

LEBANON CITY COUNCIL MEETING
Wednesday, April 2, 2007
(Santiam Travel Station - 750 3rd Street)

A G E N D A

REGULAR SESSION – 12 p.m. (Noon)

CALL TO ORDER / FLAG SALUTE

ROLL CALL

APPROVAL OF CITY COUNCIL MINUTES – March 14, 2007 *(Approve/Amend by Motion)*

CONSENT CALENDAR *(Approve/Amend by Motion)*

LEBANON CITY COUNCIL AGENDA: April 2, 2007

ACCEPT CITY OF LEBANON MINUTES: Library Advisory Board Meeting – February 14, 2007

BUDGET COMMITTEE APPOINTMENT: Mr. David Haley (Ward 1)

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

ITEMS FROM COUNCIL

PUBLIC HEARINGS

1) Vacation of Public Land Request (Brian Phillips)

Presented by: Malcolm Bowie, City Engineer

Approval/Denial by ORDINANCE

2) South Santiam Enterprise Zone

Presented by: John Hitt, City Manager

Approval/Denial by RESOLUTION

LEGISLATIVE SESSION

3) Architect Approval for New Police/Court & Library Facilities

Presented by: Denice Lee, Library Director & Mike Healy, Police Chief

Approval/Denial by MOTION

ADJOURNMENT

TOUR – Academy Square & Santiam Gyms

Approval of Minutes

LEBANON CITY COUNCIL MEETING
MINUTES
March 14, 2007

Council Present: Mayor Ken Toombs and Councilors Bob Elliott, Floyd Fisher, Tim Fox, Rebecca Grizzle and Ray Weldon.

Staff Present: City Manager John Hitt, City Attorney Tom McHill, Police Chief Mike Healy, Public Works Director Jim Ruef, Finance Director Casey Cole, City Engineer Malcolm Bowie, Senior Engineer Ron Whitlatch and City Clerk/Recorder Linda Kaser.

CALL TO ORDER / FLAG SALUTE / ROLL CALL

Mayor Toombs called the Regular Session of the Lebanon City Council to order at 7:00 p.m. in the Santiam Travel Station Board Room. Roll call was taken; Councilor Miller was absent.

APPROVAL OF COUNCIL MINUTES

- ❖ Wastewater CIP Financial Plan Work Session Minutes - February 28, 2007
- ❖ Regular Session Council Minutes - February 28, 2007

Councilor Grizzle moved, Councilor Elliott seconded, to approve the February 28, 2007 Wastewater CIP Financial Plan Work Session & Regular Session City Council Minutes as presented. The motion passed unanimously by roll call vote.

PRESENTATION

Mayor Toombs and Police Chief Healy presented Captain Mike Schulte with an award recognizing twenty-five years of outstanding and dedicated service to the citizens of Lebanon. Schulte expressed his appreciation to the City for their continued support.

CONSENT CALENDAR

- ❖ City Council Agenda – March 14, 2007
- ❖ Accept Brandvold Construction, Inc. Irrevocable Petition
- ❖ Accept Brown Construction, Inc. Irrevocable Petition
- ❖ Michael Wood Public Utility and Access Easement
- ❖ Beemer, Johnson, Smith & Co. Profit Sharing Plan Public Utility and Access Easement
- ❖ Accept Library Advisory Board Meeting Minutes - January 10, 2007
- ❖ Accept Planning Commission Meeting Minutes - December 20, 2007

Councilor Fox moved, Councilor Elliott seconded, to approve the Consent Calendar as presented. The motion passed unanimously by roll call vote.

PROCLAMATIONS

1) National Boys & Girls Club Week

Mayor Toombs read the proclamation declaring the week of March 25-31, 2007 as “National Boys & Girls Club Week.”

Jason Yutzie, Lebanon Boys & Girls Club Director, thanked the community for their support and noted that they have several special events planned for the week.

Councilor Grizzle commended Mr. Yutzie for doing a great job.

2) Annual Strawberry Festival

Mayor Toombs read the proclamation declaring May 29-June 3, 2007 as the “Annual Strawberry Festival.”

CITIZEN COMMENTS - *There were no comments.*

ITEMS FROM COUNCIL -

Councilor Elliott asked City Manager Hitt for an update on the litigation costs for the [Beck, Weldon and Harringtons v. City of Lebanon] lawsuit. Hitt stated that the most recent attorney bill was \$6,800; this brings the cash total to about \$30,000.

PUBLIC HEARING

1) Liquor License Application, Change of Privilege - Yahoo Deli & Mart (501 Park Street)

Mayor Toombs declared the Public Hearing open at 7:10 p.m. to consider a recommendation for a change of privilege for Yahoo Deli & Mart, 501 Park Street, Lebanon.

Healy presented a request to consider a recommendation for a change of privilege for Yahoo Deli & Mart from Off-Premises Sales to Limited On-Premises Sales. He stated that the Police Department does not possess any documented evidence to support the denial of this request and added that the Fire District and Planning Department have also given approval.

Mayor Toombs asked if there were any questions of staff. There were none.

Hearing no public comments in favor of or in opposition to this liquor license application, Mayor Toombs closed the Public Hearing at 7:12 p.m.

Councilor Elliott moved, Councilor Grizzle seconded, to approve a recommendation for a change of privilege for Yahoo Deli & Mart, 501 Park Street. The motion passed unanimously by roll call vote.

LEGISLATIVE SESSIONS

2) Proposed Wastewater Rate Increase

Public Works Director Ruef commended the Engineering staff for all of their hard work on the Wastewater CIP Financial Plan.

City Engineer Bowie briefly reviewed the information presented in the work session.

Ruef noted that this was advertised as a public meeting and suggested opening it up to public comments.

Mayor Toombs asked if there was anyone who would like to comment on this proposed rate increase. There was no one.

Ruef stated that staff is still trying to bring the future rate increases down. He noted that Environmental Specialist McLaughlin confirmed that the City will be getting at least \$150,000 in energy tax credits for the Cannibal Project, although this may be offset by increased costs for the Walden Project. He also stated that Peter DeFazio's office is looking at what they can do to help with the Walden Project. Ruef asked that the Council authorize an initial wastewater rate increase of 10% effective July 1, 2007.

McHill read the title of the Resolution.

Councilor Grizzle moved, Councilor Fisher seconded, to approve A RESOLUTION ADOPTING THE CITY OF LEBANON'S WASTEWATER RATES. The motion passed unanimously by roll call vote.

3) Approval to Advertise for Truck Route Improvements Project

Senior Engineer Whitlatch explained what the Truck Route Improvements (North) Project encompasses and asked that the Council pass a motion approving the contract documents and authorizing staff to advertise for bids.

Councilor Fox moved, Councilor Fisher seconded, to approve the contract documents for the Truck Route Improvements (North) Project and authorize City staff to advertise for bids. The motion passed unanimously by roll call vote.

4) City Council Goals

Hitt suggested a revised Council Goal Setting process where new short-term goals, which may impact the 2007-2008 Budget, can be proposed at this time; the Council would then meet in September or October for a formal Goal Setting Session. He also stated that staff is presently working on two very time-intensive goals, the new Library and Police Station.

Councilor Fisher stated that he would like to see an increased contingency fund. Mayor Toombs noted that staff has been working for several years to attain the 10% contingency fund goal.

Councilor Grizzle stated that she will lobby for the goals to be measurable and will ask that the last two goals be changed to policy statements.

5) City Manager's Report

Hitt provided a brief report on the following:

State Legislative Session - Most of the bills which will have a negative impact on the budget are proceeding ahead. Because they generally become effective in September or October, Hitt stated that some bills may have a noticeable impact on next year's budget.

Special City Council Meetings/GO Bond Status - Hitt confirmed that there would be a quorum for a special Council session on April 2 at 12:00 p.m. The agenda will include the architect contract award for the Library and Police Department Projects and two time-sensitive Enterprise Zone issues. A tour of the two gyms will take place right after this meeting.

Healy stated that they are working on the architect's contract and are trying to keep things moving as quickly as possible, since it will take about two years for the design and construction of both facilities. They are also preparing an RFP for a Project Manager to represent the City on the projects. Hitt added that there would be definite savings by hiring a Project Manager for the design and construction process.

A second special Council meeting is scheduled for May 2 at 4:00 p.m. to award the RFP for the Owner's Representative/Project Manager.

Hitt reminded the Councilors that the joint Lebanon/Albany City Council meeting will be held at 7:00 p.m. on April 4 at the Lebanon Hospital.

Budget Committee Appointments - Hitt asked Councilor Fox to speak with City Clerk Kaser about a recommended nominee.

ADJOURNMENT

Mayor Toombs adjourned the Regular Session at 7:39 p.m. and stated that Council will go into Executive Session after a ten-minute recess and will not be returning to Regular Session.

EXECUTIVE SESSION

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

[Meeting recorded & transcribed by: Donna Trippett]

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

ATTESTED:

Linda G. Kaser, City Clerk/Recorder

Consent Calendar

LEBANON CITY COUNCIL AGENDA: April 2, 2007

*ACCEPT CITY OF MINUTES: Library Advisory Board Meeting –
February 14, 2007*

BUDGET COMMITTEE APPOINTMENT: Mr. David Haley (Ward 1)

(Approval/Amendment of Consent Calendar by Motion)



City of Lebanon

LEBANON PUBLIC LIBRARY

Advisory Board Meeting Minutes

February 14, 2007

City Hall
925 Main Street
Administration
 541.258.4902
Finance
 541.258.4914
Human Resources
 541.258.4925
Mayor/City Council
 541.258.4904
Public Works Admin
 541.258.4918
IT/GIS

City Attorney
80 E. Maple Street
 541.258.3194

Library
626 2nd Street
 541.258.4926

Community Development Center
853 Main Street
Building
 541.258.4907
Engineering
 541.258.4923
Environmental
 541.258.4921
Planning
 541.258.4906

Municipal Court
30 E. Maple Street
 541.258.4909

Police Department
40 E. Maple Street
 541.451.1751

Public Works Maintenance/Parks
305 Oak Street
 541.258.4281

Senior Center
65 "B" Academy
 541.258.4919

The Library Advisory Board meeting was called to order at 5:34 p.m. by Co-Chair Tom Stewart. Attending were Cathy Benneth, Garry Browning, Harlan Mastenbrook, Sue Spiker, Tom Stewart and Library Director Denice Lee.

Minutes of the January 10th meeting were approved.

Director's Report:

Circulation:

January	2007	9,649	YTD 2007	59,037
January	2006	8,851	YTD 2006	55,767

Building Project Update:

Interviews for potential architects for both the new library and/or police facilities took place Thursday and Friday, February 8th and 9th. There were two architectural firms expressing interest in doing both facilities and one each interested in doing only police or only library. City staff is doing visits to facilities designed by the architects before making a final selection.

DMV Changes:

This spring the Department of Motor Vehicles is running a pilot program in the Eugene/Springfield area that will change the way the DMV delivers drivers' licenses. After the problems are addressed through the pilot program, it will be implemented statewide.

Currently the DMV physically hands the new license to the driver, but through the new program, drivers will be given a temporary license so the DMV can deliver the new license by mail. This impacts the library in that the temporary license is not intended to serve as official identification. The guidelines for acceptable ID when requesting a library card will be modified to state that if the library is presented with a temporary DMV license, the library will require an official piece of mail in addition to the temporary picture ID. The board discussed the possibility of limiting people with temporary ID to 5 items until they can produce the official drivers' license as ID. The director will take the recommendation to the staff at their next meeting.

Middle School Book Club:

The Middle School Book Club is into the second of three months. The leader for February is Cindy Cady who has selected Number the Stars by Lois Lowry. The 6th, 7th, and 8th graders meet with an adult leader every Tuesday evening from 7 p.m. - 8:15 p.m. through March 20th. They receive a free book at the beginning of each month. The book selected for March is This Side of Paradise by Steven Layne. This program is funded by the Friends of the Library.

Youth Card:

The board continued their discussion about the possibility of developing a way to provide area non-resident young people a "Student" or "Youth" card. The need is there for youth who can no longer find age appropriate materials in the children's area, but can't afford the full non-resident fee of \$40. The director will continue discussions with staff and the board.

Friends Report:

Harlan reported a profit of \$236.95 from the January Friends of the Library's monthly book sale. The split with the Senior Center for the ongoing book sale in the Senior Center library was approximately \$60.00. Harlan reported that the Friends were interested in partnering with the Lebanon Education Association to send newborns home from the hospital with a free board book. The LEA will fund books up to \$2,000 and will develop fliers, bookmarks and stickers promoting reading to be placed in the books. Harlan indicated that the Friends of the Library voted to fund up to \$200 in printing costs for the printed materials, and they expressed an interest in assembling the book packets and delivering them to the hospital. This could be done as a work party at a regularly scheduled Friends meeting.

Report of Committees:

Library tours committee:

After the architect for the library is selected, the firm will begin meeting with library groups such as library staff, the Advisory Board and the Library/Senior Center Trust for design input. Denice will schedule visits to new library facilities and asked that interested board members notify her by phone or email if they are interested in being a part of the tours.

New Business:

The director encouraged board members to visit libraries and/or write down any dreams they have for the new library facility. Board members spoke of making sure the architects saw the display cabinet at the Senior Center so it would be included in any design plans.

Adjournment:

The meeting was adjourned at 6:32 p.m.

Next meeting March 14, 2007

5:30 p.m.

750 3rd Street

Santiam Travel Station

Agenda Item 1



CITY OF LEBANON

MEMORANDUM

TO: Jim Ruef
Public Works Director

DATE: 3/28/07

FROM: Malcolm Bowie
City Engineer

CC:

SUBJECT: Right of Way Vacation - Clover and Canal Street (Phillips)

City staff has proceeded with notification and advertisements for the proposed vacation of Clover and Canal streets as platted in the previous Linndale Addition of Linn County. This is located just south of River Drive. (See map attached).

The proposed ordinance with map are in the council packet.

The vacation will help facilitate a replatting of this recently annexed property.

RECOMMENDATION

The City Council adopt the proposed ordinance vacating the subject Right-Of-Way.



CITY OF LEBANON
MEMORANDUM

TO: Malcolm Bowie
City Engineer

DATE: March 23, 2007

FROM: Shana Marquez
Engineer Tech III

CC:

SUBJECT: Right of Way Vacation – unimproved Canal Street and Clover Street
(Linndale Addition, 1953)

Attached are the ordinance and easement vacation forms for use during the public hearing scheduled for the City Council meeting on April 2, 2007.

A BILL FOR AN ORDINANCE VACATING) ORDINANCE BILL NO. _____
RIGHT OF WAY OF CANAL STREET AND) For 2007
CLOVER STREET (Linndale Addition)) ORDINANCE NO. _____

WHEREAS, as a result of a petition from abutting property owners, the City of Lebanon has initiated vacation proceedings for a portion of a street, more particularly describes as follows:

An area of land in Section 14 of Township 12 South of Range 2 West of the Willamette Meridian, City of Lebanon, Linn County, Oregon described as follows:

All of that portion of the Canal Street as platted in the Linndale Addition to Linn County as recorded the 4th day of September 1951 in the Linn County Record Book of Plats in Volume 10-Page 45.

Together with all of that portion of Clover street adjacent to Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 38, 39, 40, 41, 42, 43, 44, 45 and the northern 14.52 feet of Lots 19 and 37 as platted in the Lindale Addition to Linn County as recorded the 4th day of September 1951 in the Linn County Record Book of Plats in Volume 10-Page 45.
See attached Exhibit "A".

WHEREAS, the City Council for the City of Lebanon has conducted a public hearing on Monday April 2, 2007, having duly considered the testimony of interested parties and the general public; and

WHEREAS, the Council finds that notice has been duly given, that the consent of the owners of the requisite area has been obtained, and

WHEREAS, the City Council has determined that the public interests will not be prejudiced by the vacation of such streets:

NOW, THEREFORE, the people of the City of Lebanon do ordain as follows:

Section 1. Portion of Street, more particularly described as follows is hereby declared vacated:

An area of land in Section 14 of Township 12 South of Range 2 West of the Willamette Meridian, City of Lebanon, Linn County, Oregon described as follows:

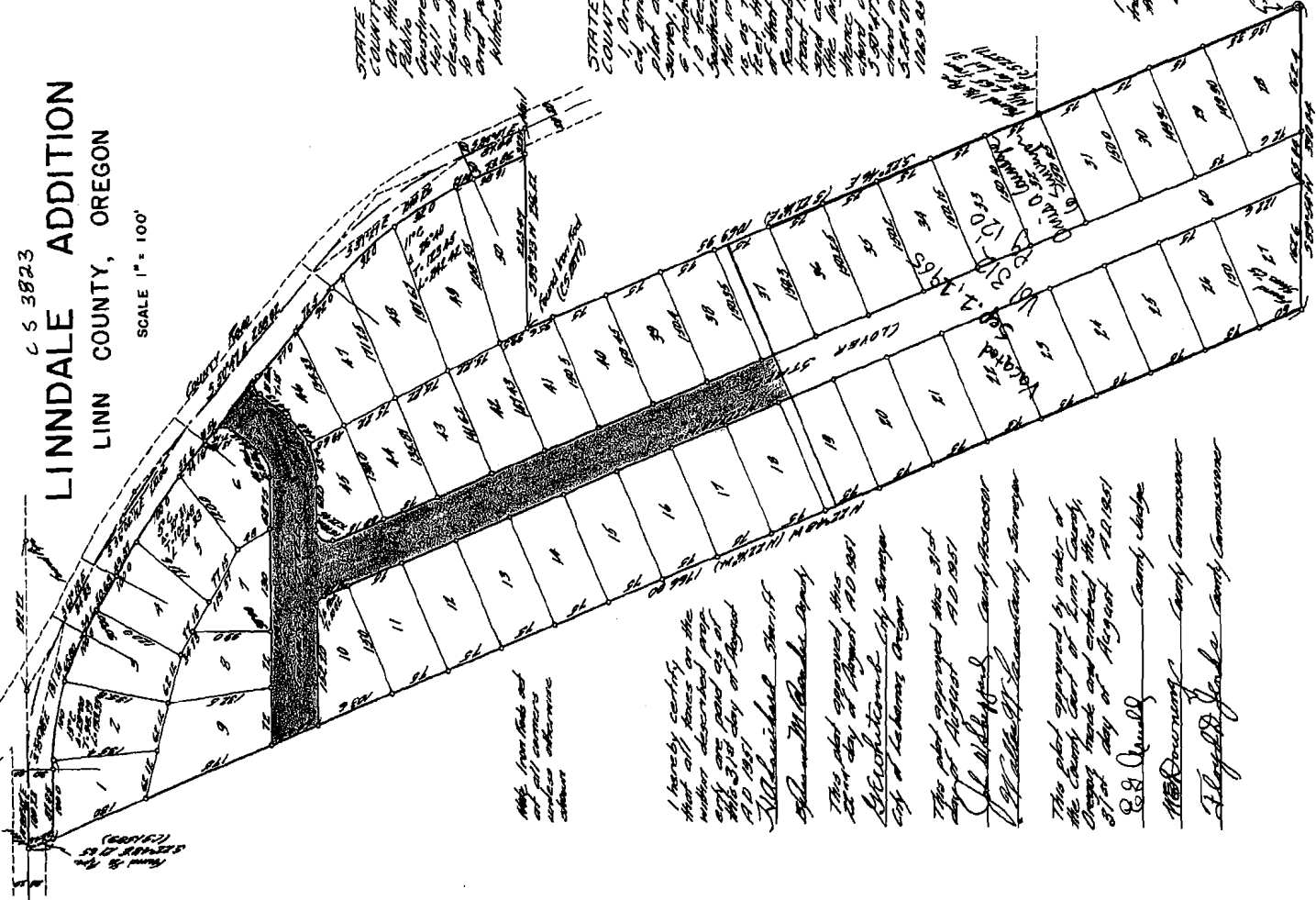
All of that portion of the Canal Street as platted in the Linndale Addition to Linn County as recorded the 4th day of September 1951 in the Linn County Record Book of Plats in Volume 10-Page 45.

Together with all of that portion of Clover street adjacent to Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 38, 39, 40, 41, 42, 43, 44, 45 and the northern 14.52 feet of Lots 19 and 37 as platted in the Lindale Addition to Linn County as recorded the 4th day of September 1951 in the Linn County Record Book of Plats in Volume 10-Page 45.

C S 3823

LINDALE ADDITION LINN COUNTY, OREGON

SCALE 1" = 100'



I hereby certify that all lines on the within described plat are true and correct as of this 31st day of August A.D. 1951

Alvin L. ...

I hereby certify that all lines on the within described plat are true and correct as of this 31st day of August A.D. 1951

James M. ...

This plat approved this 31st day of August A.D. 1951

Ch. ...

Walter H. ...

This plat approved by order of the County Court of Linn County, Oregon, made and entered this 31st day of August A.D. 1951

E. G. ...

W. ...

Floyd D. ...

DEDICATION

KNOW ALL MEN BY THESE PRESENTS that I, Clarence Gaudin and I, Helen Gaudin, his wife, U.S. Grant and I, Clara Gaudin, his wife, and I, J.C. Gaudin, his wife, do hereby dedicate and convey to the County of Linn, Oregon, the within described land, together with all rights and interests therein, for the use and benefit of the public, to be known as the Lindale Addition. The streets to be shown on the plat are hereby conveyed, set apart, and dedicated to the use of the public, and they, with all their easements and appurtenances, shall remain forever and forever open to the public, and shall be subject to the same laws and regulations as other streets and highways in the County of Linn, Oregon.

Witness my hand and seal of office this 31st day of August A.D. 1951

Clarence Gaudin

Helen Gaudin

J.C. Gaudin

Clara Gaudin

Walter H. ...

James M. ...

STATE OF OREGON
COUNTY OF LINN

On this the 31st day of August A.D. 1951, personally came before me J.C. Gaudin, his wife, U.S. Grant and I, Clara Gaudin, his wife, and I, J.C. Gaudin, his wife, to me known to be the identical persons described in and who executed the foregoing declaration and instrument to me that they executed the same freely and voluntarily for the uses and purposes herein named, and I, the undersigned, a Justice of the Peace in and for said County, do hereby certify that the same were executed by them as stated in the foregoing declaration and instrument, and that the same are true and correct as of this 31st day of August A.D. 1951.

Walter H. ...

STATE OF OREGON
COUNTY OF LINN

I, this day certify that I have carefully surveyed and retraced with proper instruments the lands as represented on this plat and shown hereon, and I hereby certify that the same are true and correct as of this 31st day of August A.D. 1951.

Walter H. ...

Walter H. ...

Subscribed and sworn to before me this 31st day of August A.D. 1951

Walter H. ...

James M. ...

76656

Stella E. ...

Walter H. ...

I hereby certify that this plat is a true copy of the original plat.

Walter H. ...

I hereby certify that this plat is a true copy of the original plat.

Walter H. ...

RIGHT OF WAY VACATION

KNOW ALL PERSONS BY THESE PRESENTS that a Public right of way was granted to the CITY OF LEBANON, a municipal corporation of the State of Oregon, by right of dedication filed with the Linn County as platted in the Linndale Addition as recorded 4th day of September 1951 in the Linn County Record Book of Plats in Volume 10-Page 45, the right of way over and along the full width and length of the premises described as follows; to wit:

An area of land in Section 14 of Township 12 South of Range 2 West of the Willamette Meridian, City of Lebanon, Linn County, Oregon described as follows:

All of that portion of the Canal Street as platted in the Linndale Addition to Linn County as recorded the 4th day of September 1951 in the Linn County Record Book of Plat in Volume 10- Page 45.

Together with all of that portion of Clover street adjacent to Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 38, 39, 40, 41, 42, 43, 44, 45 and the northern 14.52 feet of Lots 19 and 37 as platted in the Linndale Addition to Linn County as recorded the 4th day of September 1951 in the Linn County Record Book of Plats in Volume 10-Page 45. See attached Exhibit "A".

The City of Lebanon hereby reconveys and releases the right of way described above, it being the intention of the parties to terminate, release, and relinquish all the right, title, and interest of the City in the above described right of way.

IN WITNESS THEREOF, The City of Lebanon has executed this release on this ___ day of _____, 2007.

CITY OF LEBANON, OREGON

By: _____
Kenneth I. Toombs, Mayor

By: _____
Linda Kaser, City Clerk/Recorder

STATE OF OREGON)
) ss.
COUNTY OF LINN)

Before me, on this ___ day of _____, 2007, personally appeared the above-named Kenneth I. Toombs and Linda Kaser, who each being duly sworn did say that the former is the Mayor 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 on behalf of said corporation, and each of them acknowledged said instrument to be its voluntary act and deed.

NOTARY PUBLIC FOR OREGON
My Commission Expires:

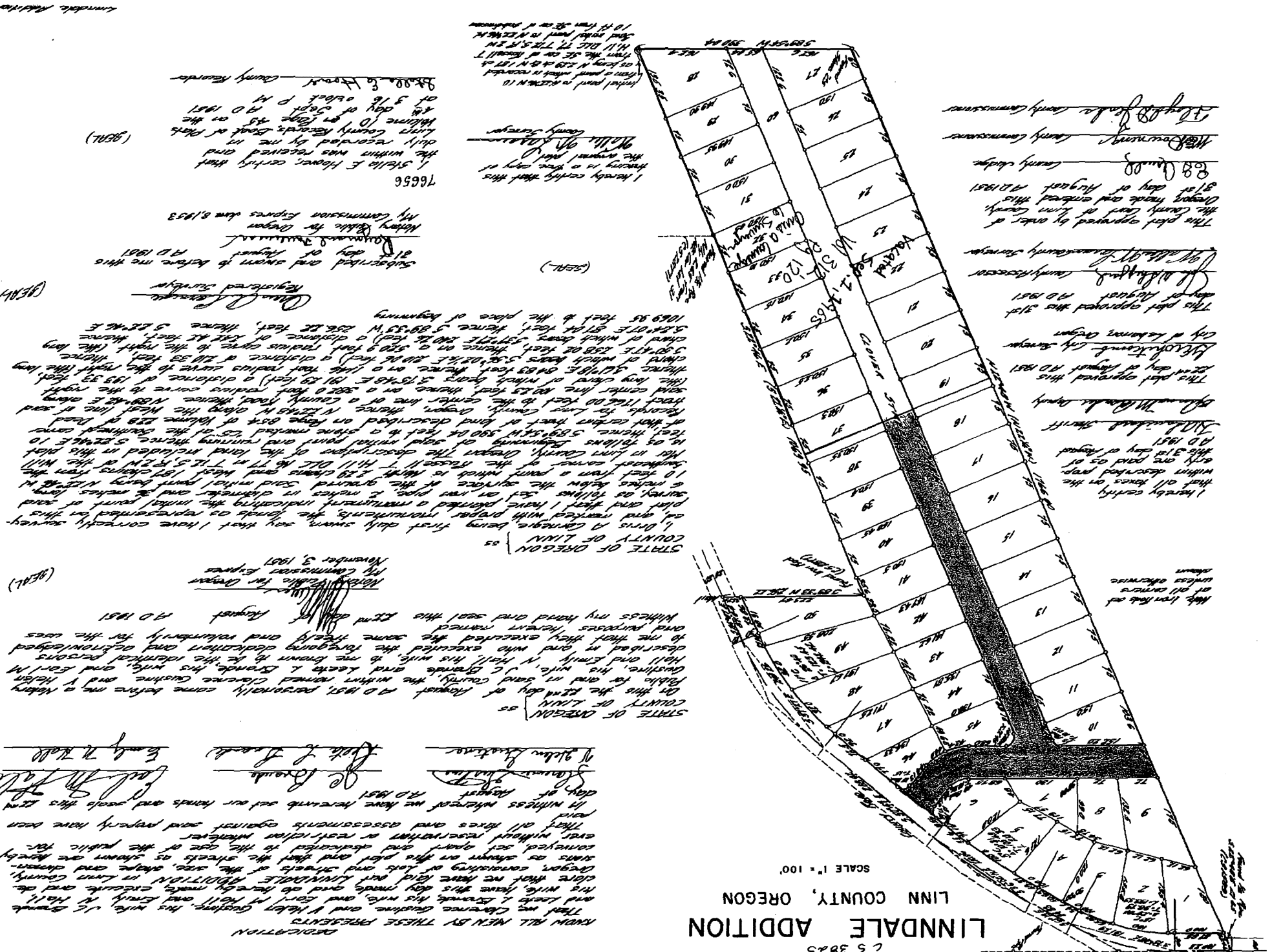
AFTER RECORDING RETURN TO:
City of Lebanon
Public Works Dept.
925 Main Street,
Lebanon, OR 97355

Exhibit A

LINDDALE ADDITION
LINN COUNTY, OREGON

L 5 3823

SCALE 1" = 100'



Walter J. [unclear]
Linn County Commissioner
This plat approved by order of the County Court of Linn County, Oregon made and entered this 31st day of August 1951.
County Judge

J. [unclear]
Linn County Commissioner
This plat approved by order of the County Court of Linn County, Oregon made and entered this 31st day of August 1951.
County Commissioner

J. [unclear]
Linn County Commissioner
This plat approved this 31st day of August 1951.
City of Linn County

J. [unclear]
Linn County Commissioner
This plat approved this 31st day of August 1951.
City of Linn County

J. [unclear]
Linn County Commissioner
This plat approved this 31st day of August 1951.
City of Linn County

Map from Plat of [unclear] and [unclear] at [unclear] distance shown

STATE OF OREGON } ss
COUNTY OF LINN } ss
I, [unclear], being first duly sworn, say that I have carefully surveyed and marked with proper monuments, the lands as represented on this plat and that I have marked a monument indicating the initial point of said survey, as follows: I marked in diameter and 3 inches long, 6 inches from a point which is North 23 degrees and West 137 degrees from the southwest corner of the [unclear] - Hill Old No. 11. I also marked in the plat for [unclear] County, Oregon. The description of the land included in this plat is as follows: Beginning of said initial point and running thence 5.2842 E 10 04 feet, thence 5.8932 N 33 04 feet to a stone marked 25 of the [unclear] and [unclear] corner of said land described on page 857 of Volume 129 of [unclear] County, Oregon. Thence N 23 deg 04 min along the West line of said [unclear] Lot 116.00 feet to the center line of a County Road, thence N 58 deg E along said center line 103.53 feet, thence on a 582.0 foot radius curve to the right (the long curve of which bears S 37 deg 42 min E) a distance of 183.33 feet, thence S 41 deg 18 min E 54.83 feet, thence on a like foot radius curve to the right (the long curve of which bears S 55 deg 28 min E) a distance of 10.33 feet, thence on a 520.0 foot radius curve to the right (the long curve of which bears S 55 deg 28 min E) a distance of 421.42 feet, thence S 87 deg 04 min E 3.6472 E 31.60 feet, hence S 89 deg 32 min W 232.12 feet, thence S 28 deg E 108.95 feet to the place of beginning.

STATE OF OREGON } ss
COUNTY OF LINN } ss
On this 10th day of August 1951, personally came before me a Notary Public for and in said county, the within named Clarence Casbane and V Helen Goshorn, his wife, J.C. Brande and Leola T. Brande, his wife, and Earl M. Hall, and Emily, his wife, to me known to be the identical persons described in and who executed the foregoing dedication and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes herein named and purposes herein named and said this 10th day of August 1951. Witness my hand and seal this 10th day of August 1951.

In witness whereof we have hereunto set our hands and seals this 10th day of August 1951.
J. [unclear]
Notary Public for Linn County, Oregon
That we Clarence Casbane and V Helen Goshorn, his wife, J.C. Brande and Leola T. Brande, his wife, and Earl M. Hall, and Emily, his wife, do hereby make, execute and acknowledge that we have said and intended to make, execute and convey as shown on this plat and that the streets as shown are hereby conveyed, set apart and dedicated to the use of the public for every purpose, whether or not the plat is recorded against and properly have been recorded against and assessments against said plat and properly have been made.

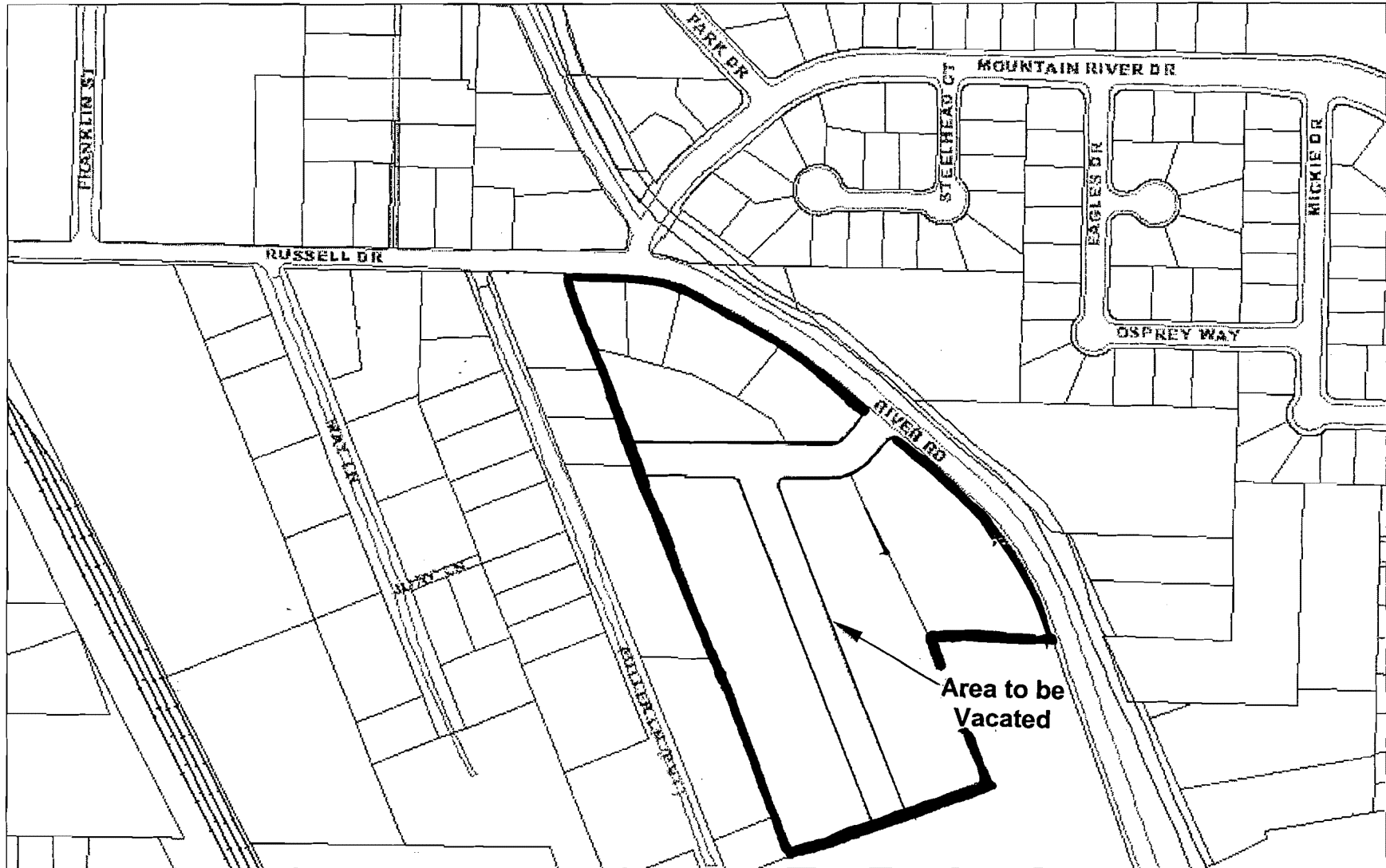
Notary Public for Linn County, Oregon
My Commission Expires November 3, 1951

STATE OF OREGON } ss
COUNTY OF LINN } ss
I, [unclear], being first duly sworn, say that I have carefully surveyed and marked with proper monuments, the lands as represented on this plat and that I have marked a monument indicating the initial point of said survey, as follows: I marked in diameter and 3 inches long, 6 inches from a point which is North 23 degrees and West 137 degrees from the southwest corner of the [unclear] - Hill Old No. 11. I also marked in the plat for [unclear] County, Oregon. The description of the land included in this plat is as follows: Beginning of said initial point and running thence 5.2842 E 10 04 feet, thence 5.8932 N 33 04 feet to a stone marked 25 of the [unclear] and [unclear] corner of said land described on page 857 of Volume 129 of [unclear] County, Oregon. Thence N 23 deg 04 min along the West line of said [unclear] Lot 116.00 feet to the center line of a County Road, thence N 58 deg E along said center line 103.53 feet, thence on a 582.0 foot radius curve to the right (the long curve of which bears S 37 deg 42 min E) a distance of 183.33 feet, thence S 41 deg 18 min E 54.83 feet, thence on a like foot radius curve to the right (the long curve of which bears S 55 deg 28 min E) a distance of 10.33 feet, thence on a 520.0 foot radius curve to the right (the long curve of which bears S 55 deg 28 min E) a distance of 421.42 feet, thence S 87 deg 04 min E 3.6472 E 31.60 feet, hence S 89 deg 32 min W 232.12 feet, thence S 28 deg E 108.95 feet to the place of beginning.

Notary Public for Linn County, Oregon
My Commission Expires Jan 8, 1953

STATE OF OREGON } ss
COUNTY OF LINN } ss
I, Stella E Hoover, certify that the within was received and duly recorded by me in Linn County Register's Book of Plat Volume 10 on page 45 on the 31st day of Sept 1951 at 3:16 o'clock P M.

Vacation of Right of Way Map



Agenda Item 2



MEMORANDUM

Administration Department

To: Mayor and City Council

Date: March 28, 2007

From: City Manager *[Signature]*

Subject: Resolution – Reauthorizing the South Santiam Enterprise Zone

As you may recall from a City Council discussion item in January, the South Santiam Enterprise Zone will expire this year unless it is renewed, or extended, by the Oregon Economic and Community Development Department.

The attached resolution, if approved, is a required part of the re-authorization application.

The re-application process also requires a noticed, public meeting with representatives of the taxing districts that might be impacted by the continuation of the South Santiam Enterprise Zone. This meeting took place on March 9, 2007, as per "Exhibit B" of the resolution. These taxing districts were also invited to attend and provide input, as they may desire, at the April 2, special meeting of the City Council.

JEH/jmc

A RESOLUTION CONTINUING THE COSPONSORSHIP) RESOLUTION NO. _____
OF THE SOUTH SANTIAM ENTERPRISE ZONE) for 2007

Whereas, the City of Lebanon is sponsoring an application for designation/continuation/renewal of the South Santiam Enterprise Zone in conjunction with the zones co sponsors, the Cities of Albany and Millersburg and the County of Linn; and

Whereas, the City of Lebanon is interested in an enterprise zone to encourage new business investment, job creation, higher incomes for local residents and greater diversity of economic activity.

Whereas, the proposed enterprise zone has a total area of 12 square miles, and meets other statutory limitations on size and configuration. It is depicted on the map (Exhibit "A").

Whereas, the proposed enterprise zone contains significant land that is reserved for industrial use, as indicated by land use zoning map(s) that will be submitted with the renewal application and consistent with the Lebanon Comprehensive Plan as acknowledged by the Land Conservation and Development Commission. Such industrial sites are accessible, serviced or serviceable and otherwise ready for use and further development.

Whereas, the designation of an enterprise zone does not grant or imply permission to develop land within the Zone without complying with prevailing zoning, regulatory and permitting processes and restrictions for applicable jurisdictions; nor does it indicate any intent to modify those processes or restrictions, except as otherwise in accordance with Comprehensive Plans

Whereas, the City of Lebanon appreciates the impacts that a designated enterprise zone would have and the property tax exemptions that eligible business firms might receive therein, as governed by Oregon Revised Statutes (ORS) Chapter 285C and other provisions of Oregon Law.

Whereas, all of the other municipal corporations, school districts, and special service districts, other than the sponsoring governments, that receive operating revenue through the levying of ad valorem taxes on real and personal property in any area of the proposed enterprise zone were sent notice and invited to a public meeting regarding this proposal. This meeting was held on March 9, 2007 as indicated in the minutes (Exhibit "B"). The sponsoring governments were able to effectively consult with these other local taxing districts. Follow-up arrangements as agreed to with these consultations will be completed with affected districts within six months of the proposed enterprise zone's designation.

Whereas, the availability of enterprise zone exemptions to business firms that operate hotels, motels or destination resorts would help diversify local economic activity, provide useful employment for some segments of the labor force, and facilitate the expansion of accommodations for visitors which in turn will spend time and money in the area for business, recreation or other purposes.

NOW, THEREFORE, BE IT RESOLVED that:

1. The City of Lebanon proposes and applies for an Oregon enterprise zone to be named the South Santiam Enterprise Zone, and requests that the director of the state Economic and Community Development Department order the designation/continuation/renewal of this enterprise zone.

2. John Pascone, President of Albany Millersburg Economic Development Corporation (AMEDC) is authorized to submit the enterprise zone application for the City of Lebanon, and the South Santiam Enterprise Zone, and to make any substantive or technical change to the application materials, as necessary, after adoption of this resolution, upon consultation with the Lebanon City Manager or his/her designee.
3. The City of Lebanon will give priority to the use in the proposed enterprise zone, if designated, of any economic development or job training funds received from the federal government, consistent with ORS 285C.065(3)(d).
4. The City of Lebanon appoints, upon designation, City Manager John Hitt and AMEDC President John Pascone as co managers for the South Santiam Enterprise Zone.
5. The City of Lebanon will jointly comply with the requirements and provisions of ORS 285C.105 and to otherwise fulfill its duties under ORS 285C.050 to 285C.250.
6. The City of Lebanon jointly commits, within six months of designation, to implement and to confirm for the department its fulfillment of such duties, as specified in OAR 123-065-0210, including but not limited to preparation of a list or map of local lands and buildings owned by the state or by municipal corporations within the enterprise zone that are not being used or designated for a public purpose and that have appropriate land use zoning, and to efforts for making such real property available for lease or purchase by authorized business firms under ORS 285C.110.

The City of Lebanon will provide, upon approval of the Lebanon City Council, the local incentives described in Chapter 5.04 of the Lebanon Municipal Code (as authorized under ORS 285C.065(4) to (6) in accordance with OAR 123-065-0240) to any authorized business firm in the proposed enterprise zone for the length of the standard enterprise zone exemption, insofar as the firm's qualifying investments are also located inside of the City of Lebanon's jurisdiction. The City of Lebanon has considered the impacts of these binding incentives.

The City of Lebanon as a cosponsor of the proposed South Santiam Enterprise Zone exercises its option herewith under ORS 285C.070 that qualified property of and operated by a qualified business firm as a hotel, motel or destination resort may receive a property tax exemption in the Zone, and that such business firms are eligible for purposes of authorization upon the effective designation of the Zone.

PASSED by the City Council of the City of Lebanon by a vote of _____ in favor _____ against on this 2nd day of April, 2007.

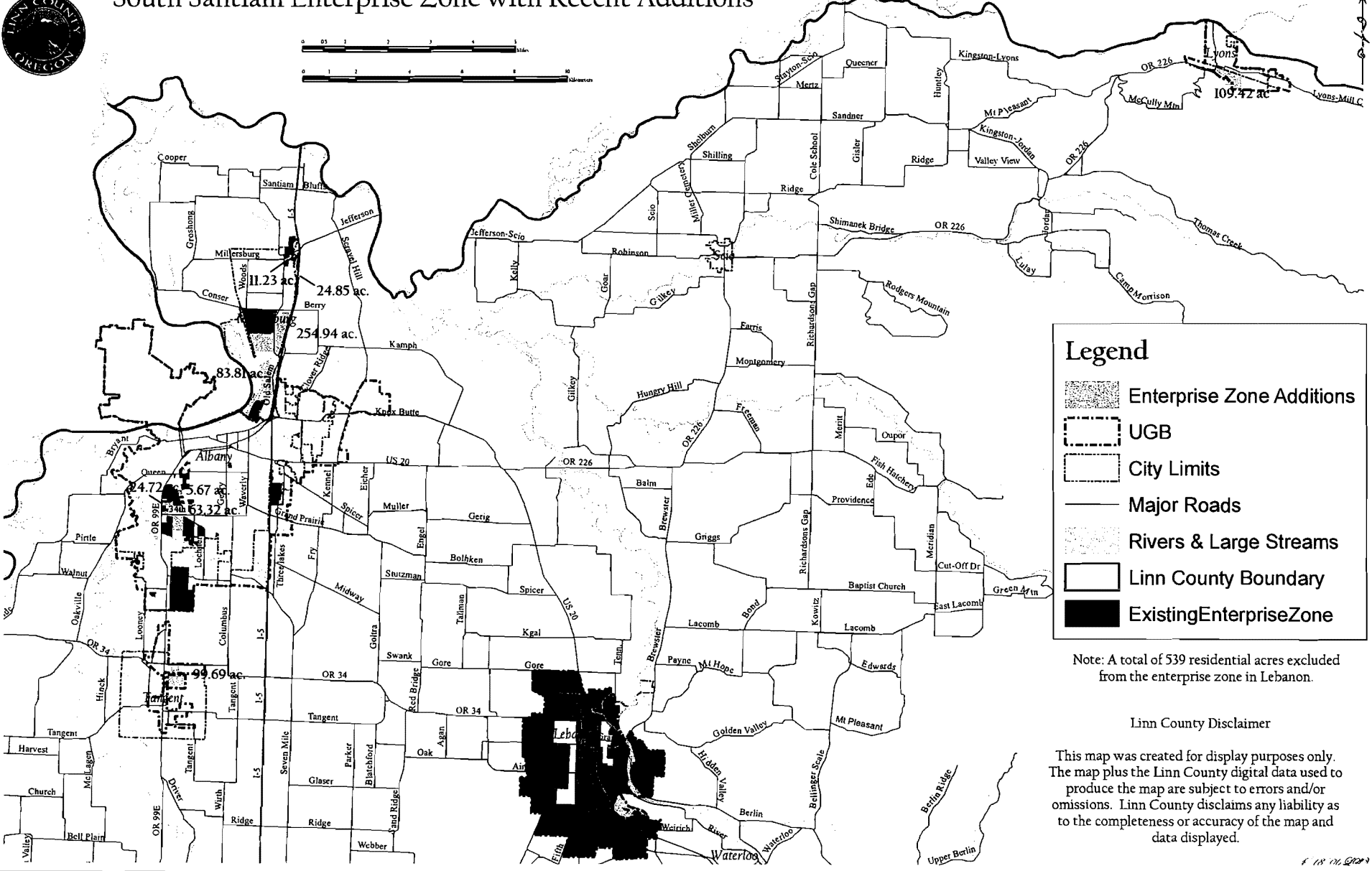
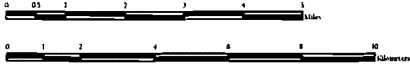
Kenneth I. Toombs, Mayor	<input type="checkbox"/>
Ron Miller, Jr., Council President	<input type="checkbox"/>

ATTESTED BY:

Linda Kaser, City Clerk/Recorder



South Santiam Enterprise Zone with Recent Additions



Legend

- Enterprise Zone Additions
- UGB
- City Limits
- Major Roads
- Rivers & Large Streams
- Linn County Boundary
- Existing Enterprise Zone

Note: A total of 539 residential acres excluded from the enterprise zone in Lebanon.

Linn County Disclaimer

This map was created for display purposes only. The map plus the Linn County digital data used to produce the map are subject to errors and/or omissions. Linn County disclaims any liability as to the completeness or accuracy of the map and data displayed.



South Santiam Enterprise Zone

Tax District Meeting
City of Lebanon, Council Chambers
March 9, 2007

Minutes

The meeting was called to order at 12 noon by John Hitt, City Administrator. After welcoming those in attendance the group introduced themselves.

In Attendance; John Hitt, John Pascone, Arlene Crosman and Gus Arzner, representing the Lebanon Aquatic District and Perry Palmer representing the Lebanon Rural Fire District.

John Pascone explained the history of the enterprise zone program, the history of the South Santiam zone and the current situation regarding expiration and the re-application process. He also showed and discussed the map and boundaries and also the projects that have benefited from the existing zone.

John Hitt explained the Lowe's RDC project and the Urban Renewal District. He also mentioned the opportunity for public comment at the public hearing which adopts the resolution. He said the enterprise zone program is for the community's best interest and can help attract future business.

The participants were then given the opportunity to ask questions. The representatives of the Lebanon Aquatic District asked if they would lose or gain tax revenue. The answer given was no and yes; no they would not lose tax revenue and yes, after a project comes off exemption, they would gain tax revenue.

John Hitt also mentioned that home and commercial property does not qualify for enterprise zone benefits.

There were no more questions asked.

There were no written comments submitted and no other statements made by taxing district representatives.

There was no further discussion of major issues nor any follow-up required.

There being no further business to discuss, the meeting was adjourned at 12:35.

John Pascone, AMEDC

Agenda Item 3



MEMORANDUM

Police Department

To: John Hitt, City Manager

Date: March 26, 2007

From: Michael D. Healy

Subject: Architect Contract for Building Project

At this point, the committee is still working on the contract for the architectural firm chosen for the building projects, which as you know is Fletcher Farr Ayote, Inc., in Portland. The contract will be ready for discussion at the April 2, 2007, City Council meeting, and we will be prepared to answer any questions or provide explanations at that time.

Integrity, Professionalism & Teamwork