

**LEBANON CITY COUNCIL
MINUTES
May 10, 2023**

Council Present Mayor Kenneth E. Jackola, Councilors Wayne Dykstra, Carl Mann, Jeremy Salvage, Michelle Steinhebel, Kim Ulfers and Dave Workman

Staff Present City Attorney Tré Kennedy, City Manager Nancy Brewer, City Recorder Kim Scheafer, Police Chief Frank Stevenson, Engineering Services Director Ron Whitlatch, Community Development Director Kelly Hart and IT Director Brent Hurst

CALL TO ORDER Mayor Jackola called the meeting to order at 6:00 p.m. in the Santiam Travel Station Board Room.

ROLL CALL All Councilors were present.

CONSENT CALENDAR *Councilor Workman moved, Councilor Steinhebel seconded, to approve the Consent Calendar as presented. The motion passed unanimously.*

AGENDA	Lebanon City Council Agenda – May 10, 2023
BOARD MINUTES	Library Advisory Committee – February 14, 2023 Parks, Trees & Trails Advisory Committee – March 15, 2023
COUNCIL MINUTES	April 12, 2023 Regular Session April 26, 2023 Work Session
LIQUOR LICENSES	Annual Renewals Main Street Market 7, Change of Ownership, Off-Premises

PRESENTATION – The Lebanon Downtown Association (LDA) presentation was rescheduled to the June 14, 2023 City Council meeting.

PUBLIC COMMENTS

- Teresa Neuman – asked questions about the LDA and Family Pride Day.
- Kathy Ayers – asked about getting a Bottle Drop in Lebanon.
- Leadership students from the Scalawags FRC Robotics Team submitted information and spoke about their team and work as a 501(c)(3).
- Hannah Ahn – submitted a letter and spoke about concerns she has about Library content.
- Bill Sullivan – spoke about Century Park, park workers taking breaks, and City water.

PUBLIC HEARINGS

1) Overnight Site for People to Seek Protection from the Elements

Mayor Jackola opened the public hearing.

City Manager Brewer reviewed her staff report that included background, court decisions, what the Illegal Camping Ad Hoc Committee took into consideration and their recommendation, and City Councilor input.

Kennedy said that the Oregon statutes are a result of the Federal Ninth Circuit Court cases, so the City cannot make up its own rules. Regarding a submitted comment about Springfield not letting this happen, he said that Springfield is also currently having this debate, as is every community in Oregon that has a homeless population.

Mayor Jackola asked for public comments.

- Sarah Brown – said her questions and comments were clarified during Brewer's review of her staff report.
- Chantelle Sellers – expressed concerns around Dollar Tree and the apartments behind it. She asked that the Division Street location be taken off the list.
- Lynden Brown – asked about site cleanup and business/property owners' rights when dealing with confrontation or when defending their property.
- Mary Van Over – spoke about damage to her property and equipment behind the market. She also expressed concern for the safety of those who live in the apartments.
- Cindy Pettner – said more City-owned property should have been considered. She is opposed to the Tennessee Road and downtown locations. She asked whether the City could pass an ordinance prohibiting sleeping on sidewalks.
- Kim Shull – spoke about concerns along Tennessee Road and Marks Slough. She does not agree with any of the sites and does not believe this is a solution. She asked about fire-monitoring, cleanup and safety.
- Josh Thorstad – said that without providing a place for shelter, the police cannot do their jobs.
- Michelle Mooney – said that there are many homeless who are respectful, but she agreed with concerns about cleanliness. She also questioned why other City property was not considered.
- Jim Newman – as owner of Schmizza Public House, he spoke about his interactions with the homeless. He believes the Division Street site is not safe and expressed concerns about how this would further affect his business.
- Kay Tanner (Zoom) – said she owns property downtown. She reiterated her opposition to the downtown areas as stated in a previously submitted email.
- Cindy Lindsay (Zoom) – asked that the site be staffed to avoid additional issues. Resources should also be made available.
- Sydney Lanz – said that she is opposed to the Division Street location. She asked the Council to think about her and her daughter's safety when making their decision.
- Theresa Lawson – spoke about problems she has experienced and said that she is opposed to the site near Park Manor Apartments.
- Tom Ayala (Zoom) – said he is a business owner on Main Street and does not support the City Hall location. He asked if social services could be integrated in.
- Ian Martiszus (Zoom) – said that Lebanon should demand that the State and Court of Appeal address the root cause of homelessness. The proposed budget seems to be an underestimate for the necessary law enforcement, garbage cleanup, and mental health/addiction services.
- Geoff Blatter DMD – said that he does not support the Park Street location. He owns a business across the street, and he has concerns for his employees' and patients' safety.
- Tana Nicholson – asked about the police's budget and staffing for extra patrol when this goes into effect. She also asked what citizens need to do as witnesses to crime and whether Linn County Jail has fully opened since COVID.
- Scott McKinnon – said he owns property by several of the locations under consideration and has concerns. He would be agreeable to spreading the homeless to different sites. He asked that the City address how citizens will be protected.
- Jereme Guenther – said that the Council is going in the right direction. He expressed concern about being able to shut down the site every morning. He added that the money used to fluoridate the water could be used for the police.

- Donna Keen – as a nurse, said that the Council needs to discuss mental health and addiction issues. The location with the least travelled path between where they are staying and where resources are will have the least impact on the community. The Tennessee Road area is a bus route for many kids and will be hard to patrol.

She read a statement from Don Gerig. He will find a way to shut down the trail through his property if the Tennessee Road location is chosen. The City previously assured them that they would frequently monitor the homeless and would not allow camps to be set up.

- Kandyce Williams – as the Shelter Coordinator, she spoke about how the 2nd Chance Homeless Shelter in Albany is run and offered to speak with anyone interested. She believes having a designated site is a great idea, but she suggests having strict policies and someone to maintain the site.
- Jason Adamson – said that he does not think putting the homeless in one location will solve the underlying problem. Leaving things the way they are would affect the City equally. The Oak Street site is a main walking area from the north side of town to the high school and Green Acres School. He asked how this change would affect RVs, trailers and squatters.

There was a five-minute recess.

- Dennis Stoneman – spoke about the services that River Center Church provides and said that since the church is near the Division Street location, it may be the “least-worst” spot.
- Jonathan Hill – as owner of a downtown building, he asked if there could be restrictions and requirements to using the site. He also asked whether a questionnaire could be sent out to those who want to use the location to see what help they need.
- Mitchell Cragsett – spoke about problems he has with the homeless at his apartment complex. He asked that the Division Street location not be considered.
- Ryan Wilson – suggested having a shelter by the mill. He feels that the City is trying to control something not in their control.
- Emma Stender – said that with the Marks Slough path blocked, there are no sidewalks on Tennessee Road. She had questions about those who would be using the site and whether there would be more police patrolling the area. She also asked whether the City will be taking responsibility for those staying on its property.
- Kevin Froeber – as owner of Grocery Outlet, he expressed concern for his employees’ safety and said that he is opposed to the Division Street location.

The public hearing was closed at 8:32 p.m.

Mayor Jackola thanked everyone for their comments. He and Council understand the causes of homelessness and that some of them do not want assistance. Chief Stevenson added that the Community Policing Officer offers resources daily, but help is not wanted. Responding to questions he has received, he said that the police do not do sweeps or run people to the edge of town and drop them off. The police are here to help those who want help and to address behavioral issues that come with homelessness.

Brewer confirmed for Councilor Workman that all City properties were looked at. The list includes all park land, water and wastewater plants, lift and pump stations, water reservoirs, nondevelopable property, and pond or creek areas.

Brewer confirmed for Councilor Workman that if a decision is not made, things will remain the same. Stevenson said that it is imperative that police are given the authority to move people to a designated site. If nothing is done, there will be further issues. Brewer said that if no site is declared, staff would suggest looking at the ordinance for sleeping in public places with time, place, and manner restrictions.

After discussion, the Council eliminated the Tennessee Road, Division Street, and Oak Street sites from consideration.

Brewer said that answers to the questions asked tonight will be posted on the City's website and on Facebook by early next week.

Councilor Dykstra moved, Councilor Salvage seconded, to postpone a decision until next month after revisiting the issue.

Councilor Steinhebel moved, Councilor Mann seconded, to propose that it be a public hearing. The motion passed unanimously.

The motion to postpone the decision to next month passed with 5 yeas (Dykstra, Mann, Salvage, Steinhebel, Workman) and one nay (Ullfers).

There was a five-minute recess.

2) Utility Rate Adjustments

Mayor Jackola opened the public hearing at 9:19 p.m.

Engineering Services Director Whitlatch provided history and said that the proposed utility adjustment is 3.19% for a typical residential water, wastewater and storm drainage customer and would be effective July 1, 2023. This adjustment would cover operational costs and help to offset the substantial increase in costs for constructing capital projects. This is only to offset some of the construction cost increases; it is not for any specific capital project.

*Hearing no public comments, Mayor Jackola closed the public hearing at 9:22 p.m. Kennedy read the title of RESOLUTION NO. 2023-03. **Councilor Ullfers moved, Councilor Dykstra seconded, to APPROVE RESOLUTION NO. 2023-03, A RESOLUTION ADOPTING THE CITY OF LEBANON'S UTILITY RATES. The motion passed unanimously.***

3) Annexation A-23-01

Mayor Jackola opened the public hearing at 9:23 p.m. 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 presented a request to annex a parcel totaling 2.6 acres on the east side of Stoltz Hill Road, between Walker Road and Vaughan Lane. The staff report provides a detailed analysis of the required review criteria and the recommended findings on how the proposal meets annexation requirements.

Mayor Jackola asked for applicant testimony.

Laura LaRoque, Udell Engineering & Land Surveying, the applicant's representative, made herself available to answer any questions.

There being no comments regarding the application, Mayor Jackola closed the public hearing at 9:26 p.m.

In response to Councilor Dykstra's question, Hart said that City services will be available when the Westside Interceptor is constructed.

Kennedy read the title of ORDINANCE BILL NO. 2023-09, ORDINANCE NO. 3004. ***Councilor Salvage moved, Councilor Ulfers seconded, to APPROVE ORDINANCE BILL NO. 2023-09, ORDINANCE NO. 3004, A BILL FOR AN ORDINANCE ANNEXING AND ZONING PROPERTIES FOLLOWING CONSENT FILED WITH THE CITY COUNCIL BY LANDOWNERS IN SAID AREA PURSUANT TO ORS 222.120 AND ORS 222.170; File A-23-01; 4L VENTURES, LLC. The motion passed unanimously.***

REGULAR SESSION

4) Approval to Advertise Project for Bids – Cheadle Lake Park Waterline Extension

Whitlatch spoke about the Cheadle Lake Park Waterline Extension Project and its funding. The updated Engineer's Estimate is \$2,133,000. He requested that Council authorize staff to advertise the project for bids this fiscal year knowing that the project is budgeted for next fiscal year.

Councilor Steinhebel moved, Councilor Ulfers seconded, to AUTHORIZE STAFF TO ADVERTISE THE CHEADLE LAKE WATERLINE EXTENSION PROJECT FOR BIDS. The motion passed unanimously.

5) Public Comment Format Discussion

Mayor Jackola proposed having citizens identify the ward they are from and that questions are submitted in writing. There was discussion about responding during the meeting if it is not a complex question. Kennedy said that most questions should be directed at staff, who would respond, while keeping the applicable Councilor apprised. He recommended that if a Councilor chooses to answer a question, it be after the citizen returns to their seat to avoid back-and-forth conversation.

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

- The Chamber needs a Councilor to sit on their Tourism Committee to help allocate tourism money. Councilor Ulfers volunteered to be on the committee.
- Staff will discuss what would need to be done to move the June meeting to a bigger room at a different location. Because it is anticipated to be a long meeting, the start time may be moved to 5:00 p.m.
- Council consensus was to move the fluoride discussion to a meeting in the fall.
- Public Works will be contracting with a security company to close the parks' restrooms between 9:30 p.m.-10:00 p.m. so that they can be open for evening sporting events.

ITEMS FROM COUNCIL – There were none.

PUBLIC/PRESS COMMENTS

- David Carson asked if Century Park lights could be left on so they can play basketball late at night. Brewer said that the parks close at 10:00 p.m. but she will check with Public Works.
- Mitchell Cragsett said that the lights at Century Park used to stay on until 11:30 p.m. He asked if the court lights next to the street could be fixed and the nets be replaced. Councilor Salvage said that he would check with staff and make sure it gets fixed.

Mr. Cragsett said that he felt the comment Councilor Steinhebel made earlier was uncalled for. Councilor Steinhebel apologized.

NEXT SCHEDULED COUNCIL MEETING

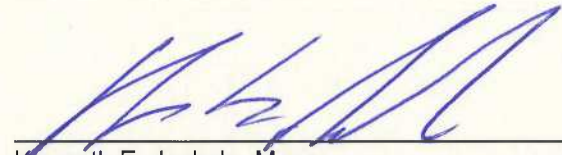
- May 17, 2023 (12:00 p.m.) City & Lebanon URD Budget Committee Meeting
- May 18, 2023 (If Needed, 12:00 p.m.) City & Lebanon URD Budget Committee Meeting
- May 24, 2023 (12:00 p.m.) City Council Work Session

EXECUTIVE SESSION – Per ORS 192.660(2)(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

ADJOURNMENT Mayor Jackola adjourned the meeting at 10:00 p.m.

[Minutes prepared by Donna Trippett]

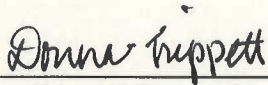
Minutes Approved by the Lebanon City Council on
this 14th day of June 2023.



Kenneth E. Jackola, Mayor
Michelle Steinhebel, Council President



ATTESTED:



Donna Trippett, Deputy City Recorder