and prevents an exception in the annual audit report. This does not increase the budget overall, it merely transfers already approved appropriation from one area to another. Also, this will not decrease the projected cash carry forward for next fiscal year as these expenditures were already included in the estimated expenses for this fiscal year. The reasons for the transfers are:

1. When the Human Resources Manager was laid off, unused vacation was cashed in.
2. Hours worked for Council meetings and minutes were in excess of what was projected.
3. Additional expenses paid to CenturyTel to continue the forwarding of old phone numbers to new numbers on the phone system installed this fiscal year.
4. The Net Assets lien service was not included in the amount originally budgeted for contract services. Net Assets provides an internet service for title companies to access to find our City lien information.
5. Security system access to the Community Development Center was installed, and additional air conditioning was needed for a computer room at City Hall. This also covers higher than expected janitorial service expense than was originally budgeted for facilities at Academy Square and the Travel Station.
6. The water bills for City facilities has been much higher than the previous year. This is due to high water use at the Academy Square, most of which was for irrigation last summer and fall.

Action requested:

Approval of resolution making intra fund transfer.

A RESOLUTION AUTHORIZING  
CERTAIN INTRA-FUND TRANSFERS  
IN THE 2003-04 BUDGET

) RESOLUTION NO. \_\_\_\_\_  
)  
) FOR 2004

WHEREAS, ORS 294.450 authorizes intra-fund transfers with the official action of the governing body;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON AS FOLLOWS:

**Section 1.** The Council of the City of Lebanon herein authorizes those transfers as specified by fund, activity, and amount attached hereto as "Exhibit A" and incorporated herein by this reference.

**Section 2.** This resolution is effective immediately upon passage.

Passed by the Lebanon City Council by a vote of \_\_\_\_ for and \_\_\_\_ against on this 23rd day of June, 2004.

\_\_\_\_\_  
Kenneth I. Toombs, Mayor [ ]  
Ron Miller, Jr., Council President [ ]

ATTEST:

\_\_\_\_\_  
John E. Hitt, City Administrator

**EXHIBIT "A"**

		<u>USE</u>	<u>SOURCE</u>
<u>GENERAL FUND – HUMAN RESOURCES:</u>			
100-116-50001	Salaries	\$ 3,000	
<u>Justification:</u> Cash in of unused vacation leave after layoff.			
<u>GENERAL FUND - LEGISLATIVE:</u>			
100-160-50001	Salaries	\$ 500	
<u>Justification:</u> Unanticipated salary costs.			
<u>GENERAL FUND – NON-DEPARTMENTAL:</u>			
100-195-61120	Communication	\$ 5,000	
<u>Justification:</u> Additional expenses related to phone system change.			
100-195-61130	Contract Services	\$ 12,000	
<u>Justification:</u> To pay for Net Assets lien service.			
100-195-61560	Maint/Bldg	\$ 15,000	
<u>Justification:</u> Additional expenses related to buildings security access, computer room air conditioning, and janitorial service.			
100-195-61900	Utilities	\$ 20,000	
<u>Justification:</u> Water and sewer bills for city facilities higher than anticipated.			
<u>GENERAL FUND – NON-DEPARTMENTAL:</u>			
100-195-80005	Contingencies		\$ 55,500

# Agenda Item 5



CITY OF LEBANON

---

MEMORANDUM

TO: Mayor Toombs & City Council

DATE: June 18, 2004

FROM: John Hitt, City Administrator

SUBJECT: OMI Fee Increases

Brian Helliwell, from OMI, will attend the June 23 meeting to request a water/wastewater service fee increase for FY 2004/05, in accordance with the terms of our contract.

JEH/lgk

# Agenda Item 6



CITY OF LEBANON

---

MEMORANDUM

TO: Mayor Toombs & City Council

DATE: June 18, 2004

FROM: John Hitt, City Administrator *JHitt*

SUBJECT: City Administrator's Report

I will provide the City Council a brief oral update on the following items at the June 23 City Council Meeting:

1. Annexations
2. Gill's Landing Progress
3. Easements/Right-of-Ways
4. Revised City Council Summer Schedule
5. Miscellaneous Matters

JEH/lgk

# Executive Session

Per ORS 192.660(1)(e) Pursuant to ORS 192.660(1)(e) To conduct deliberations with persons designated by the Council to negotiate real property transactions.

*Executive Sessions are closed to the public due to the highly confidential nature of the subject. It is unlawful to discuss anything outside of the Executive Session.*





CITY OF LEBANON

---

MEMORANDUM

TO: Mayor Toombs & City Council

DATE: June 18, 2004

FROM: John Hitt, City Administrator *JH*

SUBJECT: Executive Session

We will hold a brief Executive Session to update everyone on a proposed real estate acquisition. No formal action by the City Council is required at this time.

JEH/lgk

