

**MINUTES
LEBANON CITY COUNCIL MEETING**

March 26, 2003

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

Staff Present: City Administrator John Hitt, City Attorney Natasha Zimmerman, Public Works Director Jim Ruef, Police Lieutenant Mike Schulte, City Engineer Allen Dannen, Senior Engineer Ron Whitlatch, and Admin. Assistant Linda Kaser

CALL TO ORDER/FLAG SALUTE/ROLL CALL

Mayor Toombs called the regular session of the Lebanon City Council to order at 7:30 p.m. in the Lebanon School District Board Room at 485 S. 5th Street. Councilor Mel Harrington was absent.

CONSENT CALENDAR

CITY COUNCIL AGENDA – March 26, 2003

CITY OF LEBANON MEETING MINUTES:

- City Council Meeting Minutes – March 12, 2003
- Planning Commission Minutes – January 15, 2003
- Planning Commission Minutes – February 19, 2003
- Senior Advisory Board Meeting Minutes – February 19, 2003
- Tourism Commission Meeting Minutes – February 10, 2003

Mayor Toombs explained that Item 4 (Providing Information Services Support to the Fire District) was postponed until April 9 and the Walden Pond Update would be moved to Item 1.

Councilor Simpson asked that the minutes better reflect his opposition of Shari's decision to implement the use of alcohol, cigarettes and gambling.

LEGISLATIVE SESSION

1) WALDEN POND STATUS REPORT

Public Works Director Ruef gave an update on the Status of the Walden Pond Project starting with a brief background of the project, discussing the low groundwater infiltration testing, flow-infiltration tests methods, and drilling and testing of wells as described in the attachments (Interoffice memo and Time Schedule). Mr. Ruef noted the importance of August 2003, in which Council is scheduled to consider whether or not to go forward as an effluent dissipation project. This date would keep staff on schedule to resubmit the new master plan to DEQ for the new wastewater treatment system.

The consultants found that the first flow test worked better than staff had anticipated in that the water dissipated quickly. The consultants didn't do a lot of quality testing, but did find that ammonia seemed to dissipate quickly. This is good news due to DEQ's stricter restrictions on ammonia discharges. The consultants think that when testing the ground water near the river the ammonia will be virtually undetectable.

Mr. Ruef stated that the last "Field Day" was not well attended. If staff does another one, the scope should be scaled down to save staff time. The next field day could possible target special interest groups such as fisherman. There are other special interest groups that Mr. Ruef felt should be approached during the planning stages of the project, e.g., Steelhead Assoc., Trout Assoc., and the Sierra Club. The consultant will provide a list of those groups that have come forward in the past as well as advise staff on how to approach the different groups.

Mr. Ruef explained that staff has focused on the effluent. Other aspects to be researched are habitat restoration and education and recreation aspects. These have been put aside until staff knows whether or not the City has an effluent project. Once Council decides in August, it may take DEQ one year to approve the city's plan. During that time those other aspects will be researched. Mr. Ruef suggested enlisting volunteers who have expertise in habitat to start cataloging semi-endangered and endangered species.

Mayor Toombs requested that Mr. Ruef bring a list of both the regulatory bodies and special interest groups to the April 23 Council Meeting as a separate agenda item.

PUBLIC HEARINGS

2) 5TH STREET LID – Final Assessment Roll

Mayor Toombs opened the public hearing at 7:44 p.m.

Senior Engineer Whitlatch presented the final assessment roll for the 5th Street Sidewalk Local Improvement District (LID). Council had approved the final cost report and proposed final assessment roll on February 26, 2003. Staff had not received any written remonstrance to the LID.

Mayor Toombs invited public testimony both in favor of and in opposition of the Final Assessment Roll. After hearing none, the Public Hearing was closed at 7:46 p.m.

Counsel Zimmerman read the title of the Ordinance.

A motion was made by Councilor Thackaberry, seconded by Councilor Elliott, and passed unanimously by roll call vote that A BILL FOR AN ORDINANCE APPROVING THE FINAL ASSESSMENT ROLL FOR THE COSTS OF THE 5TH STREET SIDEWALK LOCAL IMPROVEMENT DISTRICT be Adopted and directed staff to enter the assessments in the City's unbonded lien docket.

3) LIQUOR LICENSE CHANGE OF OWNERSHIP APPLICATION (Tee Jay Oil Co.)

Mayor Toombs opened the public hearing at 7:48 p.m.

Lieutenant Schulte reported that the Police Department had no documented evidence to support a denial of Tee Jay Oil Company's change of ownership application request to change the license name to M & M Chevron.

Councilor Thackaberry expressed concern that the Safety Division had not yet given their approval. [The Safety Division had no basis for approval since Tee Jay's is not a current license holder with the Department of Agriculture and Food Safety Division. The Safety Division recommended approval after Tee Jay Oil received an active license.]

Mayor Toombs invited public testimony both in favor and in opposition of. After hearing none, the Public Hearing was closed at 7:50 p.m.

Councilor Elliott, seconded by Munk, made a motion to recommend approval of the Change of Ownership Request. Councilor Thackaberry stated he would not approve the application until the Tee Jay Oil received an active license with the Safety Division.

A motion was made by Councilor Munk, seconded by Simpson, and passed by roll call with 4 yeas (Councilor Munk, Thackaberry, Elliott and Simpson) and 1 nay (Councilor Miller) to amend the motion to recommend approval of the change of ownership application pending licensure with the Dept of Ag Food Safety Division.

4) REVIEW CITY FEES (Continuation of March 12, 2003 Public Hearing)

Mayor Toombs clarified that this was a continuation of a public hearing held on March 12.

City Administrator Hitt explained that the need to increase the City's fee schedule due to the rise in personnel costs, legal challenges, land use actions and appeals, and code enforcement issues.

Due to previously raised questions by the Friends of Linn County, Mr. Hitt provided details to the proposed increase to an annexation request, and the appeal fee increase of a Planning Commission Decision previously recommended by the Planning Commission. The main reasons for the planning fee increases is due to the increased amount of staff and legal time involved. Mr. Hitt read LMC 17.62.090, Filing Fees and 17.62.010, Fees Established.

Councilor Thackaberry felt staff should come up with a sliding scale method to set the annexation fee, agreeing that it should not be based on the size of the annexation but rather what the annexation entails. Councilor Thackaberry also felt that the Planning Commission's appeal fee should be a flat rate of \$300 in order not to discourage citizen input.

Staff provided clarification for Councilor Simpson on the Tall Weeds & Grass Abatement Administration Fee, Drug Paraphernalia Sales, Santiam Travel Station Rental, and several park rental fees.

Mayor Toombs invited the public hearing to speak in favor of the proposed fee schedule. After hearing none, Mayor Toombs invited opponents of the application to speak.

Jim Just, Friends of Linn County, P.O. Box 113, Lebanon, responded to Mr. Hitt's memo in the Council Agenda Packet addressing all five points made by Mr. Hitt. Mr. Just stated that when the Planning Commission discussed the fee increase for an appeal, notice of the meeting had not been properly given, it was not on the agenda, and he did not see discussion of it in the Planning Commission's minutes.

Mr. Just addressed the legal criteria when setting fees as described in his written testimony dated March 10, 2003 (provided in the Council packet).

Admin. Assist. Kaser clarified for the record that the Planning Commission minutes did correctly reflect the recommendation made by the Planning Commission to the City Council to increase the appeal fee of decisions made by the Planning Commission and offered to provide Mr. Just with a copy of the minutes.

John Puma, FOLC, P O Box 113, addressed the Council with a copy of an emailed response he had received by city staff explaining the fee imposed for supplying notices of land use hearings by the City Council and Planning Commission. Mr. Puma noted that this fee was not included in the City Fee Schedule and he was concerned that City fees are being set by staff rather than going through the City Council. Mr. Puma cited 17.62.010 of the LMC.

Mayor Toombs closed the Public Hearing at 8:22 p.m.

Councilor Simpson asked what the revision process was. Mr. Hitt explained that it was a collaborative effort amongst the departments over several months to revise the fee schedule. It was a clerical oversight that the fee for supplying notices of land use hearings, as Mr. Puma noted, had not been included on the fee schedule. Mr. Hitt reiterated the reasons for revising the fee schedule as noted in his March 7, 2003 memo to City Council.

Councilor Simpson moved, Councilor Thackaberry seconded, to adopt the revised fee schedule.

Councilor Thackaberry moved, Councilor Munk seconded, to amend the motion by maintaining the current fee of \$1,500 for the filing of an Annexation with the understanding that City staff will determine a sliding scale method starting at \$1,500 for Council's approval. The sliding scale shall be based on the value of the potential improvements. The motion passed unanimously.

Councilor Miller suggested that the Appeal fee should also be on the same sliding scale based upon the size of the project and staff's time involved. Councilor Thackaberry was concerned that this would discourage public participation.

Councilor Thackaberry moved to maintain the current fee of \$300 for an Appeal of Planning Commission decisions. The motion died for lack of a second.

Councilor Miller suggested raising the appeal fee to a flat rate of \$500 if not using the same sliding scale method to determine the fee. One of the criticisms heard from both the opposition and proponents of the appeals is that the taxpayers should not be paying for the additional staff time involved with these appeals. Mr. Hitt stated that the \$250 fee had not been increased for quite some time. Councilor Munk noted that the staff time involved at the meetings well exceeds the current fee, not to mention staff's preparation time.

Councilor Miller moved, Councilor Simpson seconded, to amend the motion to raise the appeal fee to a flat fee of \$500, the motion passed by roll call with three yeas (Councilors Simpson, Elliott and Miller) and two nays (Councilor Thackaberry and Munk).

Counsel Zimmerman read the title of the Resolution to include the proposed amendments.

Councilor Thackaberry moved, Councilor Munk seconded, to adopt A RESOLUTION ESTABLISHING FEES AND CHARGES FOR CITY SERVICES. The motions passed unanimously by roll call.

5) CITY ADMINISTRATOR'S REPORT

Lebanon Area Radio Control Club Request

City Administrator Hitt briefed the Council on the recent written proposal by the Lebanon Area Radio Control Club (LARCC) to use a portion of the City's gated old landfill site to hold their events. Staff has met with club members and suggested imposing restrictions, e.g., motorized vehicles on prepared access roads only, mow the field grass below 12-inches, maintain insurance and control of people attending their events. Staff feels this club would help deter the problem of trespassing and illegal dumping on the site. The City's insurance carrier has been notified and is comfortable with the arrangement.

Mr. Brian Funk, 39606 Lacombe Drive, Lebanon addressed Council's questions. The Club flies at different times throughout the week and weekend from 9 a.m. to dusk.

Councilor Thackaberry was concerned that this site is too close to the Walden Pond Project eventually intended to be used as a city park and the model planes would be disruptive due to the noise.

Councilor Miller moved, Councilor Elliott seconded, to direct staff to finalize an agreement with LARCC. The motion passed with four yeas (Councilor Elliott, Miller, Munk and Simpson) and one nay (Councilor Thackaberry).

Arbor Day Events (week of April 6)

Activities scheduled are: April 8 (3:00 @ Century Park), April 9 (Tree Planting @ Booth Park and Pioneer School) and April 10 (Ralston Park Tree Planting). Call Shannon or Rod Sell at the Maintenance office for further information.

Miscellaneous

- City Council Meetings. The consensus was to keep the regularly scheduled dates throughout the summer.
- The location of the Goal Setting Session has been moved to the LBCC Elkins Annex at 5:30 p.m. on Wednesday, April 2.
- Mr. Hitt plans to take vacation time April 24 through May 2.
- Budget Hearings are scheduled for May 6, 7, 8 and 9.
- A reminder that the Statement of Economic Interest is due to the State by April 15.
- The Mayor and John will meet regarding the City/County dinner.

CITIZEN COMMENTS – *There were no comments.*

ITEMS FROM COUNCIL MEMBERS

Councilor Simpson explained that he had a group of volunteers wanting to do a patriotic display. The group would like to find an adequately sized, highly visible, piece of property with an Oak Tree on it. He approached the Lebanon Community Hospital since they have property with the desired attributes and was denied for fear of setting a precedent. Therefore, he asked Council's permission to set up a display at the LMS site.

Mayor Toombs had previously spoke with the City Attorney and he had the same concerns of possibly setting a precedent.

Councilor Simpson addressed the concerns of the potential maintenance of the property and the chance of vandalism.

Mayor Toombs offered the two trees in front of his office on Main Street to set up a display. Councilor Simpson stated it was not enough room for the display that had in mind.

Councilor Miller felt it was one government entity supporting another government entity and that the display would not be advocating war, but simply supporting the individual men and women that are a part of the community. Since it is government entity, this clearly delineates the reason behind the possible denial of any future requests by private groups.

Councilor Simpson explained that this activity would be planned by a group of volunteers and businesses, e.g., Nancy's Floral and Art for You. However, he [Councilor Simpson] would take full responsibility for maintaining the display and answering all questions from the public concerning the display.

Councilors Elliott, Munk and Thackaberry were concerned about setting a precedent.

Dorothy Davis, 350 West Olive, expressed her support for the patriotic display and that Council should allow the community to rally behind the troops that are in the Persian Gulf.

Councilor Munk suggested an alternative to the LMS site; placing signs in front yards of family members serving so that their friends and neighbors can know of their sacrifices.

Lora Barber, P O Box 1037, expressed her support for the patriotic display.

Councilor Miller reminded the Council that the City allows events to go on all the time when streets are closed off for commercial enterprise and the City is using City forces and City property to allow those activities.

Councilor Simpson, seconded by Councilor Miller, made a motion to allow a patriotic display on the LMS site for a period of 30 days at which time the display time will be reviewed again. The display would be approximately 150' along Highway 20 beginning North to South. Councilor Simpson would be the contact person in light of any problems with the display. The motion failed by roll call vote of three nays (Councilor Elliott, Thackaberry and Munk) and two yeas (Councilor Simpson and Miller).

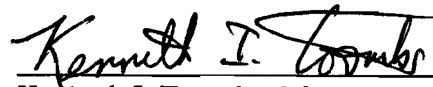
EXECUTIVE SESSION *(Closed to the public due to the confidential nature of the subject.)*

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

ADJOURNMENT

Mayor Toombs adjourned the meeting at 9:40 p.m.

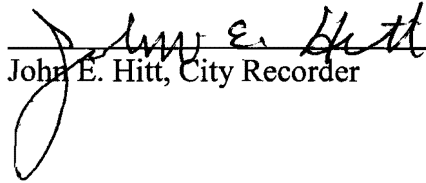
Meeting recorded and transcribed by Admin. Asst. Linda Kaser



Kenneth I. Toombs, Mayor

Ron Miller, Jr., Council President

ATTESTED BY:



John E. Hitt, City Recorder



CITY OF LEBANON MEMORANDUM

TO: Jim Ruef, Director of Public Works DATE: March 25, 2003
FROM: Rob Emmons, Senior Engineer *RE*
CC: Allen Dannen, City Engineer
SUBJECT: Project "Walden" Infiltration Test

This memo reviews the status of the infiltration test for Project "Walden".

Background

A preliminary economic analysis performed by our consultant, Kennedy Jenks, has shown that Project "Walden" could be economically viable compared to our present South Santiam River discharge. Since then the project has moved to the technical feasibility stage – investigating the site to evaluate its physical ability to adequately accept and "polish" wastewater effluent.

In late October three monitoring wells were drilled into and alongside one of the site's natural drainage channels. Information was obtained relating to the existing geology and hydrology at those locations.

Low Groundwater Infiltration Test

A low groundwater infiltration test was conducted November 15th through November 22, 2002. The objectives of the low groundwater infiltration test were to 1) assess feasibility of surface/subsurface discharge at low river and groundwater conditions, and 2) evaluate the proportions of surface and subsurface flow.

The test method, simply put, was to pump approximately 800 gallons per minute from the river into the drainage channel (swale) in which the test wells have been drilled. By observing the distance of surface flow and water level within the wells (and other locations on the site), Kennedy Jenks was able to estimate the magnitude and direction of both surface and subsurface flows. This approach has been reviewed and approved by DEQ.

The low groundwater test results indicated that the drainage swale has a high infiltration rate. The water pumped into the swale had a maximum discharge distance along the channel of 316 feet and the water fully infiltrated into the channel 34 minutes after the pumping stopped. The high infiltration rate indicates that the subsurface flow component will be much greater than

surface flow characteristics. By monitoring the wells during and after the pump test, it was determined that the groundwater flow direction is towards the river during low groundwater conditions.

The overall results of the dry weather infiltration test indicate a basic feasibility of the concept was demonstrated.

Next Steps

The next critical test is to simulate effluent discharge onto the site and then measure how the site reacts during wet weather and subsequent high groundwater conditions. This will be done through an additional infiltration test during high water conditions in the spring.

Most critically, data from both infiltration tests will be used in computer models that will predict the site's long-term behavior under increased and varying flow rates.

FLOW-INFILTRATION TESTS METHODS

Two flow-infiltration tests will be completed to evaluate the hydrology and hydrogeology of one potential discharge swale that is likely to be in hydraulic connection with the gravel ponds and river. The purpose of these tests is to examine how the discharge swale and wetland system responds to a continuous discharge of water at a potential maximum discharge rate. The flow-infiltration tests will serve to assess changes in ground-water levels near the swale, measure the extent of surface flow in the swale, monitor changes in surface water levels in the ponds, and measure changes in surface and ground-water quality "field" parameters. The first flow-infiltration test will be completed in the summer or early fall during low river stage and low groundwater. The second test will be completed during the winter under higher river stage and ground water level conditions. The first test will be completed using three monitoring wells. Additional monitoring wells may be added prior to the second test if the results from the first test indicate favorable conditions for water discharge and more detailed groundwater data is desired. The proposed pumping rate, design of the discharge area, water level, and water quality monitoring are discussed below.

Pumping Rate

Water will be pumped from the South Fork of the Santiam River for 7 days and discharged into a swale. A maximum discharge rate for the entire Project Walden system is estimated to be 8 million gallons per day (mgd) or 5,556 gallons per minute (gpm). There are at least three swales near the proposed test area that could be used as future discharge points, with each swale potentially receiving 1,800 gpm or less. Initially, the flow and infiltration tests will be conducted at a rate of 1,000 gpm. The flow rate may be adjusted downward if there is significant erosion occurring in the swale, or other problems associated with a high rate of discharge are encountered. The pumping rate will be monitored with a flow meter installed in the discharge line.

Discharge Area

The discharge area will be on the adjacent ridge approximately 5 feet higher than the swale. Water will be discharged from a pipe or hose onto sheets of plywood or other non-erodable material that extends to the bottom of the swale. This will allow the discharge water to spread out, dissipate energy, and minimize any erosion from the discharge. The drainage channel will be monitored during the flow-infiltration test for erosion, down cutting, channelized flow, areas of noticeable loss of flow to the subsurface and other disturbance features.

Water Level and Water Quality Monitoring

The primary intent of water quality monitoring will be characterization of the area. The dataset will also provide an indication of the potential for the infiltration flows to affect water quality in the area.

At a minimum, water levels will be monitored in the river, in the three monitoring wells, in the onsite well, if it has been repaired, in at least one nearby domestic well, and in the closest gravel pond. Outflow of water will be measured at locations that show flow, including at the old gravel ponds. Outflow will be measured using a Global® current meter. Water levels will be measured using an electronic water level indicator and/or electronic data loggers. Water level monitoring will begin 24 hours before the flow-infiltration test begins and end 7 days after the flow-infiltration test ends. The electronic data loggers will record water level changes every hour. Water levels hand-measured with an electronic water level indicator will be recorded at least twice a day. The water level data will be used to further characterize the hydrogeology of the discharge area and evaluate the potential extent of ground water mounding.

Water quality “field” parameters (temperature, electro conductivity [EC], pH, and dissolved oxygen) will be monitored in the ground and surface water. Temperature will be monitored at the river, in the three monitoring wells, in the drainage swale before the first gravel pond, and in the first gravel pond using electronic data loggers. EC, pH, and dissolved oxygen will be measured at the river and gravel ponds using an EC, pH, and dissolved oxygen meter. The temperature data will be used to assess potential impacts to the surface and ground water system resulting from the discharge to the swale.

DATA EVALUATION AND REPORTING

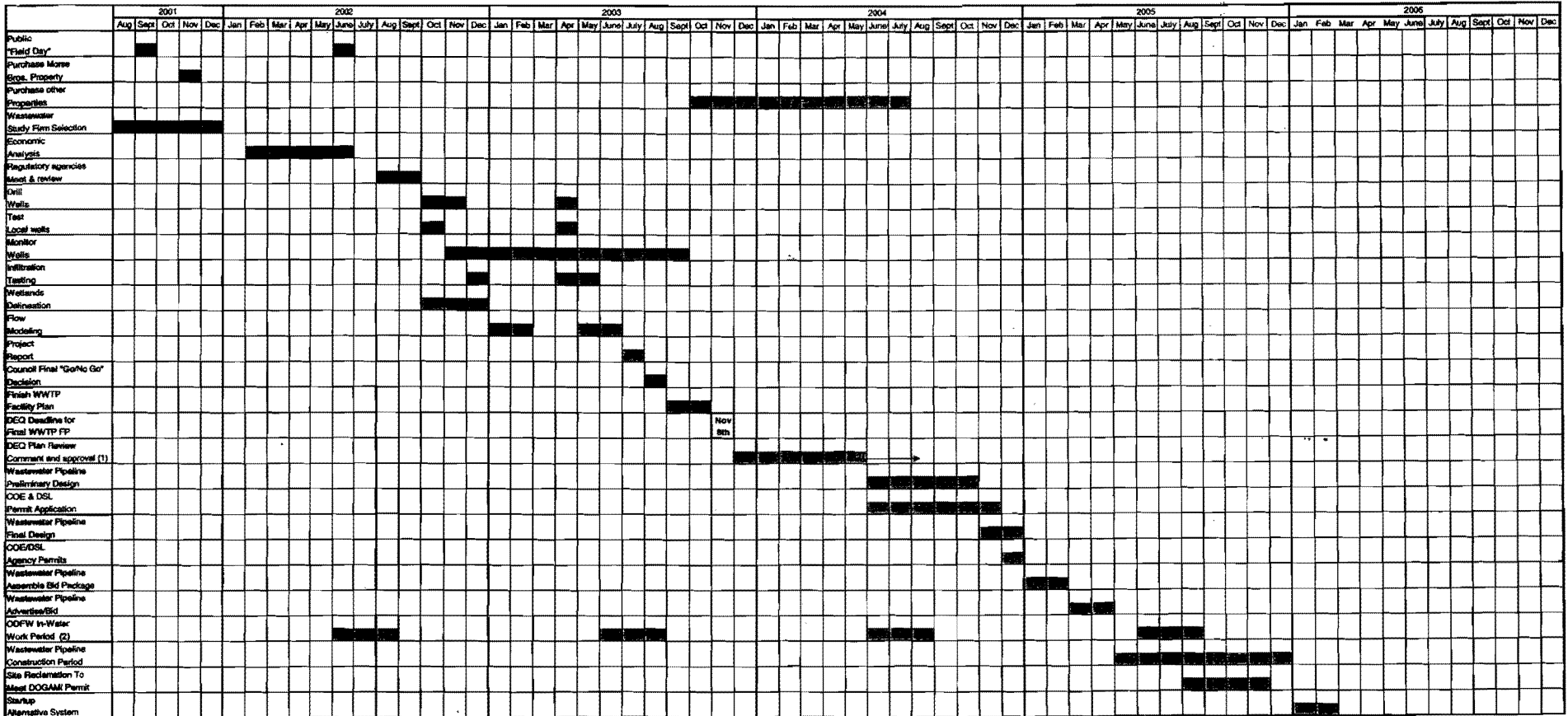
Data collected during drilling and from the flow-infiltration test will be assembled into data files and subjected to quality control evaluation and checks. These data will initially be presented in figures and tables to the City of Lebanon and DEQ with a verbal summary of the findings and preliminary conclusions after the first flow-infiltration test. A report will be prepared after the second flow-infiltration test if the findings and preliminary conclusions are favorable for further investigation and design of the discharge system.

Project Walden Study Updated Time Schedule

26-Mar-03

<u>Date</u>	<u>Task</u>
June '02	Project Walden Economic Analysis
August '02	DEQ Regulatory Review
Sept. '02	Drilling/Infiltration Workplan
Sept. - Oct. '02	Drilling & Well Construction
Nov. '02	Infiltration Test 1 (Low Groundwater)
April '03	Drill Additional Monitoring Wells
April '03	Infiltration Test 2 (High Groundwater)
May - June '03	Model Development
July '03	Feasibility Analysis Report
August '03	City Council - Walden "Go/No Go" Decision
August - Sept. '03	WWTP FP Updated
Nov. '03	Submit WWTP FP to DEQ

**CITY OF LEBANON
PROJECT "WALDEN" SCHEDULE**



- █ Tasks Completed
 - ▭ Tasks to be Completed
- (1) DEQ has no definite schedule or deadline to complete the review of the WWTP FP. This task may delay the design and construction of any possible improvements.
- (2) In-water work period is shown for reference, some work adjacent to the river may be considered in-water for permit purposes. No work will be done in the South Santiam River.

MINUTES
LEBANON CITY COUNCIL WORK SESSION
Neuman Insurance

March 26, 2003

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

Staff Present: City Administrator John Hitt, Public Works Director Jim Ruef, Finance Director Cole, Police Lieutenant Mike Schulte, Human Resource Manager Fugate and Admin. Assistant Linda Kaser

Presenter: Dunny Sorenson of Neuman Insurance

Mr. Sorenson presented topics that elected officials should be aware of in terms of risk management. Mr. Sorenson urged the Council to follow the advise of counsel if uncertain how to handle or resolve a situation.

The main focus was on Employment Practices Risks. The highest volume of claims is due to labor disputes with the highest rising claims filed by exempt employees. Elected officials should not address an employee's performance to anyone other than the employee's supervisor or the City Administrator.

City Administrator Hitt explained that most of the information covered in this work session is located in the Council Guide, under the legal and insurance section, in the back of their Council binders.

**MINUTES
LEBANON CITY COUNCIL EXECUTIVE SESSION**

March 26, 2003

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

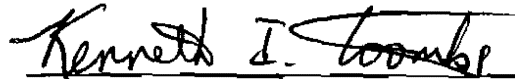
Staff Present: City Administrator John Hitt, City Attorney Natasha Zimmerman, City Engineer Allen Dannen and Admin. Assistant Linda Kaser

EXECUTIVE SESSION *(Closed to the public due to the confidential nature of the subject.)*

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

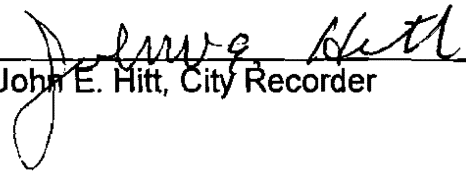
City Engineer Dannen presented information about acquisition of property near the Wastewater Treatment Plant (Map 12-2W-02, TL 2001).

After a brief discussion on the benefits of obtaining the land and the cuts in the CIP budget necessary to be able to purchase the property, Mr. Dannen was asked to bring back to Council a detailed list of the budgetary impact if the property was purchased.



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

ATTEST:



John E. Hitt, City Recorder

Executive
Session
3/26/03



CITY OF LEBANON

PUBLIC WORKS DEPARTMENT – ENGINEERING MEMORANDUM

TO: Jim Ruef, Director of Public Works

DATE: March 25, 2003

FROM: Allen Dannen, City Engineer ASD

SUBJECT: Purchase of Property – Map 12-2W-02, TL 2001

This memo presents information about acquisition of property near the Wastewater Treatment Plant (WWTP) for City Council consideration during executive session on March 26, 2003.

BACKGROUND

The City of Lebanon WWTP facility plan includes purchase of surrounding properties as a buffer against future liabilities from surrounding residential and industrial properties. The acquisition of buffer land is the most cost-effective way to mitigate noise and odor impacts from the WWTP.

The subject 4.79 acre property is directly across Tennessee Road from the WWTP and is therefore a prime property for buffer acquisition (see attached map). City staff has been contacted by the property owners' real estate agent who has indicated that the property is available for sale.

The following is a summary of important information to consider in purchasing the property.

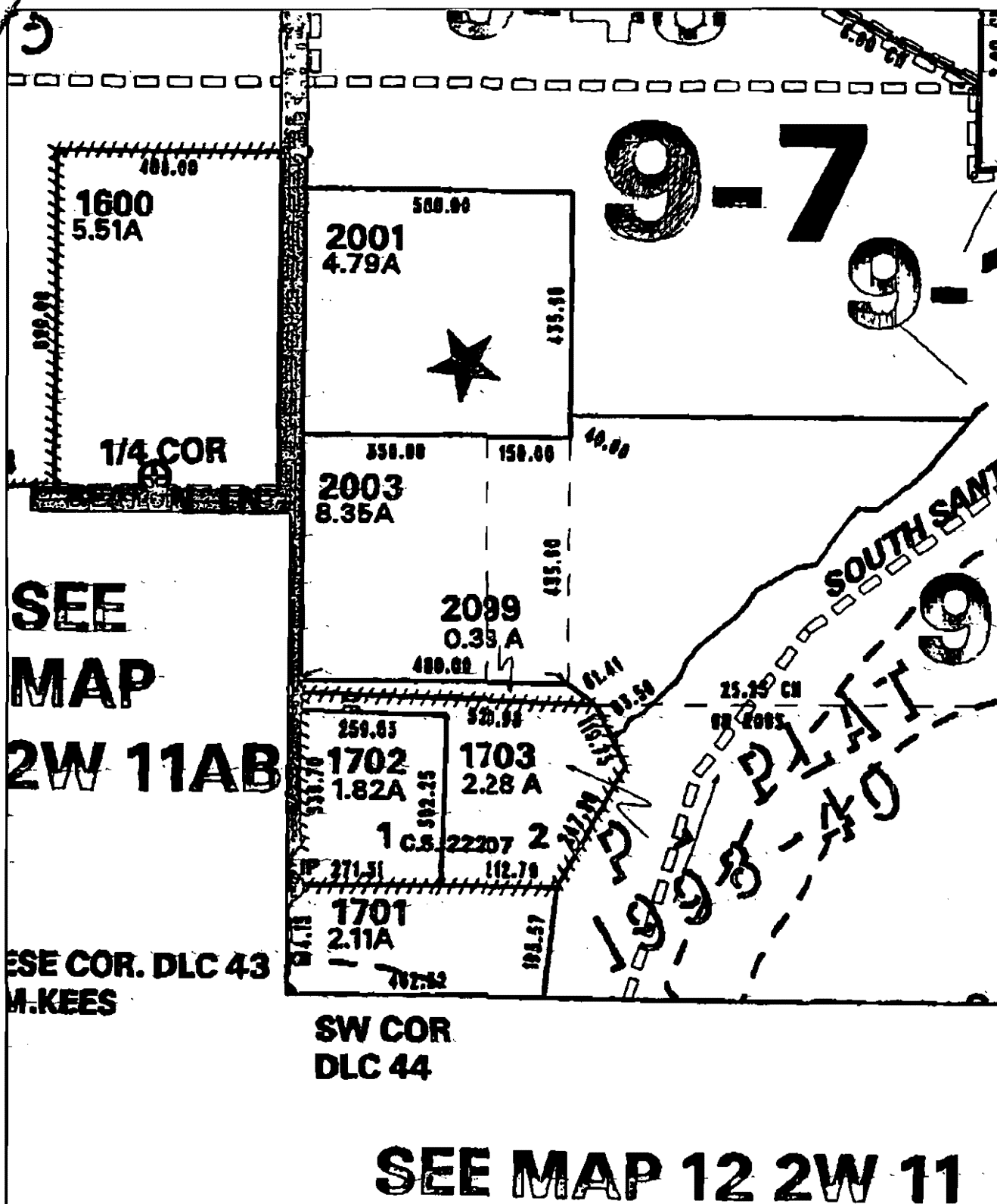
- The property was annexed into the city in 2001 by Morse Brothers, but no subsequent land use application was submitted. The site is currently undeveloped, bare land.
- The current owners purchased the property in October of 2001 for \$75,000. The real market assessed value for the property is \$41,010.
- Darrell Deglow and Associates performed an appraisal of the property on behalf of the City on January 14, 2003. According to the appraisal report, the market value of the property is \$80,000.
- The current offer extended by the owners' agent is \$97,125.
- A phase 1 environmental review has not been conducted on the property and would be an essential condition of purchase. Engineering staff has conducted a cursory inspection of the property and no obvious issues were apparent. No environmental issues were identified for the adjacent tax lot 2002 when it was purchased by the City for Project Walden.

Memo to Jim Ruef, Director of Public Works
March 25, 2003
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ACTION REQUESTED

Staff requests that Council consider the proposed purchase and provide direction during the executive session. Should the Council wish to proceed, funding is potentially available from the Wastewater Utility operating contingency. There is \$114,791 available for operating contingency this fiscal year.

cc: John Hitt, City Administrator
Tom McHill, City Attorney



**SEE
MAP
2W 11AB**

**ESE COR. DLC 43
M.KEES**

**SW COR
DLC 44**

THIS MAP IS PROVIDED AS A COURTESY OF OREGON TITLE INSURANCE COMPANY

This print is made solely for the purpose of assisting in locating the subject property.
The company assumes no liability for variations, if any, which may be ascertained by actual survey.