

LEBANON CITY COUNCIL AGENDA

Revised: 2/10/14

February 12, 2014

Santiam Travel Station
750 3rd Street, Lebanon, Oregon

Mayor Paul Aziz

Council President Bob Elliott
Councilor Rebecca Grizzle

Councilor Jason Bolen
Councilor Wayne Rieskamp

Councilor Floyd Fisher
Councilor Barry Scott

MISSION STATEMENT

The City of Lebanon is dedicated to providing exceptional services and opportunities that enhance the quality of life for present and future members of the community.

CITY COUNCIL EXECUTIVE SESSION (5:00 p.m.)

EXECUTIVE SESSION: *Executive Sessions are closed to the public due to the highly confidential nature of the subject. It is unlawful to discuss anything outside of the Executive Session.*

APPROVAL OF EXECUTIVE SESSION MINUTES: January 8, 14, and 24, 2014

Item(s) Added

- 1) *Per ORS 192.660(2)(h) To consult with legal counsel concerning legal rights and duties of the Council regarding current litigation or litigation likely to be filed.*

[Doors will be open to the public at 6:00 p.m.]

CITY COUNCIL REGULAR MEETING (6:00 p.m.)

CALL TO ORDER / FLAG SALUTE

Item Added

ROLL CALL

APPROVAL OF COUNCIL MINUTES: December 18, 2013, January 8 and 14, 2014

CONSENT CALENDAR: *The following item(s) are considered routine and will be enacted by one motion. There will not be a separate discussion of these items unless a Councilor so requests. In this case, the item(s) will be removed from the Consent Calendar and considered separately.*

AGENDA:

City of Lebanon Council Agenda – February 12, 2014

APPOINTMENTS:

Walt Wendolowski, Jason Williams, Rob Emmons, Ron Whitlatch to
Canal Negotiation Committee

BOARD MINUTES:

Bike & Pedestrian Committee – Nov. 21, 2013
Mayor's Youth Council – Dec. 19, 2013

CONSENT CALENDAR (continued...):

LIQUOR LICENSE(S): New Outlet - Grocery Outlet and Momiji Sushi Bar & Restaurant;
Change in Ownership – Knot Hole Market
R-O-W DEDICATION: For Trail Use, dedication by Gerson
R-O-W VACATION: Authorization to proceed (Petitioner Zimicks)

PUBLIC COMMENTS: *This Council welcomes all respectful comments regarding the City's business. Citizens may address the Council by approaching the microphone, signing in, and stating their name and address for the record. Each citizen is provided up to 5 minutes to provide comments to the Council. The Council may take an additional two minutes to respond. The City Clerk will accept and distribute written comments at a speaker's request.*

PRESENTATION: Lowe's Tax Appeal by Gene Johnston, Linn Co. Tax Appraiser

REGULAR SESSION:

1) Insurance Brokerage Services – Award Contract (commencing March 1)

Presented by: Dean Baugh, Finance Manager
Approval/Denial by MOTION

2) Vine & Maple Streets Sewer Project – Award Contract

Presented by: Ron Whitlatch, Engineering Services Manager
Approval/Denial by MOTION

3) Dog Nuisance Complaint

Presented by: Walt Wendolowski, Interim City Manager
DISCUSSION

4) City Manager Report

Presented by: Walt Wendolowski, Interim City Manager
DISCUSSION

ITEMS FROM COUNCIL

PUBLIC COMMENTS: *An opportunity for citizens to comment on items of city business.*

ADJOURNMENT

[City Council Annual Jail Tour]

NEXT SCHEDULED COUNCIL MEETING(S)
➤ 3/12/14 (5 PM): WORK SESSION – CIP Plan
➤ 3/12/14 (After WS): REGULAR SESSION

*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.

** Executive Sessions are closed to the public due to the highly confidential nature of the subject. It is unlawful to discuss anything outside of the Executive Session.*

Approval of Minutes

December 18, 2013 Regular Session
January 8, 2014 Regular Session

LEBANON CITY COUNCIL
MINUTES
December 18, 2013

Council Present: Mayor Paul Aziz and Councilors Jason Bolen, Bob Elliott, Floyd Fisher, Rebecca Grizzle, Wayne Rieskamp and Councilor Scott (via Skype).

Staff Present: City Manager Dana Hlavac, City Attorney Tré Kennedy, City Clerk Linda Kaser, Finance Manager Dean Baugh and HR Administrative Assistant Debi Shimmin.

CALL TO ORDER

Mayor Aziz called the Regular Session of the Lebanon City Council to order at 12:00 p.m. in the Santiam Travel Station Board Room.

ROLL CALL

Roll call was taken with all Councilors present (Councilor Scott joined the meeting via Skype).

CONSENT CALENDAR

AGENDA: City of Lebanon Council Agenda – December 18, 2013

The Consent Calendar was approved as presented.

PUBLIC COMMENTS

There were no citizen comments.

REGULAR SESSION

1) City of Lebanon Audit

Finance Manager Baugh introduced Accuity, LLC Auditors Kori Sarrett and Glen Kearns. Mr. Kearns briefly reviewed the FY ending 6/30/13 Audit Report. He stated that, as in prior years, the opinion on the financial statements is a qualified or clean, which means that they did not find anything that would require them to qualify their opinion for any reason.

He brought to attention some changes in terminology – "net assets" is now called "net position." Total current assets on the Statement of Net Position show about \$6.5 million. Those are assets that are very liquid (cash and receivables). Restricted assets have specific external restrictions imposed upon them. Capital assets (infrastructure, buildings, equipment, and property) showed a little over \$73 million, after taking into account accumulated depreciation. Total liabilities, including all long-term debt, amounted to about \$42 million. The current ratio (comparison of total current assets to its total current liabilities) gives an indication of an entity's liquidity. Most financial analysts like to see a current ratio of 1:1, at a minimum, but prefer to see 2:1. The City's current ratio was 1.71:1. The net position or equity of the City for governmental activities was almost \$24 million. Business-type activities had equity of about \$27 million for a total of about \$51 million.

The format of the Statement of Activities is to give users an indication as to whether the primary activities are self-supporting. From governmental activities, the City is not self-supporting, but this is not unusual because general revenues are relied upon to fund operations. The City's business activities (water, sewer, storm drainage) are self-supporting. The change in net position shows a positive net income of just a little over \$200,000. This takes into account non-cash expenses, primarily depreciation and those types of things.

The General Fund had total fund balances of about \$750,000, which is a reasonable number given what the City does. There was a negative change in the General Fund balance of about \$251,000, which means that there were more expenses than revenues at the modified accrual basis level. This number will fluctuate from year to year given the types of operations and funding sources. A negative change in multiple years is an indication that fund balances are being burned through.

The Statement of Cash Flows relates specifically to business-type activities (utilities). Net cash provided or used by operating activities is a key indicator as to whether the business-type proprietary funds are generating enough cash through their operations to basically pay for those operations. The City is generating sufficient cash flow (\$6.7 million) to pay for operations. The net increase in cash for business-type entities was just a little over \$500,000 in the cash balances for the fiscal year. This figure will also fluctuate from year to year depending on what types of things the City has going on.

Notes to the financial statements are additional information (such as narratives and descriptive information) that support the amounts reflected in the financials. Page 32 calls out the over-expenditures and legal issues relating to them. Pages 52 and 53 reflect some new pronouncements that will affect financial statements and reporting for the 2013/14 fiscal year and beyond. GASB 68 will require that municipalities have a defined benefit pension plan (PERS). Associated with the pension plan, liabilities for future benefits have always existed but have never been reflected on the financial statements. The potential impact will be a dramatic change in the entity's equity.

The Independent Auditor's Report on Oregon Minimum Standards reports on the City's compliance with various Oregon law requirements, such as budget law, indebtedness, too much debt, and public contracting and purchasing rules. The City was in full compliance for the majority of those areas. Page 70 notes the two areas of non-compliance – over expenditures and public contracting and purchasing, which was a departmental oversight where the required number of bids was not received. He does not believe this to be a systemic issue because their testing showed that controls and processes in place are pretty good and staff already changed the process to ensure that this does not happen in the future.

Mr. Kearns briefly explained to Councilor Rieskamp the difference between full and modified accrual accounting.

Councilor Rieskamp asked what depreciation percentage was used. Mr. Kearns indicated that the City calculates depreciation on a straight line basis based on the estimated useful life of each asset. Page 28 shows the various asset lives that the City is using.

Councilor Rieskamp stated that the City has historically had over-expenditures but these were brought to Council for approval to shift dollars. He asked whether this is illegal. Mr. Kearns explained that management and the Council should be monitoring expenses throughout the year, looking at actuals compared to authorized appropriations. When it looks close to the authorized threshold in any particular fund and any particular category and it is not yet year end, adjustments should be made via a resolution appropriation transfer. The City's over-expenditures mean that even though there were resolution appropriation transfers done during the year, the City still ended up spending more than those adjusted appropriations. Correcting potential expenditures at year end is

against State law and accounting auditing standards. The resolution has to be passed and adopted *prior* to the over-expenditure.

Councilor Grizzle asked for five or ten key ratios that the Council should watch. Mr. Kearns stated that the City will be requesting a CAFR for GFOA review to obtain a certificate stating that the City has met additional reporting requirements. Part of the information required under a CAFR are what the Council is requesting (additional supplemental schedules, trend schedules, etc.)

Responding to Councilor Grizzle's question, Mr. Kearns stated that industry comparisons are not included in the CAFR, but industry comparisons for municipalities and non-profit organizations can be somewhat misleading because they are in different regions of the country and have different operating factors. Instead, he recommended comparing the City against itself on five and ten-year trend averages. Ms. Sarrett added that watching fund balances, especially the General Fund and enterprise funds, over the years is key. Also, budgeted revenues against actual revenues (and the same with expenditures) would give the Council an idea of how the City is doing with fiscal management year to year.

Councilor Scott asked Mr. Kearns to elaborate on the extent and basis of their reliance on internal control during the audit. Mr. Kearns stated that they evaluated the City's controls in designing the tests they were going to use in this year's audit. During testing, the two items noted in the internal control letter were identified. In addition to the financial statements, there are normally two additional communications that come to the governing body – an internal control letter and communication with those charged with governance, which is basically a letter that states how the audit went, whether there were any disagreements with management, whether there were any problems, etc. In general terms, there were no major issues in the performance of the audit.

Regarding internal control, they identified a couple of things that had to be disclosed to the Council and that management needed to address. In both of these cases, the solutions have already been put in place. He discussed the first internal control issue where the assets and debt related to the Samaritan Health Services arrangement from 2009 were never reflected on the City's books. Given the dollar amounts, their opinion is that the statements were materially misstated.

The second issue is that a required report did not get submitted in a timely manner as required for a debt agreement with a debt covenant tied to it. The issue was subsequently remedied and signed off on by the debt holder. Debt covenant violations give the holder of that note the authority, if they so choose, to call the debt. Ms. Sarrett added that this was actually the second time that it happened (the year before). The window for reporting was quite short, so the lender agreed in writing to extend it to December 31. The City hopefully remedied that situation so they can submit audited financials in the future.

Mr. Kearns explained that the over-expenditure issue was mentioned in the financials and the internal control letter because it was an ongoing issue.

Baugh commended the auditors for the very comprehensive presentation. He stated that a supplemental budget in January will take care of a few things and that the City needs to keep on top of everything to keep or raise its bond rating. He also added that many of the City's financial policies have been rewritten and are going through manager review before presentation to Council.

Mayor Aziz asked what the City specifically has in place now to prevent over-expenditures from happening. Baugh stated that while the City does bottom line budgeting, City Manager Hlavac has asked the department managers not to go over budget in any line item without notification and reason.

Hlavac applauded Mr. Kearns and Ms. Sarrett for a very smooth and well-prepared audit. He emphasized the subtle shift in budgeting philosophy where department managers are empowered to be responsible for their budget.

Baugh requested Council approval of the resolution to accept the audit report and management letter for the audit of the City's financial statements for the year ending June 30, 2013.

City Attorney Kennedy read the title of **RESOLUTION NO. 2013-38. *Councilor Grizzle moved, Councilor Fisher seconded to APPROVE RESOLUTION NO. 2013-38 A RESOLUTION ACCEPTING THE CITY OF LEBANON AUDIT REPORT FOR YEAR ENDING JUNE 30, 2013. The motion passed unanimously.***

2) City Manager Six Month Evaluation Process

HR Administrative Assistant Shimmin presented for discussion samples of City Manager evaluations for other cities and standards used in the previous City Manager evaluation in 2011.

Councilor Grizzle asked what prompted the change in the evaluation because the Council just went through this process. Mayor Aziz stated that he asked for this discussion because he and a few of the other Councilors have not been through the process before. Councilor Rieskamp agreed with Councilor Grizzle.

Shimmin recommended using the format used by Klamath Falls because the grading scale of 1-5 is more beneficial and not as restrictive as the 1-3 scale.

Councilor Grizzle commented that she liked how well the City of Lake Wales defined the grading scale. Shimmin stated that she also liked their structure because it is easier to score, but she does not like the standards they used because they are limited. Councilor Rieskamp suggested using Lebanon's current standards, the 1-5 grading scale and Lake Wales' grading scale descriptions.

Responding to Councilor Bolen's question, City Clerk Kaser stated that the evaluation will come back to Council for the January 8 meeting for review and adoption. Shimmin added that, if accepted, it will be distributed on January 10. The Council will have about three weeks to conduct the evaluation and meet with Hlavac. An executive session to discuss the evaluation will be held on February 12. The Council would meet with Hlavac on March 12 to present the evaluation.

Councilor Bolen stated that he would like to meet with the department managers as well, if appropriate. Kaser stated that this is the same process used in 2011 where each Councilor met one-on-one with the City Manager. To her knowledge, 2011 was the first time that department managers also had an evaluation form. It is up to Council, not staff as to whether they would like to do this again. Councilor Bolen stated that he would like to see this done because Councilor interaction with the City Manager is often limited to Council meetings or brief encounters. To get more of a global picture, he would prefer to have department manager input and/or a scheduled meeting for them to interact with the Council. Kaser recalled that a compilation of the department managers' comments was brought to Executive Session for the Council to review. She recommended that both Council and Managers written evaluations remain anonymous to keep the focus on the evaluation not the evaluator. Shimmin concurred.

Councilor Grizzle and Fisher agreed that department managers should be part of the process. Shimmin stated that there are many different options for 360 evaluations. Councilor Bolen commented that this hits all of the hot buttons and gives an opportunity to comment.

The Council agreed to move forward with these questions in a format similar to the City of Lake Wales. Kaser added that a revised timeline will be brought back to Council in January.

ITEMS FROM COUNCIL

Councilor Bolen expressed gratitude to the Maintenance and Police Department personnel during the recent cold weather for being well-prepared and for limiting liability.

He also spoke about how quickly Public Works located a meter during a broken water pipe call. It is great to see agencies working together and the great leadership that the City has at the department and crew levels.

Councilor Rieskamp reported that he received positive feedback regarding the employee appreciation event. Kaser called out Jamie Bilyeu and Debi Shimmin for organizing this year's event.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Mayor Aziz adjourned the meeting at 1:15 p.m.

[Minutes prepared by Linda Kaser & Donna Trippett]

Minutes Approved by the Lebanon City Council on this 12th day of February 2014.

Paul R. Aziz, Mayor	<input type="checkbox"/>
Bob Elliott, Council President	<input type="checkbox"/>

ATTESTED:

Linda Kaser, City Clerk

**LEBANON CITY COUNCIL
MINUTES
January 8, 2014**

Council Present: Mayor Paul Aziz and Councilors Jason Bolen, Bob Elliott, Floyd Fisher, Rebecca Grizzle, Wayne Rieskamp and Councilor Scott (via Skype).

Staff Present: City Attorney Tré Kennedy, City Clerk Linda Kaser, Police Chief (AIC) Frank Stevenson, Community Development Manager Walt Wendolowski, Engineering Services Supervisor Rob Emmons, Finance Manager Dean Baugh and Maintenance Services Manager Jason Williams.

EXECUTIVE SESSION: *Per ORS 192.660(2)(b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent who does not request an open hearing.*

[City Manager Dana Hlavac read his resignation letter to the Council before the meeting was called to order.]

CALL TO ORDER: Mayor Aziz called the Regular Session of the Lebanon City Council to order at 6:20 p.m. in the Santiam Travel Station Board Room.

ROLL CALL: Roll call was taken with all Councilors present [Scott joined by Skype].

APPROVAL OF CITY COUNCIL MINUTES: *The December 11, 2013 Regular Session minutes were approved as presented.*

CONSENT CALENDAR

AGENDA: City of Lebanon Council Agenda – January 8, 2014
BID AUTHORIZATION: Authorization to Advertise – Vine & Maple Sewer Project
BOARD MINUTES: Planning Commission Minutes – October 16, 2013

Councilor Grizzle requested that the Agenda be removed from the Consent Calendar.

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

Councilor Grizzle moved, Councilor Rieskamp seconded, to remove Items 5, 9, 11, 12 and 13 from the Agenda. The motion passed unanimously.

PUBLIC COMMENTS

Bill Sullivan, PO Box 2506, Lebanon, commented on City Manager Hlavac's earlier resignation and felt that Councilor Scott should resign if he is not able to be present.

Jan Kummer, 570 E Street, Lebanon, spoke about a dog barking problem, which has gotten worse since April when she moved in. This neighbor has more than 10 Chihuahuas and most are outside all of the time. She researched animal neglect, hoarding and cruelty and has been hearing certain aspects of each. Animal Control was called and she reported it several times to the Lebanon Police Department, but she knows that there is only so much the officers can do. She also tried to speak with the neighbor on three different occasions but has never gotten a response. Ms. Kummer questioned whether all of the dogs are licensed and are current on their vaccinations. They have gotten loose and she does not want a problem between her service dogs and the Chihuahuas.

She wondered whether the City ordinance could be readdressed to be more specific about the allowed number of dogs. She asked what the base number for animal hoarding is. She also expressed concern for what the Chihuahuas are going through as well.

She confirmed for Mayor Aziz that she contacted the Code Enforcement Officer but she was told that they would only be able to do something if she submits a recording of more than 10 minutes per hour of barking.

Mayor Aziz asked Police Chief Stevenson to direct Ms. Kummer to the Code Enforcement Officer to see if there is anything else that can be done. Ms. Kummer stated that she would be more than happy to be an active participant if the City wants to revise the ordinance.

City Attorney Kennedy reported that the number of dogs was repealed in 2010. City Clerk Kaser volunteered to provide minutes to give him more information about why it was changed.

Councilor Rieskamp asked whether the neighbor is breeding or marketing the dogs. Ms. Kummer stated that she has never seen or heard any puppies, but they may be in the house.

[Ms. Kummer provided the City Clerk her written statement and material downloaded from the Linn County Dog Control website and Human Society.]

Ray Weldon, 1610 S. 4th Street, Lebanon, stated that the limit of two dogs per household was changed at the request of someone with more than two dogs when he was on the Council.

Mr. Weldon also stated that he was sorry to see City Manager Hlavac resign because it looked as though he was going to do a good job. Mayor Aziz confirmed that Hlavac's evaluation had not yet taken place. Mr. Weldon requested a copy of Hlavac's resignation letter.

Wendy Stanearth, 2240 McKinney Lane, Lebanon, reported that she was going to speak during Agenda Item 12 (City Council Vision and Strategic Planning Process). She asked about the City's plans regarding the City Manager position and Interim City Manager. Mayor Aziz indicated that the City will assign an Interim City Manager while the City does a search through the Prothman Group. Long-term planning and a vision will still be important to the City and will involve the community.

PUBLIC HEARING

1) FY 2013/14 Supplemental Budget Amendment – City of Lebanon Budget

Finance Manager Baugh went over proposed changes to the FY 2013/14 Budget:

Debt Service Funds

- In the Northwest URD FY14 budget, a \$12,000,000 bond was approved for issue. It was decided that a Full Faith and Credit (FFC) bond issued by the General Fund (GF) would result in the best interest rate structure for the City. This amendment does the following :
 - budgets bond revenue in the General Fund debt service fund to record the bond issue;
 - transfers \$12,066,629 from GF debt service to the NW URD to fund the Lowes payment, water tank construction and bond issuances cost; and
 - increases the debt service budget and transfers funds from the NW URD to the GF debt service fund to make the annual debt payments.
- During the analysis of the 2013 bond issue, staff determined that one water bond and one wastewater bond could be refinanced saving \$106,000 and \$108,000 over the life of the bond issues by including the refinancing in the FFC bond issue. This amendment does the following:
 - reduces the Water debt service budget and transfers funds from the Water Fund to the GF debt service fund to make the annual debt payments;
 - reduces the Wastewater debt service budget and transfers funds from the Wastewater to the GF debt service fund to make the annual debt payments; and
 - closes Water Fund 436 debt service.

Special Revenue Funds

- The City has setup a set of accounts (Fund 516) to track donations and expenditures for the police reserve program. A budget of \$10,000 revenue and \$10,000 expenses is proposed. Expenditures cannot exceed donation revenues at any time.
- Building Fund (527) revenues of \$210,000 were budgeted in permits and fees. One of the permits included in the FY14 budget was received in June 2013 (FY13), resulting in a larger carry forward than projected and permits over-budgeted in the current year.
- In FY 14, the building department contracted out building inspection services. Due to some additional projects this year, additional contract service time is required. There has been additional revenue to cover the additional expenses. This amendment does the following:
 - increases the beginning balance budget by \$130,000;
 - reduces the permits and fees budget by \$100,000;
 - increases contract services budget by \$15,000; and
 - increases contingency budget by \$15,000.

Mayor Aziz asked whether any of the proposed changes were recommended by Accuity, LLC. Baugh stated that they were not but they would have been recommended if the City had not done them.

Mayor Aziz declared the Public Hearing open at 6:40 p.m. Hearing no public comments, the Hearing was closed at 6:41 p.m.

City Attorney Kennedy read the title of **RESOLUTION NO. 2014-1. Councilor Grizzle moved, Councilor Bolen seconded, to APPROVE RESOLUTION NO. 2014-1 A RESOLUTION AUTHORIZING SUPPLEMENTAL BUDGET AMENDMENT TO THE CITY OF LEBANON FY 2013-14 BUDGET. The motion passed unanimously.**

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

2) FY 2013/14 Supplemental Budget Amendment – NW Lebanon URD Budget

Debt Service Funds

- In the Northwest URD FY14 budget, a \$12,000,000 bond was approved for issue. It was decided that a Full Faith and Credit (FFC) bond issued by the General Fund (GF) would result in the best interest rate structure for the City. This amendment does the following :
 - reduces the bond proceeds budget by \$12,000,000. Bond issue moved to the GF;
 - increases transfers in from GF debt service by \$12,066,629 to fund the Lowes payment, water tank construction and bond issuances cost;
 - reduces the NW URD debt service budget. New debt recorded in the GF debt service fund; and
 - reduces property tax revenue in the NWURD debt service fund and increases property tax revenue in the NW URD fund and transfers funds from the NWURD to the GF debt service fund to make the annual debt payments.

Mayor Aziz declared the Public Hearing open at 6:42 p.m. Hearing no public comments, the Hearing was closed at 6:43 p.m.

Kennedy read the title of **RESOLUTION NO. 2014-2. Councilor Elliott moved, Councilor Fisher seconded, to APPROVE RESOLUTION NO. 2014-2 A RESOLUTION AUTHORIZING SUPPLEMENTAL BUDGET AMENDMENT TO THE NORTHWEST LEBANON URBAN RENEWAL DISTRICT – FISCAL YEAR 2013/14 BUDGET. The motion passed unanimously.**

3) FY 2013/14 Supplemental Budget Amendment – N. Gateway URD Budget

Debt Service Funds

- In the North Gateway URD, increases contract services budget for contract payments to ODVA with regards to the construction of the Veteran's Home.

Mayor Aziz declared the Public Hearing open at 6:44 p.m. Hearing no public comments, the Hearing was closed at 6:45 p.m.

Kennedy read the title of **RESOLUTION NO. 2014-3. Councilor Rieskamp moved, Councilor Bolen seconded, to APPROVE RESOLUTION NO. 2014-3 A RESOLUTION AUTHORIZING SUPPLEMENTAL BUDGET AMENDMENT TO THE NORTH GATEWAY URBAN RENEWAL DISTRICT – FY 2013-14 BUDGET. The motion passed unanimously.**

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

REGULAR SESSION

4) Accepting the Library Science and Technology Act (LSTA) Grant

Baugh provided background and requested Council approval of a resolution accepting the Library Science and Technology Act (LSTA) grant and appropriating the grant budget. It was submitted by Lebanon Public Library, Albany Public Library and Linn-Benton Community College Library, with Lebanon acting as the fiscal agent. The grant would improve their web presence, improve the integrated library system and allow for a courier.

Kennedy read the title of **RESOLUTION NO. 2014-4. Councilor Rieskamp moved, Councilor Bolen seconded, to APPROVE RESOLUTION NO. 2014-4 A RESOLUTION APPROPRIATING GRANT FUNDS FOR THE LIBRARY LSTA GRANT IN THE AMOUNT OF \$67,558. The motion passed unanimously.**

6) Wastewater Treatment Plant Effluent Pump Station Upgrade – Award Engineering Design Contract

Engineering Services Supervisor Emmons presented background on the Wastewater Treatment Plant Effluent Pump Station Upgrade project and requested Council approval authorizing City staff to enter into a contract with CH2MHill for \$98,370 to design the project.

Emmons confirmed for Mayor Aziz that CH2MHill is kind of the shoe-in since they are intimately familiar with the plant, are aware of its underlying issues, and have done many of its major projects.

Councilor Grizzle asked when the City is required to obtain other bids. Emmons answered that projects under \$100,000 do not require an RFP to solicit proposals. Councilor Grizzle stated that she is satisfied that this is a fiscally responsible move since CH2MHill is familiar with the plant.

Councilor Bolen moved, Councilor Grizzle seconded, to AWARD THE WASTEWATER TREATMENT PLANT EFFLUENT PUMPSTATION UPGRADE ENGINEERING DESIGN CONTRACT TO CH2MHILL FOR \$98,370. The motion passed unanimously.

7) Proposed Comp Plan, Map and Zone Amendments

Community Development Manager Wendolowski presented proposed changes to the Comprehensive Plan designation and zoning on a number of properties within the UGB to provide development options for property owners.

North End – Several parcels located south of Academy Square, north of the downtown and extending from Second Street to Park Street contain a mix of residential and commercial uses, but these properties are all zoned Residential High Density. While limited commercial activities may be allowed, the zone is primarily designed for higher density residential development, such as apartments. Staff suggests changing the zoning on these properties to Mixed Use (Z-MU). This zone allows both residential and commercial development, allowing a residential property owner to readily switch between commercial and residential uses. An advantage is that if a business fails, the structure can always be used as a residence.

This proposal will require changes to both the Comprehensive Plan map and Zoning map. A total of 59 properties are involved, affecting an estimated 11.8 acres.

Councilor Rieskamp asked how this change would impact property taxes for these properties. Wendolowski stated that they may or may not increase. There is always a trade-off between taxes and potential development benefits.

Russell Drive – The second area under consideration are those properties designed Residential Mixed Density in the Russell Drive neighborhood. Though residential, this area is hemmed in by commercial uses to the north, west and south, as well as the railroad tracks to the east. The proposed change provides development options, matches existing zoning on land to the north and south, and provides a transition from Highway Commercial land to the west and future single family development to the east. Staff notes the MU zone would still allow residential development of the properties. It must also be noted that given the relatively small size of many lots, this area lends itself to consolidating lots into larger parcels.

This action only requires a change to the Comprehensive Plan map as the land is located outside the City limits but within the UGB. Staff estimates the subject contains approximately 39+ acres and some 144 properties.

He briefly described the process and stated that staff strongly suggests conducting a couple of public workshops to discuss the possible benefits and potential issues. Property owners can provide input on whether or not they wish to proceed. He anticipates the entire process to take five to seven months.

Staff, Council or the Planning Commission can initiate these actions. At this point, staff is requesting Council consensus that the proposed amendments are worth pursuing, but the consensus does not mean they support this or will give a yes vote if this comes back for approval. Since this would be a City-initiated action, there would be no charge to the property owners. Staff would report back to the Council after the work sessions to determine whether to proceed with the proposed changes.

Councilor Fisher asked about a couple of small properties in the Russell Drive area that were not included. Wendolowski stated that he just focused in on those properties that were outside of City limits and within the UGB, but through this process the changed boundaries may be refined.

There was Council consensus to move forward with conducting neighborhood meetings to get citizen input.

8) Authorization to Apply for 2014 Land & Water Conservation Fund Grant

Maintenance Services Manager Williams presented for Council approval a resolution to participate in the Oregon Parks and Recreation Department's 2014 Land & Water Conservation Grant, which would assist with the construction of a new shelter and restroom facility at River Park. Total project costs are estimated at \$250,000, of which the City will be requesting approximately \$150,000 (60%) in grant assistance. The remaining 40% will be funded through Parks SDCs, City labor and equipment and through allocated cash.

Councilor Rieskamp asked about the size of the project. Williams indicated that it would be an ADA standard facility with a family restroom. The shelter size would remain the same.

He confirmed for Mayor Aziz that \$50,000 was set aside specifically for this project during the Budget meeting. Councilor Grizzle commented that she had originally wanted this funding to go into contingency but she is glad to see the facility being built, especially since the City is applying for grant funding.

Kennedy read the title of **RESOLUTION NO. 2014-5. Councilor Grizzle moved, Councilor Rieskamp seconded, to APPROVE RESOLUTION NO. 2014-5 A RESOLUTION A RESOLUTION AUTHORIZING THE CITY OF LEBANON TO APPLY FOR THE 2014 LAND & WATER CONSERVATION FUND GRANT FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR THE CONSTRUCTION OF A RESTROOM & SHELTER FACILITY AT RIVER PARK. The motion passed unanimously.**

10) Review of Chapter 2.04 of the Municipal Code and Sections 12, 33, and 34 of the City Charter

Kennedy discussed requirements and qualifications for service on the Lebanon City Council and stated that it is up to the Council to be the final judge of service qualifications because much of the standards are left to discretion. His opinion is that any member of the Council may attend meetings by telephonic or other electronic means, but it seems that the attempted Skype participation during the November meeting was technologically challenging, so the City should direct staff to consider other options that may provide fewer interruptions and/or a better connection.

Mayor Aziz stated that he does not have a problem with using Skype on a temporary basis, such as if someone is out of town, but he does not think it is appropriate on an ongoing basis.

Councilor Bolen asked Councilor Scott how long he anticipates being absent. Councilor Scott stated that his employment keeps him on the road three to five days per week and will be long-term. Councilor Bolen stated that he does not currently have an issue with it, but he expressed concern about the indefiniteness of a faceless public representative.

Councilor Grizzle agreed and expressed concern about a long-term absentee Councilor, as far as accessibility for staff.

Councilor Elliott also agreed and questioned how a Councilor can represent their ward when absent.

Councilor Fisher was of the same opinion as Councilor Bolen that it would be very impersonal and embarrassing if all of the Councilors were faceless. There was a brief discussion about the possibility of not having a quorum at times because of a loss of connection. Councilor Grizzle commented that she does not get a good sense on whether everyone can hear each other.

Responding to Councilor Elliott's question, Councilor Scott stated that his home is still in Lebanon.

Councilor Rieskamp commented that since the City Attorney said it is legal, he feels that this is something the Council can temporarily live with, but it will have to be addressed if it is going to be long-term. He acknowledged that the absence can cause access issues with staff, other Councilors and citizens. He believes that the citizens will let Councilor Scott and the Council know how they feel and that it will be evaluated by Councilor Scott.

Councilor Bolen stated that he loves what technology can do for us, but it sometimes has its limits. As Councilors Fisher and Grizzle mentioned, he worries about what may be missed when the microphone unknowingly cuts out. He questioned whether it is effective leadership to have someone consistently not at the meetings, even though he is not absent from the City for more than 60 days.

Councilor Fisher remarked that he has received negative citizen feedback about this so he would like to hear a broader range of citizen input. Mayor Aziz wondered whether the Lebanon Express could do a survey on their web page for the City. He stated that he would be in favor of having some sort of a guideline on electronic communications because he does not think that missing three or four meetings in a row is fair to the Council or to the citizens.

Councilor Bolen agreed with Mayor Aziz. Councilors Bolen and Grizzle and Mayor Aziz stated that they like what Councilor Scott brings to the Council and feel that he is an excellent representative of the people of the City.

Mayor Aziz felt that the first priority is to make sure that the citizens are represented and that the Council is effective.

Councilor Grizzle asked Councilor Scott for his input after having listened to the concerns. Councilor Scott answered that the technology needs to be worked on. He feels that he can be quite effective by at least expressing a position that is well understood and well-voiced by someone not physically in the room. Councilors Rieskamp and Grizzle stated that this is a good point.

Several Councilors felt that Councilor Scott may have a different point of view if he was not gone.

Kennedy announced that the real issue is the definition of absence. He reminded the Council that since the language is completely obsolete given today's technology, it is left to the Council to determine what it means to be absent. If the Council would like to have public hearings or get more input, he would be happy to come back with a draft ordinance or regulations about what it means to be absent or explaining those things that are not specifically described in the Charter.

Mayor Aziz called for a ten-minute recess at 7:20 p.m.

Mayor Aziz reported that he, Kaser and Kennedy plan to work on Council Rules this year.

Councilor Bolen stated that it may behoove the Council to have Kennedy draft some language to further define this since the Council is working with guidelines that do not pertain to today's technology. Kennedy explained that the language of the Charter cannot be changed without it going back to the voters, but the Charter gives the City authority to explain anything not covered by the Charter through ordinance or resolution.

Councilor Rieskamp asked staff to research how other cities are handling this issue. He added that citizens of Councilor Scott's ward would make their decision during re-election. In the meantime, the Council can either work with it or do something about it.

Councilor Bolen stated that he does not see the Skyping as the issue, but instead defining what absence is and is not. Kennedy agreed and stated that it is very clear that there is nothing wrong with using Skype. The real issue is what it means to be absent. He agreed to see if other cities have run into the same situation.

Councilor Scott confirmed for Councilor Grizzle that he resides in his ward when he is in town.

Responding to Councilor Bolen's question, Councilor Scott stated that his schedule is not 100% set but it typically involves a lot of business hours since he has clients all over the country. He confirmed that he is usually in Lebanon on the weekends.

Councilor Elliott asked what happens when a Councilor moves to a different ward. Kennedy stated that he believes the Councilor can finish his term, as long as he is still a City resident, but then cannot re-run within that ward.

ITEMS FROM COUNCIL

Councilor Grizzle asked Council to discuss the process of making AIC Police Chief Stevenson the permanent Chief. Councilors Elliott and Fisher agreed. Mayor Aziz stated that since this was not on the Agenda, the Council cannot take a vote. If there is Council consensus, Kennedy can work on making sure it is done properly. He added

that he would like to see all three officers promoted to the positions they have been holding for the past year.

There was Council consensus to promote the AIC Police Chief, Captain and Lieutenant to those positions.

Mayor Aziz announced that he asked Wendolowski to fill the temporary City Manager position, but no decision has been made yet.

PUBLIC COMMENTS

Ray Weldon, 1610 S. 4th Street, Lebanon, stated that monitors taking the place of Council members would make citizens even more leery of coming to meetings. There is quite a difference between businesses using Skype and Council members, who make decisions that affect citizens.

Shelly Garrett, Chamber of Commerce Director, 36772 Rock Hill Drive, Lebanon, stated that she knows the Council's tough decision about the City Manager was not taken lightly. She does not know the circumstances but she is proud of the way it was handled and how the Council worked together.

Speaking as a citizen and as Chamber Director, Ms. Garrett stated that Stevenson is doing a remarkable job. The City really needs this positive move, which should be on the front page of the Lebanon Express next Wednesday, instead of what it is probably going to be.

Wendy Stanearth, 2240 McKinney Lane, Lebanon, asked how the Council would handle citizens also wanting to Skype or telephone in. Kennedy stated that Oregon government entities must make it available for public meetings.

ADJOURNMENT: *Mayor Aziz adjourned the meeting at 7:45 p.m.*

EXECUTIVE SESSION(S): *Per ORS 192.660(2)(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.*

[Minutes prepared by Linda Kaser & Donna Trippett]

Minutes Approved by the Lebanon City Council on this 12th day of February 2014.

Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTESTED:

Linda Kaser, City Clerk

LEBANON CITY COUNCIL
MINUTES
January 14, 2014

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

Staff Present: Interim City Manager Walt Wendolowski, City Attorney Tré Kennedy, Police Chief Frank Stevenson and City Clerk Linda Kaser.

CALL TO ORDER: Mayor Aziz called the Special Session of the Lebanon City Council to order at 2:10 p.m. in the Santiam Travel Station Board Room, 750 3rd Street, Lebanon, Oregon.

ROLL CALL: Roll call was taken with Councilor Barry Scott absent. Mayor Aziz asked if staff had heard from Councilor Scott. Kaser replied that she had not; Mayor Aziz stated that he had not heard from Barry either.

CONSENT CALENDAR – AGENDA: City of Lebanon Council Agenda – January 14, 2014

Councilor Rieskamp moved, Councilor Grizzle seconded, to approve the Consent Calendar as presented.

PUBLIC COMMENTS:

Sue Davis, 1651 Hiatt Street, Lebanon, recalled her earlier support, of almost a year ago, of making Chief Stevenson's position permanent instead of acting in capacity. My view has not changed but has grown stronger. Everything I hear is extremely positive and the support the Chief has from his peers says a lot for the man's integrity. I would encourage [Council] to not only appoint the Chief but the other men to permanent placement to get their life off hold and move forward. I don't think we'll find any better.

APPOINTMENT OF OFFICERS:

1) Appointment of Pro Tem City Manager – Walt Wendolowski

Mayor Aziz spoke with staff and Mr. Wendolowski who is ready to take on the challenge of Pro Tem City Manager. Walt has the experience and respect of staff and conducts a good meeting.

Mayor Aziz recommended that Council appoint Wendolowski as Interim City Manager. The question is on the appointment of Walt Wendolowski as interim City Manager until the replacement of a new City Manager is finalized.

Councilor Bolen moved, Councilor Grizzle seconded, to appoint Mr. Wendolowski as Interim City Manager. The motion passed unanimously by voice vote.

2) Appointment of Chief of Police Frank Stevenson

Interim City Manager recommended that the City Council hire Frank Stevenson as their permanent Chief of Police.

Councilor Bolen moved, Councilor Rieskamp seconded, to appoint Frank Stevenson as Chief of Police for the City of Lebanon. The motion passed unanimously by voice vote.

Mayor Aziz explained that normally the City Manager would make decisions of officer/employee appointments but since Wendolowski is serving as ProTem, the City Charter requires that the appointments be approved by five members of the Council.

3) Appointment of Police Captain Greg Burroughs

Wendolowski recommended that the City Council appoint Greg Burroughs as their permanent Police Captain.

Councilor Grizzle moved, Councilor Fisher seconded, to appoint Greg Burroughs as Police Captain for the City of Lebanon. The motion passed unanimously by voice vote.

4) Appointment of Police Lieutenant Scott Bressler

Wendolowski recommended that the City Council appoint Scott Bressler as their permanent Police Lieutenant.

Councilor Rieskamp moved, Councilor Elliott seconded, to appoint Greg Burroughs as Police Lieutenant for the City of Lebanon. The motion passed unanimously by voice vote.

OATH OF OFFICE(S): City Clerk Kaser performed the Oath of Offices for Chief of Police Stevenson, Captain Burroughs, and Lieutenant Bressler.

ITEMS FROM COUNCIL: Councilor Rieskamp expressed that it was nice to have something as pleasant as the appointments at one of the Council Meeting. Council concurred and stated that the appointments were long overdue and well deserved.

PUBLIC COMMENTS:

Dala Johnson, speaking as a tax payer and an employee of the Police Department, thanked Council for making the department whole. The appointments were what the Police Department needed; the Department is ready to move forward.

Aziz stated that the entire Police Department has done a fantastic job over this past year. He recognized them for all their hard work.

ADJOURNMENT: Mayor Aziz adjourned the Regular Session at 12:13 and called for a five minute recess before entering into Executive Session. The Council will not reconvene into Regular Session.

EXECUTIVE SESSION: *Per ORS 192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent.*

[Minutes prepared by Linda Kaser]

Minutes Approved by the Lebanon City Council on this 12th day of February 2014.

Paul R. Aziz, Mayor	<input type="checkbox"/>
Bob Elliott, Council President	<input type="checkbox"/>

ATTESTED:

Linda Kaser, City Clerk

DRAFT

Consent Calendar

Appointments



MEMORANDUM

Engineering Services

To: Mayor Aziz and City Council

Date: February 5, 2014

From: Ron Whitlatch, Engineering Services Manager

Subject: REQUEST FOR CITY COUNCIL TO APPOINT CANAL NEGOTIATION COMMITTEE

RECOMMENDATION

Per the existing Intergovernmental Agreement between the City of Albany and City of Lebanon, I recommend the City Council pass a motion appointing three (3) committee members and the City Manager to begin negotiations with the City of Albany in regards to the Albany Canal IGA update.

BACKGROUND

Over the past 8 months, staff has been working towards an update to the existing IGA for canal maintenance with the City of Albany. In an effort to revise or improve upon the existing canal agreement, staff is recommending the City Council appoint a committee to continue with negotiations. The following individuals are being recommended for the Committee:

Walt Wendolowski – Interim City Manager/Community Development Director

Jason Williams – Maintenance Manager

Rob Emmons – Engineering Services Supervisor

Ron Whitlatch – Engineering Services Manager

City Council may also want to consider having a member of the City Council act as an alternate in the case that one of the committee members is unavailable.

The overall goal of the committee would be to negotiate any new terms of the agreement. All final decisions would be subject to City Council approval.

Engineering Services

INTERGOVERNMENTAL AGREEMENT FOR OPERATION OF ALBANY-SANTIAM CANAL

This Agreement dated this 23rd day of April, 1986, between the City of Albany (hereinafter called Albany) and the City of Lebanon (hereinafter called Lebanon) both municipal corporations of the State of Oregon.

WHEREAS, ORS 190.003-190.110 authorizes units of local government to jointly undertake functions or activities which the individual units of government have authority to perform separately; and

WHEREAS, the parties have purchased from Pacific Power and Light Company their respective public water supply systems which are jointly served by a raw water supply canal known as the Albany-Santiam Canal extending from the South Santiam River south of Lebanon to the Calapooia River west of Albany including a dam, headworks, various control devices, and bridges; and

WHEREAS, Albany has received title to the canal, dam, headworks, various control devices, and bridges and desires to continue to provide a raw water supply to Lebanon for domestic consumption at an equitable cost to Lebanon.

WHEREAS, the parties have agreed that revisions should be made in an Agreement dated December 12, 1984, which provided for maintenance of the canal.

NOW, THEREFORE, IT IS AGREED:

1. WATER SUPPLY

- a. Albany shall maintain the raw water supply canal and all its appurtenances in good and proper working condition to assure delivery of a supply of raw water to the Lebanon but not in excess of its legal rights to water from the South Santiam Canal.
- b. Albany shall not be liable for the failure to supply water to Lebanon as a result of any acts beyond its control such as floods, low stream flows, etc.
- c. Albany shall not be liable for the quality of the raw water delivered to Lebanon nor any cost associated with treating the water delivered.
- d. Lebanon shall be responsible for maintaining and operating its treatment plant and raw water intake structure.
- e. If emergency conditions require an adjustment of gates, weirs, and other control devices to protect public health and safety or portions of the canal from damage, Lebanon may make the required adjustment but within two hours shall notify personnel at the Albany treatment plant of the actions taken and the reasons therefor.

2. FINANCES

- a. In March each year, Albany shall advise Lebanon of the estimated annual cost for operating, maintaining, and planning for and improving the canal (hereinafter called "cost of operating the canal") and its appurtenances.

Prior to March 1st, each City Council shall appoint a 3-member committee who with the respective city managers shall meet to review the proposed budget, other matters concerning the maintenance or improvement of the canal, or revisions to this agreement. Lebanon shall submit further comments and any objections to Albany prior to May 1st.

- b. Should the parties fail to agree upon operation, maintenance, improvement plans, or the allocation of costs before June 1st, they shall select a qualified engineer, financial specialist, or other party who shall determine the matters under dispute. The parties shall equally share the cost of dispute resolution.
- c. Unless otherwise agreed, the parties shall share in the net cost of operation, maintenance, and improvement of the canal and its appurtenances as follows: Albany 67%; Lebanon 33%. "Net cost" is determined by subtracting revenue received by Albany from any other parties using the canal or water therefrom.
- d. Lebanon shall pay one twelfth of its share of the estimated costs by the last day of each month commencing in July.
- e. Albany shall not increase its annual expenditures for operation of the canal by more than 10% of the agreed upon amount without first consulting with Lebanon and obtaining agreement thereto or submitting the proposed additional expenditures to a third party as provided in Paragraph 3, EXCEPT nothing herein shall delay or prevent the incurring of expenses of an emergency nature necessary to maintain the flow and utility of the canal.
- f. Within 30 days after receipt of the audit for the fiscal year, Albany shall recalculate the proration of costs based upon the volume of water pumped by both cities from their treatment plants and actual costs incurred in the operation of the canal and shall within 30 days reimburse Lebanon for any overpayment or shall submit a bill for any additional costs which shall be paid within 30 days.
- g. Payments due shall be delinquent if not paid within 30 days of the date of the invoice specified and shall thereafter bear interest at 7%.

3. CAPITAL RESERVE

- a. A capital reserve fund shall be established by Albany for the purpose of funding any extraordinary repair or replacement costs such as rebuilding the dam, replacing the headworks, or replacing a bridge. Interest earned shall be retained in the fund. Monies deposited in the fund shall remain the property of the contributing party.
- b. Monthly, each party shall deposit one-twelfth of its pro rata share of the fund into the account as follows:

<u>Year</u>	<u>Albany</u>	<u>Lebanon</u>	<u>Accumulated Total</u>
1985	\$12,000	\$6,000	\$ 18,000
1986	12,000	6,000	36,000
1987	12,000	6,000	54,000
1988	12,000	6,000	72,000
1989	16,000	8,000	96,000
1990	16,000	8,000	120,000

- c. Prior to expending money from the fund, the parties shall confer to determine if the proposed expenditure should be from the fund or from operating and maintenance funds.
- d. Whenever funds are withdrawn, the parties shall again make monthly deposits until the amount on deposit totals \$120,000 or such other amount as mutually agreed.
- e. In 1987, the parties shall evaluate this section and determine if payments to the fund should continue beyond the schedule in Paragraph b.

4. DURATION AND TERMINATION

- a. This Agreement shall continue for a term of five years from the date hereof, but on December 31st each year beginning December 31, 1985, shall automatically renew for an additional five-year period.
- b. It may be terminated by either party upon three years' written notice to the City Recorder of either party delivered prior to December 31st.

CITY OF ALBANY:

William F. Brennan

[Signature]

CITY OF LEBANON:

Robert Smith

Mayor:

Allen L. Henderson

City Administrator

Board & Committee
Meeting Minutes

**CITY OF LEBANON
BICYCLE AND PEDESTRIAN ADVISORY BOARD
MEETING MINUTES
NOVEMBER 21, 2013**

Present were Linda Martin, Damon Tempey, Barbi Thomson, Jim Ruef. Also present was Jason Williams, Maintenance Department Manager for the City of Lebanon. Linda called the meeting to order at 7:15 p.m.

Minutes: The minutes from the September 26, 2013 meeting were approved unanimously. There was no meeting in October as there was not a quorum present.

Public Input: Jason Williams passed around a picture of a bike rack being constructed by the City destined to be installed and bolted down on the southeast corner of Vine and Main. Materials for the rack were paid for by a \$1,000 grant from the Tourism Department that is overseen by the Chamber of Commerce. Larry Hageman, city fabricator, is donating his time to construct it. Barbi offered to write a Thank You note to him on behalf of the Bike & Ped Board. Linda also offered to approach Lebanon's postmaster about putting in a bike rack at the post office.

Jason also reviewed additional upcoming projects. The city is working with Linn County to improve Cascade Drive by Seven Oak Middle School and has offered to split 50/50 with the county to put in sidewalks and bike lanes. Details of this still need to be finalized.

He also mentioned they are working on a grant with ConnectOregonV to extend portions of the Canal Trail. It will be done in two phases: Phase I will be 1315 feet long from LBCC to N. Williams along the Santiam Canal and will be built next summer regardless of whether a grant is received or not. Phase II will go through Had Irvine park and connect to the existing Marks Slough Trail. When these two are finished the trail will go all the way through the north side of Lebanon.

Jason also said that \$250,000 worth of landscape materials had been anonymously donated for use at Cheadle Lake.

There is a campaign in Lebanon called HEAL, Healthy Eating, Active Living sponsored by the League of Oregon Cities. Jason said he would find out more about it to see how the Bike & Ped Board can help. He has also offered to be the liaison between us and the city.

Damon had a question about Board membership. This had been previously discussed but members were reminded that the City revamped the terms and extended timelines for service.

With no further business the meeting was adjourned at 7:57 p.m. The next meeting will be 7:00 p.m., January 23, 2014 at the Santiam Travel Station.

Respectfully submitted,

Barbi Thomson
Secretary

Lebanon Youth City Council
Meeting Minutes
December 19, 2013

Meeting called to order at 6:00pm

Attending: Brooklyn Giles, Sri Downer, Dorothy Staneart , Arron Davis

Absent: Libby Hoene

Youth Council Officers Voted and approved on:

Committee Chair: Brooklyn Giles

Committee Vice Chair: Sri Downer

Treasurer: Dorothy Staneart

Secretary: Arron Davis

Contact Sri if you can make it or not to each meeting.

Try to do meetings Thursdays twice a month on the 2nd and 4th Thursday each month at 6pm.

Ideas Presented:

- 1) Create a bully hotline to talk about things going on they are uncomfortable taking to schools staff or parents about.
 - 2) Promote "If I were Mayor; contest
 - 3) Disaster preparedness (shelters) CERT teams; develop each block with leader to keep people safe during a disaster.
 - 4) And organization or church with people to help the homeless to clean up (provide showers) and warming stations when needed. Suggested building is old boys and girls club in Century Park, or restore another old city building. Other resources homeless population, hot beverages in the park etc
 - 6) Open a place like the skating rink to have people watch over the kids using it.
 - 7) Invite guest speakers to discuss projects already underway in the city. Dala Johnson from LPD, Roxanne Hartness from Lebanon school district and Lynn Koehn from River Center
 - 8) Alcohol awareness for youth - with stickers on bottles, glasses, and/or a drunk driving awareness demo or presentation.
- The Mayor will see if the Youth can receive a city email address for Council business.
 - If 3 or more of the youth council member are discussing business, it is considered a meeting
 - Our meetings are public meetings that are recorded and timed

Meeting Adjourned at 7:14 pm

Next meeting Thursday January 9, 2014

Liquor License(s)

New Outlet - Grocery Outlet and Momiji Sushi Bar & Restaurant;
Change in Ownership – Knot Hole Market



Administration

City Clerk/Recorder

To: Mayor Aziz and City Council

Date: February 3, 2014

From: Linda Kaser, City Clerk

Subject: Liquor License Application Request: Grocery Outlet

DC Dunaway, Inc. (dba Grocery Outlet), located at 2540 S. Santiam Highway in Lebanon, has applied for a New Outlet, Off-Premises Sales, liquor license. The OLCC Application is attached for Council's review and consideration.

The appropriate departments have reviewed the application and found no evidence to support a denial of this liquor license application, as indicated on the comment form.

Therefore, staff recommends that Council approve the application under the City Council Consent Calendar.

LGK/jb

DATE SENT FOR STAFF RECOMMENDATION: January 17, 2014

New Outlet: Renewal:

LIQUOR LICENSE APPLICATION FOR: Grocery Outlet Bargain Market

Change in Ownership:

Business Address: 2540 S. Santiam Hwy

Applicant: D C Dunaway, Inc

New Owner of Existing Business: Previous Owner (If applicable)

Type of License(s):

Full On-Premises Sales	<input type="checkbox"/>	Lmtd. On-Premises Sales	<input type="checkbox"/>	Off-Premises Sales	<input checked="" type="checkbox"/>
Brewery-Public House	<input type="checkbox"/>	Winery	<input type="checkbox"/>	Brewery	<input type="checkbox"/>
Certificate of Approval	<input type="checkbox"/>	Distillery	<input type="checkbox"/>	Growers Sales Privilege	<input type="checkbox"/>

Department	Official	Approval	*Denial	Date	Additional Comments or Conditions of Approval
Building	Shawn Eaton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1/17/14	<i>No comments</i>
Fire	Mark Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1/21/14	<i>No comments</i>
Planning	Walt Wendolowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1/8/14	<i>Use is permitted</i>
Police	Frank Stevenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1/21/14	<i>Local.CCH.ODL – approved, no concerns</i>

*** All recommendations for denial must be accompanied by supporting documentation. Upon completion of investigation, return this form and any supporting documentation to the City Clerk's Office.**

CITY COUNCIL RECOMMENDATION DATE: 2/12/14

LIQUOR LICENSE RECOMMENDATION TO OLCC					
Department	Official	Approval	Denial	Additional Comments or Conditions of Approval	
City Clerk	Linda Kaser	<input type="checkbox"/>	<input type="checkbox"/>		



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
 - Commercial Establishment
 - Caterer
 - Passenger Carrier
 - Other Public Location
 - Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
 - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: _____

ACTIONS

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other _____

90-DAY AUTHORITY

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

CITY AND COUNTY USE ONLY

Date application received: 1-7-14

The City Council or County Commission:

(name of city or county)

recommends that this license be:

- Granted
- Denied

By: _____
(signature) (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: [Signature]

Date: 12-09-13

90-day authority: Yes No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① DC Dunaway Inc ③ _____

② Grocery Outlet Inc. ④ _____

2. Trade Name (dba): LEBANON GROCERY OUTLET

3. Business Location: 2540 S. Santiam Hwy LEBANON OR 97355
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 2540 S Santiam Hwy LEBANON OR 97355
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: TBD
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: _____ Type of License: _____

8. Former Business Name: _____

9. Will you have a manager? Yes No Name: David Dunaway
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? LEBANON
(name of city or county)

11. Contact person for this application: DAVID DUNAWAY 509-710-0700
(name) (phone number(s))
10010A Sky Ct Kelseyville, WA 95451 707-994-4586 dan.lebanon@groceryoutlet.com
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① [Signature] Date 10/17/13 ③ _____ Date _____

② [Signature] Date 10/21/13 ④ _____ Date _____



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: D. C. Dunaway Inc Phone: 504-710-0700

Trade Name (dba): LEBANON Grocery Outlet

Business Location Address: 2540 S. Santiam Hwy

City: LEBANON ZIP Code: 97355

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 7 to 9
 Monday 7 to 9
 Tuesday 7 to 9
 Wednesday 7 to 9
 Thursday 7 to 9
 Friday 7 to 9
 Saturday 7 to 9

Outdoor Area Hours:

Sunday _____ to _____
 Monday _____ to _____
 Tuesday _____ to _____
 Wednesday _____ to _____
 Thursday _____ to _____
 Friday _____ to _____
 Saturday _____ to _____

The outdoor area is used for:

Food service Hours: _____ to _____
 Alcohol service Hours: _____ to _____
 Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.
 _____ (Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

Live Music Karaoke
 Recorded Music Coin-operated Games
 DJ Music Video Lottery Machines
 Dancing Social Gaming
 Nude Entertainers Pool Tables
 Other: _____

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday _____ to _____
 Monday _____ to _____
 Tuesday _____ to _____
 Wednesday _____ to _____
 Thursday _____ to _____
 Friday _____ to _____
 Saturday _____ to _____

SEATING COUNT

Restaurant: _____ Outdoor: _____
 Lounge: _____ Other (explain): _____
 Banquet: _____ Total Seating: _____

OLCC USE ONLY

Investigator Verified Seating: ____ (Y) ____ (N)
 Investigator Initials: _____
 Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 10/17/13



Administration

City Clerk/Recorder

To: Mayor Aziz and City Council

Date: February 3, 2014

From: Linda Kaser, City Clerk

Subject: Liquor License Application Request: Momiji Sushi Bar & Restaurant

Momiji Lebanon, Inc. (dba Momiji Sushi Bar & Restaurant), located at 1755 and 1757 S. Main Street in Lebanon, has applied for a New Outlet, Full On-Premises Sales, liquor license. The OLCC Application is attached for Council's review and consideration.

The appropriate departments have reviewed the application and found no evidence to support a denial of this liquor license application, as indicated on the comment form.

Therefore, staff recommends that Council approve the application under the City Council Consent Calendar.

LGK/jb

DATE SENT FOR STAFF RECOMMENDATION: January 27, 2014

New Outlet: Renewal:

LIQUOR LICENSE APPLICATION FOR: Momiji Sushi Bar & Restaurant

Change in Ownership:

Business Address: 1755 & 1757 S. Main Street

Applicant: Rafael Rivera

New Owner of Existing Business: Previous Owner (If applicable)

Type of License(s):

Full On-Premises Sales	<input checked="" type="checkbox"/>	Lmtd. On-Premises Sales	<input type="checkbox"/>	Off-Premises Sales	<input type="checkbox"/>
Brewery-Public House	<input type="checkbox"/>	Winery	<input type="checkbox"/>	Brewery	<input type="checkbox"/>
Certificate of Approval	<input type="checkbox"/>	Distillery	<input type="checkbox"/>	Growers Sales Privilege	<input type="checkbox"/>

Department	Official	Approval	*Denial	Date	Additional Comments or Conditions of Approval
Building	Shawn Eaton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1/27/14	<i>No comments</i>
Fire	Mark Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/4/14	<i>No issues</i>
Planning	Walt Wendolowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1/27/14	<i>Property is zoned Highway Commercial. Proposed use and alcohol sales are permitted.</i>
Police	Frank Stevenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<i>Nothing that would disqualify them from obtaining liquor license</i>

*** All recommendations for denial must be accompanied by supporting documentation. Upon completion of investigation, return this form and any supporting documentation to the City Clerk's Office.**

CITY COUNCIL RECOMMENDATION DATE: 2/12/14

LIQUOR LICENSE RECOMMENDATION TO OLCC					
Department	Official	Approval	Denial	Additional Comments or Conditions of Approval	
City Clerk	Linda Kaser	<input type="checkbox"/>	<input type="checkbox"/>		



OREGON LIQUOR CONTROL COMMISSION
LIQUOR LICENSE APPLICATION

RECEIVED

JAN 27 2014

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
- Commercial Establishment
 - Caterer
 - Passenger Carrier
 - Other Public Location
 - Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
 - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: _____

ACTIONS

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other _____

90-DAY AUTHORITY

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

CITY AND COUNTY USE ONLY

Date application received: _____

The City Council or County Commission:

(name of city or county)

recommends that this license be:

- Granted
- Denied

By: _____
(signature) (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: Dr

Date: 01-27-14

90-day authority: Yes No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① Momiji Lebanon Inc ③ _____

② _____ ④ _____

2. Trade Name (dba): Momiji Sushi Bar & Restaurant

3. Business Location: 1755 & 1757 S main ST, Lebanon, Linn, OR 97355
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 2210 Soapstone Ave SE Salem OR 97355
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-990-3830 N/A
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: N/A Type of License: N/A

8. Former Business Name: N/A

9. Will you have a manager? Yes No Name: Rafael Rivera
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Lebanon
(name of city or county)

11. Contact person for this application: Bruce Zhen 503-990-3830
(name) (phone number(s))
2210 Soapstone Ave SE N/A bz.2012@yahoo.com
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:
① [Signature] Date 1/23/14 ③ _____ Date _____
② _____ Date _____ ④ _____ Date _____



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: Momiji Lebanon Inc Phone: 503-990-3830

Trade Name (dba): Momiji Sushi Bar & Restaurant

Business Location Address: 1755 & 1757 S Main St

City: Lebanon ZIP Code: 97355

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 11am to 9pm
Monday 11am to 9pm
Tuesday 11am to 9pm
Wednesday 11am to 9pm
Thursday 11am to 9pm
Friday 11am to 10pm
Saturday 11am to 10pm

Outdoor Area Hours:

Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday N/A to N/A
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

The outdoor area is used for:

Food service Hours: N/A to N/A
 Alcohol service Hours: N/A to N/A
 Enclosed, how N/A

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: N/A

ENTERTAINMENT

Check all that apply:

- Live Music
- Recorded Music
- DJ Music
- Dancing
- Nude Entertainers
- Karaoke
- Coin-operated Games
- Video Lottery Machines
- Social Gaming
- Pool Tables
- Other: _____

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday _____ to _____
Monday _____ to _____
Tuesday N/A to N/A
Wednesday N/A to N/A
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

SEATING COUNT

Restaurant: 66 Outdoor: _____
Lounge: _____ Other (explain): 6 video Lottery Game Room
Banquet: _____ Total Seating: 72

OLCC USE ONLY

Investigator Verified Seating: ____ (Y) ____ (N)

Investigator Initials: _____

Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 1/23/14



Administration

City Clerk/Recorder

To: Mayor Aziz and City Council

Date: February 3, 2014

From: Linda Kaser, City Clerk

Subject: Liquor License Application Request: Knot Hole Market

Daniel Deibele (dba Knot Hole Market), located at 2412 S. Santiam Highway in Lebanon, has applied for a Change in Ownership, Off-Premises Sales, liquor license. The OLCC Application is attached for Council's review and consideration.

The appropriate departments have reviewed the application and found no evidence to support a denial of this liquor license application, as indicated on the comment form.

Therefore, staff recommends that Council approve the application under the City Council Consent Calendar.

LGK/jb

DATE SENT FOR STAFF RECOMMENDATION: January 27, 2014

New Outlet: Renewal:

LIQUOR LICENSE APPLICATION FOR: Knot Hole Market

Change in Ownership:

Business Address: 2412 S. Santiam Hwy

Applicant: Daniel Deibele

New Owner of Existing Business: Previous Owner (If applicable) Robert Deibele

Type of License(s):

Full On-Premises Sales	<input type="checkbox"/>	Lmtd. On-Premises Sales	<input type="checkbox"/>	Off-Premises Sales	<input checked="" type="checkbox"/>
Brewery-Public House	<input type="checkbox"/>	Winery	<input type="checkbox"/>	Brewery	<input type="checkbox"/>
Certificate of Approval	<input type="checkbox"/>	Distillery	<input type="checkbox"/>	Growers Sales Privilege	<input type="checkbox"/>

Department	Official	Approval	*Denial	Date	Additional Comments or Conditions of Approval
Building	Shawn Eaton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1/27/14	<i>No comments</i>
Fire	Mark Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/4/14	<i>No issues</i>
Planning	Walt Wendolowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1/27/14	<i>Property is zoned Highway Commercial. Proposed use and sales are allowed.</i>
Police	Frank Stevenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1/28/14	<i>Nothing that would disqualify them from obtaining liquor license</i>

*** All recommendations for denial must be accompanied by supporting documentation. Upon completion of investigation, return this form and any supporting documentation to the City Clerk's Office.**

CITY COUNCIL RECOMMENDATION DATE: 2/12/14

LIQUOR LICENSE RECOMMENDATION TO OLCC					
Department	Official	Approval	Denial	Additional Comments or Conditions of Approval	
City Clerk	Linda Kaser	<input type="checkbox"/>	<input type="checkbox"/>		



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
 - Commercial Establishment
 - Caterer
 - Passenger Carrier
 - Other Public Location
 - Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
 - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: _____

ACTIONS

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other _____

CITY AND COUNTY USE ONLY

Date application received: _____

The City Council or County Commission:

(name of city or county)

recommends that this license be:

Granted Denied

By: _____
(signature) (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: [Signature]

Date: 01-10-14

90-day authority: Yes No

90-DAY AUTHORITY

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

- ① Daniel Deibele ③ _____
- ② _____ ④ _____

2. Trade Name (dba): Knot hole Market

3. Business Location: 2412 S Santiam Lohman OR 97355
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: Same
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 541-481-1107 541-259-2188
Cell 541-570-5271 (phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: Robert F. Deibele Type of License: off-premises

8. Former Business Name: Knot Hole Market

9. Will you have a manager? Yes No Name: Daniel Deibele
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? City of Lohman
(name of city or county)

11. Contact person for this application: Daniel Deibele 541-570-5271
(name) (phone number(s))
2412 S Santiam Lohman OR
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

- ① Daniel Deibele Date 9-26-13 ③ _____ Date _____
- ② _____ Date _____ ④ _____ Date _____



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: Daniel Deibel Phone: 541-570-5271

Trade Name (dba): Knot hole Market

Business Location Address: 2412 S Santiam

City: Lebanon OR ZIP Code: 97355

DAYS AND HOURS OF OPERATION

Business Hours:
Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

24-7

Outdoor Area Hours:
Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

The outdoor area is used for:
 Food service Hours: _____ to _____
 Alcohol service Hours: _____ to _____
 Enclosed, how _____
The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- Live Music
- Recorded Music
- DJ Music
- Dancing
- Nude Entertainers
- Karaoke
- Coin-operated Games
- Video Lottery Machines
- Social Gaming
- Pool Tables
- Other: _____

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

SEATING COUNT

Restaurant: _____ Outdoor: _____
Lounge: _____ Other (explain): _____
Banquet: _____ Total Seating: _____

OLCC USE ONLY

Investigator Verified Seating: _____(Y) _____(N)

Investigator Initials: _____

Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Daniel Deibel Date: 10-15-13

Rights-of-Way & *Easements*

R-O-W DEDICATION: For Trail Use, dedication by Gerson

R-O-W VACATION: Authorization to proceed (Petitioner Zimicks)



CITY OF LEBANON
It's easier from here.

MEMORANDUM

Engineering Services

To: Mayor Aziz and City Council

Date: January 16, 2014

From: Ron Whitlatch, Engineering Services Manager

RE: **RIGHT OF WAY DEDICATION FOR TRAIL**

The attached Public Right of Way dedication is being presented for consideration on the February 12, 2014 Lebanon City Council Agenda.

Mr. Eric Gerson of Guerdon Development, LLC is dedicating this property to the City in order for the city to construct a portion of a trail as part of the Lebanon Trails Strategic Plan that was adopted by Council on October 14, 2009.

Please see attached map. Staff will be available should Council have any questions.

Engineering Services

RIGHT-OF-WAY DEDICATION

KNOW ALL MEN BY THESE PRESENTS that for and in consideration of the sum of \$ 1.00, receipt of which is hereby acknowledged, the undersigned, Eric Gerson, Member: Guerdon Development LLC, address: 41057 Upper Calapooia Drive, City of Sweet Home, County of Linn, State of Oregon, owner of the land below described, hereinafter called Grantor, hereby grants, bargains, sells and conveys to the CITY OF LEBANON, a Municipal Corporation located within Linn County, Oregon, hereinafter called Grantee, its successors and assigns, a perpetual municipal right-of-way in, over and upon property situated in Linn County, Oregon, more fully described as follows:

See attached Exhibit A and Exhibit B

The purpose of this right-of-way is to provide property for the use as a public path on the above-described property.

This right-of-way includes the rights of ingress and egress at any time over and upon the above-described land of the Grantor, and other land of the Grantor adjoining said right-of-way that is necessary to exercise the rights of ingress and egress.

There is reserved to Grantor, their heirs and assigns, the right and privilege to use the above-described land of the Grantor at any time, in any manner, and for any purpose not inconsistent with the full use and enjoyment by the Grantee, its successors and assigns, of the rights and privileges herein granted.

Grantee shall be responsible for the construction, maintenance, operation and replacement of the right-of-way for which the granting of this right-of-way dedication has been given.

IN WITNESS WHEREOF, we have set our hands hereto this 15th day of November, 2013.

STATE OF OREGON)
County of Linn)ss.
City of Lebanon)
[Signature] CEO

IN WITNESS WHEREOF, we have set our hands hereto this ___ day of ___, 20__.

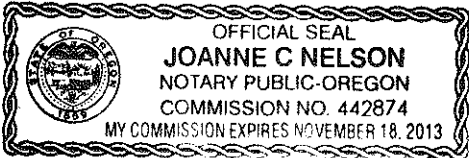
STATE OF OREGON)
County of Linn)ss.
City of Lebanon)
By: Paul R. Aziz, Mayor []
Bob Elliott, Council President []
By: Linda Kaser, City Clerk/Recorder

GRANTOR(S)

On the 15th day of November, 2013, personally appeared the within named Eric Gerson who acknowledged the foregoing instrument to be a voluntary act and deed.

BEFORE ME: Joanne C Nelson
NOTARY PUBLIC FOR OREGON

My commission expires: 11-18-13



GRANTEES

On the ___ day of ___, 20__, personally appeared ___ and LINDA KASER, who each being duly sworn, did say that the former is the Mayor/Council President and the latter is the Recorder for the City of Lebanon, a Municipal Corporation, and that the seal affixed to the foregoing instrument was signed and sealed in behalf of said corporation by authority of its City Council, which accepted this easement on the ___ day of ___, 20__; and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME: ___
NOTARY PUBLIC FOR OREGON

My commission expires: _____

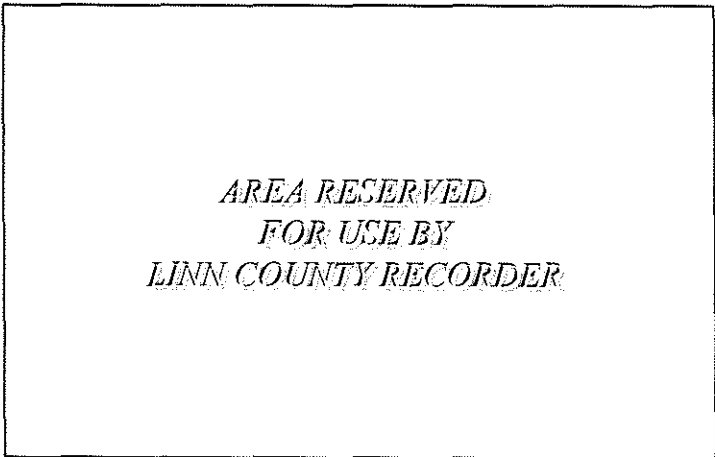
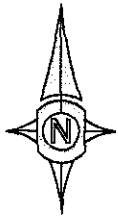


EXHIBIT A

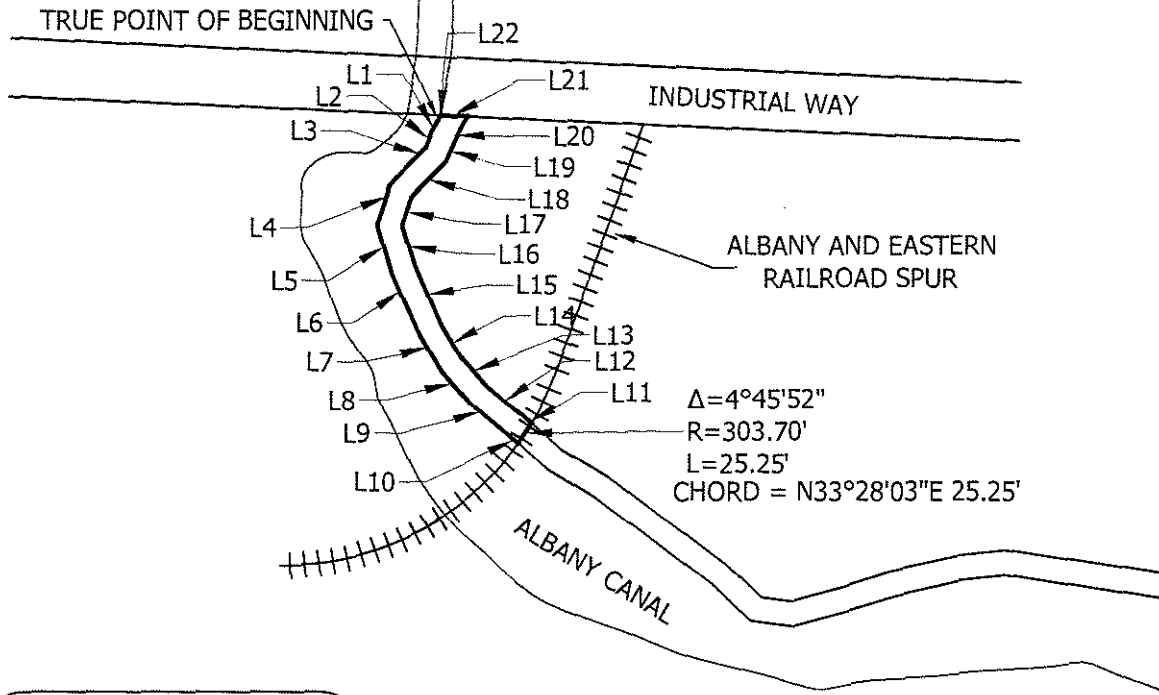
A strip of land being 25' in even width located in the Morgan Keese Donation Land Claim No. 43 in Section 2, Township 12 South, Range 2 West, Willamette Meridian, City of Lebanon, Linn County, Oregon, which is more particularly described as follows:

Commencing at a point marked by a 5/8" iron rod which is North 522.27 feet and East 50.60 feet from the Northeast corner of Wassom's Addition to the City of Lebanon, in Section 10, Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon and being on the Easterly right of way of the Santiam Highway (U.S. Highway No. 20); thence South 89°51'40" East 285.22 feet to 3/4" iron pipe; thence North 2°19'16" West 112.30 feet to a 5/8" iron rod; thence North 89°54'39" East 407.61 feet to a point on the Easterly bank of the Albany and Santiam Canal; thence along said Easterly bank South 16°18'10" West 42.04 feet; thence South 5°54'12" West 75.16 feet; thence South 0°07'16" East 248.90 feet; thence South 10°38'41" West 39.03 feet; thence South 29°16'27" West 2.56 feet to the South line of that strip of land described by that Quitclaim Deed dated July 23, 1986 recorded in Volume 417, Page 227, Linn County Deed Records, and the **true point of beginning**; thence South 29°16'27" West 17.34 feet; thence South 22°48'16" West 16.78 feet; thence South 44°28'05" West 54.17 feet; thence South 17°17'13" West 43.49 feet; thence South 16°25'08" East 49.95 feet; thence South 23°41'23" East 70.47 feet; thence South 30°06'02" East 44.87 feet; thence South 40°58'50" East 44.71 feet; thence South 50°42'59" East 50.73 feet; thence South 48°31'20" East 14.62 feet to a 5/8" iron rod marking the centerline of the Albany and Eastern Railroad spur; thence along said centerline on a 303.70 feet radius arc to the left 25.25 feet (long chord of arc is North 33°28'03" East 25.25 feet; thence North 48°31'20" West 11.58 feet; thence North 50°42'59" West 49.08 feet; thence North 40°58'50" West 40.20 feet; thence North 30°06'02" West 41.09 feet; thence North 23°41'23" West 67.48 feet; thence North 16°25'08" West 40.79 feet; thence North 17°17'13" East 29.87 feet; thence North 44°28'05" East 52.91 feet; thence North 22°48'16" East 20.15 feet; thence North 29°16'27" East 31.07 feet; thence North 87°27'00" West 27.99 feet; thence South 29°16'27" West 2.56 feet to the point of beginning.





SCALE:

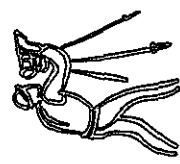


Line Table		
Line #	Length	Direction
L1	17.34'	S29° 16' 27\"W
L2	16.78'	S22° 48' 16\"W
L3	54.17'	S44° 28' 05\"W
L4	43.49'	S17° 17' 13\"W
L5	49.95'	S16° 25' 08\"E
L6	70.47'	S23° 41' 23\"E
L7	44.87'	S30° 06' 02\"E
L8	44.71'	S40° 58' 50\"E
L9	50.73'	S50° 42' 59\"E
L10	14.62'	S48° 31' 20\"E
L11	11.58'	N48° 31' 20\"W
L12	49.08'	N50° 42' 59\"W
L13	40.20'	N40° 58' 50\"W
L14	41.09'	N30° 06' 02\"W
L15	67.48'	N23° 41' 23\"W
L16	40.79'	N16° 25' 08\"W
L17	29.87'	N17° 17' 13\"E
L18	52.91'	N44° 28' 05\"E
L19	20.15'	N22° 48' 16\"E
L20	31.07'	N29° 16' 27\"E
L21	27.99'	N87° 27' 00\"W
L22	2.56'	S29° 16' 27\"W

UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON, 97355
 541-451-5125

EXHIBIT B
CITY OF LEBANON
TRAIL RIGHT-OF-WAY
DEDICATION

Date: 10-01-2013
 Project: BUILD LEBANON TRAILS
 Drawn by: KVL
 Checked by: BSV



SHEET 1
 of 1
 SCALE: AS NOTED

REGISTERED
**PROFESSIONAL
 LAND SURVEYOR**

 OREGON
 JULY 13, 1999
BRIAN VANDETTA
51041-LS
 EXPIRES 06-30-2014



MEMORANDUM

Engineering Division

To:	Linda Kaser, CMC City Clerk/Recorder	Date: January 28, 2014
From:	Ed Patton, PE, PLS <i>E.P.</i> Senior Engineer	
CC:	Ron Whitlatch, PE Engineering Services Mgr./City Engineer	
Subject:	Right of Way Vacation (Market Street path)	

We received an application to vacate right of way located along the west side of the old Foothills Farm Supply site at 100 Market Street (see attached map). The petition was presented by the property owners, Dirk & Marci Zimick. We ask that the City Council authorize staff to proceed with the vacation process and schedule a public hearing for a date no earlier than one month following Councils' authorization to proceed.

The purpose of the vacation request is the right of way is not used by the public. The City Trails plan indicates the right of way will not be used for a future trail. The right of way presently terminates into the Bob Smith Memorial park drainage ditch. As indicated in their letter, the petitioners believe the vacation would allow them to prevent vandalism. Additionally, the vacation allows for potential commercial expansion over the west end of the property in the future within this Mixed-Use zone.

In compliance with ORS 271, I am submitting the supporting information for your review. The application and letter are intended to serve as a petition for vacation per ORS 271.080. Staff sought written consent from all affected properties as defined by this statute. Just over two-thirds of these properties by area have consented which meets the statutory requirement. Guardian Management LLC of Portland (property owners of Park Manor Apartments, 42 Market Street) and Sunrise Newberg MHC LLC of Irvine California (property owners of Santiam Village Mobile Home Park, 200 Market Street) did not respond. All consent forms are attached and a spread sheet summarizes the calculated area consenting.

Per Statute, the fees for the vacation have been paid. As required by ORS 271.130(3) the City Finance Department confirmed today that no liens exist against the property. The Linn County Tax Summary Report indicates the taxes are paid (see attached).



PROPOSED VACATION
CONCEPTUAL
YOUTH
CENTER

CITY OF ULMAN

0 10 20 30
FEET

DATE: 08/14/2018
BY: [illegible]
PROJECT: [illegible]
SHEET: [illegible]
SCALE: [illegible]
DRAWN BY: [illegible]
CHECKED BY: [illegible]
APPROVED BY: [illegible]



CITY OF LEBANON
PUBLIC WORKS DEPARTMENT

853 Main Street
Lebanon, OR 97355-3200
Telephone: (541) 258-4906
Fax: (541) 258-4955

APPLICATION FOR VACATION OF PUBLIC LAND

Name: DIRK & MARCI ZIMICK Phone: 541-451-5133

Address: 37535 ELIZABETH DRIVE (mailing)

City: LEBANON State: OREGON Zip: 97355

Public Land Proposed for Vacation: 100 MARKET STREET - SEE ATTACHED LEGAL DESCRIPTION (name of street or location)

Submittals Required for Application:

- 1. Petition for adjoining property owners.
2. Legal description of area to be vacated.
3. Vacation Fee of \$750 (Easement) \$1200 (Street/Alley)

This application STARTS the vacation process required by ORS 271. The final decision as to whether or not to vacate will be made by the Lebanon City Council, after providing Public Notice and conducting a Public Hearing.

Because of the notice and advertising requirements in ORS 271, allow for a minimum of two months from application to recording of the vacation.

Signature of Applicant's: [Handwritten Signature]

Date: 10-17-2013

Signature of Engineering/Planning Department

Date

For Office Use Only
Date Received: 10/21/13 Received By:
Fee Amount: 1200- Receipt No: 257 Check No.: 10248

Oct. 16,2013

To whom this may concern,

This is a formal request to the City of Lebanon, by Dirk and Marci Zimick, owners of the 100 Market Street property. We are requesting the vacation of a 6.0 foot right-of-way, westerly side and even width of Lot 3, Horn Subdivision, in the City of Lebanon, Section 23, Township 12 South, Range 2 West, Willamette Meridian, Linn County, Oregon.

This right of way is not being used and is not on any current or future plans of the Proposed Lebanon Trail System.

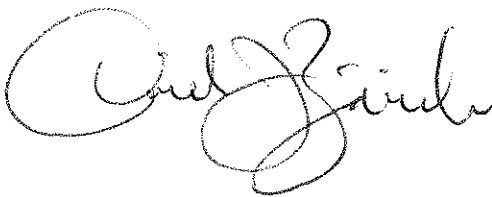
We have had many instances of vandalism to our property over the previous 34 years, by people passing through this right-of-way.

Attached is a letter of support for the vacation, by property owners adjacent to the west of the right-of-way. They have had similar incidents as well, dating back to 1986.

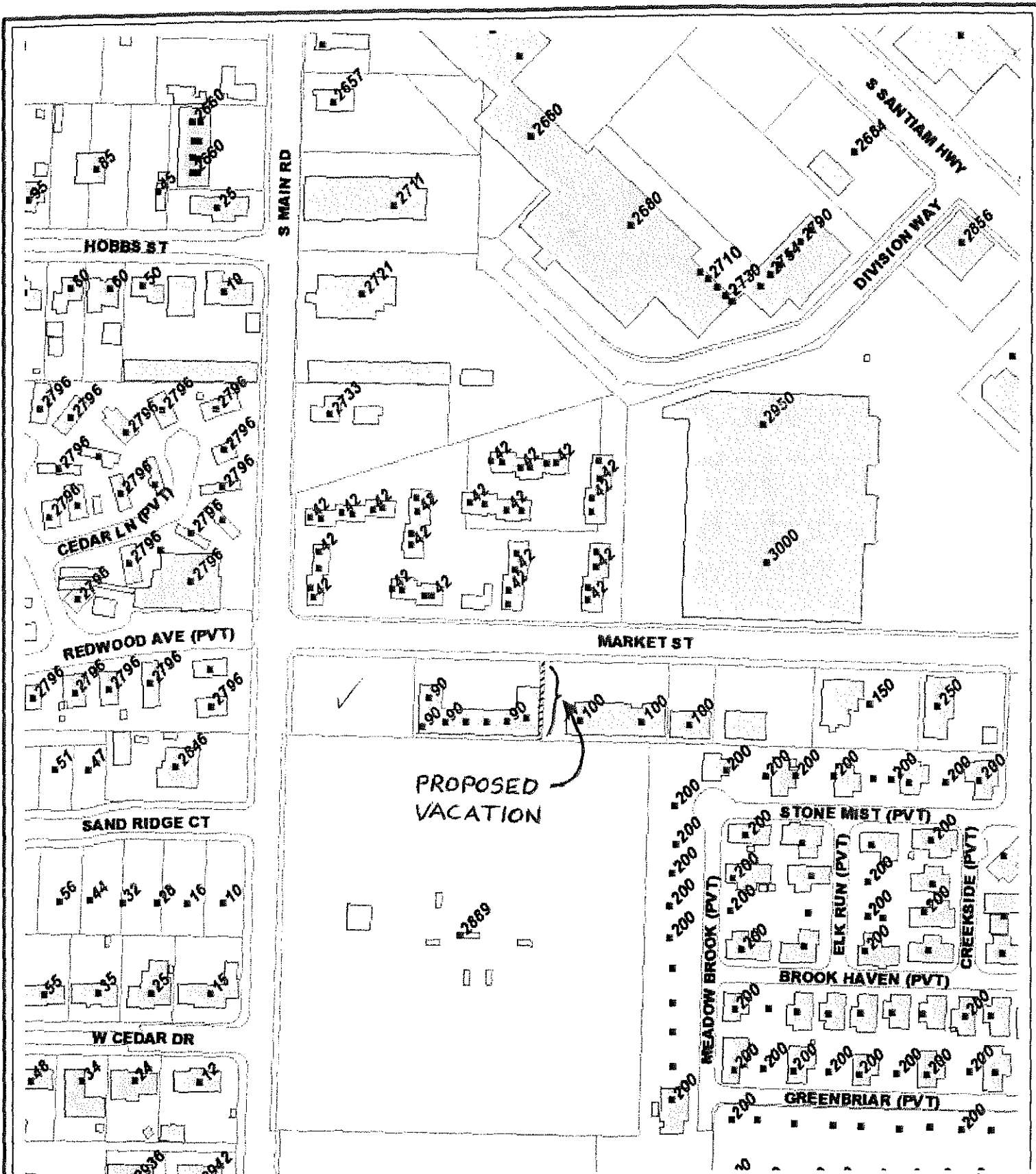
We respectfully request this vacation be granted.

Sincerely,

Dirk J. Zimick Marci M. Zimick - Property Owners



Address	Area (Ac.)	Percent of Total Area	Percent Concenting
2721 S. Main Rd.	1.98	11.06%	11.06%
2733 S. Main Rd.	0.73	4.08%	4.08%
42 Market Street	3.11	17.36%	
90 Market Street	0.53	2.96%	2.96%
100 Market Street	0.71	3.96%	3.96%
Vacant Land S.Main/Market	0.51	2.85%	2.85%
200 Market Street	10.34	57.73%	
3000 S. Santiam Hwy	7.56	42.21%	42.21%
TOTALS:	17.91	100.00%	<u>67.11%</u>



I hereby approve and consent to the proposed vacation of the right of way shown above.

June M Carter
 Property Owner Signature

12-9-13
 Date

155 Oaklano
 Property Owner Address

Weldwood Park Plaza Partners

90 Market St, Ste 20

Lebanon, OR 97355

10/14/13

To: City of Lebanon

Lebanon, Oregon


Gentlemen:

Weldwood Park Plaza Partnership, owners Dennis Pearson and Dennis Clark, is in favor of the City of Lebanon vacating the city's Right of Way on the East side of our building dated 1986. This Right of Way exists between the former Wilco/Foothills Farm Supply property on Market Street owned by Dirk Zimick, and our property.

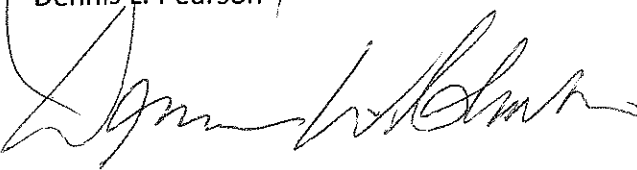
We have suffered many incidents of vandalism over the years on the East side of our building and the "short cut" across the South side of our building. On the East there is a poor view from Market Street, and the backside (South) of the Weldwood Park Plaza building cannot not be reasonably seen from South Main Street. This has led to multiple instances of graffiti, window breakage, and other property damage over the last several years.

Since there is no reasonable public access to the Right of Way that does not include trespassing on our property, we would appreciate the City of Lebanon considering this request to vacate the Right of Way.

Sincerely,



Dennis L. Pearson



Dennis W. Clark

Statement of Tax Account

LINN COUNTY TAX COLLECTOR
LINN COUNTY COURTHOUSE
ALBANY, OR 97321
(541) 967-3808

1/28/2014 11:11:53 AM

ZIMICK DIRK J & MARCI M
 37535 ELIZABETH DR
 LEBANON, OR 97355

Tax Account #	211124	Lender	
Account Status	Active	Loan #	
Roll Type	Real Property	Property ID	00947 12S02W23B0 00801
Situs Address	100 MARKET ST, LEBANON, OR 97355-2334	Interest To	Feb 15, 2014

Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2013	ADVALOREM	0.00	0.00	0.00	0.00	4,424.42	Nov 15, 2013
2012	ADVALOREM	0.00	0.00	0.00	0.00	4,338.49	Nov 15, 2012
2011	ADVALOREM	0.00	0.00	0.00	0.00	4,492.26	Nov 15, 2011
2010	ADVALOREM	0.00	0.00	0.00	0.00	4,165.75	Nov 15, 2010
2009	ADVALOREM	0.00	0.00	0.00	0.00	4,064.76	Nov 15, 2009
2008	ADVALOREM	0.00	0.00	0.00	0.00	3,927.44	Nov 15, 2008
2007	ADVALOREM	0.00	0.00	0.00	0.00	3,843.75	Nov 15, 2007
2006	ADVALOREM	0.00	0.00	0.00	0.00	3,548.60	Nov 15, 2006
2005	ADVALOREM	0.00	0.00	0.00	0.00	1,725.85	Nov 15, 2005
2004	ADVALOREM	0.00	0.00	0.00	0.00	1,711.91	Nov 15, 2004
2003	ADVALOREM	0.00	0.00	0.00	0.00	1,630.54	Nov 15, 2003
2002	ADVALOREM	0.00	0.00	0.00	0.00	1,530.06	Nov 15, 2002
2001	ADVALOREM	0.00	0.00	0.00	0.00	1,502.68	Nov 15, 2001
2000	ADVALOREM	0.00	0.00	0.00	0.00	1,488.92	Nov 15, 2000
1999	ADVALOREM	0.00	0.00	0.00	0.00	1,277.00	Nov 15, 1999
1998	ADVALOREM	0.00	0.00	0.00	0.00	1,224.65	Nov 15, 1998
1997	ADVALOREM	0.00	0.00	0.00	0.00	1,280.47	Dec 15, 1997
1996	ADVALOREM	0.00	0.00	0.00	0.00	1,654.09	Nov 15, 1996
1995	ADVALOREM	0.00	0.00	0.00	0.00	1,105.34	Nov 15, 1995
1994	ADVALOREM	0.00	0.00	0.00	0.00	1,313.05	Nov 15, 1994
1993	ADVALOREM	0.00	0.00	0.00	0.00	1,251.18	Nov 15, 1993
1992	ADVALOREM	0.00	0.00	0.00	0.00	1,416.68	Nov 15, 1992
1991	ADVALOREM	0.00	0.00	0.00	0.00	4,082.81	Nov 15, 1991
Total		0.00	0.00	0.00	0.00		

Presentation

Lowe's Tax Appeal by Gene Johnston, Linn Co. Tax Appraiser

Agenda Item 1



MEMORANDUM

Finance Department

To: Mayor Aziz and Council

Date: February 3, 2014

From: Dean Baugh, Finance Director

Subject: MOTION TO AWARD CONTRACT
Insurance Agent of Record

This memo requests a City Council motion to award the Insurance Agent of Record contract to Barker-Uerlings Insurance of Corvallis, Oregon.

Background

On November 13, 2013 City Council authorized City Staff to advertise the Insurance Agent of Record RFP.

The City uses the services of an Insurance Agent of Record throughout the year. Some of the services we receive are:

- Insurance quotes from a number of companies
- Review of all policies to insure the proper coverage's and levels of coverage
- Review of policies throughout the year for any additions or deletions
- Review contract insurance clauses and provide various risk management services

The attached contract for the Insurance Agent of Record is for three consecutive years starting March 1, 2014, with options for three, one year extensions.

Proposals were received from three firms. Proposals were evaluated and interviews were held on January 22, 2014 with each of the three proposers.

Recommendation

Staff recommends that City Council pass a motion to award the Insurance Agent of Record contract to Barker-Uerlings Insurance.

Finance Department

**ATTACHMENT B
LEBANON PROFESSIONAL SERVICES**

**STANDARD TERMS AND CONDITIONS
FOR AGREEMENT TO FURNISH PROFESSIONAL
RISK MANAGEMENT, HEALTH INSURANCE AND INSURANCE BROKERAGE SERVICES
AS THE INSURANCE AGENT OF RECORD
TO THE CITY OF LEBANON, OREGON**

ARTICLE I: SCOPE

For consideration set forth in Article VI of this Agreement, the Firm of **Barker-Uerlings Insurance** a professional Firm, hereinafter referred to as CONTRACTOR, agrees to provide services to the City of Lebanon, Oregon, a municipal corporation, hereinafter referred to as CITY. This agreement incorporates all these Standard Terms and Conditions, the promises, representations, and obligations set forth in the complete Request for Services, Scope of Work, and all Attachments. The CITY shall assist the CONTRACTOR by providing any and all information within its possession or control that may be reasonably helpful in the performance of the services provided herein. In the event of a conflict between the attachment and this document, the terms of this document shall control. Unless modified in writing as set forth in Article IV by the parties hereto, the duties of the CONTRACTOR and the CITY shall not be construed to exceed those services and duties specifically set forth in the agreement.

The parties agree that all work products produced by CONTRACTOR in the fulfillment of its obligations under this agreement, and all information, documents and material, gathered or compiled in meeting those obligations, shall be considered property of the CITY, and shall be provided to the CITY upon completion of this agreement or termination of the agreement pursuant to Article XII.

ARTICLE II: RESPONSIBILITY OF CONTRACTOR

The services provided by CONTRACTOR, shall, in all respects, meet or exceed the standards of thoroughness, quality, and competence customarily maintained by similar professionals offering Risk Management, Health Insurance and Insurance Brokerage and Consulting Services in the Pacific Northwest. The CONTRACTOR shall not propose solutions, which they should reasonably know will not perform as represented in the Proposal.

Steve Uerlings will serve as the Project Manager for the Insurance Agent of Record for Risk Management Consulting Services under the terms of this Agreement. Any change in the designation of this role must be approved by the City.

Leann Kennedy will serve as the Project Manager for the Insurance Agent of Record for Health Insurance Consulting Services under the terms of this Agreement. Any change in the designation of this role must be approved by the City.

The CONTRACTOR will not begin work on any of the duties and services listed in Article I and the Scope of Services listed in the RFS until the CITY directs in writing to proceed.

ARTICLE III: RESPONSIBILITY OF CITY

CITY shall assist CONTRACTOR by providing copies of all internal schedules of property, equipment, automobiles, and any other asset information relevant to this Agreement.

In addition, CITY will notify insurance carrier or pool of this Agreement and authorize them to provide CONTRACTOR access to information relevant to their insurance coverage, loss history, and Risk Management issues.

CITY agrees to introduce CONTRACTOR to all Department Directors and other key City staff members involved in Risk Management, and will provide a list of names, departments, phone numbers, and e-mail addresses for those individuals.

ARTICLE IV: MODIFICATIONS

CITY or CONTRACTOR shall not make modifications in the attached agreement or these Standard Terms and Conditions except in writing as an amendment to the agreement. Said modifications shall be agreed to by both parties, with scope of work, schedule, and compensation to be negotiated at the time the modification is proposed by either party. Modifications that do not meet these requirements shall not be binding, and no further compensation will be allowed for any work performed.

ARTICLE V: STATE AND FEDERAL REQUIREMENTS

The CONTRACTOR covenants and agrees to comply with all of the obligations and conditions applicable to public contracts pursuant to ORS 279 Chapters A and B, as though each obligation or condition were set forth fully herein. In addition the CONTRACTOR covenants and agrees that in the performance of its duties hereunder, it will comply with all other state and federal requirements applicable to the City of Lebanon for projects of the type in question.

The CONTRACTOR, its subcontractors, if any, and all employers working under this agreement are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers.

ARTICLE VI: COMPENSATION/TERM

The contract term is for three years, commencing March 1, 2014, with an option to extend the contract up to an additional three, one-year terms, upon agreement by both parties.

The services described in Article I and within this RFS, Section 3, Scope of Services, shall be performed for the fees stated in the RFS Fee Proposal, Attachment A. The City shall remit payment within thirty (30) days of receipt of billing from the CONTRACTOR. Such billing shall be only for services provided to that point. Any additional services not outlined in this agreement and approved to in writing between CITY and CONTRACTOR will be billed at a flat fee agreed upon in the Fee Proposal.

It is also understood that the CONTRACTOR will be an independent Contractor and the CITY is not responsible for any Federal, state, or local taxes and fees. Also CONTRACTOR is responsible for any Workers' Compensation coverage on its employees, as further defined in Article V.

ARTICLE VII: INDEMNIFICATION

The CONTRACTOR agrees to indemnify, defend, and hold harmless the CITY, its agents, officers and employees, from and against any and all liability, claims, suits, loss, damages, costs, and expenses arising out of or resulting from the negligent or intentional acts, errors, or omissions of the CONTRACTOR, its officers, employees, or agents.

ARTICLE VIII: INSURANCE

During the life of this agreement, the CONTRACTOR shall maintain the following minimum insurance:

A. Commercial General Liability insurance with limits of no less than \$1,000,000 Each Occurrence with a General Aggregate of no less than \$2,000,000. Coverage shall be as broad as the Insurance Services Office (ISO) form CG 0001 with an edition date of 10-2001 and be endorsed to provide for the Aggregate to be on a Per Project basis.

B. Automobile bodily injury and property damage liability insurance covering owned, non-owned, rented, and hired vehicles with a limit of no less than \$1,000,000 Each Accident.

C. Statutory Workers' Compensation and Employer's Liability insurance as required by Oregon state law for all subject workers.

D. Professional liability insurance with a limit of no less than \$1,000,000 each claim or incident. Coverage shall provide for damages caused by error, omission, or negligent acts relating to the professional services to be provided under this Agreement by CONTRACTOR or any subcontractor.

E. As evidence of the insurance coverage required by this contract, the CONTRACTOR and any subcontractors shall furnish a Certificate of Insurance indicating the City of Lebanon, its officers and employees are an Additional Insured for Commercial General Liability coverage. Each Certificate shall provide for a 30-day Notice of Cancellation. The insuring companies providing any coverage under this Agreement are subject to acceptance by the City of Lebanon.

ARTICLE IX: ASSIGNMENT

This agreement is to be binding upon the heirs, successors, and assigns of the parties hereto and is not to be assigned by either party without first obtaining the written consent of the other. No assignment of this agreement shall be effective until the assignee assumes in writing the obligations of the assigning party and delivers such written assumption to the other original party to this agreement.

Use of subcontractors by the CONTRACTOR or subsidiary or affiliate Firms of the CONTRACTOR for technical or professional services shall not be considered an assignment of a portion of this agreement, and the CONTRACTOR shall remain fully responsible for the work performed, whether such performance is by the CONTRACTOR or subcontractors. No subcontractors shall be used without the written approval of the CITY.

Nothing herein shall be construed to give any rights or benefits hereunder to anyone other than CITY and CONTRACTOR.

ARTICLE X: INTEGRATION

These terms and conditions and the attachments represent the entire understanding of CITY and CONTRACTOR as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The agreement may not be modified or altered except in writing as specified in Article IV.

ARTICLE XI: SUSPENSION OF WORK

The CITY may suspend, in writing, and without cause, all or a portion of the work under this agreement. The CONTRACTOR may request that the work be suspended by notifying the CITY, in writing, of circumstances that are interfering with the progress of work. The CONTRACTOR may suspend work on

the project in the event the CITY does not pay invoices when due. The time for completion of the work shall be extended by the number of days work is suspended. In the event that the period of suspension exceeds 90 days, the terms of the agreement are subject to renegotiation and both parties are granted the option to terminate work on the suspended portion of the project, in accordance with Article XII.

ARTICLE XII: TERMINATION OF WORK

CITY may terminate all or a portion of the work covered by this agreement for its convenience. Either party may terminate work if the other party fails to substantially perform in accordance with the provisions of the agreement. Termination of the agreement is accomplished by written notice from the party initiating termination no less than fifteen (15) days in advance of the effective date of termination. Such notice of termination shall be delivered by certified mail with a receipt for delivery returned to the sender.

In the event of termination, CONTRACTOR shall perform such additional work as is necessary for the orderly filing of documents and closing of the project. The time spent on such additional work shall not exceed 10 percent (10%) of the time expended on the terminated portion of the project prior to the effective date of termination. CONTRACTOR shall be compensated for work actually performed prior to the date of termination plus work required for filing and closing as described in this Article. Upon termination, CONTRACTOR shall provide to the CITY all work products, material, documents, etc., gathered or compiled, related to the project, whether in CONTRACTOR'S possession at the time of termination or received later.

If no notice of termination is given, relationships and obligations created by this agreement shall be terminated upon completion of all applicable requirements of this agreement.

ARTICLE XIII: FORCE MAJEURE

Neither the CITY nor the CONTRACTOR shall hold the other responsible for damages or delay in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the control of the other or the other's employees and agents.

ARTICLE XVI: DISPUTE COSTS

In the event either party brings action to enforce the terms of this agreement or to seek damages for its breach, or arising out of any dispute concerning the terms and conditions hereby created, the prevailing party shall be entitled to an award of its reasonable attorney fees, costs, and expenses, incurred therein, including such costs and fees as may be required on appeal.

ARTICLE XV: COOPERATIVE PURCHASING

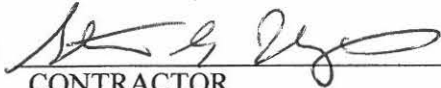
Pursuant to ORS 279A.205 thru 279A.215, other Public Agencies and members of the Oregon Cooperative Purchasing Program (ORCPP) may use the purchase agreement resulting from this RFS unless CONTRACTOR expressly notes in the proposal that the prices quoted are available to the City only. The condition of such use by other Agencies is that any such Agency must make and pursue contact, purchase order, delivery arrangements, and all contractual remedies directly with the CONTRACTOR; the City accepts no responsibility for performance by either the successful CONTRACTOR or such other Agency using this Agreement. With such condition, the City consents to such use by any other Public Agency.

ARTICLE XVI: COURT OF JURISDICTION

The laws of the state of Oregon shall govern the validity of this agreement, its interpretation and performance, and other claims related to it. Venue for litigation shall be in Linn County, Oregon.

BARKER-UERLINGS INSURANCE:

Date: 2/4/2014

By: 
CONTRACTOR

By: STEVEN G. UERLINGS

Title: Pres

Mailing Address: 340 NW 5th
CORVALLIS, OR 97330

Telephone: 541-757-1321

Fax: 541-757-1328

93-0475589

Corporation Tax No. (if incorporated)

Social Security No. (if individual)

CITY OF LEBANON, OREGON:

Date: _____

By: _____
Walt Wendolowski,
Interim City Manager

APPROVED AS TO FORM:

By: _____
City Attorney

Agenda Item 2



MEMORANDUM

Engineering Services

To: Mayor Aziz and City Council

Date: February 4, 2014

From: Ron Whitlatch, Engineering Services Manager

Subject: MOTION TO AWARD CONTRACT

Maple St (5th – West) Sanitary Sewer Replacement; Project No. 13702

Recommendation

This memo requests a City Council motion to award the Maple Street Sanitary Sewer Replacement Project to Kipco, Inc. of Eugene, Oregon.

Background

On January 8, 2014 City Council authorized City Staff to advertise the Maple Street Sanitary Sewer Replacement Project for bids.

The sanitary sewer on East Oak Street collapsed shortly after advertisement of the Maple Street Sanitary Sewer Replacement Project. On January 23, 2014 City Staff added the East Oak Street Sanitary Sewer Replacement to the Maple Street Sanitary Sewer Replacement Project as an Addendum.

Bids for the project were opened Tuesday, February 4, 2014. There were a total of thirteen bids received; a comparison of the bids with the Engineer's Estimate is presented below:

<u>Contractor</u>	<u>Bid Price</u>	<u>Contractor</u>	<u>Bid Price</u>
3 Kings Environmental	\$417,248.00	Kipco Inc	\$229,289.00
Advanced Excavation	\$284,830.30	Mid Valley Gravel	\$280,649.64
E D Hughes Excavating	\$349,679.58	North Santiam Paving	\$270,635.40
Emery & Sons Construction	\$281,889.50	Pacific Excavation	\$289,706.50
Exca Drain Construction	\$239,883.22	R J Armstrong & Associates	\$245,559.95
Jesse Rodriguez Const.	\$272,849.25	Wildish Construction	\$253,678.70
K & E Excavating	\$292,599.50	Engineer's Estimate	\$260,892.00

The lowest responsive bid was submitted by Kipco, Inc. of Eugene, Oregon.

Kipco, Inc.'s bid is approximately 12 percent less than the Engineer's Estimate.

Engineering Services

Agenda Item 3



MEMORANDUM

Community Development Department

To: Mayor Paul Aziz
Lebanon City Council

Date: February 5, 2014

From: Walt Wendolowski, AICP; Interim City Manager/Comm. Dev. Mgr.

Subject: Dogs Limitations Per Dwelling Unit

I. INTRODUCTION

At the "Public Comments" portion of the January City Council meeting a citizen raised the issue of barking dogs. During the ensuing discussion Council asked staff whether there was an ordinance limiting the number of dogs per dwelling unit. Staff agreed to provide some background on this issue at the next meeting.

II. DISCUSSION

The Council passed a number of ordinance regarding dogs:

- Ordinance 1816 (1980) – This action defined offenses and nuisances related to animals, repealing previous regulations.
- Ordinance 2059 (1989) - The ordinance limited the number of adult dogs per household to two. Homes with more than two adult dogs were effectively grandfathered.
- Ordinance 2257 (2000) - The ordinance amends Municipal Code Chapter 6.14 providing regulations for "dangerous" dogs, identifying when a dog becomes a nuisance (property damage, barking, etc.) and establishes enforcement provisions.
- Ordinance 2740 (2007) – Ordinance 2257 is amended further clarifying nuisance conditions.
- Ordinance 2787 (2010) – This action amends Ordinance 2059 regarding the number of dogs per household, effectively placing no limit on their number.

As of this date, while there is no limit to the number of animals, provisions regarding nuisance behavior remain in effect. On a further note, limiting the number of animals would likely complicate enforcement (and strain resources) as the City would need to "grandfather" existing conditions raising questions as to who is or is not in compliance.

III. ACTION

Staff will proceed based on the direction of the Council.

Agenda Item 4

I. ADMINISTRATION – Walt Wendolowski, Interim City Manager

- The primary focus of the City is completion of this year’s budget and preparing for next years. Finance Director Dean Baugh is coordinating efforts with the Department Managers, and I am pleased to say we are a week or so ahead of schedule.
- Offices are being rearranged at City Hall to create space for Debi Shimmin, Human Resources Assistant. After the changes, all administrative staff will be located within City Hall.
- Otherwise - and fingers somewhat crossed - things are operating fairly smoothly thanks in no small part to the support of the Department Managers and work by City staff.

General Activities:

- **Lowe’s HIW property tax appeal.** The City received notice in January that the Oregon Tax Court denied the appeal by Lowe’s HIW of the property tax valuation. Country tax appraiser Gene Johnston will present the Court’s findings at the Feb. 8 Council meeting.
- **American Red Cross Blood Drive.** The City-hosted blood drive on Dec. 31 resulted in 25 donors giving blood. Every unit of blood can be used to reach as many as three patients.
- **City Website and Social Media.** Brent Hurst, Carol Dinges, Jamie Bilyeu, and the Library’s newest employee, Paul Porter, met last week to discuss migrating the Library’s existing website into the City’s website. The funding for the Library’s current website platform, hosted through the state, is being cut.

Staff is also looking into funding for a possible website upgrade. As the City’s website is five years old, there have been many technology updates that would enhance the City’s communication with its citizens, along with providing more user-friendly tools to make maintaining the city’s website more efficient and easier for staff to do.

The City’s Facebook page received 31 new “likes” in January, and is now up to 430. News posted in January on the City’s FB page reached a daily average of 146 people.

- **Grant Updates:** Public Works staff are preparing to start work on the Cheadle Lake N. Trail paving project as part of the recently awarded 2013 Recreational Trails Grant. The City’s letter of intent to apply for the 2014 Land & Water Conservation Fund grant has been accepted by the agency and staff has begun the application process. The 2014 Local Government Grant Program has just opened and staff is reviewing projects that would meet funding criteria.
- Jamie attended the Oregon Main Street Winter Workshop in Dayton on January 24 with Chamber Director Shelly Garrett and Pacific Power’s Doris Johnston. The theme was “A Volunteer-Driven Action Plan.”

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Human Resources

- **Wellness Fair** – The employee wellness fair was held on January 7, 2014. 62% of the employees participated in this event. The Safety Committee felt the event was very successful and agreed that the city should have another one next January.
- **Springbrook's HR Module Installation** – Time constraints prevented us from uploading the personnel files this month. We will begin this project the first of February with the goal of finishing in April, 2014.
- **New Employee Orientation** – Conducted one new employee orientation and a benefits orientation for three reclassified employees.
- **Employee Benefits** - Working to update materials and prepare file for employees at City Hall. Also putting together a binder that will hold the contact information and enrollment instructions for new employees and/or changes and terminations.
- **January/February Newsletter** – The 3rd edition of the Employee Buzz Newsletter was issued on January 2nd. Will begin work on the 4th edition in February, to be published the first of March, 2014.
- **Inclement Weather language** for employee handbooks – New language is ready for approval.
- **Insurance RFP** - Participated in the insurance interview and selection process on January 22, 2014.
- **FMLA** - Began work creating a process for employees who need to use FMLA. Created an information page, which will be available to employees beginning in February, 2014. Plans are to provide training to supervisors this year to ensure all employees have a good understanding of how the program works.
- **Relocation of HR** – The relocation of HR from the Justice Center to City Hall will take place in February. This will also involve the relocation of 8 file cabinets of Human Resource related information, so time will be spent archiving as much as possible.
- **Salary Survey** – Sent out requests to comparable cities for their job descriptions and salaries. Will be working on putting together a report to be utilized for upcoming negotiations. This should be finished by the end of the first week in February, 2014. We also received the 2014 Milliman Salary Survey, which will be used for comparative analysis.
- **Negotiations** – Notified both unions that negotiations would need to be postponed until a new City Manager is hired. I am currently working on AFSCME's request for information, which I hope to have completed within the next two weeks.
- **Succession Report** – This project has been put on hold pending the completion of more pressing matters. I hope to begin working on this again by April, 2014.
- **Training/Professional Development**

<i>January 8</i>	<i>MHRA (Midvalley Human Resource Assn.) monthly meeting</i>
<i>January 23</i>	<i>Adobe Acrobat Pro Training for Managers and support staff (Cancelled)</i>
<i>January 1 – 31</i>	<i>Safety training on hearing conservation takes place in January</i>
<i>February 12</i>	<i>MHRA (Midvalley Human Resource Assn.) monthly meeting</i>
<i>February 20</i>	<i>SAIF Training - Workers' Compensation Legal Panel</i>
<i>February 26 - 28</i>	<i>CIS (City-County Insurance) Conference in Portland</i>
<i>2014</i>	<i>FMLA Training for Supervisors</i>

II. LEGISLATIVE / CITY CLERK – Linda Kaser, City Clerk

- **City Council Requests.** Staff is gathering information regarding the history of the current Dog Ordinance in response to citizen comments/concerns made at the January 8, 2014 City Council Meeting. This will be placed on the February 12 City Council agenda for further discussion.

- **Legislative Budget.** Staff is busy working on their respective budgets. I do not see any major changes in the Legislative budget at this time, except for a possible increase to contract services to assist with records management.
- **City Elections.** I'll be updating the Elections Calendar and Mayor/Council Candidates Packets in anticipation of the next General Election held in November 2014. I had hoped to have the candidate material updated and on the City's social media sites by January 15 for those interested in running for City Council. However, due to other unforeseen priorities, I look to mid-February to accomplish this task. This timeframe still gives interested parties ample time to review information as the filing period is not until July of 2014.
- **Liquor Licensing.** Staff has received three liquor license applications. One is a change of ownership application for off premises sales (Knot Hole Market); the other two are new outlet applications for full on premise sales (Momiji Sushi Bar & Restaurant) and off premises sales (Grocery Outlet).
- **Mayor's Youth Council.** The Youth Council has changed their meetings from Thursdays to the 1st and 3rd Monday of each month beginning in February.

While they are still learning the interactions and requirements of being an advisory board, they are already entertaining several projects: establishing a bullying hotline, working with organizations that help the homeless, drug and alcohol awareness programs for the youth of Lebanon.

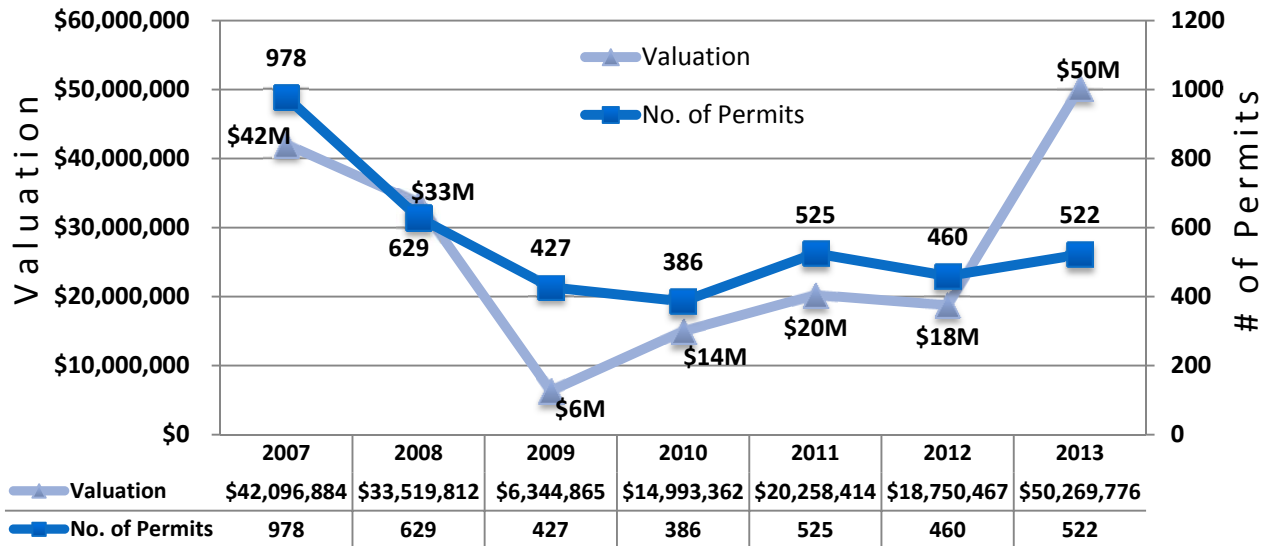
- **Oregon Association of Municipal Recordors.** Due to a scheduling conflict, I was unable to attend the January 24 OAMR Records Management Committee meeting. Our committee is continuing to work with the State Archivist to revise the Cities Retention Schedule in an attempt to simplify the current records retention schedule.
- **Oregon Government Ethics Commission.** I've sent out notices to all public officials required to file a Statement of Economic Interest (SEI). Those officials should expect to receive their SEI forms from the State by mid-March. The annual form must be filed with the State by April 15, or could be liable for a civil penalty of up to \$5,000.
- **Public Records Requests:**
 1. *All Eagle View Estates Subdivision Records* – Staff has compiled all of the records relating to this request. In order to save city staff time and duplication costs for the requester, I've scheduled a paralegal to come down (Tuesday, 10 a.m.) and review the files so that they can copy only the records they need.
 2. *Contract for Monthly Utility Billing Notices (printing/ mailing)* – request completed.
 3. *Records Relating to Under or Above Ground Storage Tanks or Spills for property located at 1010 S. 9th Street* – redirected requester to the Department of Environmental Quality.
 4. *All records relating to Chief of Police applicant Jeffrey Chen* – request completed.
- **Records Management:** Administration staff will narrow their efforts to purging and organizing Personnel related records and Real Property records. Once this is at a manageable level, we will begin organizing previous City Manager and Assistant City Manager records.
- I am considering the possibility of a contract employee to assist with our citywide records until we are at a place where we can manage the system with our current staffing levels.

III. COMMUNITY DEVELOPMENT – Walt Wendolowski, Manager

- **Planning.** Overall, this has been a relatively quiet month. The Planning Commission did not meet in January but will meet in February to review a Conditional Use to establish a bar/tavern within the Mixed Use zone. The Department approved an Administrative Review for the construction of a 19-unit apartment complex on 9th Street as well as a home occupation. There is the possibility

that two large, mixed use projects may proceed to the planning application stage. More information will be provided if (and hopefully when) the applications are submitted.

- **Building.** Preliminary numbers for January indicate \$10,262 in building fees on \$759,937 valuation. For the first seven months of Fiscal Year 2013-14 the Department received \$224,878 in fees on \$20,140,826 valuation. In addition to comparing building fees and valuations between fiscal years the Department also generates calendar year statistics. Here is an update for calendar years 2008 to 2013:



It is interesting to see that while permits have not risen to the 2007 level, the building projects have significantly more value. We expect this trend to continue for the coming year. In addition, staff is aware of at least six new single family permits under consideration along with the possibility of a subdivision application.

IV. ENGINEERING SERVICES – Ron Whitlatch, Manager

- Final payment for the Westside Interceptor Project has been issued. Staff is also approximately 75% complete with the as built documentation.
- Construction of the new Fifth Street Water Reservoir is on schedule to be completed in June 2014. The Contractor has built all of the walls and is currently setting the forms to start the roof. As part of this project, the Contractor will be installing a new vault and valves at the existing East Grant Street Reservoir. This will allow computerized operation of both the Reservoirs.
- The Maple Street Sewer Replacement Project is currently being advertised for bids. Staff has issued an addendum to replace a section of collapsed sewer main on Oak Street as part of this project. A recommendation to award will be presented at the February 12th City Council Meeting.
- Staff and Carollo Engineering have scheduled several work sessions to kick-off the Water Treatment Plant Project. The first several months will be primarily devoted to initial design, intake issues, and site utilities. The City has also entered into an agreement with Udell Engineering to begin the Environmental portion of the project which includes wetland delineation, water quality discharge permits, and fill/removal permits.
- Staff and Linn County Staff are currently working on the design for the Cascade Drive Improvements Project. An agreement between both agencies that will encompass financing and transfer of the roadway to City will be presented to City Council for approval in spring 2014. If approved by both agencies, the project would begin shortly after the school year end in June 2014.

- Staff will begin preliminary design this spring for two sections of Seventh Street (Oak to Airport and Kees to Wassom). This project is scheduled to be constructed in the summer of 2015.
- Public Works and Police Department Staff are continuing to prepare for an Emergency Management Training Drill. The drill/table top exercise is tentatively scheduled for 2014. Staff will be looking to attend several advanced training classes prior to the drill.
- Staff will be presenting the five year CIP Plan to the City Council at the end of February or early March. An overall view of the projects as well as funding strategies will be presented for approval.
- RJ Armstrong & Associates has completed the replacement of 25 catch basin tops at various locations in the southwest portion of the City. The existing catch basin tops were deteriorated to the point of being a safety hazards within the sidewalk area.
- Staff is continuing with an update of City construction specifications and standard drawings. These will be presented to the City Council in late 2014 for approval.
- Staff is currently working with City of Albany staff in drafting a new agreement between the two agencies in regards to the canal. The agreement will be discussed/approved at a joint work session between the two City Councils in April 2014. As of this week Albany has indicated that they will not issue a permit for new intake until a new IGA between the two agencies has been approved and signed by both City Councils.
- Staff will be working with a consultant to prepare a monitoring report (for Division of State Lands) for the tree plantings associated with the Grant Street Bridge Project. This is required per the issued permit and will track the survivability of the trees planted. The City may be required to plant additional trees this spring/summer if enough trees have not survived.
- Staff is currently developing a plan to inventory the City's sidewalk access ramps to determine a strategy for replacement (of those not meeting ADA requirements) and installation of ramps where none currently exist. Once this is complete, Staff will be developing a program including funding for installation.
- The Gazebo by the Lebanon Optimist Club near the Library began construction. The site has been excavated and the concrete footings have been poured.
- Staff continues to have discussions with Udell Engineering, Linn County Engineering staff, and local residents regarding construction of a new apartment complex on 9th Street approximately 700 feet north of Airport. Staff prepared engineering comments for the land use proposal.
- Construction of the new apartment complex on Mary Street east of 5th Street began. The site was excavated and base rock was placed. Building foundations and site plumbing are installed. The building shells are under construction.
- Construction of the Edward C. Allworth Veterans' Home continues. Staff continues to meet with design professionals and contractors to resolve site design/construction issues. Site paving is still expected to begin in the coming weeks. Construction of the public sidewalk on 5th Street began this month. Reconstruction of a portion of the multi-use path on Reeves Parkway is underway to accommodate the new driveway at the north side of the site.
- Construction of the Conference Center at the Samaritan Health Campus is mostly complete. Staff reminded the consultant that landscaping plans have not been submitted for review. Site paving is complete and a temporary occupancy of the building was given. Staff is anticipating more development plans to be submitted for additional buildings (hotel/restaurant) in the near future. At that time, we expect the landscaping will begin.
- Construction of the Samaritan garden area and fish pond south of the Event Center is underway.
- Staff received an application requesting an unused section of right of way be vacated. The location of the proposed vacation is located along the west side of the old Foothills Farm Supply (100 Market Street). Staff prepared documents and collected consent from nearby property owners. All information required by state statute was assembled and provided to the City Recorder for further process per statute.

- Staff review plans for a large amount of work Comcast will be doing to replace service lines over a significant portion of the City. Staff will continue to work with Comcast over several months to complete plan review and construction.
- Staff has been reviewing Northwest Natural Gas permits and construction activity for 2013. Staff is preparing an annual invoice for permit work within the right of way.
- Staff has been working with Consumer Power to replace failing underground power lines in the neighborhoods within the southwest area of the City. Plans continue to be reviewed, and construction of new lines are being designed to properly place underground power infrastructure in and along streets.

V. FINANCE SERVICES – Dean Baugh, Manager

- Continued work on credit card acceptances in the Library and police departments, Elavon Global Acquiring Solutions is preparing the contracts and shipping the required equipment.
- Continued working on Insurance service RFPs, 3 proposals received by due date of Dec 20. Interviews were held on January 22 and the notice of intent to award was issued on January 24. Proposed contract will be presented at the February council meeting.
- Continued work on updating Finance policies, Drafts complete and will complete with new city manager
- Working with Springbrook to install the online HR module, the Purchase Order system and updating to the latest version. Working with Springbrook to establish a date for the updates
- Continued work on the FY15 budget process, met with each Director to discuss personnel budgets
- Attended the LCHRP Board meeting with Willamette Neighborhood Housing Services
- Sarah attended a webinar on custodial duties related to deferred compensation plans
- Met with area Finance Directors and County rep, (monthly meeting)
- Attended safety committee meeting, held the 3rd Tuesday of each month at the Senior Center
- Worked with staff and customers on water/sewer collections issues
- Prepared items for the February council meeting, Insurance Broker services
- Worked with the High School to evaluate Senior projects
- W-2 and 1099's processed and delivered by January 31
- Accounts Payable; 519 invoices were processed for payments of \$1,129,992
- Utility Billing; January
 - a. 6006 Billing statements mailed by the end of December
 - b. 856 Accounts received a late fee and 260 Owners received late tenant notices
 - c. NO door hangers were processed before shut off day, courtesy door hanger was processed on shut off day at no cost to the account
 - d. 174 accounts were scheduled for lock off on January 8th, a courtesy door hanger was delivered on that day postponing shut offs until January 15th due to the new procedure.
 - e. On January 15th 33 accounts were shut off
- Senior and low income Utility Discount Rates
 - a. 51 accounts renewed their discount rates
 - b. 49 new accounts qualified for discount rates
 - c. 100 total accounts currently receiving discounted rates.
 - d. 66 accounts that qualified in 2013 did not turn in their paperwork for this year. They received a reminder letter in late October. (117 renewal letters were mailed).

VI. INFORMATION & GIS SERVICES – Brent Hurst, Manager

Information Services

- Received proposals for fiber termination of city fiber line from Justice Center to Waste Water Treatment Plant. This will complete fiber project to Waste Water Treatment Plant.
- Identified repeated Justice Center security gate issues to be faulty external wiring at card reader. Vendor re-wired panel gate to resolve root issue.
- Gathered quotes for upgrade/install of jail controls in Justice Center.
- Worked with Library and vendors on self-check stations and security pedestals to communicate properly with library check-out system. Work in progress.
- Continued to work with Library to automate patron public access logins. Work in progress.
- Gathered quotes for additional storage for Justice Center Police audio-video needs.
- Requested quotes for email system upgrade.
- Worked with vendors on phone system upgrade.
- Procured quotes for Emergency Operations Center HAM equipment and antenna tower installation.
- Identified hardware issues with Police interview equipment and resolved.
- Assisted Police Department in setup of Emergency Operations Center room at Justice Center.
- Purchased and installed engineering workstations to allow engineering staff to use AutoCAD products at AutoCAD version 2014.
- Re-wired office at City Hall.
- Returned workstation with failed power adapter to vendor for warranty repair.
- Installed updated workstations for volunteers and provided training to volunteer group to use and navigate new system.
- Upgraded Finance Director's workstation.
- Worked with Maintenance Department to set up workstation and phone for crew chief work area and updated hardware and software.
- Identified and corrected issue with anti-virus software server console.
- Identified and corrected failure of voice system to record radio traffic for Dispatch.
- General repair and maintenance of Justice Center equipment.
- Worked with Lebanon Fire to upgrade workstations to Windows 7 64-bit. Work in progress.
- Worked with Lebanon Fire to integrate billing systems. Work in progress.
- Worked to migrate users and computers on City Active Directory to a new OU structure to resolve mapping and folder redirection issues. Work in progress.
- Completed patching on weekly basis.
- Completed routine work orders.

GIS Services

- Sanitary Sewer TV Inspection - Pulled and transferred TV video special project for City Engineer.
- Data Development - Updated taxlot data from Linn County.
- Data Transmittal - Clipped, exported, and delivered Topo1Ft dataset to City Engineer for transmittal to contractor.

VI. LIBRARY – Carol Dinges, Manager

- The first “Crafternoons” program for children on January 15 was a great success – be sure to see the pictures of kids creating “string art” on the library’s Facebook page. All children’s programs are back in session following a short break over Christmas.
- The library received a \$2,320.00 Ready to Read grant, which will fund the Summer Reading Program Performer series, as well as Early Literacy Gift Bags and other literacy initiatives for pre-school age children.
- I submitted an application for a Trust Management Grant in the amount of \$9,995.00 on January 31 to fund the purchase of adult nonfiction audio books; young adult audio books; junior (elementary-age) audio and print books, reference sets, and educational videos (history); and children’s (pre-school – kindergarten) print books. The junior and children’s books are classics and award-winners, both new titles and replacements of worn-out copies of still popular titles.
- Jamie Bilyeu, Brent Hurst, Paul Porter and I met on January 31 to begin the process of migrating the library’s website to the City of Lebanon platform. Paul, who has both education and experience in graphic design and website creation, will be redesigning the library’s site as well as handling the migration
- February events:
 - **Monday, February 10 @ noon in the LBCC Forum (Albany campus):** Lebanon Public Library, Albany Public Library and Linn-Benton Community College Library are co-sponsoring a screening of the film “Every War Has Two Losers: A Poet’s Meditation on Peace,” based on the writings of the late Oregon and United States Poet Laureate William Stafford. The filmmaker, Haydn Reiss, will introduce his film, which is presented in conjunction with Oregon Reads 2014, celebrating the life and works of Stafford.
 - **Monday, February 10 @ 7 pm in the LPL Community Room:** “Love Your Heart,” presented by medical students from COMP-NW. Learn some simple ways to keep your heart happy and healthy.
 - **Saturday, February 22 @ 7pm, fireside at the library:** Cellobop, with cello innovator Gideon Freudmann. He’s back by popular demand – his performance last year at the library was so well-received that we’ve invited him back for more. You’ve never heard a cello played like this – as a matter of fact, you’ve probably never heard an electric cello before at all unless you were there last year.

VII. MAINTENANCE – Jason Williams, Manager

Water

- Completed 130 service orders.
- We placed 173 special one-time door hangers warning of potential for water service disconnect if payment is not received.
- We had 33 water service lock offs for nonpayment.
- As a result of the lock offs we had 19 water service re-connects.
- Repaired 4 water service lines.
- Picked up the sludge truck and trailer from OMI and made necessary repairs and maintenance prior to using it for the pond cleaning.
- Cleaned both backwash ponds at the water treatment plant.
- Finished a 5 block long utility locate off of Walker Road.
- Hand delivered 5 cross connection letters and explained options for homeowners.

- Replaced the failing air relief valve on the water main over the canal next to Safeway.
- Completed 92 water samples this month.
- Started the city wide water meter change out program.
- Tested 16" butterfly shutoff valve at the Grant St water reservoir and found it to be failing. A contractor will fix the valve inline.
- As a result of the reservoir on Grant Street being shutoff for improvements we will be placing an in line booster pump at the west end of the Grant St bridge.

Collections—Sanitary/Storm

- Completed 3 sanitary sewer mainline repairs.
- Televised over 15,000 feet of sanitary sewer
- Cleaned around 25,000 feet of sanitary sewer.
- Repaired two sewer laterals at 16th St and one at the Chamber of Commerce.
- Cleared overgrown utility right of ways to allow for maintenance access.
- Cleaned and inspected the Park and Garvord sewer lift station.
- Investigated and located an undocumented sewer line on Hwy 20 at the "Y" cleaned and map it.
- Investigated and located another undocumented sewer main that is running down the back yards of homes on the south side of Ash St from 5th-7th. Smoke tested it to identify who is hooked up to the wildcat line and started to develop an in-house replacement plan.
- Spent 4 full days locating sewer laterals off of Walker for a large locate request. This is a very time consuming task which requires the crew to access the lateral from under the home or through the roof vent.
- Assisted the water crew on leak repairs.
- Completed vehicle maintenance on all collections equipment.

Streets

- Took delivery of the new street sweeper. Continuing with the street sweeping rounds including the downtown core area and the City of Brownsville.
- Crews are 75% complete with the City wide tree trimming. Trimming should be finished by the 7th of February.
- Excavated and poured large concrete bases for the flashing crosswalk signs that will be installed at 5th and Airport and 7th and Airport.
- Placed a large street sign order.
- Working on the street sweeper generated sign maintenance list.
- Re-programmed the school zone flashing lights on Airport Road and 10th and Oak.
- Cleaned up two illegal dump sites on Berlin Road.
- Completed an entire round of pothole patching.
- Rocked and graded all alleys and gravel streets.
- Replaced a damaged street light pole and fixture on the Grant St. bridge.
- Replaced 4 street light ballasts and 6 bulbs in the downtown core area street lights.
- Construction is beginning at the Grant and Main parking lot. Improvements will include decorative concrete as well as decorative benches and planters. Special thanks to the Rotary Club for assisting with funding for the project.
- Cleaned all downtown city owned parking lots including City Hall.

Parks

- Daily; crews opened, cleaned and closed parks facilities and grounds.
- Finished removing Christmas lights that were left up at Ralston Park.
- Vandalism control is ongoing.
- All tree trimming in City parks is now complete.
- Placed permanent signs at Cheadle Lake park.
- Completed trail maintenance on all developed trails.
- Conducted monthly playground safety inspections and made necessary repairs.
- Started interior improvements at Bob Smith and Century Park.
- Crews are working hard getting all winter maintenance projects completed in all of the seasonally closed facilities.
- Permanently closed and sealed up the damage crawl space that led under the Santiam Travel Station. We had transients actually living under the building. The crew spent a great deal of time cleaning up the mess that was left behind following eviction.
- Work continues rebuilding damaged or aged picnic tables.
- All winter maintenance has been completed on the mowers.

VIII. POLICE – Frank Stevenson, Chief of Police

- Lebanon Peer Court had another busy month with 4 trials heard by Judge Jessica Meyer and the Lebanon Peer Court members. A total of 15 cases have been heard since the start of the program to include: 3 for runaway juvenile, 3 for minor in possession of tobacco, 4 for minor in possession of alcohol, 4 for theft in the 3rd degree and 1 for theft in the 2nd degree. Some examples of actual sanctions some of the juveniles have received from their peers include homework packets (2 to 3 hour take-home exercise, which requires reading different scenarios about decision making with required written answers to scenarios); community service hours; 2 to 5 days of jury duty; open-court apology to parents while in court; tour the Linn-Benton Detention Center; and a 500-700 word essay dealing directly with the reason they were referred to Peer Court.
- A free Map Your Neighborhood class was held on January 15th with great success. Three free sessions were held with several people in attendance.
- Applications are now available for the upcoming Lebanon Police Citizens Academy, which is set to begin April 8th. Classes are scheduled for every Tuesday from 6:00 p.m. to 9:00 p.m. This academy will consist of 1 class per week for a period of 8 weeks and gives citizens the opportunity to learn about officer training, patrol, detectives, narcotics investigation, search warrants, criminal and traffic law, dispatching and use of force.
- The Patrol Division remains active, with approximately 1,957 calls-for-service for the month of January. A total of 129 arrests made, 187 traffic citations were issued and 196 reports were written. Total calls for service are up by 491, an increase of 25% compared to last year at this time. Total Part I crimes (i.e., criminal mischiefs, domestic abuse, burglary, robbery, assault and thefts) for the month of January were down by 35, a decrease of 51% compared to last year at this time.
- The Detective Division is also busy working on several very involved cases, including thefts cases, suspicious death cases, burglaries, and possible sex abuse and child abuse cases. Lebanon detectives assisted in several drug investigations and drug-related search warrants. As a result, 19 ounces of methamphetamine was taken off the streets of Linn County and several individuals were taken into custody. Lastly, Ryan D. Jenkins, DOB: 12/16/75, was sentenced to prison for 25 years for sexual crimes investigated by Detective McInnes.

- During the month of January, 143 individuals were booked and released, brought to court, transported to/from Linn County Jail or sentenced in the Lebanon Municipal Jail. A combined 198 days were served by inmates in the Lebanon Jail.

IX. SENIOR SERVICES – Kindra Oliver, Manager

- We're off to a great start to the New Year with our new programs and classes. We had great participation in our new book club, Senior Center Chorus and our Lunch and Learn series!
- We are making appointments to get taxes done at the Senior Center! Volunteers from AARP will be at the Senior Center every Wednesday and Thursday, through April 15th. Please call the Senior Center to make an appointment.
- I received the final certificate letter from Department of Energy for our 2012 Energy Incentive Program ((EIP) formerly known as BETC). Our final tax credit amount is \$44,975. We're currently looking for a pass-through partner who would benefit in some tax savings through this program in order for us to receive funding.

- ❖ Lunch & Learn: History of Hazelnuts – Monday, the 3rd , 12:30
- ❖ **NEW** Tuesday Topics – Coffee and Conversation – Tuesday, the 4th, 10:00 am
- ❖ Tax Appointments – Every Wednesday and Thursday, through April 15th; Call the Senior Center to make an appointment
- ❖ SoGo Adventures: Line Dancing – Wednesday, Feb 5th, 10:00
- ❖ Birthday Ice Cream Social – Wednesday, Feb 5th, 12:30
- ❖ Sweetheart Dinner & Movie: Letters to Juliet – Friday, Feb 7th, 12:30
- ❖ Lunch & Learn: History of Gold Panning – Monday, Feb 10th, 12:30
- ❖ LSC Chorus – Tuesday, Feb 11th, 10:30 am
- ❖ SoGo Adventures: Random Acts of Kindness – Wednesday, Feb 12th, 10:00
- ❖ Valentine Chocolate Party – Thursday, Feb 13th, 2:00 pm
- ❖ Secret Pals again – drawing names on Friday, the 14th, 10:30 am
- ❖ Movie: A Summer Place – Friday, February 14th, 1:00 pm
- ❖ SoGo Adventures: Trivia – U.S. Presidents! Wednesday, 19th, 10:00 am
- ❖ Potluck – Mardi Gras – Thursday, February 20th, noon
- ❖ Movie: Last Vegas – Friday, February 21st, 1:00 pm
- ❖ Lunch & Learn: History of Square Dancing – Monday, February 24th, 12:30
- ❖ LSC Chorus – Tuesday, Feb 25th, 10:30 am
- ❖ SoGo Adventures: Walk Downtown Albany – Wednesday, the 26th, 10:00 am
- ❖ Book Club! Thursday, February 27th, 1:00 pm
- ❖ **NEW** Introduction to I-pads – Friday, February 28th, 10:30
- ❖ Movie: Rome Adventure – Friday, the 28th, 1:00 pm