

**LEBANON CITY COUNCIL
MINUTES
June 9, 2021**

Council Present Mayor Paul Aziz, Councilors Jason Bolen, Wayne Dykstra, Rebecca Grizzle and Gamael Nassar

Staff Present City Attorney Tré Kennedy, Interim City Manager Nancy Brewer, City Recorder Kim Scheafer, Police Chief Frank Stevenson, Community Development Director Kelly Hart, Finance Director Matt Apken, Engineering Services Director Ron Whitlatch, IT Director Brent Hurst and Systems Engineer Andy Roy

CALL TO ORDER Mayor Aziz called the electronic meeting to order at 6:00 p.m. using Zoom web conferencing due to the COVID-19 pandemic. Some Councilors and staff met at the Santiam Travel Station.

ROLL CALL Councilors Wayne Rieskamp and Michelle Steinhebel were absent.

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

AGENDA	Lebanon City Council Agenda – June 9, 2021
AGREEMENT	Intergovernmental Agreement for Disaster Plan Review
APPOINTMENTS	Budget Committee – Tom Wells (reappointment) Library Advisory Committee – Denice Lee (reappointment) and Bonnie Stalker (appointment) Planning Commission – Todd Prenoveau and Jeremy Salvage (reappointments), Chad Munn (appointment) Senior & Disabled Services Advisory Committee – Wendy Nilsen (appointment) Tree & Trails Advisory Committee – Rick Barnett and Rod Sell (reappointments)
BOARD MINUTES	Planning Commission – April 21, 2021
COUNCIL MINUTES	May 12, 2021 & May 26, 2021 Regular Sessions

PROCLAMATION / PRESENTATION / RECOGNITION

Proclamations – Mayor Aziz read the proclamation declaring July as Fireworks Safety Awareness Month.

Presentation – Build Lebanon Trails and Fee Waiver Request for September 11, 2021 Cheadle Lake Park Event

Rod Sell, Build Lebanon Trails (BLT), showed a PowerPoint presentation that included the group's vision, projects, funding and goals. He stressed the importance of securing trail easements/rights of way to build at least one trail section per year. Shovel-ready projects are also needed to prepare for the current and upcoming grant season.

Mr. Sell and his volunteers were thanked for their hard work and dedication. Councilor Grizzle commented that the Chamber receives many requests for trails maps.

PUBLIC COMMENTS

Cassie Cruze, Downtown Association Main Street Manager, provided an update on downtown events. Concerts in the Park and Summer Bands and Brews will take place this July and August.

PUBLIC HEARING

1) Annexation A-21-02 (Lebanon School District)

Mayor Aziz opened the public hearing at 6:31 p.m.

City Attorney Kennedy reviewed public hearing quasi-judicial procedures. There were no Councilor declarations of ex parte contact, bias, or conflicts of interest. Community Development Director Hart reported that there were no submitted objections to the notice sent out in this case or to the jurisdiction of this body to hear and consider this case.

She presented a request to annex property at 800 Kees Street. It is located within the Lebanon Urban Growth Boundary and is designated Residential Mixed Density in the Lebanon Comprehensive Plan Map. Consistent with the requirements of the Development Code, the land would be assigned the corresponding Residential Mixed Density (Z-RM) zone upon annexation. The staff report provides a detailed analysis of the required review criteria and the recommended findings on how the proposal meets the annexation requirements.

A concurrent 12-lot subdivision is proposed to include the annexation property and an adjacent property to the east. The Planning Commission reviewed the subdivision proposal and approved the subdivision, contingent on Council annexation approval for the subject property.

Mayor Aziz asked for comments regarding the application. Hart reported that no public comments were received.

Mayor Aziz closed the public hearing at 6:36 p.m. Kennedy read the title of ORDINANCE BILL NO. 2021-08, ORDINANCE NO. 2964. **Councilor Bolen moved, Councilor Grizzle seconded, to APPROVE ORDINANCE BILL NO. 2021-08, ORDINANCE NO. 2964, 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 A21-02; LEBANON COMMUNITY SCHOOL DISTRICT. The motion passed unanimously.**

2) State Revenue Sharing

Mayor Aziz opened the public hearing at 6:38 p.m.

Finance Director Apken requested approval of a resolution certifying that the City is eligible to receive revenue sharing funds and declaring election to receive the state revenue. The approved budget for 2021-22 has budgeted revenue of \$220,000 in the General Fund. He said that no public comments were received.

The public hearing was closed at 6:39 p.m. Kennedy read the title of RESOLUTION NO. 2021-08. **Councilor Bolen moved, Councilor Nassar seconded, to APPROVE RESOLUTION NO. 2021-08, A RESOLUTION CERTIFYING ITS ELIGIBILITY AND DECLARING THE CITY OF LEBANON'S ELECTION TO RECEIVE STATE REVENUES. The motion passed unanimously.**

3) Adoption of FY 2021-22 City of Lebanon Approved Budget

Apken presented resolutions to adopt the City of Lebanon FY 2021-22 budget and to levy taxes. There were no changes to the budget since the Budget Committee approved the budget. The proposal is to levy the full amount of taxes (\$5.1365/\$1,000 of assessed valuation) for operations and the special debt certification of an additional \$1,632,565. Staff will come back with updated numbers for the delinquent sewer and storm drain charges.

Hearing no questions from Council, Mayor Aziz opened the public hearing at 6:41 p.m. Apken confirmed that no public comments were received. *The public hearing was closed at 6:42 p.m.*

Kennedy read the title of RESOLUTION NO. 2021-09. **Councilor Bolen moved, Councilor Nassar seconded, to APPROVE RESOLUTION NO. 2021-09, A RESOLUTION LEVYING TAXES FOR THE CITY OF LEBANON'S BUDGET FOR FISCAL YEAR 2021-22. The motion passed unanimously.**

Kennedy read the title of RESOLUTION NO. 2021-10. **Councilor Bolen moved, Councilor Grizzle seconded, to APPROVE RESOLUTION NO. 2021-10, A RESOLUTION ADOPTING THE CITY OF LEBANON'S BUDGET AND MAKING APPROPRIATIONS FOR FISCAL YEAR 2021-22. The motion passed unanimously.**

Mayor Aziz temporarily adjourned as the Lebanon City Council and convened as the Urban Renewal Agency.

4) Adoption of FY 2021-22 Urban Renewal District Approved Budget

Apken reported that there were no changes to the Lebanon Urban Renewal Agency budget since the Budget Committee approved the budget of \$3,828,924. Each district is levied at the full amount, except the Northwest Lebanon URD, which the City has underfunded for the past five years or so. It is levied at the property value of \$60 million.

Hearing no questions from Council, Mayor Aziz opened the public hearing at 6:44 p.m. Apken confirmed that no public comments were received. The public hearing was closed at 6:44 p.m.

Kennedy read the title of RESOLUTION NO. 2021-11. **Councilor Bolen moved, Councilor Nassar seconded, to APPROVE RESOLUTION NO. 2021-11, A RESOLUTION LEVYING TAXES FOR THE LEBANON URBAN RENEWAL AGENCY'S BUDGET FOR FISCAL YEAR 2021-22. The motion passed unanimously.**

Kennedy read the title of RESOLUTION NO. 2021-12. **Councilor Grizzle moved, Councilor Bolen seconded, to APPROVE RESOLUTION NO. 2021-12, A RESOLUTION ADOPTING THE LEBANON URBAN RENEWAL AGENCY BUDGET AND MAKING APPROPRIATIONS FOR FISCAL YEAR 2021-22. The motion passed unanimously.**

Mayor Aziz adjourned as the Lebanon Urban Renewal Agency and reconvened as the Lebanon City Council.

REGULAR SESSION

5) FY 2020-21 Budget Appropriation Transfer and Supplemental Budget

Apken requested Council approval of the resolution and reviewed the proposed transfers in appropriations for the General Fund, Motel Tax, Information Systems Services Fund and Custodial and Maintenance Services.

Kennedy read the title of RESOLUTION NO. 2021-13. **Councilor Bolen moved, Councilor Nassar seconded, to APPROVE RESOLUTION NO. 2021-13, A RESOLUTION AUTHORIZING A TRANSFER IN BUDGET APPROPRIATIONS AND A SUPPLEMENTAL BUDGET FOR THE CITY OF LEBANON 2020-21 BUDGET. The motion passed unanimously.**

6) Approval to Award Consultant Services Agreement for Wastewater Treatment Plant Facility Master Plan Project No. 20714

Engineering Services Director Whitlatch presented background and staff's recommendation to approve an agreement with Kennedy Jenks to provide consulting services for the Wastewater Treatment Plant Facility Plan and the proposed funding strategy for the project. The final scope and proposed project budget is \$525,833. Staff budgeted \$350,000 in the FY 2021-22 budget and will need to budget the remaining in FY 2022-23 to complete the project. Kennedy Jenks will also assist with the National Pollutant Discharge Elimination System renewal permit process.

Councilor Grizzle moved, Councilor Nassar seconded, to APPROVE THE AGREEMENT WITH KENNEDY JENKS TO PROVIDE CONSULTING SERVICES FOR THE CITY OF LEBANON FOR THE WASTEWATER TREATMENT PLANT FACILITY PLAN AND THE PROPOSED FUNDING STRATEGY FOR THE PROJECT. The motion passed unanimously.

7) Approval to Award River Road Reconstruction Project No. 21703

Whitlatch spoke about the River Road Reconstruction Project (between Franklin and Garvord Streets) and requested approval to award the project to RJ Armstrong & Associates Construction, Inc. for \$386,403.95.

In response to a question, he said that the goal is to extend sidewalks on the north side. Staff is working with the property owner at the corner of Garvord Street and River Drive to obtain right-of-way. It will not affect the project if that section of sidewalk is put in at a later date.

Responding to a question, he confirmed that staff's recommendation is to award to RJ Armstrong & Associates Construction because they had the lowest bid. Interim City Manager Brewer added that the City is required to go with the lowest qualified construction bid. Whitlatch said that RJ Armstrong is a local contractor and does a lot of work for the City.

Councilor Bolen moved, Councilor Nassar seconded, to APPROVE AWARDED THE RIVER ROAD RECONSTRUCTION PROJECT NO. 21703 TO RJ ARMSTRONG & ASSOCIATES CONSTRUCTION, INC. FOR \$386,403.95. The motion passed unanimously.

8) Renewal of Municipal Court Judge Gerald Waite's Independent Contractor Agreement

Kennedy presented a two-year independent contractor agreement for Municipal Court Judge Gerald Waite. The Judge has not received an increase in his contract in four to five years. A cost-of-living adjustment over that time would amount to about \$200/month. The proposed contract is for a \$100/month increase for the first year and an additional \$100/month increase for the second year.

Councilor Grizzle commented that she appreciates Judge Waite's demeanor and is confident in how respectful the citizens are treated.

Councilor Bolen moved, Councilor Grizzle seconded, to APPROVE AN INDEPENDENT CONTRACTOR AGREEMENT WITH MUNICIPAL COURT JUDGE GERALD WAITE. The motion passed unanimously.

9) Amending Chapter 2.28.020 of the Lebanon Municipal Code Regarding Renaming Trust to Senior Center Donation Fund

Brewer said that three funds classified as trust funds are more appropriate as special revenue funds for accepting and spending monies donated for specific purposes. They must be reclassified since they do not meet the definition of a trust. The Senior Center Trust Fund is the only one with language in the Municipal Code naming it as the fund for the Senior and Disabled Services Advisory Board to administer.

Kennedy read the title of ORDINANCE BILL NO. 2021-07, ORDINANCE NO. 2963. ***Councilor Bolen moved, Councilor Nassar seconded, to APPROVE ORDINANCE BILL NO. 2021-07, ORDINANCE NO. 2963, A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.28.020 OF THE LEBANON MUNICIPAL CODE RENAMING TRUST TO SENIOR CENTER DONATION FUND. The motion passed unanimously.***

10) City Manager's Report – Brewer provided updates:

- She has been in contact with Senator Merkley's office since, at the federal level, there has been discussion about cutting back American Rescue Plan Act (ARPA) monies to fund the federal transportation bill.
- There are vacancies on the Planning Commission.
- There will be a July 28, 2021 noon electronic Council work session to discuss stormwater rates. The Councilors were asked to contact City Recorder Scheafer or Brewer if they are unavailable.
- IT will be doing equipment upgrades in the Santiam Travel Station the last two weeks in July.
- BLT had asked for a fee waiver for their Poker Fun Run fundraiser on September 11 at Cheadle Lake.

Councilor Grizzle moved, Councilor Bolen seconded, to WAIVE FEES FOR BLT'S POKER FUN RUN FUNDRAISER EVENT ON SEPTEMBER 11, 2021. The motion passed unanimously.

ITEMS FROM COUNCIL

Councilor Bolen said that a business owner contacted him regarding broadening code language on electrical fences to include security uses; it is currently limited to agricultural purposes. Brewer said staff will bring back updated code language at the July meeting.

Mayor Aziz thanked Councilor Bolen for filling in while he was out for a couple of months.

Kennedy shared that he should have enough guidance on illegal camping cases to provide changes to the code.

PUBLIC/PRESS COMMENTS – *There were none.*

NEXT SCHEDULED COUNCIL MEETING(S) – July 14, 2021 (6:00 p.m.) Regular Session

ADJOURNMENT Mayor Aziz adjourned the meeting at 7:11 p.m.

[Minutes prepared by Donna Trippett]

Minutes Approved by the Lebanon City Council on
this 14th day of July 2021.



Paul R. Aziz, Mayor
Jason Bolen, Council President



ATTESTED:


Kim Scheafer, MMC, City Recorder