

LEBANON CITY COUNCIL AGENDA

June 11, 2014 (6:00 p.m.)

Santiam Travel Station
750 3rd Street, Lebanon, Oregon

Mayor Paul Aziz

Council President Bob Elliott
Councilor Rebecca Grizzle

Councilor Jason Bolen
Councilor Wayne Rieskamp

Councilor Floyd Fisher

MISSION STATEMENT

The City of Lebanon is dedicated to providing exceptional services and opportunities that enhance the quality of life for present and future members of the community.

CALL TO ORDER / FLAG SALUTE

ROLL CALL

APPROVAL OF COUNCIL MINUTES: May 14, 2014 Regular Session and May 28, 2014 Noon Session Minutes

CONSENT CALENDAR: *The following item(s) are considered routine and will be enacted by one motion. There will not be a separate discussion of these items unless a Councilor so requests. In this case, the item(s) will be removed from the Consent Calendar and considered separately.*

AGENDA: Lebanon City Council Agenda – June 11, 2014

APPOINTMENTS: Bike & Pedestrian Committee – Robert Thomas
Library Advisory Board – Virginia Cloyd
Parks/Tree Board – Sally Skaggs (Reappointment)
Senior Center Advisory Board – Mac McNulty (Appt), Cleora Wymore and Darlene Miller (Reappointments)

BOARD MINUTES: Bike & Pedestrian Committee – April 24, 2014

PROCLAMATION / PRESENTATION / RECOGNITION:

- Lebanon Rotary Club Recognition – Generous Contributions to "Rotary Corner" Project
- City Employee Recognition for Outstanding Performance: Jeff Fitzwater, Tristan Nichols and Ricardo Vargas

PUBLIC COMMENTS: *The Council welcomes all respectful comments regarding the City's business. Citizens may address the Council by approaching the microphone, signing in, and stating their name and address for the record. Each citizen is provided up to 5 minutes to provide comments to the Council. The Council may take an additional two minutes to respond. The City Clerk will accept and distribute written comments at a speaker's request.*

PUBLIC HEARING(S):

1) Annexation with Comp Plan Amendment (PF #14-04-16)

Presented by: Walt Wendolowski, Community Development Manager

Approval/Denial by ORDINANCE BILL NO. 2014-4, ORDINANCE NO. 2852

2) State Revenue Sharing

Presented by: Dean Baugh, Finance Manager

Approval/Denial by RESOLUTION NO. 2014-22

Approval/Denial by ORDINANCE BILL NO. 2014-5, ORDINANCE NO. 2853

3) Adoption of FY 14/15 Approved Budget

Presented by: Dean Baugh, Finance Manager

Approval/Denial by RESOLUTION NO. 2014-23 (Making Appropriations)

Approval/Denial by RESOLUTION NO. 2014-24 (Levying Taxes)

[Temporarily adjourn as the Lebanon City Council and convene as the Urban Renewal Agency Board.]

4) Adoption of FY 14/15 NW Lebanon Urban Renewal District Approved Budget

Presented by: Dean Baugh, Finance Manager

Approval/Denial by RESOLUTION NO. 2014-25 (Making Appropriations)

Approval/Denial by RESOLUTION NO. 2014-26 (Levying Taxes)

5) Adoption of FY 14/15 North Gateway Urban Renewal District Approved Budget

Presented by: Dean Baugh, Finance Manager

Approval/Denial by RESOLUTION NO. 2014-27 (Making Appropriations)

Approval/Denial by RESOLUTION NO. 2014-28 (Levying Taxes)

6) Adoption of FY 14/15 Cheadle Lake Urban Renewal District Approved Budget

Presented by: Dean Baugh, Finance Manager

Approval/Denial by RESOLUTION NO. 2014-29 (Making Appropriations)

Approval/Denial by RESOLUTION NO. 2014-30 (Levying Taxes)

REGULAR SESSION:

7) CH2MHill Contract Amendment

Presented by: Ron Whitlatch, Engineering Services Manager

Approval/Denial by MOTION

8) City Manager's Report

Presented by: Gary Marks, City Manager

Discussion Only

ITEMS FROM COUNCIL

PUBLIC COMMENTS: *An opportunity for citizens to comment on items of City business.*

ITEMS FROM PRESS: *An opportunity for the Press to ask questions pertaining to City business.*

ADJOURNMENT

EXECUTIVE SESSION: *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. Final action/decisions are to be made in open session.*

Per ORS 192.660(2)(h) To consult with counsel concerning the legal rights and duties of the public body with regard to litigation or litigation likely to be filed.

NEXT SCHEDULED COUNCIL MEETING(S)

- June 30, 2014 (Noon) *Tentative Meeting*
- July 9, 2014 (6 p.m.) *Regular Session*



Approval of Minutes

LEBANON CITY COUNCIL
MINUTES - DRAFT
May 14, 2014

Council Present: Mayor Paul Aziz and Councilors Jason Bolen, Bob Elliott and Floyd Fisher.

Staff Present: City Attorney Tré Kennedy, City Manager Gary Marks, City Clerk Linda Kaser, Police Chief Frank Stevenson, Community Development Manager Walt Wendolowski and Engineering Services Manager Ron Whittlatch.

CALL TO ORDER: Mayor Aziz called the Regular Session of the Lebanon City Council to order at 6:02 p.m. in the Santiam Travel Station Board Room.

ROLL CALL: Roll call was taken with Councilors Grizzle, Rieskamp and Scott absent.

APPROVAL OF CITY COUNCIL MINUTES

Councilor Bolen moved, Councilor Fisher seconded, to approve the April 9 and 23, 2014 Regular Session Minutes as presented. The motion passed unanimously.

CONSENT CALENDAR

AGENDA: City of Lebanon Council Agenda – May 14, 2014
REAPPOINTMENTS: Bike & Pedestrian Advisory Board – Damon Tempey
Library Advisory Board – Garry Browning
Parks Committee/Tree Board – Ronn Passmore
Senior Center Advisory Board – Fran Bronnarens
BOARD MINUTES: Bike & Pedestrian Advisory Board – March 27, 2014
Library Advisory Board – March 11, 2014
Planning Commission – March 19, 2014
LIQUOR LICENSES: Annual Renewals
Application for New Outlet – Samaritan Center

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

PROCLAMATION / PRESENTATION / RECOGNITION

Mayor Aziz read the following proclamations and proclaimed:

- May 28 through June 8, 2014 as the "Annual Strawberry Festival."
- May 11-17, 2014 as "Police Week in Lebanon."
- May 15, 2014 as "National Peace Officers Memorial Day."
- May 2014 as "Mental Health Month in Lebanon."

PUBLIC COMMENTS

Alan John Follingstad, 1675 Park Drive, Lebanon, expressed his concern about the proposed 'no parking' extension on Park Drive. He stated that it would be inconvenient for residents who have more than one vehicle because most of the homes north of his on the east side have single garages with one driveway. Another concern he has is a decrease in the valuation of his property if parking is not allowed on the street.

He appreciates that there is a problem and believes many of the complaints are made by school bus drivers, but he has seen them go through the s-curve thousands of times without incident. Speeding at 35-40 mph also has to stop before someone gets hurt. He understood that when Riverview School and the surrounding subdivision was built, the school buses were to be diverted down Franklin Street and that a vehicle bridge over the canal would be put in between Franklin and Park Drive off of Garvord.

He proposed making Park Drive a one-way street and diverting the school buses down Franklin Street.

Mayor Aziz stated that this will be taken into consideration during discussion of Agenda Item 3.

Virginia Gardner, 855 W. Isabella Street, Lebanon, submitted a letter and copy of LMC 13.06 Cross-Connection Control and Backflow Assembly Installation Standards. She stated that they are very upset that they have to get a backflow prevention device in case a future owner may want to receive City water. According to the State, they only need the device if they are attached to City lines or a potable water source. Their well is strictly for irrigation and does not have any pipes to City lines.

They must buy their permit, get the valve, have it installed, and pay the City to inspect the valve every year. She feels that they are being taxed enough by the government and that this is a lot to the average homeowner.

Engineering Services Manager Whitlatch explained that this is a City ordinance and is for safety of the system. Backflow prevention devices are required for properties with a well and a City meter because there is the possibility of contamination.

City Attorney Kennedy stated that he assumes City staff determined that there is a potential cross-connection (13.06.050(A)), which could endanger Lebanon's water supply, but it would be fair to look at the reasoning for this language.

Ms. Gardner felt that the City should pay for half the cost since it is protecting their system. Councilor Bolen stated that the problem is that the City has required every other homeowner to pay for this so splitting costs could create a dilemma.

Ms. Gardner said they were told that the State is requiring this device. Councilor Bolen explained that this is a State mandate against the City and the City's job is to enforce it via ordinance. Responding to Ms. Gardner's statement that State ordinance says a backflow device is only required if the *well* is hooked up, Councilor Bolen stated that she may have misinterpreted the ordinance – it is if the *property* is hooked up to City service. Staff will follow up with Mr. and Mrs. Gardner.

Hal Fletcher, representing 4S Sign Company, 30255 Hwy. 34, Albany, spoke regarding the City sign ordinance for LED message boards. He has been contacted by quite a few Lebanon businesses to replace some of the manual signs with LED ones. The business owners would like to properly use the LED signs for convenience and display.

The Planning department interprets the ordinance to say that LED signs are not allowed, but yet he sees gas stations with LED price signs. The ordinance does not really say that LED signs are not allowed, just what is prohibited – flashing, moving, visible movement, including intermittent (or sequential) electrical pulsations, illuminated signs using stroboscopic or comparable means for animation, and action by means of normal wind currents. He noted that even static LED gas station price signs eventually have to change.

Mr. Fletcher requested that the Council and Planning department look at the interpretation of this ordinance because LEDs are a useful signage if used and controlled appropriately. He stated that he would be willing to advise the City on this.

Mayor Aziz thought that LEDs were not being used much when the sign ordinance was passed. Community Development Manager Wendolowski stated that he has rarely seen an LED sign that cannot change. The Planning Commission has considered these changes on a couple of occasions and have generally rejected them because they did not want this type of a sign. However, beginning last January the prior city manager, a couple of other businesses and even the Library Board looked at these message signs as a way to display public announcements.

Mr. Fletcher has done some additional research and it was his intention to present to the Planning Commission options to consider. A variety of display factors (timing of the message, brightness, etc.) can be regulated. It is difficult that there are a number of these signs already up, with the majority grandfathered in. He will keep the Council updated on this.

Jerry Maymo, 33125 White Oak Road, Corvallis, also representing 4S Sign Company, 30255 Hwy. 34, Albany, stated that he has been involved in other processes to present arguments or information pertaining to LED message displays. Information from a manufacturer and the National Sign Association were submitted. It also includes safety, feasibility, working with communities using timeframes, and coordinating with cities ways of presenting their messages. In addition to displays promoting businesses, they could also make the community aware of events or proclamations, for example.

The City of Albany recently passed an ordinance that allows for message signs to be displayed by institutions, such as churches and schools. That ordinance set a time limit, size limitation, height above grade, positioning of the sign, and the frequency in which the sign can be turned on and off, so there are ways to control what the City would want to allow.

Lynn Koehn, 766 Glenwood Street, Lebanon, representing River Center, spoke in support of reconsidering the electronic reader board ordinance. He believes that during their initial building use application process, electronic reader boards were allowed. They had to put off purchasing the sign because of finances but the ordinance has since changed. They would still like to consider an electronic reader board to advertise church service times and events. Since River Center is an involved community-interested church, they would also advertise community events.

He shared that someone from the State had previously asked if they would be willing to connect their sign to the State Highway Division to advertise information about Hwy. 20.

Councilor Bolen stated that he is pretty confident that Wendolowski's plan to move forward with brining this to the Planning Commission, in conjunction with citizens' input, will likely bring everyone to a mutual agreement. He suggested that those in support give Wendolowski their information so that they can be notified of the public hearing.

Ray Weldon, 1610 S. 4th Street, Lebanon, announced that he was on Council when the sign ordinance was discussed. He gave examples of some businesses that still put electronic signs up even though it was not allowed. He stated that he brought it to the City's attention, but no one was worried about it then.

Wendolowski agreed with Mayor Aziz that the dentist office put the sign up before the ordinance prohibited it.

Jason Cripe, PO Box 2527, Lebanon, representing Oregon Summer Concerts, distributed and provided information about their Guitars Under the Stars event that will be held in August. He stated that they teamed up with the Lebanon Community Foundation to put on this three-day family-friendly instrumental rock and blues festival.

If they reach 5,000 ticket sales, they will make a \$10,000 donation to the Lebanon Boys and Girls Club. If they reach 8,000, they will make an additional \$5,000 donation to Lebanon High School athletic programs. For each ticket sale above 3,500, they will be able to donate \$1 to the Wounded Warrior Program. LCF will also be receiving 1/3 of the camping and parking passes.

He asked for information about the kinds of signs they can use to let people know about this community event.

Councilor Bolen stated that he loves the collaborative spirit and feels that this is exactly what the park was intended for. He suggested that Mr. Cripe speak with Wendolowski about the signs.

Responding to Mayor Aziz's comment that \$45 for the weekend is very reasonable, Mr. Cripe stated that they wanted to make sure that families could attend.

He confirmed for Councilor Bolen that there will be local food vendors. There will also be entertainment for the kids and interactive displays.

Retha Larson, 725 Garvord Street, Lebanon, stated that she was on the Planning Commission for five years and was Transportation Director for Lebanon Public Schools. She opposes the Park Drive safety improvements. She was told that the s-curve was supposed to slow traffic down. Buses were supposed to go down Franklin Street, Russell Drive or Garvord Street. She also spoke about the distances kids are required to walk to school.

Connie Schmidt, representing Lebanon Animal Hospital, 2505 S. Santiam Hwy, Lebanon, spoke in support of electronic signage because it is very time-consuming and inconvenient to change their manual reader boards. She does not want her sign to flash but she would like to be able to change it conveniently and economically.

She reported that when she spoke with the dentist who has the flashing sign, he said that it was allowed because he promised to just make it public service announcements.

Glen Ufford, 769 Glen Oak Drive, Lebanon, stated that he does not see a need to spend the City's scarce resources on improving Park Drive. He believes the s-curve was put in to protect those residents from fast traffic. He agreed with Whitlatch that cars take turns if the road is narrow because of parked cars.

He felt that coming northbound around the first curve, there may be a spot that the yellow curb should be extended. He does not feel that the 'no parking' area should be extended down the street because it would be an inconvenience for those residents. He also discussed possible emergency vehicle routes.

John Larson, 725 Garvord Street, Lebanon, spoke about his experience as a school bus driver. The route they used to eliminate traffic congestion in front of the school was down Main Street, left on Russell Drive and the back way into the school. He also discussed how buses are not supposed to swing out into oncoming traffic and the difficulty they have when turning onto Park Drive. He stated that buses can do almost the same thing by turning right onto Franklin Street or taking the route he used to take.

Jeramie Kassler, PO Box 2697, Lebanon, stated that he lives next door to Mr. Follingstad and does not agree with taking parking away from residents there. The s-curve does slow people down, but his concern is that if parking is taken away, it will remove the natural bottleneck. If this area is opened up, the speed for all vehicles – pedestrian cars, buses, emergency vehicles – will increase.

If this is such a big issue, perhaps allowing parking on only one side could accomplish the goal, but yet provide residents some parking. Another suggestion could be putting in speed bumps or signs.

There were no further citizen comments.

PUBLIC HEARING(S)

1) Annexation with Zone Change – Samaritan Health (PF #14-02-09)

Mayor Aziz opened the Public Hearing.

Kennedy announced that the City Council quasi-judicial hearing procedures are posted on the wall. They ensure that everyone has a fair opportunity to present their case and that the Council follows Oregon law. He described the public hearing process and pointed out that all testimony, arguments and evidence brought before Council must be directed toward the criteria staff has indicated or other criteria in the staff report, Comprehensive Plan, or Land Use Regulations document that the witness believes is relevant to the decision being made. Failure to raise an issue, including Constitutional issues or other issues related to the proposed conditions of approval, if any, accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond precludes appeal to the Land Use Board of Appeals.

There were no objections to the notice sent out for the jurisdiction of this body to hear and consider this case. There were no declarations of ex parte contact, conflict or bias by any Council member.

Wendolowski presented a request by property owners to annex approximately 5.88 acres of land to the City. The property is located within the urban growth boundary, is adjacent to City limits, and is already serviced and includes part of the Hospital grounds.

The Planning Commission conducted a public hearing regarding this annexation last month and recommend approval. The findings included in the adoption ordinance address not only the original 5.12 acres, but also the additional acreage. It is staff's recommendation that Council approve the application to annex the subject property as amended and to establish the Public Use (Z-PU) zone on the newly annexed property.

Mayor Aziz asked whether the Planning Commission had any specific concerns. Wendolowski stated that it was pretty straightforward. He also mentioned that this addresses an error made back in the 1970s as part of the original annexation.

Mayor Aziz asked for the applicant's testimony.

Lyle Hutchens, Devco Engineering, 245 NE Conifer, Corvallis, representing Samaritan Health Services, stated that they are in agreement with staff's conclusions and findings and requested Council approval.

He added that they would also appreciate the Council's consideration of the sign ordinance changes, as discussed previously.

There were no comments in favor of or in opposition to the application.

Kennedy read the title of ORDINANCE BILL NO. 2014-3, ORDINANCE NO. 2851.

Councilor Bolen moved, Councilor Fisher seconded, to APPROVE ORDINANCE BILL NO. 2014-3, ORDINANCE NO. 2851, A BILL FOR AN ORDINANCE ANNEXING AND ZONING PROPERTY FOLLOWING CONSENT FILED WITH THE CITY COUNCIL BY LANDOWNERS IN SAID AREA PURSUANT TO ORS 222.120 AND ORS 222.170 File 12-09-46; SAMARITAN LEBANON COMMUNITY HOSPITAL. The motion passed unanimously.

Mayor Aziz closed the Public Hearing.

2) Liquor License Application – New Outlet (My Brother, Inc. dba Growler Café, 45 W. Grant Street)

Mayor Aziz opened the Public Hearing.

City Clerk Kaser announced that a liquor license application (limited on-premises sale) was received from My Brother, Inc., dba Growler Café. Prior to going before Council, the Fire Marshall, Building Official, Community Development Manager and the Chief of Police reviewed building codes and criminal history of the four applicants.

Based upon the criminal history of one of the applicants, Police Chief Stevenson has recommended that Council consider authorizing a denial of this request due to a Driving While Intoxicated conviction by one of the applicants in 2011. The LMC does not clearly indicate how many years of history the Police Department should use to base their recommendation on. A denial recommendation requires a public hearing to consider testimony and evidence before Council makes their final recommendation to OLCC. The applicants have been notified of the process and the required public hearing notice was published.

Mayor Aziz asked Stevenson if there were any issues from the Police Department standpoint. Stevenson stated that the only issue he had was based on one individual's history.

Mayor Aziz asked the applicant to speak.

Christopher Borgmann, co-owner of Growler Café, clarified that the address is 43 W. Grant Street. He stated that he regrets his DUI in 2011 and shared consequences of that mistake. He is the general manager of GameTime

SportsBar & Grill. This has been a dream of his, so he would like the opportunity to open an establishment that children can come to. Since his mistake, nothing has happened that should hinder that. As far as being in charge of an alcohol establishment, he had one violation for a customer that had an expired liquor license. The incidents at GameTime have been limited and were very minor. The Growler Café will not serve hard alcohol and they plan to close at or before midnight.

Councilor Bolen asked whether OLCC restricted him at GameTime following the conviction. Mr. Borgmann stated that since the conviction, he has had to reapply for his service permit but there was no issue at all. Councilor Bolen stated that he personally feels that if people learn from their mistakes that is the important thing. As a Councilor, he feels that it is their job to promote new business. This concept is interesting, fresh and something that Lebanon could benefit from, given responsible leadership of that business. If OLCC does not foresee an issue to restrict Mr. Borgmann, he does not feel that he should see an issue to vote against this.

Mr. Borgmann stated that a woman at the Portland OLCC office stated that because of the timeframe, they would not deny this request.

Councilor Fisher asked Stevenson whether the Police Department has issues with GameTime. Stevenson stated that the incidents have been few and far between and that GameTime staff have been very cooperative. He added that Mr. Borgmann has taken responsibility for his actions, has not hidden anything, and was very forthright on his application. He agreed that people do make mistakes.

Stevenson confirmed for Councilor Fisher that this establishment would be located in the alcohol impact zone.

Kaser noted that the application says 45 W. Grant Street and was the address given to the Planning, Building and Fire Departments. Mr. Borgmann noted that this will be corrected.

Mayor Aziz asked for proponents of the application.

Lynn Koehn, 766 Glenwood Street, Lebanon, stated that he is one of the pastors at the River Center where Mr. Borgmann and his son attend. He agreed with Councilor Bolen that people make mistakes and people's lives can change. He vouched for Mr. Borgmann and feels that his life is on track and he is a good man in our community.

Hearing no comments in opposition to the application, Mayor Aziz closed the public hearing.

Kennedy announced that based on the way he reads the Code, he believes the Council is limited to either making an unfavorable ruling or a conditionally favorable recommendation to OLCC because the applicant has been convicted of one of the conditions in LMC 5.10.060.

Councilor Bolen moved, Councilor Fisher seconded, to MAKE A CONDITIONALLY FAVORABLE RECOMMENDATION TO THE OLCC. The motion passed unanimously.

REGULAR SESSION

3) Park Drive Safety Improvement Proposal

Engineering Services Manager Whitlatch presented a plan to improve safety on Park Drive, particularly in the s-curve section. At this time, staff is proposing the item be for discussion only with consensus of a parking resolution at a future date.

Staff has had multiple complaints regarding safety concerns in the s-curve section of Park Drive. While there is no documented accident history, several individuals have indicated side mirrors on vehicles have been knocked off by oncoming traffic. He has also had multiple discussions with Councilor Elliott regarding this issue.

When originally looked at, staff was thinking of more of a parking restriction. This would eliminate the two cars passing scenario and allow them to pass a more safely. Where parking is allowed on both sides of the street further up on Park Drive, drivers have to, sometimes, wait for oncoming traffic. This does serve as traffic calming, but he questioned whether a substandard curve is the right type of traffic calming. From a technical standpoint, the curves do not meet standard AASHTO design. If staff was to do something at this point, two 'slow' signs could be added to the existing 'curve' signs with the 'no parking' limits possibly extended.

Mayor Aziz asked whether a 'yield' sign could be used in one direction. Whitlatch stated he is unsure because of sight vision. Based on the multiple complaints, there are some issues. This could be solved without doing anything, but it would depend on the drivers. Using 'slow' signs and not extending the 'no parking' limits could be a possibility. Staff thought about brightening up the signs to differentiate them.

Councilor Elliott remarked that he feels the curve is a problem. He has had residents request parking on only one side of the street, but he understands Mr. Follingstad's dilemma.

Councilor Bolen stated that he empathizes with Mr. Follingstad. Regarding school buses, the routes are a School District Transportation Department, and not a City, issue. He is also sure that Franklin Street residents would not be in favor of directing more traffic down their street, which is not wider or safer. If speeding is the issue, then it is an enforcement issue and should be reported to the Police Department. In his opinion, the narrowing of a curve is not an appropriate way to slow traffic. He agreed that the curve is dangerous and gets his attention.

Because of the safety issue, he would be in favor of taking the least invasive possible approach first, but he would hate to see another accident. There are many exterior influences (bus route) that are really not for the Council to consider. Mayor Aziz agreed to trying the least invasive method first. Councilor Elliott stated that this is worth looking at for the time being, but he does not feel it is the answer to the problem.

Whitlatch stated that signs will likely be put up after July.

4) **City Manager's Report** – Mark provided updates:

Library – Considerable work went into figuring out how to get the Library's service levels as high as possible.

Budget – Marks hopes to share some of the information he provided at the budget meeting to the Councilors who were unable to attend so that everyone understands the trends that the budget is undergoing.

City of Albany Canal – Staff started discussions with the City of Albany regarding the Canal. At this point, Albany is putting together information on improvements they have made over the last several years. This is an important issue, particularly at this point, as we look at putting a new intake into the Canal for the water treatment plant.

Bargaining Unit Contracts – Marks does not foresee a lot of difficulties with the bargaining unit contract processes, which will be taking place over the next month or two. He hopes to be able to report that the City has come to agreements with both units in an expeditious period of time.

Manager's Report – Looking at the length of the Manager's Report, staff continuously puts out an amazing amount of work in the face of a 10% reduction in staffing levels since February.

TEMS FROM COUNCIL

Mayor Aziz announced that Tough Mudders, a supporter of the Wounded Warrior Project, will have their event just outside of Lebanon in the Peterson's Butte area. They expect many people to attend this exciting extreme obstacle course event.

Mayor Aziz brought attention to a tentative June 30 meeting, in case last minute budget corrections need to be made.

Councilor Fisher commented that he envisioned the contingency fund as primarily an emergency fund. In the coming year, he would like to have a discussion with the Council about splitting it into an emergency fund and a true contingency fund and discuss how much they should be.

Marks stated that he and Finance Manager Baugh will be reviewing draft budget policies to present to Council. Included is verbiage regarding what Councilor Fisher is speaking about.

Councilor Bolen expressed appreciation to City staff, specifically the managers and staff that helped, who put together the budget under very tough circumstances this year. He also thanked Marks for a great budget summary at the beginning of the budget meeting.

PUBLIC COMMENTS

Alan John Follingstad, 1675 Park Drive, Lebanon, announced that he appreciates the Council's consideration about his concerns on Park Drive. It would be great if the new signs are effective, but if there is still a problem, he suggested making it 'no parking' on the other side to Evans Drive.

ADJOURNMENT

Mayor Aziz adjourned the meeting at 7:52 p.m.

[Minutes prepared by Linda Kaser & Donna Trippett]

Minutes Approved by the Lebanon City Council on this 11th day of June 2014.

Paul R. Aziz, Mayor

ATTESTED:

Linda Kaser, City Clerk

LEBANON CITY COUNCIL
MINUTES - DRAFT
May 28, 2014

Council Present: Mayor Paul Aziz and Councilors Bob Elliott, Rebecca Grizzle and Wayne Rieskamp.

Staff Present: City Attorney Tré Kennedy, City Manager Gary Marks, City Clerk Linda Kaser, Police Chief Frank Stevenson and Engineering Services Manager Ron Whittlatch.

CALL TO ORDER: Mayor Aziz called the Regular Session of the Lebanon City Council to order at 12:00 p.m. in the Santiam Travel Station Board Room.

ROLL CALL: Roll call was taken with Councilors Bolen, Fisher and Scott absent.

CONSENT CALENDAR

AGENDA: City of Lebanon Council Agenda – May 28, 2014

BID ADVERTISEMENTS: Vine Street Sanitary Sewer Replacement Project
2014 Street Preservation Project

Councilor Rieskamp moved, Councilor Grizzle seconded, to approve the Consent Calendar as presented. The motion passed unanimously.

PUBLIC COMMENTS – *There were none.*

REGULAR SESSION

1) Award Contract for Cascade Drive Improvements

Engineering Services Manager Whittlatch requested Council approval to award the Cascade Drive Road Improvements Project contract to Mid Valley Gravel, who had the low responsive bid. He noted that staff has been happy with the work they have done for the City in the past.

Linn County and the City of Lebanon are equally splitting all roadway, drainage, sidewalk and bicycle improvements. Lebanon is paying 100% of the waterline costs, making it about a one-third to two-third split. Construction is being proposed to begin the day after school gets out.

Councilor Grizzle asked if Linn County will be involved in the bid process. Whittlatch explained that the agreement was that the County would do all of the design, except the waterline, and the City would bid and do the project management.

There was a brief discussion about the bid gap being narrow.

Responding to Councilor Rieskamp's question, Whittlatch stated that the planned end date is before school starts. He confirmed that the project will not interfere with Hwy. 20, but Cascade Drive will be closed, pending approval. All residents in that area will receive a hand-delivered notice of construction. A press release will also be put out before construction.

Councilor Rieskamp asked about the Pit Stop egress. Whitlatch answered that it should not impact them much.

Everyone agreed that this project will improve kids' safety.

Councilor Elliott moved, Councilor Grizzle seconded, to AWARD THE CASCADE DRIVE ROAD IMPROVEMENTS PROJECT CONTRACT TO MID VALLEY GRAVEL. The motion passed unanimously.

2) Eliminate Voters' Pamphlet Project from 2014-15 Budget / Use Funds for Legislative Clerical Support

City Clerk Kaser presented staff's recommendation to eliminate the City Voters' Pamphlet Project from the 2014/15 Budget and transfer the funding (\$4000) to Contract Services to be used for clerical support. Linn County will not be publishing a Voters' Pamphlet again this year. Budget Committee Member Ralph Gaston questioned whether the City should be spending that amount of money on such a small campaign. Kaser briefly discussed things to consider.

Mayor Aziz reported that he conducted a Facebook survey and the majority of his and the Lebanon Express' Facebook comments were in support of saving these funds. There were quite a few people that said it should be made available electronically with some copies made available at City Hall and/or the Library. Councilor Grizzle thought that it could possibly just be made available electronically because the City does provide internet access at the Library. Regarding the printed copies, she does not feel that it would need to be elaborate since there is limited information. The Councilors felt that less than 100 copies would be needed.

Councilor Elliott shared that he could go either way but he would hate to spend that amount of money. Councilor Rieskamp stated that he was not in favor of spending that money. Because information will be accessible in the newspaper and on the internet, having them available at City Hall and the Library is a good plan.

Mayor Aziz added that the Chamber of Commerce will be having a candidate forum as well.

There was Council consensus not to proceed with the citywide Voter's Pamphlet Mailing but go ahead and put it on the City's Website and Facebook with a small number of hardcopies for City Hall. The funding saved on that project would best be served for extra clerical support for Administration, Legislation and the City Clerk's Office.

Kaser announced that IS Manager Hurst is working hard on email upgrades for the City. She distributed Hurst's memo explaining what will be done and what Councilors can do to assist with the upgrade. Any questions on the process should be directed to Hurst.

ITEMS FROM COUNCIL

Councilor Elliott reported that the Strawberry Festival coronation will be held at 7:00 p.m. tonight at the High School.

Mayor Aziz spoke about his letter to Councilor Scott asking for his resignation. Mayor Aziz stated that he hates to do anything publicly like this but, at this point, something has to be done because it has become a problem. For about six months, he has attempted communications with Councilor Scott to discuss his Council attendance and work schedule, but he has never been able to have a good productive conversation.

Because there has been no response a week after the letter was written, he asked if there was Council consensus to move forward with having City Attorney Kennedy bring back options as to what the Council can do.

Councilor Grizzle stated that many people have been concerned about Councilor Scott not being here or being accessible to his constituents, but she would like him to have another week or two to do something himself. She also thought the letter was well-written.

Mayor Aziz stated that he hopes Councilor Scott contacts him so that this can be straightened out. If not, Kennedy can provide the Council some options.

Councilor Elliott thought that the Council needs to move on this but he does not know the legalities.

Kennedy stated that he will provide a memo prior to the next Council meeting.

Regarding the City of Albany Canal discussions, Marks conveyed that over the course of several years, the City of Lebanon has gone in arrears to Albany for payments on the Canal. The past invoices were paid after Marks and staff reviewed them and determined that there was no reason not to pay these. There were funds in the budget and he did not want to be in the position of debtor going into discussions with the City of Albany.

PUBLIC COMMENTS

Carlton Dawson, friend of Barry Scott, expressed that he agrees with Council's position and feels that some action should be taken since Councilor Scott has not been able to do what needs to be done. Councilor Grizzle stated that Councilor Scott brings a lot to this Council and it breaks her heart to even be having this discussion.

ITEMS FROM PRESS

Reporter Matt DeBow asked whether elimination of the Voters' Pamphlet should have been done by a motion. Kennedy stated that it is a line item that does not affect the bottom line of the Legislative Department's budget which can be done at a staff level. Staff was just looking for direction from the Council.

Responding to Mr. Debow, Kaser reported that Mayor Aziz and Councilors Elliott, Rieskamp and Fisher's terms are expiring. The filing period for Lebanon candidates is July 14-30, 2014.

ADJOURNMENT

Mayor Aziz adjourned the meeting at 12:25 p.m.

[Minutes prepared by Linda Kaser & Donna Trippett]

Minutes Approved by the Lebanon City Council on this 11th day of June 2014.

| | |
|--------------------------------|--------------------------|
| Paul R. Aziz, Mayor | <input type="checkbox"/> |
| Bob Elliott, Council President | <input type="checkbox"/> |

ATTESTED:

Linda Kaser, City Clerk

Consent Calendar

Appointments



Administration

City Clerk/Recorder

M E M O R A N D U M

To: Mayor Aziz & City Councilors

Date: June 5, 2014

From: Linda Kaser, City Clerk/Recorder

Subject: City Boards/Committees Appointments

The following City Council advisory members have submitted applications for either appointment or reappointment to the following committees/boards:

| Board/Committee | Applicant | Appt | Reappt | Term |
|------------------------------------|-----------------|------|--------|---------------------------------|
| Bike and Pedestrian Advisory Board | Robert Thomas | ✓ | | July 1, 2014 thru June 30, 2017 |
| Library Advisory Committee | Virgina Cloyd | | ✓ | July 1, 2014 thru June 30, 2018 |
| Parks Committee/Tree Board | Sally Skaggs | | ✓ | July 1, 2014 thru June 30, 2018 |
| Senior Center Advisory Board | Cleora Wymore | | ✓ | July 1, 2014 thru June 30, 2017 |
| | Darlene Johnson | | ✓ | July 1, 2014 thru June 30, 2017 |
| | Mac McNulty | ✓ | | July 1, 2014 thru June 30, 2017 |

Staff recognizes that the above mentioned members have either played a vital role or would be a great addition to the respective board/committee in which they represent.

Council Action: *Staff recommends that each applicant be appointed through the Consent Calendar.*

/lgk

Board & Committee
Meeting Minutes

**CITY OF LEBANON
BICYCLE AND PEDESTRIAN ADVISORY BOARD
MEETING MINUTES
APRIL 24, 2014**

Chairman Damon Tempey called the meeting to order at 7:10 p.m. Present were Damon, Barbi Thomson, Robin Whitlock and Bob Burt.

Minutes: The minutes from the March 2014 meeting were approved unanimously.

Future Direction: Linda Martin and Damon had lunch with Jason Williams from the city of Lebanon on April 14. Jason again said that he will not be available for meetings until the end of the high school baseball season.

He did remind us of what we have accomplished: a completed survey; our recommendations that have been implemented, i.e. bike racks; the bike route map has been updated (although he is not sure if it has been published or if it will be).

Jason also reminded us not to be disheartened as people are paying attention to us. He asked what are our concerns? Damon said sidewalks -- trip hazards and safety issues. Is it up to us to identify and notify homeowners of potential problems? Jason said it is the city's job, not ours, to contact the homeowners. Is there any money available to help homeowners with repairs? Jason said the city is helping in some cases so the homeowner doesn't have to come up with the total amount to repair a sidewalk right away but he doesn't know if there is grant money available.

Russell Drive is one street where we have concerns. Damon will communicate with Jason regarding funding and what the city will help with before we start recommending anything.

Robin asked about putting a notice in the newspaper about her position becoming open. The mayor makes appointments in May with new terms starting July 1. Damon will send Linda Kaser information about recruiting new people as well as asking when our current terms are up.

With no further business the meeting was adjourned at 7:25 p.m. The next meeting will be 7:00 p.m. May 29, 2014 at the Santiam Travel Station.

Respectfully submitted,

Barbi Thomson
Secretary

Proclamation/Presentation/
Recognition



Administration

City Clerk/Recorder

MEMORANDUM

To: Mayor Aziz & City Councilors

Date: June 5, 2014

From: Linda Kaser, City Clerk/Recorder

Subject: Lebanon Rotary Club Recognition

As you know, the Lebanon Rotary Club, along with a matching grant from Rotary District 5110, donated \$4,000 to the City of Lebanon for the outside seating area at Main and Grant Streets.

The Rotary Club's generous contribution to Rotary Corner has left a positive mark on our downtown and another example of how important service clubs are to our community.

I would be remiss if I did not mention the Lebanon Parks Crew and Briese Custom Concrete for their craftsmanship. This partnership proved to be beneficial for all to enjoy for years to come.

/lgk

David W. McClain

David W. McClain
430 Hiatt St.
Lebanon, Oregon 97355
mcclaind76@yahoo.com

Gary Marks
City Manager City of Lebanon
925 Main St.
Lebanon, Or. 97355

6-1-14

Re: Sewer line repair

Dear Mr. Marks,

Please allow me to thank you and your employees for an outstanding job done on the sewer line repair in front of my home.


Tristin, Jeff, and Ricardo did a great job and were very professional and hard working. I believe it would be beneficial to the city of Lebanon and the citizens of our community to continue utilizing their time in this way. They were organized, efficient, and knowledgeable at what they were doing.

I would also like to thank Ron Whitlatch for his part in organizing and executing the job process in getting this project done.

What you and your employees have done has improved and made our community better. I myself am motivated to improve and make my place a nicer home to live in.

Thanks again for all you have done.

Sincerely,


Dave McClain
(Home owner)

Agenda Item 1



MEMORANDUM

Planning Division

To: Paul Aziz, Mayor
Gary Marks, City Manager

Date: June 4, 2014

From: Walter Wendolowski, AICP
Community Development Manager

Subject: Comprehensive Plan Map and Zone Map Amendments

Applicant: CC&E Land Development, LLC

Planning File No.: 14-04-16

The subject property is zoned Industrial and located within the Airport Overlay Zone, particularly, the Runway Protection Zone (RPZ). Uses in the RPZ are extremely limited. However, the eastern 1.31 acres (approximately) is located outside the RPZ zone. The applicant wishes to change the Comprehensive Plan Map designation and Zoning map to Mixed Use on this 1.31 acre area. The purpose of the Plan map amendment and zone change is to establish a 4-lot, duplex subdivision.

The Planning Commission conducted a public hearing regarding this annexation on May 21, 2014, finding the application complies with the decision criteria contained in the Lebanon Development Code and voted unanimously to recommend the City Council approve the proposed annexation. Exhibit "A" of the attached Ordinance reflects the Planning Commission's findings in support of the request. Staff will review the material with greater detail at the public hearing.

As noted, this application also included a concurrent Subdivision request. That request was approved under a separate decision and contingent upon Council approval of the Plan map and zone map amendment.

It is the recommendation of the Planning Commission that the City Council approves the proposed Comprehensive Plan Map and Zone Map amendments on the subject 1.31 acres, establishing the Mixed Use Plan designation and Mixed Use zone on the property.

A BILL FOR AN ORDINANCE AMENDING) ORDINANCE BILL NO. 2014-4
THE COMPREHENSIVE PLAN MAP)
FOR THE CITY OF LEBANON FROM) ORDINANCE NO. 2852
INDUSTRIAL TO MIXED USE)
AND THE CITY OF LEBANON)
ZONE MAP FROM INDUSTRIAL TO)
MIXED USE.)

WHEREAS, the Planning Commission for the City of Lebanon conducted a hearing and made findings recommending an amendment to the Comprehensive Plan Map and the Zone Map for the City of Lebanon on May 21, 2014; and

WHEREAS, the City Council, pursuant to the provisions of the Lebanon Development Code, after appropriate notice given, has conducted a hearing to take testimony, hear arguments and to consider all of the evidence concerning such proposed map amendment, such hearing being conducted on June 11, 2014; and

WHEREAS, the City Council has considered all relevant evidence and deliberated.

NOW, THEREFORE, the City of Lebanon ordains as follows:

Section 1. Findings. In addition to the findings referred to above, the City Council further adopts and finds those matters contained in Exhibit "A" which is incorporated herein by this reference as if fully set forth at this point.

Section 2. Based upon the findings adopted herein, the Lebanon Comprehensive Plan Map is hereby amended, such that the portion of land located on Township 12 South; Range 2 West; Section 9DA; Tax Lot 1308, and outside the Runway Protection Zone shall be designated Mixed Use (C-MU).

AREA RESERVED FOR
 LINN COUNTY RECORDER

Section 3. Based upon the findings adopted herein, the Lebanon Zone Map is hereby amended, such that the portion of land located on Township 12 South; Range 2 West; Section 9DA; Tax Lot 1308, and outside the Runway Protection Zone shall be zoned Mixed Use (Z-MU).

Section 4. Said Ordinance shall be forwarded to Linn County, Oregon, to the Oregon Land Conservation and Development Commission and any other entities as required by law for their review.

Passed by the Lebanon City Council and executed by the Mayor this 11th day of June 11, 2014 with _____ yeas and _____ naves.

CITY OF LEBANON, OREGON

Paul Aziz, Mayor
Bob Elliott, Council President

Attested:

Linda Kaser, City Clerk

EXHIBIT A
LEBANON CITY COUNCIL FINDINGS

I. NATURE OF THE APPLICATION

This matter comes before the Lebanon City Council on the application of CC&E Land Development to change the Comprehensive Plan Map designation and Zoning to Mixed Use on 1.31 acres of Industrial designated and zoned land.

II. BACKGROUND INFORMATION

A. Site Location

The subject property is located on the north side of Oak Street, opposite the Lebanon Airport runway. There is no property address and the Linn County Assessor map locates the parcel within Township 12 South; Range 2 West; Section 9DA; Tax Lot 1308.

B. Site Development and Zoning

The vacant property fronts a public street (Oak Street) and City services are available to serve development. The subject property is designated Industrial (C-IND) in the Lebanon Comprehensive Plan and zoned Industrial (Z-IND). A portion of the property is also located within the Airport Overlay Zone. The subject area contains 5.6 acres total.

C. Adjacent Zoning and Land Uses

The Lebanon Airport is located to the south on property zoned Public Use (Z-PU). To the west is additional vacant land, also zoned Industrial. Property to the north and east is zoned Residential Low Density (Z-RL) and contains subdivision lots developed with single family homes.

D. Proposal

The applicant is requesting approval of: (1) a change in the Comprehensive Plan Map designation from Industrial to Mixed Use on the eastern 1.31 acres with a corresponding establishment of the Mixed Use zone; and, (2) approval to create a 4-lot subdivision on the rezoned land. The findings and conclusions contained in this Exhibit are limited to the proposed Comprehensive Plan Map Amendment and Zone Change.

III. PUBLIC HEARING

A. Planning Commission Action

On May 21, 2014, the Lebanon Planning Commission held a public hearing on this application. At the hearing, Planning File 14-04-16 was made a part of the record. The City noticed the hearing pursuant to Chapter 16.20 of the Lebanon Development Code. No objection was raised as to jurisdiction, evidence or testimony presented at the hearing. At the conclusion of the hearing, the Planning Commission deliberated on the issue and voted to recommend the City Council approve the proposed Comprehensive Plan Map Amendment and Zone Change to establishment the Mixed Use zone. The Commission found the proposed changes consistent with the applicable decision criteria.

B. City Council Action

On June 11, 2014 the Lebanon City Council held a public hearing on this application. At the hearing, Planning File 14-04-16 was made a part of the record. Notice of the hearing was provided pursuant to Chapter 16.20 of the Lebanon Development Code. No objection was raised as to jurisdiction, evidence or testimony presented at the hearing. At the conclusion of the hearing, the City Council deliberated on the issue and voted to approve the proposed changes to the Comprehensive Plan map and Zoning map to establish the Mixed Use zone. The Council found the proposed requests consistent with the applicable decision criteria.

IV. FINDINGS OF FACT-GENERAL

The Lebanon City Council, after careful consideration of the testimony and evidence in the record, adopts the following General Findings of Fact:

- A. The applicant is CC&E Land Development, LLC.
- B. The subject property is located on the north side of Oak Street, opposite the Lebanon Airport runway. There is no property address and the Linn County Assessor map locates the parcel within Township 12 South; Range 2 West; Section 9DA; Tax Lot 1308.
- C. The parcel contains 5.6 acres.
- D. The vacant property fronts a public street (Oak Street) and City services are available to serve development.
- E. The subject property is designated Industrial (C-IND) in the Lebanon Comprehensive Plan and zoned Industrial (Z-IND). A portion of the property is also located within the Airport Overlay Zone.
- F. The Lebanon Airport is located to the south on property zoned Public Use (Z-PU). To the west is additional vacant land, also zoned Industrial. Property to the north and east is zoned Residential Low Density, containing subdivision lots with single family homes.
- G. The applicant is requesting approval of: (1) a change in the Comprehensive Plan Map designation from Industrial to Mixed Use on the eastern 1.31 acres with a corresponding establishment of the Mixed Use zone; and, (2) approval to create a 4-lot subdivision on the rezoned land. The findings and conclusions contained in this Ordinance are limited to the proposed Comprehensive Plan Map Amendment and Zone Change.
- H. The decision to approve or deny shall be based on criteria contained in the Lebanon Development Code, Chapter 16.27 – Plan and Zone Map Amendments.

V. APPLICATION SUMMARY

- A. The subject property is located within the Airport Overlay Zone, particularly, the Runway Protection Zone (RPZ), where permitted uses are extremely limited. The RPZ only impacts a portion of the site, with the eastern 1.31 acres (approximately) located outside this zone. It is this area the applicant wishes to change the Comprehensive Plan Map

designation and Zoning to Mixed Use.

- B. The Department mailed notice of the application to affected agencies, area property owners and the Department of Land Conservation and Development (DLCD). The DLCD did not comment. The Oregon Department of Aviation submitted comments on the subdivision and did not oppose the Plan map amendment and zone change. Otherwise, no agency or adjacent owner submitted written comments.

VI. CRITERIA AND FINDINGS

- A. This request involves both a Comprehensive Plan Map Amendment and a Zone Map Amendment. The decision criteria in Chapter 16.27 do not distinguish between the two types of applications. Therefore, since the proposed Mixed Use zone will be consistent with the proposed Mixed Use Plan designation, findings in this report apply to both requests.
- B. Chapter 16.27 contains requirements for map amendments, including both the Comprehensive Plan map and Zoning map. Section 16.27.010 addresses the Chapter's purpose while Section 16.27.020 establishes the authority to request map amendments. The Plan and Zoning maps may be amended over time and an individual has the authority to request change in a property's Plan and Zoning map. This proposal conforms to these two Sections. Consistent with provisions in Section 16.27.030, the City Clerk maintains the official Plan and Zoning maps, as well as subsequent amendments.
- C. The City cannot consider a Plan or Zone map amendment within the one-year period immediately following a previous denial (Section 16.27.040). For the record, this is the first Plan and Zone map application regarding this property.
- D. Section 16.27.050 establishes the decision criteria for reviewing a Plan map or Zone map amendment. This material is covered under provisions in Section 16.27.080 and reviewed later in this report.
- E. Section 16.27.060 describes the application process and submittal requirements. Subsection "A." states the request requires hearings before the Planning Commission and City Council. The Commission provides a recommendation to the Council and the Council makes the final decision. Subsection "B." establishes the application requirements. For the record, this application and process conform to provisions in Section 16.27.060.A. Further, the applicant submitted the required information pursuant to provisions in Section 16.27.060.B.

(Note: Chapter 16.27 does not include a Section 16.27.070.)

- F. Section 16.28.080 establishes the decision criteria for Plan map and Zone map amendments. This Section states the City may approve a Comprehensive Plan Map or Zoning Map Amendment request if it satisfies all of the relevant Decision Criteria cited above in Section 16.27.050. Subsection "A." contains the relevant criteria, which are reviewed in the following Sections.
- G. Section 16.27.080.A.1 - All proposed amendments to the Comprehensive Plan Map or to the Zoning Map shall be consistent with the City of Lebanon's adopted Comprehensive

Plan and Facility Plans. The City's Facility plans, including the 2007 Transportation System Plan (TSP), are based on the future site service demands according to the Comprehensive Plan Map designation and associated zoning. The request was reviewed against the City's Comprehensive Plan. The Plan consists of ten Chapters with each Chapter addressing specific land use issues such as housing or natural resources. The *applicable* policies in each Chapter are reviewed below:

1. Chapter 1: Introduction - This introductory Chapter describes the Comprehensive Plan, its relationship to the Statewide Land Use Goals, the Citizen Involvement program and key terminology. Goals and policies relate to the organization of the Plan, the continued need for citizen involvement and the relationship of the Plan to State law and implementing codes. These goals and policies are incorporated in the Development Code criteria to determine the appropriateness of a Plan and/or zone change.
2. Chapter 2: Natural Environment – The Chapter address goals and policies related to the City's natural environment.

FINDINGS: The site may contain wetlands; however, that does not – by itself - prohibit a change in the Plan map and zone. Mitigation measures are possible to allow development of the site regardless of zoning.

3. Chapter 3: Urbanization – This Chapter provides the basic framework for future urban development within the City. The Council finds the following policies apply:

Public Facilities Capability Policies

- P-3: Support a flexible phased program for the orderly extension of water, wastewater, storm drainage and transportation services in response to land development proposals.
- P-4: Maintain directives and technical standards for the extension of services as identified in the various original or updated infrastructure master plans and studies, such as the Wastewater Facility Study Master Plan, the Water Facility Study, Storm Drainage Master Plan, and the Transportation System Plan (TSP).
- P-5: Maintain and routinely update Capital Improvements plans. Often the plans are revised, updated, and implemented according to a five year plan beginning with the current budget year. The regularly updated plans may include Transportation, Water, Wastewater, Storm Drainage, and Facilities & Parks projects.
- P-10: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments.
- P-11: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements.

FINDINGS: Based on submitted information, services are in place to serve the site. The site development will dictate the actual type and level of improvements; however, this will not alter the City's ability to provide necessary public services. Additional Considerations for Conversion of Urbanizable Land to Urban Uses

P-30: Manage its Urban Growth Boundary and the lands within so as to make available sufficient land for the various uses to ensure choices in the market place, through implementation of land use regulations and land use policies.

P-31: Manage its Urban Growth Boundary and the lands within so as to encourage development within urban areas before conversion of urbanizable areas, through implementation of land use regulations and land use policies.

FINDINGS: Based on data contained in Table 3-2 of this Chapter, there is a projected surplus of 580.8 to 762.8 acres of industrial-zoned property as well as a surplus of mixed-use properties of 188.5 to 267.9 acres. The loss of 1.31 acres of Industrial land is not significant and still ensures a surplus of industrial property.

4. Chapter 4: Land Use – This Chapter details the goals and policies to assure the City provides different types of land within City limits that are suitable for a variety of uses. The Council finds the following policies apply:

General Policies for Land Use

P-1: Recognize that the Comprehensive Plan land use designations or categories shall determine zoning.

P-6: Require that changes to the Comprehensive Plan Map be consistent with the policies of the Comprehensive Plan, State law, and any adopted intergovernmental agreements.

P-12: Ensure that the Zoning Map implements the Comprehensive Plan Map.

FINDINGS: The proposal calls for a Mixed Use Plan designation and Mixed Use zone, thereby ensuring consistency between the Plan and Zone maps (P-1 and P-12). This review addresses compliance with Comprehensive Plan policies (P-6). The State effectively acknowledged the Comprehensive Plan, therefore, conformance with these policies assures conformance with state law. Compliance with Statewide Goals will be reviewed in Chapter 10 heading.

Policies for Industrial Uses

P-38: Maintain a supply of diverse, serviceable industrial lands that provide choices in the marketplace to attract desirable industries, particularly light manufacturing and nonpolluting industries, in support of the City's economic development program.

FINDINGS: As noted, this action will reduce the amount of available industrial land, although the City still retains a significant surplus within the UGB. Therefore, the change to a Mixed Use zone therefore does not affect the ability for the City to provide industrial land (P-38).

Policies for a Mixed Use

P-40: Encourage a mix of commercial and residential uses within individual buildings, lots, and neighborhoods, in order to promote a compact, pedestrian friendly environment. Industrial uses should be allowed to mix with residential and commercial uses where there are limited potentials for nuisance or jeopardy to the public health, safety, and welfare.

FINDINGS: While the Mixed Use zone has the potential for industrial activity, the primary purpose of the change is to allow residential development on the 1.31 acres. This is more in keeping with the adjacent residential development.

5. Chapter 5: Population & Economy – This Chapter addresses population growth and economic development as well as those trends affecting both. The Council finds the following policies apply:

Policies

P-5: Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.

P-8: Support diversity in type, scale, and location of professional, industrial, and commercial activities to maintain a high level of employment and to promote diversification of the local economy.

FINDINGS: Rezoning of the property to Mixed Use allows a greater variety of uses on the site, thereby increasing its chance of development and providing employment opportunities (P-5 and P-8).

6. Chapter 6: Housing – This Chapter establishes the City's Goals and Policies related to Housing. The Chapter does not directly apply, as it does not involve residential zoning. However, the proposal does not diminish the ability of the City to provide housing and in fact provides additional housing opportunities through the Mixed Use zoning.
7. Chapter 7: Community Friendly Development & Preservation of Historic Resources - This Chapter focuses on policies creating a built environment suitable for the needs of a diverse population through a variety of uses scaled for the pedestrian, and capable of accommodating the automobile and mass transit. The Commission finds the following policies apply:

Community Friendly Development Policies

- P-9: Encourage mixed uses within individual buildings, neighborhoods, and zoning districts where allowed by planning and building codes, and where there is no or only limited potential for incompatibility or conflict with public health, safety, and welfare.
- P-10: Allow limited and appropriately scaled neighborhood commercial services in residential zones with appropriate standards to ensure compatibility.

FINDINGS: The proposed Mixed Use zone would allow a variety of uses that have the potential to serve the neighborhood (P-9, P-10).

- 8. Chapter 8: Transportation – This Chapter addresses the transportation needs of the City with an emphasis of creating a variety of transportation options for pedestrians, bicyclists, vehicles and mass transit. The Council finds the following policies apply:

Transportation System Planning Policies

- P-12: The transportation system shall be managed to reduce existing traffic congestion and facilitate the safe, efficient movement of people and commodities within the community.

FINDINGS: The site fronts an improved arterial street. Given the limited acreage and range of development, the existing street is capable of accommodating traffic from the property.

Comments submitted by the Department of Aviation indicate the zone change and associated development will not impact airport operations provided the improvements comply with adopted Development Code requirements for the Airport Overlay Zone.

- 9. Chapter 9: Public Facilities and Service - The City is required by State law to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban development. Goals and policies in this Chapter address those requirements. The Commission finds the following policies apply:

General Policies

- P-8: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments. *(Duplicated in Chapter 3, Urbanization)*
- P-9: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements. *(Duplicated in Chapter 3, Urbanization)*

P-10: Consider impacts on key City-provided urban utility services (water, storm drainage, wastewater, and streets) and any other community facilities that are identified by service providers as substantially impacted by the proposal before-development proposals, or rezoning applications are approved.

FINDINGS: As previously noted, based on information supplied by Engineering Services, services are in place to serve the property and do not require system-wide improvements to existing public facilities. Therefore, the proposal is consistent with the noted policies.

10. Chapter 10: Plan Implementation, Amendment, and Land Use Planning Coordination – This Chapter establishes procedures for amending the Comprehensive Plan Map and Zoning Map. Specific applicable policies include:

P-1: The City Council may amend the Comprehensive Plan and/or Map after referral to the Planning Commission public hearing, for action, review, revisions, and recommendations.

P-2: Changes to the Plan and/or Map shall be made by ordinance after public hearings as prescribed by state law and local ordinances.

P-3: Changes in the Plan and/or Map shall be incorporated directly into the document at the appropriate place. A list of all amendments with date of passage shall then become part of the document until the next comprehensive update of the entire Comprehensive Plan.

P-4: An amendment to the Comprehensive Plan and/or Map may be considered when one or more of the following conditions exist:

- a. Updated data demonstrates significantly different trends than previous data;
- b. New data reflects new or previously undisclosed public needs;
- c. New community attitudes represent a significant departure from previous attitudes as reflected by the Planning Commission or City Council;
- d. Statutory changes significantly affect the applicability or appropriateness of existing plan policies.

P-5: Residents, property owners, their authorized agents, the Planning Commission, the City Council, or City staff may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan and/or Map amendment, the applicants shall have the burden of proof that all of the following conditions exist:

- a. There is a need for the proposed change;
- b. The identified need can best be served by granting the change requested;
- c. The proposed change complies with the Statewide Planning Goals; and,
- d. The proposed change is consistent with all other provisions of the City's Comprehensive Plan.

FINDING: Policies P-1, P-2 and P-3 relate the processing of a Plan text or map amendment. The City is obligated to follow these requirements and does so with the public hearing process.

Previous findings indicate the proposed change will improve compatibility with adjacent residential development. The proposed Plan and zone map amendments are consistent with the preferred use of the property (P-4.a). This supports the preferred zone while simultaneously not impacting the City's ability to provide land for industrial purposes (P-5.a and P-5.b). Further, the established of the Mixed Use zone does not preclude development of the site with industrial-type uses.

Compliance with the Statewide Goals (P-5.c) is noted as follows:

Goal 1, Citizen Involvement: Public hearings will be held before both the Planning Commission and City Council. This is consistent with City procedures and the intent of the Goal.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged Comprehensive Plan and Development Code.

Goal 3, Agricultural Lands: This Goal does not apply, as the land is not designated farmland.

Goal 4, Forest Lands: This Goal does not apply, as the land is not designated forestland.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: The site may contain wetlands which may require mitigation measures to allow development. However, the map changes, by themselves, do not affect these resources.

Goal 6, Air, Water and Land Resource Quality: Its potential use for non-industrial purposes is likely to reduce potential adverse impacts on air, water or resource quality.

Goal 7, Natural Hazards: The site is not located in an area of natural hazards.

Goal 8, Recreational Needs: The proposed map amendments do not create uses which would adversely impact recreational opportunities.

Goal 9, Economic Development: The map amendments will allow a greater variety of uses thereby increasing development potential. Further, the proposed Mixed Use zone does not preclude employment-type activities on the site.

Goal 10, Housing: This Goal does not directly apply, as the map amendments do not directly involve the supply or location of needed housing, or the ability to provide housing.

Goal 11, Public Facilities and Services: Previous findings indicate services are available to serve the property and the map amendments will not affect the City's ability to provide necessary public facilities.

Goal 12, Transportation: Previous findings indicate the map amendments will not significantly affect planned transportation improvements. Further, provided certain requirements are met, the zone change and development will not impact the airport.

Goal 13, Energy Conservation: The map amendments are neutral with regard to energy conservation.

Goal 14, Urbanization: Previous findings indicate the City retains a surplus in both industrial and mixed use land so that the map amendments will not have impact the City's ability to meet demand for land in either zone.

Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposals do not involve land within the Willamette Greenway or coastal areas.

Finally, all previous findings indicate the proposal complies with the applicable policies of the City's Comprehensive Plan (P-5.d).

- H. Facility plans need to be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP, sanitary sewer or potable water master plans.

FINDINGS: The change to Mixed Use is not anticipated to adversely impact the City's ability to provide need services. Further, previous findings indicate the existing transportation system is capable of accommodating the change.

- I. Applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property. If an applicant requests a City Zoning Classification that is not consistent with the Comprehensive Plan Map, the zoning requested shall not be granted until the Comprehensive Plan Map is first appropriately amended to reflect concurrence. (See the Annexation Zoning Matrix, Table 16.26-1.) Such an amendment requires a separate application, hearing and decision; this process may occur concurrently with the Zoning Map Amendment hearing.

FINDINGS: Table 16.26-1 of Development Code Section 16.26.040 identifies the various Comprehensive Plan designations and the zones consistent with these Plan designations. The proposal calls for the "Mixed Use" Plan map designation, and pursuant to this Table, the only allowable zone is Mixed Use (Z-MU). Therefore, the proposed MU zone is entirely consistent with the anticipated designation. No other amendments are required.


- J. Section 16.27.080.B states that if proposed amendments to the Comprehensive Plan Map or Zoning Map do not comply with the Comprehensive Plan, the Comprehensive Plan must first be amended so that the proposed Map amendment will be consistent with and accurately implement the Plan.

FINDINGS: Previous findings indicate the proposal complies with the applicable Comprehensive Plan policies and does not require amendments to the Plan text. Therefore, this provision does not apply.

- K. Section 16.27.090 establishes requirements for Urban Growth Boundary (UGB) Amendments. This Section does not apply as the property lies entirely within the UGB.

VII. CONCLUSION

The City Council concludes the proposed Comprehensive Plan Map and Zone Map amendments, establishing the Mixed Use zone on the subject property, comply with the applicable decision criteria.



 CITY OF LEBANON

 Oregon

 The City of Lebanon maintains various maps and documents that are published

 or made available to the public. It is the policy of the City of Lebanon, in the

 event of a disaster, to make these maps and documents available to the public

 as soon as possible. The City of Lebanon does not warrant the accuracy or


 completeness of these maps and documents. The City of Lebanon is not

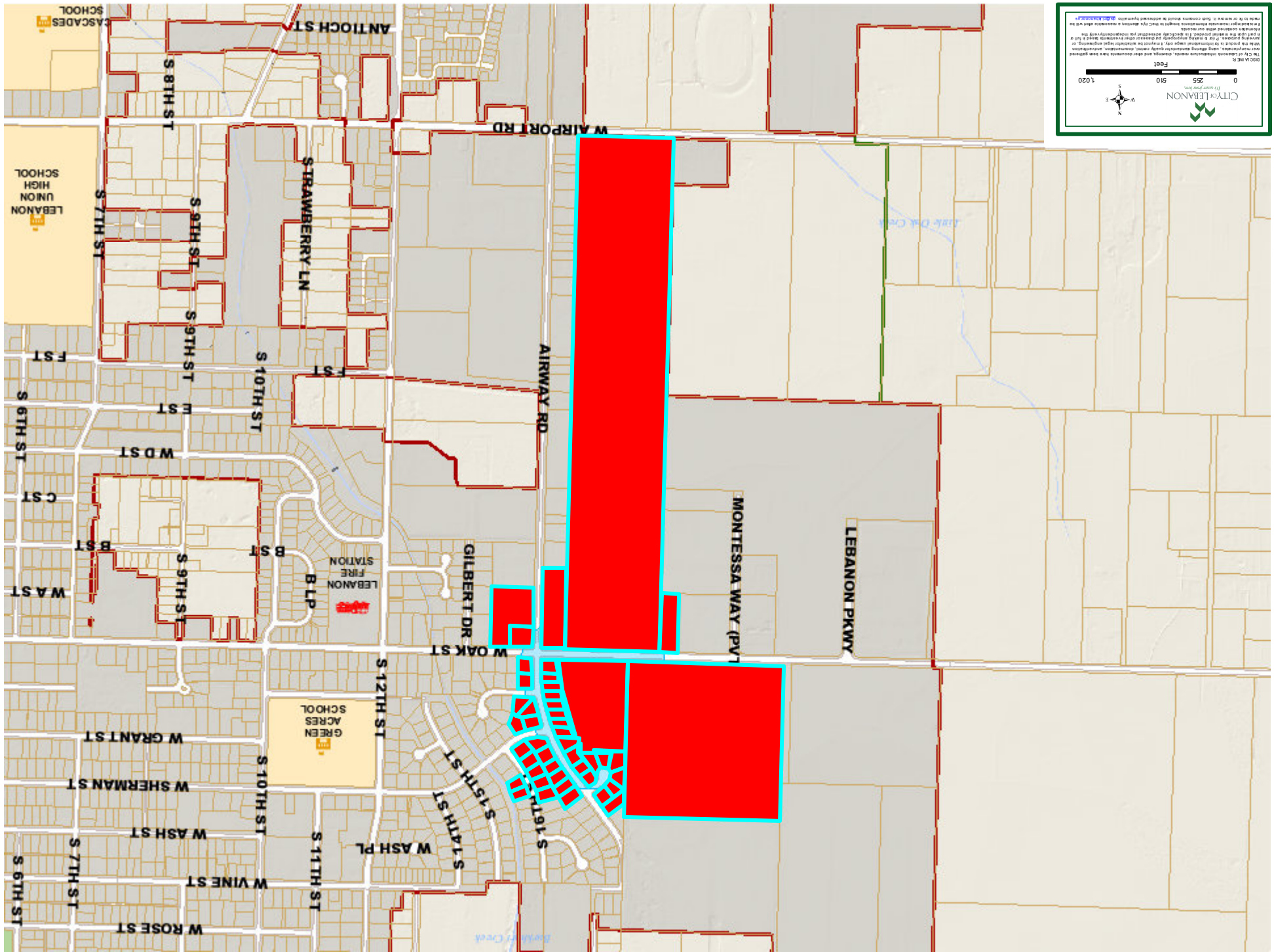
 responsible for any damage or loss resulting from the use of these maps and

 documents.

 Scale in Feet

 0 250 500 1020







Udell Engineering & Land Surveying, LLC



63 East Ash Street, Lebanon, OR 97355
Ph: 541-451-5125 • Fax: 541-451-1366

April 16, 2014

Walt Wendolowski, Community Development Manager
City of Lebanon
925 Main Street
Lebanon, Oregon 97355

Re: Application to amend the Comprehensive Plan and Zone designation

Mr. Wendolowski,

The attached application is being submitted to request an amendment to the Comprehensive Plan and to change the Zoning designation for the portion of tax lot 1308 of Linn County Assessor's map 12S-2W-9DA lying to the east of the Lebanon Municipal Airport's Runway Protection Zone (RPZ).

The proposed Comprehensive Plan designation is Mixed Use (C-MU).

The proposed Zoning designation is Mixed Use (Z-MU) with a Residential Low Density limitation on residential developments.

The City of Lebanon Development Code does not allow residential land development in the RPZ and discourages developments that congregate people in the RPZ. The proposal is to change the land not limited by the RPZ overlay to a zone that will expand its development potential. A proposed residential subdivision is concurrently being reviewed with lots that conform to the Residential Low Density zone.

If you have questions regarding this proposal or need additional information please contact me.

Respectfully,

Brian Vandetta PE, PLS
Udell Engineering and Land Surveying, LLC



Community Development Services

925 S. Main Street
 Lebanon, OR 97355-3211
 (541) 258-4906 (541) 258-4955 Fax
 Email: cdc@ci.lebanon.or.us
 Web: www.ci.lebanon.or.us

LAND USE APPLICATION

File No.:

APPLICANT INFORMATION:

| | | | |
|--|---|--------------------|------------------------|
| Name: | CC and E Land Development, LLC | Phone: | 541-451-5125 |
| Address: | 80 E. Maple Street | Cell Phone: | 541-974-0956 |
| City/State/Zip: | Lebanon, Oregon 97355 | Email: | |
| APPLICANT CERTIFICATION: | | | |
| <p><i>I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true; that the proposed land use activity does not violate covenants, conditions and restrictions associated with the subject property; and, any approval granted based on this information may be revoked if it is found that such statements are false.</i></p> | | | |
| Signature of Applicant: |  | | Date: 4-16-2014 |

PROPERTY INFORMATION:

| | |
|---|---|
| Situs Address: Vacant | Nearest Cross Street: Airport Road |
| Map Designations: | Assessor Map & Tax Lot No(s): 12-2W-9DA 1308 |
| Comp Plan Map <u>C-Ind</u> | Total Size of Site: 5.6 AC ± |
| Zoning Map <u>Z-Ind</u> | Development Size: 1.31 AC ± |
| Overlay Zones (if any) <u>Airport</u> | |
| Current Property Use: (or indicate if vacant) <u>Vacant</u> | |
| Existing Structures: (or indicate if vacant) <u>Vacant</u> | |
| Surrounding Properties Land Uses: | Zoning/Comp Plan Designation: |
| North <u>Residential</u> | <u>Z-RL/C-RL</u> |
| West <u>Agricultural</u> | <u>Z-IND/C-IND</u> |
| South <u>Oak Street</u> | <u>n/a</u> |
| East <u>Residential</u> | <u>Z-RL/C-RL</u> |

GENERAL DEVELOPMENT DESCRIPTION:

Include Proposed Use(s), Activities, Hours of Operation, Etc.:

The proposal is to amend the Comprehensive Plan and change the zone for the subject property. The proposed Comprehensive Plan designation is Mixed Use and the proposed zone is Mixed Use.

Will the Project be constructed in phases? Yes No

If "Yes", please explain: _____

| Number of Proposed Parking | Vehicle | Bicycle |
|----------------------------------|---------|--------------------|
| Standard Spaces: <u>NA</u> | | Open: <u>NA</u> |
| Compact Spaces: <u>NA</u> | | |
| ADA Spaces: <u>NA</u> | | Covered: <u>NA</u> |
| Covered/Garage Spaces: <u>NA</u> | | |

RESIDENTIAL DEVELOPMENT ONLY:

| Type | # of Dwelling Units | # of Bedrooms | Density (#DU/Acre) |
|------|---------------------|---------------|--------------------|
| | | | |
| | | | |
| | | | |

Describe Open Space Included in Proposal:

Number of Acres / Sq. Ft. in Open Space: _____ Percent of Site: _____

FOR OFFICE USE

*If more than one review process is required, applicant pays highest priced fee, then subsequent applications charged at half-price.

| Land Use Review Process | Fee | Land Use Review Process | Fee |
|---|--------|--|--------|
| Administrative Review: Res / Com / Ind / PU | \$450 | Planned Development – Preliminary | \$2500 |
| Annexation | \$1500 | Planned Development – Ministerial | \$200 |
| Code Interpretation | \$100 | Planned Development – Final (Administrative) | \$450 |
| X Comprehensive Plan Map Amendment | \$2000 | Planned Development – Final (Quasi-Judicial) | \$750 |
| Comprehensive Plan Text Amendment | \$2000 | Subdivision | Varies |
| Conditional Use: Res / Com / Ind / PU | \$1500 | Tree Felling Permit (Steep Slopes only) | Varies |
| Historic Preservation Review or Register | Varies | Urban Growth Boundary Amendment | Varies |
| Land Partition | \$450 | Vacating Public Lands and Plats | Varies |
| Ministerial Review | \$150 | Variance (Class 1 – Minor Adjustment) | \$150 |
| Modification of Approved Plan | Varies | Variance (Class 2 – Adjustment) | \$450 |
| Non-Conforming Use/Development | \$450 | Variance (Class 3) | \$1000 |
| Property (Lot) Line Adjustment | \$250 | X Zoning Map Amendment | \$1000 |

REVIEW PROCESS

| | |
|---|---|
| Ministerial Review Process (LDC 16.20.030) | Quasi-Judicial Review Process (LDC 16.20.050) |
| Administrative Review Process (LDC 16.20.040) | Legislative Review Process (LDC 16.20.060) |

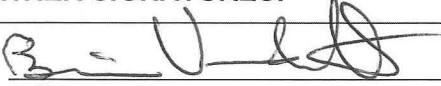
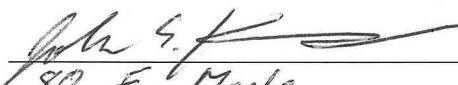
APPLICATION RECEIPT & PAYMENT

Date Received: _____ Date Complete: _____ Pay't Info: _____
 Received By: _____ Total Fee: _____ Receipt No.: _____

REQUIRED SUBMITTALS:

- Application and Filing Fee
- Narrative describing the Development Proposal and addressing the Decision Criteria
 - * LDC Article Two Land Uses and Land Use Zones
 - * LDC Article Three Development Standards
 - * LDC Article Four Review & Decision Requirements
 - * LDC Article Five Exceptions to Standards (eg Variance, Non-Conforming Uses)
- Site Plan(s) drawn to scale with dimensions, Elevation Drawing(s) if applicable, Other Drawings
 Site boundaries, points of access, topography, flood plains, water courses, significant vegetation, existing roads, utilities, pedestrian or bikeways, existing easements.
- Copy of current Property Deed showing Ownership, Easements, Property Restrictions

PROPERTY OWNER SIGNATURES:

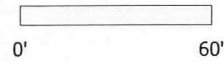
| | | | |
|-----------------|---|----------|--------------|
| Owner 1: |  | Phone #: | 541-451-5125 |
| Address: | 63 E. ASH ST. | Cell #: | 541-974-0956 |
| CityStateZip: | LEBANON, OR. 97355 | Email: | |
| Owner 2: |  | Phone #: | 503-730-3742 |
| Address: | 80 E. Maple | Cell #: | - |
| CityStateZip: | LEBANON OR 97355 | Email: | |
| Owner 3: | | Phone #: | |
| Address: | | Cell #: | |
| CityStateZip: | | Email: | |

CONTACT INFORMATION:

| | |
|---------------------------------------|---------------|
| Applicant's Representative: | Office #: |
| Address: _____ | Cell #: _____ |
| CityStateZip: _____ | Email: _____ |
| Applicant's Engineer/Surveyor: | Office #: |
| Address: _____ | Cell #: _____ |
| CityStateZip: _____ | Email: _____ |
| Applicant's Architect: | Office #: |
| Address: _____ | Cell #: _____ |
| CityStateZip: _____ | Email: _____ |
| Applicant's Other: | Office #: |
| Address: _____ | Cell #: _____ |
| CityStateZip: _____ | Email: _____ |



SCALE:

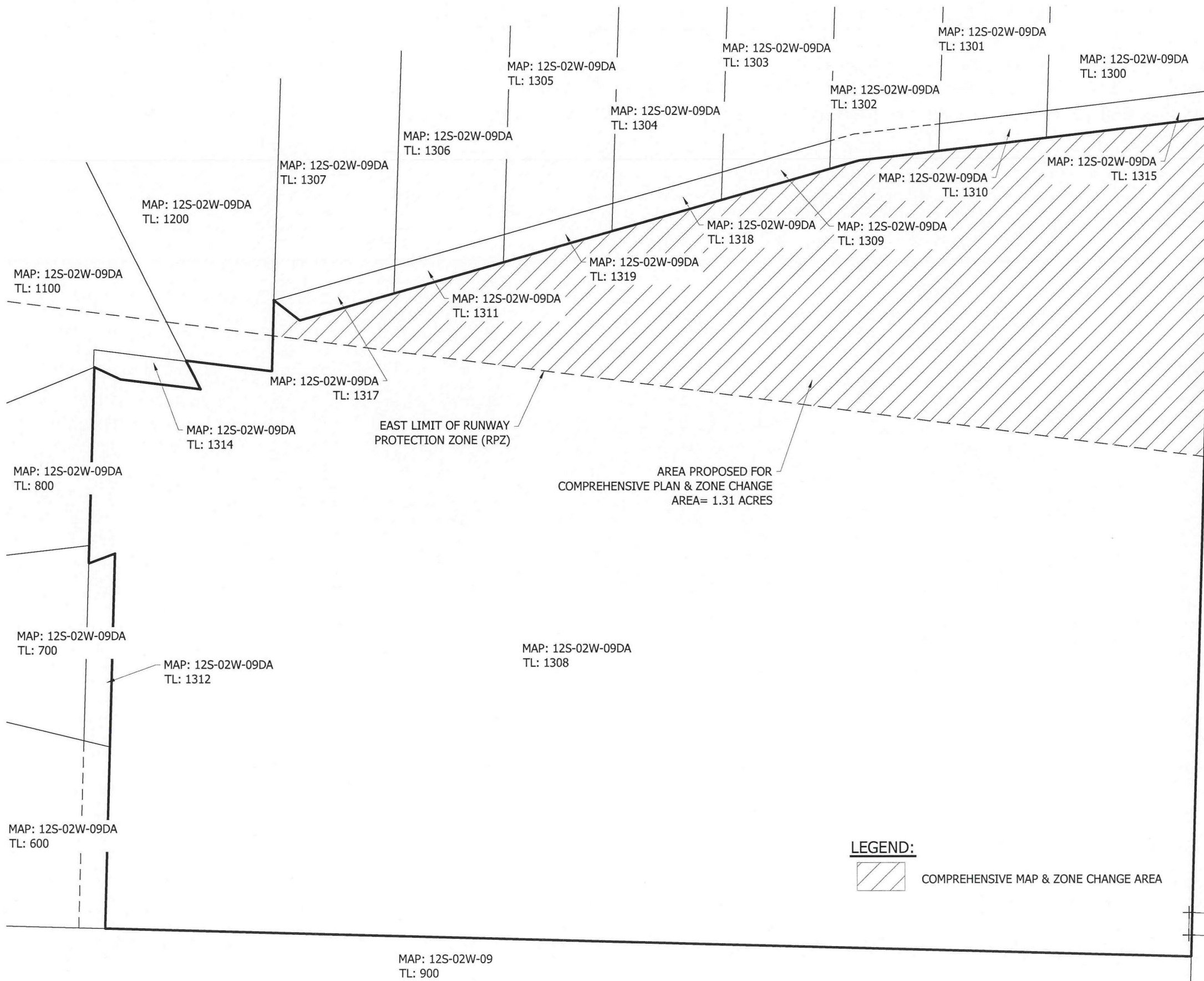


OWNER:

CC & E LAND DEVELOPMENT, LLC
80 E. MAPLE
LEBANON, OR 97355

PROPERTY:

12S-2W-9DA
TAX LOT 1308
LYING EAST OF RPZ



LEGEND:



COMPREHENSIVE MAP & ZONE CHANGE AREA

CLIENT:
CC & E LAND DEV., LLC
80 E. MAPLE
LEBANON, OR 97355

UDELL ENGINEERING &
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON 97355
(541) 451-5125 PH.
(541) 451-1366 FAX

PROPOSED COMP. PLAN
MAP & ZONE CHANGE
OAK STREET
LEBANON, OREGON

| | |
|------------|---------|
| date | 4/16/14 |
| project | 12-134 |
| drawn by | AMP |
| checked by | RSV |

Sheet 1
of 1

SCALE: SEE BARSCALE

Notice of Public Hearing Lebanon City Council June 11, 2014

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon City Council on June 11 at 6:00 P.M. in the Santiam Travel Station, 750 Third Street, to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.: 14-04-16

Location: W Oak Street

Applicant: CC and E Land Development, LLC

Assessor's Map & Tax No.: 12-2W-9DA-1308

Request: Annexation, Comprehensive Plan Map Change and Zone Map Change

Total Acres: 1.31

Request: The property is currently designated Industrial (C-IND) on the City of Lebanon Comprehensive Plan Map. The applicant is requesting the designation be changed to Mixed Use (C-MU) and that it be assigned a Mixed Use (Z-MU) Zoning designation. This action affects 1.31 acres.

Decision Criteria: Lebanon Development Code: Chapter 16.20 – Review and Decision-Making Procedures; and Chapter 16.27 Comprehensive Plan Map, Zoning Map and Urban Growth Boundary Amendments.

Planning Commission Recommendation: A public hearing was held before the Planning Commission on May 21, 2014. The Commission voted to recommend City Council approval of the zone change.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact the Lebanon Planning Division, 925 Main Street; telephone 541-258-4906. **The staff report on the proposal will be available 7 days prior to the hearing.**

Providing Comments: *CITIZENS ARE INVITED TO ATTEND* the public hearings and give written or oral testimony (after presentation of the staff report) that addresses applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least 7 days so such material may be reviewed.

Appeals: Failure to raise an issue in the hearings, in person or by letter, or failure to provide sufficient specificity to afford the decision-makers an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue. Please contact our office should you have any questions about the appeals process.

Upon request, the City will provide an interpreter for hearing impaired persons. To request an interpreter, contact the City Manager's Office at 258-4202 no less than 48 hours prior to the public hearing.

Citizen Services & Development Center



Agenda Item 2



MEMORANDUM

Finance Department

To: Gary Marks, City Manager

Date: June 11, 2014

From: Dean Baugh, Finance Director

Subject: State Revenue Sharing

Each year, the State of Oregon requires that public hearings be held before the Budget Committee and the City Council regarding the uses of State Revenue Sharing. The hearing before the Budget Committee on the proposed uses was held on May 12, 2014, and the hearing before the City Council on the approved uses will be held on June 11, 2014. The funds come from beer and wine taxes collected by the state. The Approved Budget for 2014-15 has budgeted revenue in the amount of \$155,000 in the General Fund. The amount included in the budget is derived from an estimate provided by the League of Oregon Cities.

Actions Requested:

- Conduct a Public Hearing on the use of State Revenue Sharing in the Approved Budget.
- Motion to Approve a Resolution Certifying the City Provides Services for Eligibility to Receive State Shared Revenue.
- Motion to Approve an Ordinance Declaring the Election to Receive State Shared Revenue.

**A RESOLUTION CERTIFYING THE CITY OF)
LEBANON PROVIDES MUNICIPAL SERVICES)
FOR ELIGIBILITY IN RECEIVING STATE SHARED)
REVENUE PAYMENTS)**

RESOLUTION NO. 2014-22

WHEREAS, ORS 221.760 provides as follows:

Section 1. The Officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- | | |
|--------------------|--|
| 1) Police Services | 5) Street Construction, Maintenance & Lighting |
| 2) Fire Protection | 6) Planning, Zoning & Subdivision Control |
| 3) Sanitary Sewers | 7) One or more utility services |
| 4) Storm Sewers | |

WHEREAS, City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760, now therefore,

BE IT RESOLVED, that the City of Lebanon hereby certifies that it provides the following six municipal services enumerated in Section 1, ORS 221.760:

- | | |
|--------------------------|--|
| 1) Police Services | 5) Street Construction, Maintenance & Lighting |
| 2) Water Utility Service | 6) Planning, Zoning & Subdivision Control |
| 3) Sanitary Sewers | |
| 4) Storm Sewers | |

Passed by the Lebanon City Council and executed by the Mayor on this 11th day of June, 2014 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTEST:

Linda Kaser, City Clerk/Recorder

**AN ORDINANCE DECLARING THE
CITY OF LEBANON'S ELECTION
TO RECEIVE STATE REVENUES**

) **ORDINANCE BILL NO. 2014-5**
)
) **ORDINANCE NO. 2853**

THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Pursuant to ORS 221.770, the City of Lebanon hereby elects to receive state revenues for fiscal year 2014-15.

Section 2. A public hearing before the Budget Committee was held on May 12, 2014 and a public hearing before the City Council was held on June 11, 2014, giving citizens an opportunity to comment on use of State Revenue Sharing.

Passed by the Lebanon City Council and executed by the Mayor on this 11th day of June, 2014 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTEST:

Linda Kaser, City Clerk/Recorder

Agenda Item 3

RESOLUTION ADOPTING A BUDGET

BE IT RESOLVED that the City Council of the City of Lebanon hereby adopts the budget for 2014-15, in the sum of \$41,076,284 now on file at City Hall.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON:

Section 1. That the amounts for fiscal year beginning July 1, 2014, and for the purposes shown below, are hereby appropriated as follows:

GENERAL FUND

| | |
|---------------------------------------|------------------|
| Administration & Economic Development | \$251,119 |
| Human Resources | 93,763 |
| City Attorney | 175,050 |
| Community Development | 204,516 |
| Engineering | 977,897 |
| Parks | 496,066 |
| Finance | 484,978 |
| Legislative | 156,386 |
| Library | 473,986 |
| Municipal Court | 271,477 |
| Police | 4,603,088 |
| Senior Services | 191,091 |
| Non-Departmental | <u>1,002,857</u> |

GENERAL FUND TOTAL **\$9,382,274**

DEBT SERVICE FUND TOTAL **\$2,975,620¹**

ENTERPRISE FUND

| | |
|------------------------------|------------------|
| Water | \$9,133,917 |
| Storm Drainage | 810,000 |
| Wastewater | 8,351,156 |
| Wastewater Bond Debt Service | <u>1,158,324</u> |

ENTERPRISE FUND TOTAL **\$19,453,397**

¹ Includes \$40,000 unappropriated fund balance not appropriated.

| | |
|------------------------------------|----------------------------|
| SPECIAL REVENUE FUND TOTAL | \$4,252,104 |
| CAPITAL PROJECTS FUND TOTAL | \$5,365,797 |
| TRUST AND AGENCY FUND TOTAL | \$147,092 |
| CITY BUDGET TOTAL | <u>\$41,576,284</u> |

Section 2. This resolution is effective July 1, 2014.

Passed by the Lebanon City Council and executed by the Mayor on this 11th day of June, 2014 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

| | |
|--------------------------------|--------------------------|
| Paul R. Aziz, Mayor | <input type="checkbox"/> |
| Bob Elliott, Council President | <input type="checkbox"/> |

ATTEST:

Linda Kaser, City Clerk/Recorder

**RESOLUTION LEVYING TAXES FOR
THE CITY OF LEBANON'S BUDGET FOR
FISCAL YEAR 2014-15**)
)
)

RESOLUTION NO. 2014-24

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

Section 1. The City of Lebanon hereby levies the taxes provided for in the adopted budget at the rate of \$5.1364/\$1,000 of assessed valuation for operations, and in the amount of \$1,516,304 for debt service and that these taxes are hereby levied upon the assessed value of all taxable property within the City of Lebanon.

The following allocation and categorization subject to the limits of Section 11b, Article XI of the Oregon Constitution make up the above aggregate levy:

| | <u>Subject to the General Governmental Limitation</u> | <u>Excluded from the Limitation</u> |
|--------------------------------|---|---|
| General Fund | \$5.1364/\$1,000 | |
| Debt Service Fund | | \$1,516,304 |
| Delinquent Sewer Charges | | \$XX,XXX.XX |
| Delinquent Storm Drain Charges | | \$XX,XXX.XX |

Section 2. This resolution is effective July 1, 2014.

Passed by the Lebanon City Council and executed by the Mayor on this 11th day of June, 2014 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTEST:

Linda Kaser, City Clerk/Recorder

Agenda Item 4



MEMORANDUM

Finance Department

To: Gary Marks, City Manager **Date:** June 11, 2014
From: Dean Baugh, Finance Director
Subject: NW Lebanon Urban Renewal District Budget Adoption FY 2014-15

The budget amount of \$5,586,581 is the same as the amount approved by the Budget Committee.

Action Requested:

Conduct a public hearing on the approved budget.
Motion to approve a resolution making appropriations.
Motion to approve a resolution levying taxes.

**A RESOLUTION ADOPTING THE NW LEBANON) RESOLUTION NO. 2014-25
URBAN RENEWAL DISTRICT BUDGET AND MAKING)
APPROPRIATIONS FOR FISCAL YEAR 2014-15)**

RESOLUTION ADOPTING A BUDGET

BE IT RESOLVED that the Board of the Lebanon Urban Renewal Agency hereby adopts the Northwest Lebanon Urban Renewal District budget for 2014-15, in the sum of \$5,586,581 now on file at City Hall.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED by the Board of the Lebanon Urban Renewal Agency:

Section 1. That the amounts for the fiscal year beginning July 1, 2014 and for the purposes shown below, are hereby appropriated as follows:

NORTHWEST LEBANON URBAN RENEWAL DISTRICT (URD)

| | |
|-----------------------------------|-------------------------------|
| NW Lebanon Urban Renewal District | 3,664,008 |
| NW Lebanon Urban Renewal Bonds | <u>1,922,573</u> ² |
| TOTAL APPROPRIATIONS | \$5,586,581 |

Section 2. This resolution is effective July 1, 2014.

Passed by the Lebanon Urban Renewal Agency and executed by the Mayor on this 11th day of June, 2014 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTEST:

Linda Kaser, City Clerk/Recorder

² Includes \$000 unappropriated fund balance not appropriated.

RESOLUTION LEVYING TAXES FOR THE CITY OF) RESOLUTION NO. 2014-26
LEBANON'S NORTHWEST URBAN RENEWAL)
DISTRICT BUDGET FOR FISCAL YEAR 2014-15)

BE IT RESOLVED by the Board of the Lebanon Urban Renewal Agency:

Section 1. To certify to the county assessor for the Northwest Lebanon Urban Renewal District Plan Area a request for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457

Section 2. This resolution is effective on July 1, 2014.

Passed by the Lebanon Urban Renewal Agency and executed by the Mayor on this 11th day of June, 2014 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor, Mayor
Bob Elliott, Council President

ATTEST:

Linda Kaser, City Clerk/Recorder

Agenda Item 5



MEMORANDUM

Finance Department

To: Gary Marks, City Manager **Date:** June 11, 2014
From: Dean Baugh, Finance Director
Subject: North Gateway Urban Renewal District Budget Adoption FY 2014-15

The budget amount of \$255,119 is the same as the amount approved by the Budget Committee.

Action Requested:

Conduct a public hearing on the approved budget.
Motion to approve a resolution making appropriations.
Motion to approve a resolution levying taxes.

**A RESOLUTION ADOPTING THE NORTH GATEWAY) RESOLUTION NO. 2014-27
URBAN RENEWAL DISTRICT BUDGET AND MAKING)
APPROPRIATIONS FOR FISCAL YEAR 2014-15)**

RESOLUTION ADOPTING A BUDGET

BE IT RESOLVED that the Board of the Lebanon Urban Renewal Agency hereby adopts the North Gateway Urban Renewal District budget for 2014-15, in the sum of \$255,119 now on file at City Hall.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED by the Board of the Lebanon Urban Renewal Agency:

Section 1. That the amounts for the fiscal year beginning July 1, 2014 and for the purposes shown below, are hereby appropriated as follows:

NORTH GATEWAY URBAN RENEWAL DISTRICT (URD)

| | |
|--------------------------------------|----------------|
| North Gateway Urban Renewal District | <u>255,119</u> |
| TOTAL APPROPRIATIONS | \$255,119 |

Section 2. This resolution is effective July 1, 2014.

Passed by the Lebanon Urban Renewal Agency and executed by the Mayor on this 11th day of June, 2014 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTEST:

Linda Kaser, City Clerk/Recorder

**A RESOLUTION LEVYING TAXES FOR THE CITY OF) RESOLUTION NO. 2014-28
LEBANON'S NORTH GATEWAY URBAN RENEWAL)
DISTRICT BUDGET FOR FISCAL YEAR 2014-15)**

BE IT RESOLVED by the Board of the Lebanon Urban Renewal Agency:

Section 1. To certify to the county assessor a request for the North Gateway Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 2. This resolution is effective July 1, 2014.

Passed by the Lebanon Urban Renewal Agency and executed by the Mayor on this 11th day of June, 2014 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTEST:

Linda Kaser, City Clerk/Recorder

Agenda Item 6



MEMORANDUM

Finance Department

To: Gary Marks, City Manager **Date:** June 11, 2014
From: Dean Baugh, Finance Director
Subject: Cheadle Lake Urban Renewal District Budget Adoption FY 2014-15

The budget amount of \$535,900 is the same as the amount approved by the Budget Committee.

Action Requested:

Conduct a public hearing on the approved budget.
Motion to approve a resolution making appropriations.
Motion to approve a resolution levying taxes.

**A RESOLUTION ADOPTING THE CHEADLE LAKE) RESOLUTION NO. 2014-29
URBAN RENEWAL DISTRICT BUDGET AND MAKING)
APPROPRIATIONS FOR FISCAL YEAR 2014-15)**

RESOLUTION ADOPTING A BUDGET

BE IT RESOLVED that the Board of the Lebanon Urban Renewal Agency hereby adopts the Cheadle Lake Urban Renewal District budget for 2014-15, in the sum of \$535,900 now on file at City Hall.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED by the Board of the Lebanon Urban Renewal Agency:

Section 1. That the amounts for the fiscal year beginning July 1, 2014 and for the purposes shown below, are hereby appropriated as follows:

CHEADLE LAKE URBAN RENEWAL DISTRICT (URD)

| | |
|-------------------------------------|----------------|
| Cheadle Lake Urban Renewal District | <u>535,900</u> |
| TOTAL APPROPRIATIONS | \$535,900 |

Section 2. This resolution is effective July 1, 2014.

Passed by the Lebanon City Council and executed by the Mayor on this 11th day of June, 2014 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor, Mayor
Bob Elliott, Council President

ATTEST:

Linda Kaser, City Clerk/Recorder

**A RESOLUTION LEVYING TAXES FOR THE CITY OF) RESOLUTION NO. 2014-30
LEBANON'S CHEADLE LAKE URBAN RENEWAL)
DISTRICT BUDGET FOR FISCAL YEAR 2014-15)**

BE IT RESOLVED by the Board of the Lebanon Urban Renewal Agency:

Section 1. To certify to the county assessor a request for the Cheadle Lake Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 2. This resolution is effective July 1, 2014.

Passed by the Lebanon City Council and executed by the Mayor on this 11th day of June, 2014 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor, Mayor
Bob Elliott, Council President

ATTEST:

Linda Kaser, City Clerk/Recorder

Agenda Item 7



MEMORANDUM

Engineering Services

To: Mayor Aziz and City Council
From: Ron Whitlatch, Engineering Services Manager
Subject: CH2MHill Contract Amendment

Date: June 2, 2014

RECOMMENDATION

I recommend that City Council pass a motion approving the contract amendment.

BACKGROUND

CH2MHill operates the both the City's Wastewater and Water Treatment Plants. This is the seventh year of a ten year contract they have to operate the treatment plants. They have presented a proposed annual fee increase of 2.25% as shown below.

| <u>Year</u> | <u>WTP</u> | <u>WWTP</u> | <u>Total</u> |
|-------------|------------|-------------|--------------|
| 2013-14 | \$411,555 | \$968,575 | \$1,380,130 |
| 2014-15 | \$419,474 | \$991,709 | \$1,411,183 |
| \$ Increase | \$7,919 | \$23,134 | \$31,053 |
| % Change | | | 2.25 % |

As shown above, the net increase to operate the treatment plants is approximately \$31,000. The proposed 2.25% increase is below the Engineering News Record (ENR) Construction Cost Index of 2.6% used to make annual inflationary increases to the water, wastewater and storm drainage funds.

Engineering Services

AMENDMENT NO. 7
to the
AGREEMENT FOR OPERATIONS,
MAINTENANCE AND MANAGEMENT SERVICES
for
THE CITY OF LEBANON, OREGON

This Amendment No. 7 (the "Amendment") to the Agreement for Operations, Maintenance and Management Services for the City of Lebanon, Oregon, dated July 1, 2007 (the "Agreement") is made effective this 1st day of July, 2013 between the City of Lebanon, Oregon (hereinafter "Owner") and Operations Management International, Inc (hereinafter "CH2M HILL OMI").

NOW THEREFORE, Owner and CH2M HILL OMI agree to amend the Agreement as follows:

1. Appendix E.1.1 is hereby deleted in its entirety and replaced with the following:

Owner shall pay to CH2M HILL OMI as compensation for services performed under this Agreement a Base Fee of One Million Four Hundred Eleven Thousand One Hundred Eighty Three Dollars (\$1,411,183) for the contract year of this Agreement beginning July 1, 2014 and ending June 30, 2015. Subsequent years base fees shall be determined as hereinafter specified.

2. Appendix E.1.1a, is hereby deleted in its entirety and replaced with the following:

Compensation for services performed at the wastewater facilities specified herein is based on the following Project characteristics:

| | |
|-------|-------------------------------|
| Flow | 3.825 million gallons per day |
| TBOD5 | 2957 pounds per day |
| TSS | 3279 pounds per day |

3. E.1.5 is hereby deleted in its entirety and replaced with the following:

The total amount CH2M HILL OMI shall be required to pay for Repairs shall not exceed the annual Repairs limit of Fifty Thousand Dollars (\$50,000) distributed as follows: Fifteen Thousand Dollars (\$15,000) for the water system and Thirty Five thousand dollars (\$35,000) for the wastewater system for the contract year specified in Appendix E.1.1. CH2M HILL OMI will provide Owner with a detailed invoice of Repairs over the annual Repairs Limit and Owner shall pay CH2M HILL OMI for all repairs in excess of the Repairs Limit. CH2M HILL OMI will rebate to Owner the difference between the annual Repairs Limit and the actual repair costs.

4. Appendix E.1.11 is hereby deleted in its entirety and replaced with the following:

Owner shall pay CH2M HILL OMI all monthly electrical costs in excess of the projected Two Hundred Ninety-One Thousand Five Hundred Dollars (\$291,500) annual budget for the contract year specified in Appendix E.1.1 of this Agreement.

This Amendment together with all previous amendments and the Agreement constitutes the entire agreement between the Parties and supersedes all prior oral and written understandings with respect to the subject matter set forth herein. Unless specifically stated all other terms and conditions of the Agreement shall remain in full force and effect. Neither this Amendment nor the Agreement may be modified except in writing signed by an authorized representative of the Parties.

The Parties, intending to be legally bound, indicate their approval of the Amendment by their signatures below.

OPERATIONS MANAGEMENT
INTERNATIONAL, INC.

CITY OF LEBANON, OREGON



Name: Scott Neelley *ma 5/21/14*

Title: Vice President

Date: 5/22/2014

Name: Gary Marks

Title: City Manager

Date: _____

Agenda Item 8

I. ADMINISTRATION – Gary Marks, City Manager

- **Santiam-Lebanon Canal:** Negotiations with City of Albany began in May concerning the canal. The City of Lebanon initiated the negotiations by paying all past invoices in the amount of \$276,500. The outcome of the negotiations is important to the City as a new access point is needed to serve the planned water treatment plant. There are several issues that need to be resolved. Staff will update the Council as this process moves forward.
- **Labor Negotiations:** Negotiations have begun on a wage and health insurance opener in the current AFSCME contract. I am acting at the lead negotiator for these proceedings. Negotiations for a new Teamsters contract have also begun with Greg Burroughs acting as the lead negotiator for the City. It is early in both processes and it is unclear how long each may require.
- **Budget Presentation:** The month of May included my preparation and presentation at the Budget Committee Meeting on May 8th. The Budget Committee recommended approval of the City budget as well as approvals for the Urban Renewal Budgets. Subsequent to the Budget meeting, I have worked with Dean Baugh to prepare the budget for implementation, which will begin with the new fiscal year on July 1st. Council approval of the budgets is scheduled for the June 11th meeting.
- **Community Visioning:** I am beginning plans for a community visioning process to take place in the fall. As the Council is aware, the community visioning process will include extensive community outreach and participation toward the identification and development of a community vision that will provide guidance to the City and, hopefully, other community groups in setting organizational goals and for the allocation of resources. I will be updating the Council as the process develops.

Human Resources – Debi Shimmin, HR Administrative Assistant

- **Union Negotiations.** Began negotiations with AFSCME & Teamsters this month.
- **Employee Counseling Services.** Finalized the Reliant Behavior Health agreement to provide counseling services to employees.
- **Safety Committee.** Along with the safety committee, organized the year-end safety committee BBQ for staff which will be held on June 26. This year, there have only been 4 minor claims, making this one of the most successful years in safety in a long time.

II. LEGISLATIVE / CITY CLERK – Linda Kaser, City Clerk

- **City Elections.** The Mayor/Council Candidate Handbook packets are now completed for those interested in running for a Council position at the November General Election. The complete packet can be picked up at City Hall (Finance Department) or viewed online under the City Clerk's Page.

Those candidates whose terms end December 31, 2014 are Mayor Aziz and Councilors Elliott, Fisher and Rieskamp. *The Lebanon filing period is from July 14 – 30, 2014.*

- **Board/Committee Terms Expire 6/30/2014:** Several Council advisory committee members' terms expire next month. Notices for each Committee were published in the local papers as well as the City's Website and Facebook pages. Board/Committee Applications were due by May 27 for appointment at the June 11 Council Meeting.

- **Mayor's Youth Council.** The deadline to pick up all "If I Were Mayor" contest entries was April 30. Unfortunately, there was only one entry that did not meet the qualifications. Therefore, the City did not submit any entries for the statewide judging this year.
- **Liquor License(s).** I signed off on two applications for *Temporary Use of an Annual License*: 1) Samaritan Center for May 11 (Mother's Day) and June 15 (Father's Day) events; and 2) The Elks Lodge for a special event (Car/Motorcycle Show) they are having in their parking lot on July 6 and July 7.

III. COMMUNITY DEVELOPMENT (Planning & Building) – Walt Wendolowski, Manager

- **Heather Estates Apartments Approval.** The Planning Commission heard three applications at their May meeting. By a 4 to 2 vote, the Commission approved a 51-unit (down from 57) apartment complex at Heather Estates. Other conditions required a new access to South 5th Street and limiting access from Jadon Drive to emergency vehicles only. There was a significant turn-out in opposition to the application and an appeal on the case is expected.
- **Subdivision Approval.** The Planning Commission unanimously approved a 45-lot subdivision off of Mountain River Drive at their May meeting.
- **Plan Map Amendment/Zone Change.** Also in May, the Commission unanimously approved a Plan map amendment and zone change to create a 4-lot duplex subdivision off of Oak Street. The City Council will be reviewing the Plan map and zone change request at their June 11 meeting.
- **Upcoming Planning Commission Meeting(s).** At their June meeting, the Planning Commission will be considering a modification to the Santiam Campus to relocate the pharmacy. In addition, an application was submitted to reduce a setback on an entranceway for a building located on South Main Street.
- **Building Statistics.** Numbers for May indicate \$12,179 in building fees on \$1,000,214 valuation. Both of these numbers are up significantly from the previous month. For the 11 months of Fiscal Year 2013-14, the Department received \$263,453 in fees on \$22,968,668 valuation. This is a significant improvement over the Fiscal Year 2012-13 numbers of \$212,720 and \$17,148,337 respectively. A total of 39 permits were issued, four for single family homes.
- **Building Plans.** As noted, the Department received building plans for the new hotel at the Samaritan Campus. Final details are being worked out and the permit should be issued this month.

IV. ENGINEERING SERVICES – Ron Whitlatch, Manager

- Construction of the new **Fifth Street Water Reservoir** is on schedule to be completed in June/July 2014. The Contractor has finished the exterior concrete work and will begin cleaning and testing the reservoir in mid-June. The new vault and control valves have been installed at the Grant Street Reservoir, which will make operating the two reservoirs much easier and allow for good water turnover.
- Staff will be requesting authorization to bid the **Vine Street Sewer Replacement Project** in June. The project will replace an aging and deteriorated sanitary sewer from Williams to the east dead end. This is the small sewer project for FY 14/15.
- Staff and Carollo Engineering have finalized the utility line locations for the new **Water Treatment Plant**. We have set a preliminary date in July or August 2014 to bring several concepts to the City Council for review and approval. The Team will also begin working on the Membrane Procurement (type of filters) that will be coming to City Council in late summer 2014. During the week of July 8th, City Staff members along with all of the consultant staff will spend 3-4 days bringing the project to 30% design.

- Staff will be recommending award of the **Cascade Drive Road Improvements Project** at the May 28 City Council Meeting. Seven proposals were received for the project. Mid-Valley Gravel submitted the lowest responsible bid of \$904,176.50. Linn County and the City of Lebanon will split all roadway, drainage and pedestrian improvement costs. The City will be responsible for funding the new waterline. If awarded, construction would begin shortly after the end the 2014 school year and be completed by start of the 2015 school year.
- Staff is continuing to work with CH2M Hill on the design of the **Effluent Pump Station Upgrade** at the Waste Water Treatment Plant. This project has been re-scheduled for 2015 in an effort to cut costs back and re-define the scope of the project.
- Staff is continuing to receive requests for **Sewer Lateral Replacements**. This year has been a record year in the number of replacements we have funded or completed with City forces.
- Lebanon and Albany Staff continue to work on past, present, and future issues pertaining to the **canal**. A meeting was held on May 12th at Lebanon City Hall. Albany was presented a check for \$276,500, which paid all back invoices. There are still multiple issues to cover in future negotiations. Staff will keep City Council apprised of negotiations as they continue.
- Staff will be requesting authorization to bid the **2014 Street Preservation Project** at the May 28th City Council Meeting. The project will construct an asphalt over lay on East Oak Street (Franklin to Eddie) and on Seventh Street behind Lebanon High School.
- Staff is currently requesting quotes to pave the existing rock **trail at Cheadle Lake**. This is a partially grant funded project which will pave the trail from the parking lot and tie into the existing paved section of trail. The project will hopefully be completed within the next several weeks.
- Staff has been watching several areas of **eroding banks at Cheadle Lake** between the canal and the lake itself. There are multiple areas where the slope off of the existing trail on top of the bank is almost vertical. These areas are going to take a large quantity of oversized rock to stabilize in order to prevent a future a dike failure. This is primarily due to the flow rates at which Albany operates the canal. Staff will be discussing this issue with Albany to try and work on fixing the failing areas.
- **The Gazebo**, by the Lebanon Optimist Club, near the Library began construction some time ago. The site has been excavated and the concrete footings have been poured. Staff was told contractors will continue when their schedule allows.
- Staff continues to work with the developer's engineer regarding construction of a **new apartment complex on 9th Street** approximately 700 feet north of Airport Road. Staff recently reviewed site plans. Plans require Linn County cooperation for 9th Street improvements. Staff completed their review of plans for extension of public sanitary sewer down a significant portion of 9th Street.
- **Land use proposals** were reviewed and staff prepared recommended conditions for land use approval for two subdivisions and an apartment complex.
- Construction of the **new apartment complex on Mary Street east of 5th Street** continues. The site utilities and building shells are nearly complete. The fire sprinkler service line and a fire hydrant were installed. Construction of public storm improvements is expected to begin soon.
- Construction of the **Edward C. Allworth Veterans' Home** continues. Staff continues to meet with design professionals and contractors to resolve site design/construction issues. Site paving has yet to begin. Construction of the public sidewalk/path on 5th Street continues. Reconstruction of a portion of the multi-use path on Reeves Parkway is underway to accommodate the new driveway at the north side of the site. A section of the public storm main on 5th street is being reconstructed in order to accommodate a new driveway. Construction of site irrigation and landscaping continues.

- Construction of the **Conference Center at the Samaritan Health Campus** is mostly complete. Staff reminded the consultant that landscaping plans have not been submitted for review. A temporary occupancy of the building was given. We expect the landscaping will begin as soon as they are able to coordinate landscape design with the Hotel/restaurant.
- A significant portion of the **Samaritan garden area** and fish pond south of the Event Center is constructed. Contractors continue to plant trees and other vegetation.
- Plans for revisions to the approved **Hotel/Restaurant site plans** were reviewed and approved. Contractors began preparation for building foundation.
- Staff continues to work with **Comcast** to replace service lines over a significant portion of the City. Staff will continue to work with Comcast to complete construction.
- Staff has been working with **Consumer Power** to replace failing underground power lines in the neighborhoods within the southwest area of the City. Landscape restoration is nearing completion.
- Staff provided comments regarding a land use application for a **duplex subdivision on East Elmore Street**. The proposal was approved by the Planning Commission in March 2014. No engineered plans have been submitted for review yet.
- Staff reviewed plans for a **power generator** at the Park and Garvord sanitary sewer pump station. Following plan revisions, staff approved plans and construction has begun. Staff is also working with a consultant to install telemetry which will allow the pump station to be monitored remotely.
- Staff continues to meet with **developers and consultants** regarding potential development. Staff provided guidance regarding code requirements, availability of public infrastructure, City standards of design and construction, and the land development process.

V. **FINANCE SERVICES – Dean Baugh, Manager**

- **Auditors** will be on site for Pre-audit work June 30-July 3.
- Continued work on **credit card acceptances** in the Library and police departments.
- Continued work on updating **Finance policies**, drafts complete and will discuss drafts with City Manager and bring to council for approval.
- Working with Springbrook to install the **online HR module**, the **Purchase Order system** and updating to the latest version. Dates to install HR-ESS July 28-30 Dates to install PO program July 4-7.
- Approved **FY2014/15 Budgets delivered** 5/21/14 and posted on City website 5/21/14.
- Working with Directors on **end of the year projections** to ensure budget compliance.
- Court date has been set for the next **Lowes tax appeal**, November 3-6 in Salem.
- Finance sent out 47 **collection letters** to utility customer totaling \$638.50 at this time \$489.01 has been collected.
- **Accounts Payable** – 270 invoices were processed for payments of \$1,286,903.
- **Utility Billing (May):**
 - 5605 Billing statements mailed by the end of May
 - 864 Accounts received a penalty (past due 5/20/14)
 - 261 lien letters mailed to property owners

- 101 accounts were locked off for non-payment on 5/14/14 for bills due 4/15/14.
- 71 accounts were reconnected the same day. The balance was vacant properties or the tenants moved out and property is back in the owner's name.

VI. INFORMATION & GIS SERVICES – Brent Hurst, Manager

IS Department

- Rebuilt, configured, and installed new workstation in LPD Traffic Office.
- Pulled laptop from Santiam Travel Station, updated, verified functionality, and returned for staff use.
- Met with vendor to identify and cleanup fiber connections at multiple City facilities.
- Resolved video evidence viewability issues for Patrol Staff.
- Worked with vendor to replace/troubleshoot connectivity issues on Library RFID gates.
- Continued Administrative Training for Office 365 email migration and cloud email management.
- Migrated all email to Office 365 in preparation for live cutover.
- Created Organizational Unit list for migration of user accounts to the Office 365 cloud.
- Created Lebanon Room Reservation calendars on Office 365 Cloud.
- Met with Printer vendors for walk-around follow-up meeting and print optimization recommendations.

GIS Department

- Created, revised, and delivered letter-size Ward Maps in color and grayscale for the City Clerk.
- Updated tax lot data from Linn County and sent change report to Community Development Staff.
- Continued digitizing of Water and Storm Drain data layers for 11BCOM20120072 (N Williams & Industrial Way Water Line & Bridge Abutment Repair).

VII. LIBRARY – Carol Dinges, Manager

- Plans are complete for the Summer Reading Program. This year's theme is science, and reading journals will be available at the beginning of June. Programs and performers will be at 11 am on Thursdays:
 - June 19: Mad Science – Spin, Pop, Boom
 - June 26: Leapin' Louie Comedy Show
 - July 10: Build with LEGO's
 - July 17: Storyteller Christopher Leebrick
 - July 24: Movie
 - July 31: Bug Chicks
 - August 7: Movie
- Summer Reading brochures have been distributed to area schools and the Boys and Girls Club.
- The library received a \$9,995 grant from Trust Management Services to purchase replacement copies of classic children's literature (print and audio books), children's reference materials (books and videos), audio books for young adults, and nonfiction audio books for adults.
- Maintenance will be installing bollards in the walkway across the bio-swale in the parking lot to prevent cars from continuing to drive across it. A temporary barricade was installed until they have time to complete this project.
- I met with students from COMP-NW and representatives of the Lebanon Garden Club and Planting Seeds of Change. The library will be co-sponsoring evening programs with the Garden Club.
- A member of the library staff participated in Lebanon's Gift of Literacy at COMP-NW on May 27. LPL is a co-sponsor of the event.

VIII. MAINTENANCE – Jason Williams, Manager

Streets

- Preparations are well underway for the **Strawberry Fair and Parade**. Staff has been busy making sure signs and barricades are clean and in good working order. This year the parade route starting point will be moved from the River Center to the East now starting at the new Wal-Mart. Appropriate signage has been acquired.
- **Banners** have been placed in the right of way for three different events this month.
- **Flags** have been raised and lowered per the Governors order.
- The **street sweeper** has been busy with normal sweeping rounds as well as responding for cleanup following motor vehicle accidents as well as construction projects.
- Excavation and grading at **Cheadle Lake** for the **new trail construction** is nearly complete. Staff has hauled over 4000 yards of material from the "Thumb trail" using the excavation to smooth out and level other areas of the Park making it easier to maintain. Once subgrade is finished rock will be hauled and the main trail will be prepped for asphalt.
- Crews continue to pave utility **patches** as well as failing sections of roadway.
- The downtown core area **hanging flower baskets** have been installed and are being watered by the parks department twice daily.
- Crews have completed an entire round of **right of way mowing**. One streets crew person mows every day in the spring and the early summer.
- Cleaned up **illegal dumping** on Berlin Road 3 times this month.
- Rocked, graded and rolled **East Grant Street** after ditch cleaning.

Parks

- Daily; opened, closed and cleaned all restroom facilities. Staff is now operating on our **summer schedule** with a split shift the hours restrooms are open are now; 7:00am--9:00pm.
- **Turf maintenance** is the priority for the parks staff with mowing, edging, weeding, daily field maintenance at the ball fields, irrigation control, and fertilizing taking the main stage.
- **Vandalism** control is a daily task.
- Parks staff has assisted in the setup of many park activities as a result of reservations.
- **Seasonal Watering**. The parks crew waters all the downtown hanging baskets as well as the planters in the downtown core area twice daily.

Collections

- The collections crew has been swamped with **sewer lateral replacements**. The crew has gone from one lateral replacement project to another for the majority of this month. In-house crews are completing lateral replacements that are failing in the right of way only. As a result staff has fallen behind on routine maintenance like drainage way mowing, televising and cleaning. Staff should be able to catch back up on routine maintenance hopefully within the next three or four weeks.
- Mowing has been sporadic and cleaning has been done only in the event of a sewer main plug up.

Water

- Staff had 101 **water service** lock offs this month. With 78 water service re-connects.
- We had several **water service repair/replacements** this month holding steady at our average of 8-12 a month.
- The **meter change out program** is running smoothly. Staff averages 20-30 meters being replaced every day. Preparations with the vendor and our staff for the in-house meter reading program have been scheduled. Finance will meet with the vendor for the software training on the 28th of May.
- **Daily water samples** are taken by maintenance staff at 19 locations throughout our system.
- The water crew has completed **65 utility locates** this month.

- We are continuing to work on our **backflow prevention program non-compliance list**. Staff has contacted many property owners within the city that have a well and a city supplied water service offering the homeowner assistance determining what type, style and location for their device to be installed.

IX. POLICE – Frank Stevenson, Chief of Police

- The **Patrol Division** continues to remain active, with approximately 1,622 calls-for-service for the month of May. As of May 28th, 76 arrests were made, 87 traffic citations were issued and 133 reports were written. Total calls-for-service were down by 166 calls, compared to last year at this time. Total Part 1 crimes (i.e., criminal mischiefs, domestic abuse, burglary, robbery, assault and thefts) for the month of May were down by 7, compared to last year at this time.
- The **Detective Division** is presently working several involved cases including narcotics investigations, thefts, burglaries, sex abuse and child abuse. A total of 5 cases were directly assigned to detectives for further follow-up investigations, and 10 cases were sent to detectives for review and/or additional information. Detectives were able to clear 4 very involved cases this month resulting in arrests.
- The **Community Policing Division** is preparing for the National Night Out event set to take place the first Tuesday evening in August. In addition, Dala continues to be involved in several ongoing projects such as, the Lebanon Area Emergency Management (LAEMT); managing the Neighborhood Watch Program; overseeing the Justice Center Volunteer Program; and facilitating the Seniors and Law Enforcement Together (SALT) group.
- **Lebanon Peer Court** heard 6 cases this month. The cases involved 2 Minor in Possession of Alcohol and 2 Minor in Possession of Tobacco and 2 Runaway cases.
- **Police Activities Statistics.** During the month of May, 104 individuals were booked and released, brought to court, transported to/from Linn County Jail or sentenced to the Lebanon Municipal Jail. A combined 127 days were served by inmates in the Lebanon Jail.
- The Justice Center has begun utilizing a Fastenal vending machine-type system like the Maintenance Division uses. This will provide a more efficient method of **maintaining and tracking supplies**.

X. SENIOR SERVICES – Kindra Oliver, Manager

- **Recruitment.** We are recruiting for the vacant part-time Senior Center Activities Coordinator and Dial-a-Bus back-up Dispatcher and Receptionist. The position is open through June 9th. Applications are available at the Senior Center, City Hall and the City website.
- We are holding our **annual Luau on Saturday, June 21st, at noon**. This is co-sponsored by Lebanon Senior Center, The Oaks, Century Fields and Willamette Manor. We will be offering a fabulous Polynesian buffet that you won't want to miss. Entertainment will be provided by Misplaced Tropics, a Hawaiian band. Learn how to hula dance and much more! Tickets are \$3.

*Executive Session

Per ORS 192.660(2)(h) To consult with counsel concerning the legal rights and duties of the public body with regard to litigation or litigation likely to be filed.

** 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
It's easier from here.