

**LEBANON CITY COUNCIL MEETING**  
**MINUTES**  
**March 14, 2007**

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

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

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

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

**APPROVAL OF COUNCIL MINUTES**

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

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

**PRESENTATION**

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

**CONSENT CALENDAR**

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

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

## **PROCLAMATIONS**

### **1) National Boys & Girls Club Week**

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

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

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

### **2) Annual Strawberry Festival**

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

**CITIZEN COMMENTS** - *There were no comments.*

## **ITEMS FROM COUNCIL** -

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

## **PUBLIC HEARING**

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

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

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

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

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

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

## **LEGISLATIVE SESSIONS**

### **2) Proposed Wastewater Rate Increase**

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

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

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

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

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

McHill read the title of the Resolution.

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

### **3) Approval to Advertise for Truck Route Improvements Project**

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

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

### **4) City Council Goals**

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

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

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

**5) City Manager's Report**

Hitt provided a brief report on the following:

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

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

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

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

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

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

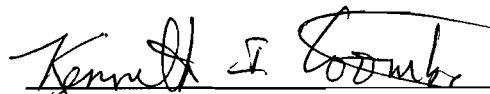
**ADJOURNMENT**

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

**EXECUTIVE SESSION**

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

[Meeting recorded & transcribed by: Donna Trippett]

  
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Kenneth I. Toombs, Mayor                      
Ron Miller, Council President          

ATTESTED:

  
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Linda G. Kaser, City Clerk/Recorder