

**LEBANON CITY COUNCIL
MINUTES
June 11, 2014**

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

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 Whitlatch.

CALL TO ORDER: Mayor Aziz called the Regular Session of the Lebanon City Council to order at 6:00 p.m. in the Santiam Travel Station Board Room.

ROLL CALL: Roll call was taken with Councilor Rieskamp absent.

APPROVAL OF CITY COUNCIL MINUTES

Councilor Elliott moved, Councilor Grizzle seconded, to approve the May 14, 2014 Regular Session and May 28, 2014 Noon Session Minutes as presented. The motion passed unanimously.

CONSENT CALENDAR

AGENDA: City of Lebanon Council Agenda – June 11, 2014
REAPPOINTMENTS: Bike & Pedestrian Advisory Board – Robert Thomas
Library Advisory Board – Virginia Cloyd
Parks Committee/Tree Board – Sally Skaggs (Reappointment)
Senior Center Advisory Board – Mac McNulty (Appointment), Cleora Wymore and Darlene Johnson (Reappointments)
BOARD MINUTES: Bike & Pedestrian Advisory Board – April 24, 2014

Mayor Aziz added Roger Munk as a Bike & Pedestrian Committee appointment.

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

PROCLAMATION / PRESENTATION / RECOGNITION

Mayor Aziz acknowledged the Lebanon Rotary Club for their generous contributions to Rotary Corner Project.

City Manager Marks read a letter from Dave McClain and recognized City employees Jeff Fitzwater, Tristan Nichols and Ricardo Vargas for outstanding performance on a project.

PUBLIC COMMENTS

Stephen Kassis, 990 S. Second Street, Lebanon, spoke about the many positive things former Mayor Scott Simpson did for this community and requested that a memorial plaque, to be paid for with private donations, be placed on the Santiam Travel Station, since he was such a big part of its restoration. Mr. Kassis presented proposed verbiage for the plaque.

There was Council consensus that City staff work with Mr. Kassis on the memorial. Mayor Aziz suggested that it be put on the train station end.

Linda Bahrke, 34868 Glaser Drive, Lebanon, also spoke about Mr. Simpson's contributions, including the hanging baskets and Century Park project. As much as Mr. Simpson has done for this town, she feels that a plaque is not enough recognition.

Warren Beeson, 2684 S. 11th Street, Lebanon, presented a petition, of over 250 signatures, proposing that Lebanon's current motto, "It's Easier From Here," be changed back to "The City that Friendliness Built," since it better reflects the character of this community and its citizens. He reported that most people were unaware that it had ever been changed and that virtually everyone was not happy with that change.

He also stated that no City funds should be spent on making any immediate changes, such as signage and stationery. He would like to see the reinstated motto be attached to the two existing entry signs but this could be done at a later date as funds become available or through private fundraising.

Councilor Bolen and Mayor Aziz stated that they miss and liked the motto "The City that Friendliness Built."

Councilor Grizzle stated that she shares the same nostalgic feeling and a lot of Mr. Beeson's sentiments, but she does not share his disdain for the current motto because it has a lot of good business annotations that help to attract business to Lebanon. It is a worthy discussion but it should be taken into consideration that many volunteer hours went into the rebranding.

Mayor Aziz suggested putting this on the agenda for discussion. He feels strongly for the change because it shows who the community is. The City could keep the current motto for the marketing aspects of Lebanon.

Councilor Elliott was not against the change but he expressed concern about its cost.

There were no further citizen comments.

PUBLIC HEARING(S)

1) Comp Plan Amendments (PF #14-04-16)

Mayor Aziz opened the Public Hearing.

City Attorney Kennedy recused himself because of a conflict of interest.

Community Development Manager Wendolowski announced that the City Council quasi-judicial hearing procedures are posted on the wall and are followed so 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 CC&E Land Development to amend the Comprehensive Plan map designation and Zoning map to Mixed Use on a 1.31 acre area located on the east side of the property, which is north of Oak Street opposite the Airport. The purpose of the Plan map amendment and zone change is to establish a four-lot duplex subdivision.

Notice of this application was mailed to affected agencies, area property owners, the Department of Land Conservation and Development, and the Oregon Department of Aviation. No agency opposed the Plan amendment and zone change. The only submitted comments concern how the subdivision would be developed.

The Planning Commission conducted a public hearing in May 2014 and recommended that the City Council approve this request. The subdivision request was approved under a separate decision and is contingent upon Council approval of the Plan map and zone map amendment.

Chapter 16.27 contains the requirements for the map amendments, including both the Comprehensive Plan map and zone change. He briefly discussed the specific requirements contained in the ordinance.

Mayor Aziz asked for the applicant's testimony.

Brian Vandetta, 63 E. Ash Street, Lebanon, the applicant's representative, stated that the application and staff report demonstrates compliance with the Development Code for the Comprehensive Plan map amendment and zone change.

There were no comments in favor of or in opposition to the application. The public testimony portion was closed.

Councilor Elliott asked if there is a problem with the fly zone. Wendolowski stated that the subject property is located within the Airport Overlay Zone. The piece of land not subject to this zone change is in the Runway Protection Zone, which is very restrictive. The Oregon Department of Aviation was notified and did not oppose the Plan amendment for this piece of property.

Mayor Aziz asked if staff spoke with the Airport owners. Wendolowski stated that this is a State airport. There is an FAA form that is to be recorded against the property so that the developer and purchasers are aware that there is a nearby airport.

Wendolowski read the title of ORDINANCE BILL NO. 2014-4, ORDINANCE NO. 2852. **Councilor Grizzle moved, Councilor Bolen seconded, to APPROVE ORDINANCE BILL NO. 2014-4, ORDINANCE NO. 2852, A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP FOR THE CITY OF LEBANON FROM INDUSTRIAL TO MIXED USE AND THE CITY OF LEBANON ZONE MAP FROM INDUSTRIAL TO MIXED USE. The motion passed unanimously.**

Mayor Aziz closed the Public Hearing.

2) State Revenue Sharing

Marks gave a PowerPoint presentation on the City Budgets. Finance Manager Baugh explained the process and requested approval of a resolution, which certifies that the City is eligible to receive the funds, and approval of an ordinance, which states that the City elects to receive those funds.

Mayor Aziz declared the Public Hearing open at 7:01 p.m. Hearing no public comments, the Hearing was closed at 7:02 p.m.

Kennedy read the title of RESOLUTION NO. 2014-22. **Councilor Elliott moved, Councilor Fisher seconded, to APPROVE RESOLUTION NO. 2013-22, A RESOLUTION CERTIFYING THE CITY OF LEBANON PROVIDES MUNICIPAL SERVICES FOR ELIGIBILITY IN RECEIVING STATE SHARED REVENUE PAYMENTS. The motion passed unanimously.**

Kennedy read the title of ORDINANCE BILL NO. 2014-5, ORDINANCE NO. 2853. **Councilor Fisher moved, Councilor Elliott seconded, to APPROVE ORDINANCE BILL NO. 2014-5, ORDINANCE NO. 2853, AN ORDINANCE DECLARING THE CITY OF LEBANON'S ELECTION TO RECEIVE STATE FUNDS. The motion passed unanimously.**

3) Adoption of FY 14/15 Approved Budget

Mayor Aziz declared the Public Hearing open at 7:05 p.m.

Baugh requested Council consideration to adopt the FY 14/15 Budget approved by the Budget Committee. He stated that staff is asking for two changes made after the Committee approved the proposed budget. State restriction of \$5,000 or 10% change, whichever is greater. The changes are:

- Enterprise Fund – decrease of \$277,000, due to the City of Albany FY 13/14 canal contract.
- \$4,000 moved between line items (to Contract Services) because the City elected not to have a voters' pamphlet.

He also briefly went over the change in the Enterprise Fund format. Marks added that the streamlining process has been going on for some time and will be accelerated in the near future.

Regarding the City of Albany canal payment, Marks reported that every invoice received has been paid so Lebanon is up to date and is not in a debtor situation.

Hearing no public comments, the Hearing was closed at 7:10 p.m.

Kennedy read the title of RESOLUTION NO. 2014-23 (Making Appropriations) as amended. **Councilor Grizzle moved, Councilor Bolen seconded, to APPROVE RESOLUTION NO. 2014-23, A RESOLUTION ADOPTING THE CITY OF LEBANON'S BUDGET AND MAKING APPROPRIATIONS FOR FY 2014-15 AS AMENDED. The motion passed unanimously.**

Kennedy read the title of RESOLUTION NO. 2014-24 (Levying Taxes). **Councilor Bolen moved, Councilor Elliott seconded, to APPROVE RESOLUTION NO. 2014-24, A RESOLUTION LEVYING TAXES FOR THE CITY OF LEBANON'S BUDGET FOR FISCAL YEAR 2014-15. The motion passed unanimously.**

Mayor Aziz temporarily adjourned the regular order of business of the Lebanon City Council and convened as the Urban Renewal Agency Board.

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

Mayor Aziz declared the Public Hearing open at 7:12 p.m. to consider adoption of the NW Lebanon URD FY 14/15 Budget.

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

Hearing no public comments, the Hearing was closed at 7:13 p.m.

Kennedy read the title of RESOLUTION NO. 2014-25 (Making Appropriations). **Councilor Grizzle moved, Councilor Bolen seconded, to APPROVE RESOLUTION NO. 2014-25, A RESOLUTION ADOPTING THE NORTHWEST LEBANON URBAN RENEWAL DISTRICT BUDGET AND MAKING APPROPRIATIONS FOR FISCAL YEAR 2014-15. The motion passed unanimously.**

Kennedy read the title of RESOLUTION NO. 2014-26 (Levying Taxes). **Councilor Grizzle moved, Councilor Fisher seconded, to APPROVE RESOLUTION NO. 2014-26, A RESOLUTION LEVYING TAXES FOR THE CITY OF LEBANON'S NORTHWEST URBAN RENEWAL DISTRICT BUDGET FOR FISCAL YEAR 2014-15. The motion passed unanimously.**

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

Mayor Aziz declared the Public Hearing open at 7:14 p.m.

Baugh stated that the budget amount of \$255,119 is the same as the amount approved by the Budget Committee. The City is asking for 100% of the authorized taxes.

Hearing no comments, the Hearing was closed at 7:15 p.m.

Kennedy read the title of RESOLUTION NO. 2014-27 (Making Appropriations). **Councilor Fisher moved, Councilor Bolen seconded, to APPROVE RESOLUTION NO. 2014-27, A RESOLUTION ADOPTING THE NORTH GATEWAY URBAN RENEWAL DISTRICT BUDGET AND MAKING APPROPRIATIONS FOR FISCAL YEAR 2014-15. The motion passed unanimously.**

Kennedy read the title of RESOLUTION NO. 2014-28 (Levying Taxes). **Councilor Elliott moved, Councilor Fisher seconded, to APPROVE RESOLUTION NO. 2014-28, A RESOLUTION LEVYING TAXES FOR THE CITY OF LEBANON'S NORTH GATEWAY URBAN RENEWAL DISTRICT BUDGET FOR FISCAL YEAR 2014-15. The motion passed unanimously.**

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

Mayor Aziz declared the Public Hearing open at 7:16 p.m.

Baugh stated that the budget amount of is the same as the amount approved by the Budget Committee. The City is requesting 100% of the authorized distribution of taxes.

Hearing no comments, the Hearing was closed at 7:17 p.m.

Kennedy read the title of RESOLUTION NO. 2014-29 (Making Appropriations). **Councilor Elliott moved, Councilor Bolen seconded, to APPROVE RESOLUTION NO. 2014-29, A RESOLUTION ADOPTING THE CHEADLE LAKE URBAN RENEWAL DISTRICT BUDGET AND MAKING APPROPRIATIONS FOR FISCAL YEAR 2014-15. The motion passed unanimously.**

Kennedy read the title of **RESOLUTION NO. 2014-30** (Levying Taxes). **Councilor Grizzle moved, Councilor Bolen seconded, to APPROVE RESOLUTION NO. 2014-30, A RESOLUTION LEVYING TAXES FOR THE CITY OF LEBANON'S CHEADLE LAKE URBAN RENEWAL DISTRICT BUDGET FOR FISCAL YEAR 2014-15. The motion passed unanimously.**

REGULAR SESSION

7) CH2MHill Contract Amendment

Engineering Services Manager Whitlatch presented staff's recommendation to approve an amendment to the CH2MHill contract for operation and maintenance of the water and wastewater treatment plants. The 2.25% increase request is in part due to chemical and normal staffing costs. Of the \$31,000 increase, \$10,000 was initiated by City staff to increase the repair budget. This is well within the range of the Engineering News Record (ENR) Construction Cost Index and the existing contract.

Councilor Grizzle moved, Councilor Fisher seconded, to APPROVE THE CH2MHILL CONTRACT AMENDMENT. The motion passed unanimously.

8) City Manager's Report – Mark provided updates:

Community Visioning – Marks will be spending a good part of the summer on community visioning, which he hopes to be as inclusive and as wide-spread as possible. He will come back to Council with a facilitator agreement for this process and hopes to get this launched in the Fall.

Budget – Marks and Baugh will be bringing budget policies to the Council in the near future.

ITEMS FROM COUNCIL

Mayor Aziz announced that City Clerk Kaser prepared a packet for the City Council vacancy and has provided the Council with examples of questions and a previous evaluation form. He suggested that each Councilor provide five questions and that a subcommittee review them. He feels that the whole interview process should also be done publicly.

Kaser noted that the questions are examples from different cities and the questionnaire/rating sheet was used in 2011. She added that two applications have been received thus far for this vacant position [the application deadline is July 10].

Mayor Aziz felt that the parade was very well done. Responding to Mayor Aziz's question, Police Chief Stevenson stated that it went very well. There were no accidents or missing kids. Public Works did an excellent job assisting with traffic control. Sweet Home officers were also there to ensure that all intersections were covered.

The Mayor and Council thanked City staff for the excellent job with cleanup.

PUBLIC COMMENTS – *There were none.*

ITEMS FROM PRESS – *There were none.*

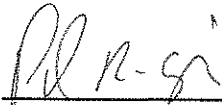
ADJOURNMENT – Mayor Aziz adjourned the meeting at 7:25 p.m.

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.

[Minutes prepared by Linda Kaser & Donna Trippett]

Minutes Approved by the Lebanon City Council on this 9th day of July 2014.



Paul R. Aziz, Mayor

ATTESTED:



Linda Kaser, City Clerk