

LEBANON CITY COUNCIL AGENDA

October 11, 2017 (6:00 p.m.)

Santiam Travel Station
750 3rd Street, Lebanon, Oregon

Mayor Paul Aziz

*Councilor Jason Bolen
Councilor Robert Furlow*

*Council President Bob Elliott
Councilor Rebecca Grizzle*

*Councilor Floyd Fisher
Councilor Wayne Rieskamp*

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.

CALL TO ORDER / FLAG SALUTE

ROLL CALL

APPROVAL OF COUNCIL MINUTES: September 13, 2017 Regular Session Minutes

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: Lebanon City Council Agenda – October 11, 2017
BOARD MINUTES: Arts Commission – August 28, 2017
Bike & Pedestrian Advisory Board – June 8, 2017
Library Advisory Committee – July 11, 2017

PRESENTATION / PROCLAMATION / RECOGNITION:

- Tribute to Honor/Hero Half, LPD's new K9 Officer
- Extra Mile Day Proclamation, read by Council President Elliott

PUBLIC COMMENTS: *The 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.*

PUBLIC HEARING(S):

1) Annexation – 2255 Stoltz Hill Road (Boucher)

Presented by: Walt Wendolowski, Community Development Director

Approval/Denial by ORDINANCE BILL NO. 2017-17, ORDINANCE NO. 2905

REGULAR SESSION:

2) Republic Services Rate Change

Presented by: Gary Marks, City Manager, and Julie Jackson, Republic Services

Approval/Denial by RESOLUTION NO. 2017-36

3) Linn Libraries Consortium Intergovernmental Agreement

Presented by: Kendra Antila

Approval/Denial by MOTION

4) Boys & Girls Club (Old Library) Lease Renewal

Presented by: Gary Marks, City Manager

Approval/Denial by MOTION

5) Amending 5.10 Liquor License Recommendations

Presented by: Linda Kaser, City Clerk

Approval/Denial by ORDINANCE BILL NO. 2017-18, ORDINANCE NO. 2906

6) Amending 12.12 Parks and Public Places

Presented by: Jason Williams, Maintenance Services Director

Approval/Denial by ORDINANCE BILL NO. 2017-19, ORDINANCE NO. 2907

7) Lebanon Skate Park Property Transfer

Presented by: Ron Whitlatch, Engineering Services Director

Approval/Denial by MOTION

8) City Manager's Report

Presented by: Gary Marks, City Manager

Discussion

ITEMS FROM COUNCIL

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

ITEMS FROM PRESS: *An opportunity for the Press to ask questions pertaining to city business.*

NEXT SCHEDULED COUNCIL MEETING(S)

- November 8, 2017 (6 p.m.) Regular Session
- December 13, 2017 (6 p.m.) Regular Session

ADJOURNMENT



Approval of Minutes

**LEBANON CITY COUNCIL
MINUTES – DRAFT
September 13, 2017**

Council Present: Mayor Paul Aziz, Councilors Jason Bolen, Bob Elliott, Floyd Fisher, Robert Furlow and Wayne Rieskamp

Staff Present: City Attorney Tré Kennedy, City Manager Gary Marks, Police Chief Frank Stevenson, Maintenance Services Director Jason Williams, Engineering Services Director Ron Whitlatch and Administrative Assistant Donna Trippett

CALL TO ORDER: Mayor Aziz called the Regular Session of the Lebanon City Council to order at 6:03 p.m. in the Santiam Travel Station Board Room and led in the Pledge of Allegiance.

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

APPROVAL OF CITY COUNCIL MINUTES

Councilor Bolen moved, Councilor Rieskamp seconded, to approve the August 9, 2017 Regular Session Minutes as presented. The motion passed unanimously.

CONSENT CALENDAR

AGENDA:	City of Lebanon Council Agenda – September 13, 2017
AGREEMENT:	Build Lebanon Trails/Hass (Tennessee Road)
BOARD MINUTES:	Arts Commission – June 19 & July 17, 2017
EASEMENT:	Airport Road-Russell Drive Project (Mesecher)
R-O-W DEDICATION:	Airport Road-Russell Drive Project (Mesecher)

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

PROCLAMATIONS

Mayor Aziz proclaimed September 16 as **American Legion Day** and September 17-23 as **Constitution Week**. He also proclaimed October 8-14 as **Fire Prevention Week** and presented Councilor Bolen with a framed copy. Responding to Mayor Aziz's question, Councilor Bolen reported that there have been 14 residential house fires in Lebanon to date this year.

RECOGNITION

Mayor Aziz congratulated Oregon Battle of the Books winners Kelton Bruslind, Svea Bruslind, Carrie Cleveland and Samuel Long.

PRESENTATION – Emergency Preparedness. *(Presentation postponed)*

PUBLIC COMMENTS

George Baxter, 34637 E. Lacombe Road, expressed his dissatisfaction at the way Gill's Landing campground is run. It is always full; of the 22 campground sites, 11 seem to be permanent residents even though there is a 14-day limit during the summer.

Maintenance Services Director Williams confirmed that there are 11 month-to-month residents; among them are medical college students and construction laborers working in town. Normally, there are six month-to-month sites to help offset costs throughout the winter. In response to Mayor Aziz's question, Williams indicated that he has not received complaints by the public or by the park host.

Williams confirmed for Councilor Bolen that the campground is normally full during the summer. Williams agreed with Mayor Aziz that six month-to-month sites seems to be a good number and will report back with actual number of sites being rented month-to-month and what can be done to address this in the future.

Nancy Christensen, 240 S. 7th Street, asked whether Entek made emissions changes in the last couple of years because she no longer smells burning or sees a pink cloud. Mayor Aziz stated that he is not sure whether changes were made, but when last tested, Entek was in full compliance with State standards. City Manager Marks stated that he would have the Entek public affairs representative contact her.

Thomas Pouliot, 1350 Williams Street, presented the Mayor with a public works sign. He also shared his concern about the nails and staples from signs on telephone poles. The Council briefly spoke about this issue being previously discussed. Councilor Fisher commented that it may not be as much of an issue since the power company now uses bucket trucks. City Attorney Kennedy spoke about the prohibition of signs on power poles or City property; enforcement is complaint-driven and it is a civil violation. He added that the City would have to work with Pacific Power on removal of signs.

Mr. Pouliot suggested contacting those who have their information on the signs. Marks stated that the Code Enforcement officer can have them removed.

Trevor Spangle, 4942 SW Barbur Blvd, Portland, provided Council with feedback from the 55 Swiss Summit bike race participants. Regarding comments about Lebanon, 43% traveled 20-45 miles to the event, 27% traveled 45-90 miles, and 30% traveled 90-125 miles. When asked whether they stayed in town the night before, 43% said that they stayed in a hotel, 13% camped, 8% stayed with a community host, and 34% said that they did not stay in town. Between registration fees and money spent, 8.8% said that they spent \$100 or less, 52% spent \$102-\$200, 21% spent \$201-\$300, and 21% spent \$301-\$400. In less than 48 hours, this event brought in \$10,000. Proceeds from the sale of cow bells went to the Boys & Girls Club.

He thanked the Council, community, Chamber of Commerce, and the Police Department for the rollout, which received great feedback from the participants.

Responding to Councilor Rieskamp's inquiry, Mr. Spangle quickly described the bike route. He also shared with Councilor Furlow how they plan to increase their marketing. Mr. Spangle confirmed that the participants enjoyed the intimacy of Strawberry Plaza.

REGULAR SESSION:

1) School District Agreement – Outdoor Facility Maintenance

Williams presented an intergovernmental agreement with the Lebanon School District where the City will provide certain outdoor facility maintenance for \$100,000, which is what the previous landscaping company was paid. City crews had been helping the School District since they lost their landscape provider in June. This agreement would allow the hiring of a full-time maintenance person who will also be able to work on other City needs. The arrangement has worked out well and there has been positive community feedback. Marks added that the Assistant School Superintendent commended the City crews.

Williams answered for Councilor Elliott that payments will not be made until there is a signed agreement.

Councilor Bolen asked whether there is a risk to the new position if the School District was to end the agreement. Marks stated that there is always a risk, but he believes that the City can continue to fund the new position because of community growth and internal needs.

Williams confirmed for Councilor Furlow that the School District will also be providing the materials and equipment.

Councilor Furlow moved, Councilor Elliott seconded, to ENTER INTO AN OUTDOOR FACILITY MAINTENANCE INTERGOVERNMENTAL AGREEMENT WITH THE LEBANON SCHOOL DISTRICT FOR \$100,000. The motion passed unanimously.

2) South Santiam Watershed Council Business Oregon Agreement

Engineering Services Director Whitlatch stated that the City, in partnership with the South Santiam Watershed Council (SSWC), received a \$29,667 grant from the Oregon Health Authority's Drinking Water Source Protection Program. The grant will fund the SSWC to revegetate up to 22 acres of riparian area associated with Hamilton and McDowell Creeks, which drain into the South Santiam River above the Lebanon-Albany canal drinking water intake. This will help to address existing and/or potential water quality issues and will help to meet Willamette River Total Maximum Daily Loading (TMDL) credits.

In response to Mayor Aziz's question, Whitlatch stated that this is not related to the City's use of a river intake.

Councilor Elliott moved, Councilor Furlow seconded, to MOVE FORWARD WITH THE PARTNERSHIP WITH THE SOUTH SANTIAM WATERSHED COUNCIL FOR THE RESTORATION PROJECT. The motion passed unanimously.

3) Request for Enterprise Zone Extended Tax Abatement – Ti Squared Technologies, Inc. (Millersburg)

Marks requested approval of a proposed resolution to enter into an agreement with Ti Squared Technologies, Inc. for extended property tax abatement benefits.

Kennedy read the title of RESOLUTION NO. 2017-34. ***Councilor Rieskamp moved, Councilor Bolen seconded, to APPROVE RESOLUTION NO. 2017-34, A RESOLUTION APPROVING AN EXTENDED PROPERTY TAX ABATEMENT AGREEMENT BETWEEN THE CITY OF MILLERSBURG, A COSPONSOR OF THE SOUTH SANTIAM ENTERPRISE ZONE AND TI SQUARED TECHNOLOGIES, INC. The motion passed unanimously.***

4) **Amending LMC 9.18.035 (Ordinance 2873), Exhibit A – the Map Depicting the Exclusion Areas**

Kennedy explained that the proposed amendment adopts a map that includes both AIEEA zones. The previous map that shows only the Lebanon Plaza area led to some confusion with the Court and with some defendants.

He pointed out a grammatical error in Section 1(B): *“The boundaries of the downtown enhanced enforcement area shall be Vine Street on the North. Maple Street on the South...”* – there should be a comma instead of a period after North.

Kennedy read the title of ORDINANCE BILL NO. 2017-15, ORDINANCE NO. 2903. ***Councilor Bolen moved, Councilor Rieskamp seconded, to APPROVE ORDINANCE BILL NO. 2017-15, ORDINANCE NO. 2903, A BILL FOR AN ORDINANCE AMENDING SECTION 9.18.035 OF THE LEBANON MUNICIPAL CODE REGARDING THE ALCOHOL IMPACT ENHANCED ENFORCEMENT AREA. The motion passed unanimously.***

5) **Amending Ch. 12.12 – Extending Park Regulations to City-Owned Property**

Marks presented an ordinance amendment giving the City authority to extend park regulations to other City-owned property. The proposed resolution would extend those park regulations to the vacant parcel on the northeast corner of Park and Maple Streets, enabling the police to enforce park ordinances, such as no loitering. There was a brief discussion about eventual improvements to the lot.

Marks confirmed for Councilor Furlow that there are sufficient funds; this will be a fairly minimal expense and can be taken out of current appropriations.

Kennedy read the title of ORDINANCE BILL NO. 2017-16, ORDINANCE NO. 2904. ***Councilor Elliott moved, Councilor Bolen seconded, to APPROVE ORDINANCE BILL NO. 2017-16, ORDINANCE NO. 2904, A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.12 OF THE LEBANON MUNICIPAL CODE, EXTENDING PARK REGULATIONS TO CITY-OWNED PROPERTY. The motion passed unanimously.***

Kennedy read the title of RESOLUTION NO. 2017-35. ***Councilor moved, Councilor seconded, to APPROVE RESOLUTION NO. 2017-35, A RESOLUTION APPLYING MUNICIPAL CODE CHAPTER 12.12 TO OTHER CITY-OWNED PROPERTY. The motion passed unanimously.***

6) **Letter of Support for Applewood Landing Veterans’ Housing Complex**

Marks requested approval of a letter of support from Council for the Applewood Landing Veterans’ Housing Complex, which would bring affordable housing to veterans, students, individuals with disabilities, and those needing transitional housing while in recovery and treatment programs. This letter would help James Lutz from Critical Path Construction Management when applying for government grants.

K.J. Ulfers, 578 W. Sherman, stated that Mr. Lutz was not able attend and made himself available to answer questions.

In response to Councilor Bolen’s question, Mr. Ulfers stated that they are in the process of trying to obtain property on Airport Road between 9th and Strawberry Lane. They hope to co-locate with Crossroads Community. Mayor Aziz commented that this is a great combination of the two organizations.

Responding to Councilor Furlow’s question, Mr. Ulfers stated that, at last count, there will be 180 units in 16 buildings. There are also plans for a community center with provider office space; the goal is to also have a VA health clinic on-site.

Councilor Bolen asked how certain they are of making this project happen. Mr. Ullfers stated that it depends on when funding come sthrough. Mr. Lutz is about 95% sure about they will obtain the property; engineering drawings have been done.

Regarding Councilor Bolen's question about client selection, Mr. Ullfers stated that this process has not yet been determined, but they are partnering with other agencies who will have selection input. He does not believe there is a facility like this in Oregon, especially with the two types of groups co-locating. Combining Crossroads Community, which is a non-profit pilot project, with for-profit Applewood Landing is unique.

Responding to Councilor Bolen's question, Mr. Ullfers stated that the housing complex would be funded by state and federal grants and private groups. He asked that Council provide another letter directing the Council of Governments to work with them on funding. Councilor Bolen asked who would be paying the rent once the facility opens. Mr. Ullfers indicated that there will be placement fees and some private pay. They also plan to open a restaurant, which will be a training site and funding source for hopefully 45% of their ongoing costs. They hope not to be dependent on grants within five years. Councilor Furlow remarked that many of these service groups have funding streams within them.

Mayor Aziz stated that he put Mr. Lutz and Mr. Ullfers in contact because they had similar ideas for this type of project. Mr. Lutz works for the contractor who did Boulder Falls Inn so it is a reputable firm. Mr. Ullfers also shared that Mr. Lutz is the great-grandson of Edward C. Allworth. Marks added that Dr. Marbut's homelessness report indicated that transitional housing could provide the missing link to making the program successful.

Mr. Ullfers stated that this would allow for permanent housing once out of, for example, treatment programs.

Councilor Rieskamp asked whether the League of Oregon Cities could be a resource. Mayor Aziz stated that the Council of Governments would be able to help. The response from Representative DeFazio and Senator Wyden has been positive.

Councilor Elliott asked how their facility compares to Samaritan's plan to build a rehabilitation center. Mayor Aziz indicated that Samaritan's center is a temporary program. Applewood would provide housing and job training.

There was Council consensus to provide the two letters of support – one expressing support of the project and the other to the Council of Governments requesting support of this project.

7) City Manager's Report – Marks provided updates:

League of Oregon Cities Conference – He was asked to speak at the conference about homelessness. There is a lot of interest in what we are doing, so we are breaking some ground.

Old Library Building – Before renewing the old library building lease with the Boys & Girls Club, Marks suggested that the Council tour the building to look at its condition, determine whether improvements should be made, and look at a possible long-range re-use of the property. Although the exterior cracks are unsightly, a structural engineer's report allays fear of a safety problem. All this being said, he would like to bring back a one-year lease renewal at the October meeting to give the Council time to look at the property.

ITEMS FROM COUNCIL –

Mayor Aziz shared that the Oregon city attorneys will be holding their 2019 conference in Lebanon because of the success of the Mayors' conference and because they liked the Boulder Falls facility. State agencies are also looking at holding their conferences in Lebanon.

Police Chief Stevenson shared that the department will likely receive a canine from Grant Coffey in honor of his son, a Marine canine handler, who was killed in Iraq in 2012. Among other things, the dog will be used for narcotics detections, which will be nice since he currently must call other agencies (Albany, Corvallis, or Linn County) to assist with certain searches. Training and equipment costs to the department will be next to nothing.

PUBLIC COMMENTS –

Thomas Pouliot, 1350 Williams Street, asked whether the parks amendment would affect Ralston Park events, like Life Flight landing in the vacant lot. Mayor Aziz stated that he did not believe it would since the lot is grassed. Marks stated that trees may be planted.

ITEMS FROM PRESS – *There were no items from the press.*

NEXT SCHEDULED COUNCIL MEETING(S)

- October 11, 2017 (6 p.m.) Regular Session
- November 8, 2017 (6 p.m.) Regular Session

ADJOURNMENT

Mayor Aziz adjourned the Regular Session at 7:23 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. Final action/decisions are to be made in open session.*

Per ORS 192.660(2)(h) To consult with counsel concerning the legal rights and duties of the public body with regards to litigation or litigation likely to be filed.

[Minutes prepared by Linda Kaser & Donna Trippett]

Minutes Approved by the Lebanon City Council on this 11th day of October 2017.

Bob Elliott, Council President

ATTESTED:

Linda Kaser, City Clerk

Consent Calendar

Board & Committee
Meeting Minutes



Lebanon Arts Commission Meeting Minutes

Monday, August 28, 2017 | 5:45 pm
Lebanon Public Library, 55 Academy Street,
Community Meeting Room

- Call to Order:
 - Commission members present: Gary Marks, Lori McNulty, Keith Kutch, Cassie Cruze, Sheree Speaks
 - Approved July 27, 2017 meeting minutes
 - Receiving the previous meeting's minutes along with the upcoming meeting agenda via email will help expedite the process.
- Signage for Lebanon Trails:
 - Keith updated the group on recent progress of the Lebanon Trails signage project. Keith has reached out to the OSU Graphic Design department and provided an example of a trail sign used in Portland. The Commission is in favor of utilizing the OSU graphic design department and liked the example provided.
- Strawberry Plaza Art Boards update:
 - The two accepted Art Board artists are currently working on their boards. Gary will continue to check in on their progress as the 90-day deadline approaches.
 - Poster for the Art Boards Project was handed out to the Commission along with more applications. The Commission has agreed to help distribute the applications.
- Strawberry Plaza Stage Program Discussion:
 - Press release was sent and shared on the City of Lebanon's Facebook page. Commission members were asked to share the post to help spread the word.
- The Great Quirky Turkey Pageant:
 - Gary shared that had sold 6 of the 20 turkeys.
 - Keith sold and asked for an invoice to be sent to Modern Forest for 5 turkeys and 1 for himself. Lori purchased a turkey on the spot.
 - There are 7 turkeys left to be purchased.
 - Checks should be made to The City of Lebanon and donations are tax deductible.
- Next Meeting Date:
 - Monday, September 18, 2017 at 5:45pm, Lebanon Public Library Community Room
- Public Comment:
 - Gary shared a message he received from a downtown shop owner. An idea for a sidewalk painting project that involves painting a design on the sidewalks along downtown

Lebanon. With discussion about a downtown sidewalk chalk event and several other events being organized, the group agreed the sidewalk painting idea would not be feasible at this time.

- Further Discussion:
 - Lori suggested a Halloween costume contest for dogs to be held in the downtown area. Gary wanted to check into the feasibility of the event with his office first. Lori and Sheree agreed to work with local veterinary clinics to promote the event and solicit prizes if the event moves forward.
- Meeting adjourned at 6:16pm



**City of Lebanon
Bike & Pedestrian Advisory Board Minutes
June 8, 2017**

Members present: Damon Tempey, Jim Ruef and Robert Waterhouse

Members absent: Michael Mattingly, Roger Munk and Bob Thomas

Called to order: 7:10 pm

Approval of Minutes: The minutes from the prior meeting were approved without comment.

Items Discussed:

1. Airport Road extension project: The plans for the project were reviewed. Discussion ensued regarding communication between the City engineers and the Advisory Board. It was agreed that it would be good to have a liaison from Engineering Services attend meetings of the board periodically. The City of Albany, for example, has a liaison from the City attend each meeting of the Bicycle and Pedestrian Board. Jim Ruef proposed that this matter would be best approached in December or January, when the work load on the department is more manageable. It was agreed that we would readdress this matter in our November or December meeting.
2. Advisory Board appointments: Roger Munk and Damon Tempe have been reappointed to new terms. Bob Thomas has declined reappointment. Jim Ruef is on the fence. Robert Waterhouse and Michael Mattingly were appointed last year. The Board can have up to seven members, so there are two open positions that need to be filled. In discussion, it was agreed that younger members (students and young adults) were desired for their perspectives. The following actions were agreed on:
 - a. Request that the City re-advertise the openings.
 - b. Contact specific organizations to recruit new Advisory Board members:
 - i. Santiam Spokes (JR)
 - ii. Build Lebanon Trails (DT)
 - iii. Lebanon Boys and Girls Club (RW).
3. Transportation System Plan: Jim Ruef commented on the May 9 meeting of the TSP working group. No new actions were taken. There was no time frame for commitment to present proposed improvements.
4. We deferred scheduling our next Advisory Board, pending the next meeting of the TSP advisory committee. We decided there's no point in meeting before we have more material from the TSP advisory committee to review.

Adjourned: 7:45 p.m.

Submitted by Robert Waterhouse



Minutes
Lebanon Public Library
Advisory Board Meeting
July 11, 2017

The meeting was called to order at 4:32 pm by Garry Browning, chair.

Present: Garry Browning, chair; Virginia Cloyd; JonLee Joseph; Delvin King; Jim Ruef; Kendra Antila, Library Director

Minutes of the June 13, 2017 meeting were approved as presented.

Library Director's report:

The Board reviewed the May 2017 full statistics report. (Kendra hopes to simplify/streamline the statistic reports in future.)

There was discussion about decreased circulation statistics and speculation about contributing factors. Wifi usage stats appear lower as well and Kendra will speak with Brent Hurst, IT Director, about the cause.

The board discussed observing how things go this year on a bi-monthly meeting schedule this year, with the possibility of changing to quarterly meetings in future.

Kendra explained the staff changes involved with her change in position. The library will be doing internal recruitments for both Library Assistant II and Library Assistant I positions. An on-call position will then need to be filled by either an external recruitment or utilization of a temp agency.

Updates:

The Board reviewed the circulation statistics for the Sensitive Topic collection, purchased with grant funds provided by Samaritan Health. They agreed the items

were a valuable resource and hope they can be promoted throughout the community so that they can be utilized by those in need. JonLee will mention the collection to a contact with Linn County Counseling.

New money procedures with the reprogrammed cash register are working very well for staff.

New remote printing capabilities are up and running successfully.

Friends of the Library report:

JonLee gave the financial report and asked that all be encouraged to contribute Mega Foods receipts to the Friends of the Library. The next book sale will be July 22nd.

Unfinished business: None

New business: None

Public comments: None

Announcements: None

The meeting was adjourned at 5:35 pm. The next meeting will be on September 12.

Presentation/Proclamation/
Recognition

Presentation

Tribute to Honor/Hero Half,
LPD's new K9 Officer



"Extra Mile Day"
November 1, 2017

PROCLAMATION

Whereas, Lebanon is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

Whereas, the City of Lebanon encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

Whereas, our community chooses to shine a light on and celebrate individuals and organizations who “go the extra mile” in order to make a difference and lift up fellow community members; and

Whereas, Lebanon acknowledges the mission of Extra Mile America to create Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2017.

Now, therefore, I, Bob Elliott, Council President of Lebanon, do hereby proclaim November 1, 2017 as “**Extra Mile Day**.” I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

Bob Elliott
City of Lebanon, Oregon

In Witness Whereof, I Hereunto Cause the Great Seal of the City of Lebanon to be affixed on this 11th Day of October 2017.

Linda Kaser, City Clerk

Agenda Item 1



925 S. Main Street
Lebanon, Oregon 97355

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MEMORANDUM

Community Development

To: Lebanon City Council
From: Walt Wendolowski, AICP
Community Development Director
Subject: Annexation and Zoning of Property
Planning File: 17-07-30
Applicant: Scott & Christine Boucher

Date: October 4, 2017

This is a request by the property owner to annex approximately 0.11 acres of land to the City. The subject property is located on the east side of Stoltz Hill Road, approximately 140-feet north of its intersection with Kees Street. The site address is 2225 Stoltz Hill Road. The annexation will allow the extension of City water to the property.

The Lebanon Comprehensive Plan Map designates the subject land as Residential Mixed Density (C-RM), and as required by the Lebanon Development Code, the land is assigned the Residential Mixed Density (Z-RM) zone upon annexation.

The Planning Commission conducted a public hearing regarding this annexation on September 27, 2017, finding the application complies with the decision criteria contained in the Lebanon Development Code and voted unanimously to recommend City Council approval of the application. Exhibit "B" of the attached Ordinance contains the Planning Commission findings in support of the request. Staff will review the material at the public hearing.

It is the recommendation of the Planning Commission that the City Council approve the application to annex the subject property and to establish the Residential Mixed Density (Z-RM) zone on the newly annexed property.

ANNEXATION LEGAL DESCRIPTION & MAP

Part of Lot 19, ARNOLD SUBDIVISION, described as follows: Beginning at the West line of said Lot at the Northwest corner of that certain tract conveyed by Phillip B. Stevens and wife, to Floyd A. Matheson by deed recorded April 14, 1952, in Book 266, Page 491, Deed Records; thence East along the North line of said Matheson Tract 90 feet to the West line of that certain tract conveyed by Lawrence Meston and wife to Richard E. Dennis and wife, by deed recorded November 5, 1951, Book 224, Page 207, Deed Records; thence North along the West line of said Dennis tract 66 feet to the North line of said Lot; thence West along the North line of said Lot, 66.02 feet to the Northwest corner of said Lot; thence Southwesterly along the West line of said Lot 62.28 feet to the place of beginning, in Linn County, Oregon.



Section 3. Record. The City Recorder shall submit to the Oregon Secretary of State a copy of this Ordinance. The City Recorder is further ordered to send a description by metes and bounds, or legal subdivision, and a map (Exhibit "A") depicting the new boundaries of the City of Lebanon within ten (10) days of the effective date of this annexation ordinance to the Linn County Assessor, Linn County Clerk and the Oregon State Department of Revenue.

Passed by the Lebanon City Council and executed by the Mayor on this on this 11th day of October, 2017 by a vote of ____yeas and ____nays.

CITY OF LEBANON, OREGON

Bob Elliott, Council President

ATTESTED BY:

Linda Kaser, City Clerk

EXHIBIT A

EXHIBIT B

LEBANON CITY COUNCIL FINDINGS

I. NATURE OF THE APPLICATION

This matter comes before the Lebanon City Council on the application of the Scott and Christine Boucher to annex property and establish the Residential Mixed Density (Z-RM) zone on the newly annexed property.

II. BACKGROUND INFORMATION

A. Site Location

The subject property is located on the east side of Stoltz Hill Road, approximately 140-feet north of its intersection with Kees Street. The site address is 2255 Stoltz Hill Road and the Linn County Assessor Map places the property within Township 12 South; Range 2 West; Section 15CA; Tax Lot 3400.

B. Site Development and Zoning

The subject 0.11-acre parcel contains a single-family home and fronts on a public street. Services include a private well and sanitary septic system. The property is designated Residential Mixed Density (C-RM) in the Lebanon Comprehensive Plan.

C. Adjacent Zoning and Land Uses

Land to the north and west is in the City and zoned Residential Mixed Density. All remaining land is within the County and designated C-RM. The dominant land use is single family homes on large lots.

D. Proposal

The applicants are requesting approval to annex the property, establishing the Residential Mixed Density (Z-RM) zone.

III. PUBLIC HEARING

A. Planning Commission Action

On September 27, 2017, the Lebanon Planning Commission held a public hearing on this application. At the hearing, Planning File 17-07-30 was made a part of the record. The City noticed the hearing pursuant to Chapter 16.20 of the Lebanon Development Code. No objection was raised as to jurisdiction, evidence or testimony presented at the hearing. At the conclusion of the hearing, the Planning Commission deliberated on the issue and voted to recommend the City Council approve the proposed Annexation and establishment of the Residential Mixed Density zone. The Commission found the proposed changes consistent with the applicable decision criteria.

B. City Council Action

On October 11, 2017, the Lebanon City Council held a public hearing on this application. At the hearing, Planning File 17-07-30 was made a part of the record. Notice of the hearing was provided pursuant to Chapter 16.20 of the Lebanon Development Code. No objection was raised as to jurisdiction, evidence or testimony presented at the hearing. At the conclusion of the hearing, the City Council deliberated on the issue and voted to approve the proposed Annexation and establishment of the Residential Mixed Density zone. The Council found the proposed requests consistent with the applicable decision criteria.

IV. FINDINGS OF FACT-GENERAL

The Lebanon City Council, after careful consideration of the testimony and evidence in the record, adopts the following General Findings of Fact:

- A. The applicants are Scott and Christine Boucher.
- B. The subject property is located on the east side of Stoltz Hill Road, approximately 140-feet north of its intersection with Kees Street. The site address is 2255 Stoltz Hill Road and the Linn County Assessor Map places the property within Township 12 South; Range 2 West; Section 15CA; Tax Lot 3400.
- C. The parcel contains approximately 0.11 acres.
- D. The property contains a single-family home and fronts on a public street. Services include a private well and sanitary septic system.
- E. The Comprehensive Plan designates the land Residential Mixed Density.
- F. Land to the north and west is in the City and zoned Residential Mixed Density. All remaining land is within the County and designated C-RM. The dominant land use is single family homes on large lots.
- G. The applicant is requesting approval to annex the property, establishing the Residential Mixed Density (Z-RM) zone.
- H. The decision to approve or deny shall be based on criteria contained in the Lebanon Development Code, Chapter 16.26 – Annexations.

V. APPLICATION SUMMARY

- A. The request would annex the property, establishing the Residential Mixed Density (Z-RM) zone. The City Council approved an emergency connection to the City water system; the annexation request will complete the connection process.
- B. The Department mailed notice of the application to affected agencies, area property owners and the Department of Land Conservation and Development. City Engineering services reviewed the request and offered no comments. No other agency or property owner responded.

VI. CRITERIA AND FINDINGS

- A. The subject area is located within the City's Urban Growth Boundary (UGB) and is eligible for annexation into the City limits. Annexation application and review requirements are contained in Chapter 16.26 of the Lebanon Development Code. Annexations require a hearing before the Planning Commission and City Council.
- B. Chapter 16.26 establishes the Annexation review criteria. Sections 16.26.010 and 16.26.020 establish the purpose of an annexation and the first assignment of zoning. The annexation transfers jurisdiction from Linn County to the City and establishes the appropriate zoning on the property consistent with the Plan Map designation. In this case, the only applicable zone is Residential Mixed Density.
- C. Section 16.26.030 notes an annexation is necessary to establish the appropriate zone, consistent with the zoning matrix (Table 16.26-1). Plan map amendments are only required if there is a corresponding change in the Plan map. Further, proposed amendments to the Plan map (and corresponding zone map) must conform to provisions in Chapter 16.27. For the record, the application does not include a request to change the Plan designation and corresponding zone.
- D. Section 16.26.040 identifies the relationship between annexation and City facility plans. It notes anticipated densities and levels of development are factored into the City's facility plans, including the Transportation System Plan. Therefore, additional inquiries into the sufficiency of these services is not required.
- E. Section 16.26.050 stipulates all annexations be processed as legislative actions requiring hearings before both the Planning and City Council. This Section also lists application requirements. For the record, the application and process are consistent with the provisions in this Section.
- F. Section 16.26.060 contains the decision criteria for an annexation with specific requirements in Section 16.26.060.A. This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. Essentially, the Annexation Ordinance and Comprehensive Plan decision criteria are the same. The findings are combined to avoid duplication:
1. Annexation Ordinance Section 1. – This Section identifies the document as the Annexation Ordinance for the City of Lebanon and does not contain decision criteria.
 2. Annexation Ordinance Section 2. - All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance (i.e., Development Code), City of Lebanon/Linn County Urban Growth Management Agreement, and shall be consistent with applicable State law.

Comprehensive Plan Annexation Policy #P-19: [The City shall] recognize and act on the basis that all annexations shall conform to the requirements of the

Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA), and shall be consistent with applicable State law.

FINDINGS: For this criterion, the proposed annexation application and process conform to the requirements of the Annexation Ordinance.

3. Annexation Ordinance Section 3. - All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

Comprehensive Plan Annexation Policy #P-20: [The City shall] recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

FINDINGS: The Annexation Ordinance policies are consistent with, and often mirror, the Comprehensive Plan Annexation Policies. The State acknowledges that the City's Comprehensive Plan complies with all applicable Statewide Planning Goals and statutes, recognizing the consistency of the Plan goals and policies. Therefore, compliance with the applicable Comprehensive Plan policies ensures compliance with the Annexation Ordinance. Findings in the following Sections detail this proposal's compliance with all applicable policies.

4. Annexation Ordinance Section 4. - All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-21: [The City shall] recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.)

FINDINGS: The proposed annexation complies as the subject area is within the City's UGB and can be developed for urban uses.

5. Annexation Ordinance Section 5. - The City shall only annex land that is contiguous to the existing City limits and is within the City's Urban Growth Boundary.

Comprehensive Plan Annexation Policy #P-22: [The City shall] only annex land that is contiguous to the existing City limits and is within the City's Urban Growth Boundary (UGB).

FINDINGS: City limits are located to the north and west of the subject property; therefore, the site is eligible for annexation.

6. Annexation Ordinance Section 6. - An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped to an urban use. Urban uses may include functional wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-23: [The City shall] deem an annexation orderly if the annexation territory is contiguous to the existing City Limits, and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space and related uses).

FINDINGS: The proposed annexation complies with the above noted criteria as follows:

- (a) Since the area is contiguous to existing City limits, the annexation is considered orderly.
- (b) The property can be served by public utilities and located within an area containing urban-levels of development.
- (c) Based on information in the Comprehensive Plan, there are no *designated environmental constraints* associated with the site.

7. Annexation Ordinance Section 7. - Development proposals are not required for annexation requests.

Comprehensive Plan Annexation Policy #P-24: [The City shall] recognize and act on the basis that development proposals are not required for annexation requests.

FINDINGS: This application does not include a concurrent development or redevelopment proposal.

8. Annexation Ordinance Section 8. - As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewerage, and streets, of existing development within the annexation territory.

Comprehensive Plan Annexation Policy #P-25: [The City shall] consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewerage, and streets, of existing development within the annexation territory.

FINDINGS: Needed City services (in this case City water) can be extended to serve the property.

9. Annexation Ordinance Section 9. - As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services needed to serve these properties, which are water, storm drainage, sanitary sewerage, and streets.

Comprehensive Plan Annexation Policy # P-26: [The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

FINDINGS: Services can be extended to the site and there are no identified *capacity* issues regarding existing or potential development of the property.

10. Annexation Ordinance Section 10. - Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and thus creates an increased demand for the benefits and utility provided by additional rights-of-way dedication.

FINDINGS: Additional right-of-way dedication and street improvements are unnecessary for the annexation.

11. Annexation Ordinance Section 11. - Upon annexation, the annexation territory shall be assigned zoning classifications in accordance with the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.

FINDINGS: This subject area is designated Industrial by the Comprehensive Plan. Consistent with the adopted Zoning Matrix, the only possible applicable zone is Residential Mixed Density.

12. Annexation Ordinance Section 12. - If a zoning designation other than one in accordance with the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.

FINDINGS: This application is limited to the proposed annexation and establishment of the RM zone and does not include a change in the Plan designation or corresponding zone. Therefore, this Section does not apply to the request.

13. Annexation Ordinance Section 13. - The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space and related uses.

FINDINGS: This Section does not apply, as the subject property does not include environmentally constrained property.

14. Annexation Ordinance Section 14. - An “urban use” is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance (i.e., Development Code), Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.

FINDINGS: This Section does not apply as the provisions in this Section provide a definition and not a decision criterion.

15. Annexation Ordinance Section 15. - At the applicant’s discretion and with the City’s concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission’s hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by City Council.

FINDINGS: The request is limited to the proposed annexation and does not contain a development or redevelopment proposal specific to the site.

16. Comprehensive Plan Annexation Policy # P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

FINDINGS: This Policy does not directly apply as the proposal simply incorporates an existing urbanizable parcel into the City limits.

- G. Section 16.26.060.B allows the City to require the abatement of non-conforming uses and/or structures prior to hearing an annexation request. Other provisions of this Code and the Lebanon Municipal Code may require abatement of certain kinds of situations before an annexation request can be approved. The Council is not aware of any abatement issues on the site.

- H. Section 16.26.060.C, allows the City to identify additional site-specific evaluation criteria based on the Lebanon Comprehensive Plan, the provisions of this Code, and the Lebanon Municipal Code. Site-specific criteria could include, but not be limited to, the following: steep slopes, natural hazards, riparian zones, wetlands water bodies, overlay zones, infrastructure development, existing conditions and failing on-site services. Such site-specific criteria do not affect the eligibility of properties for annexation, but serve as an advisory to applicants of factors that may

affect future development. There are no site-specific, evaluation criteria that apply to the site.

- I. Upon annexation, Section 16.26.020 requires the subject property to be placed in the appropriate zone. Upon annexation, the territory will automatically be assigned a City zone in accordance with the adopted Comprehensive Plan Map, and Annexation Zoning Matrix (Development Code Table 16.26-1). The only decision criterion in this process is that the Zone Classification shall be consistent with the adopted Comprehensive Plan Map (Section 16.26.020.D).

FINDINGS: The subject property is designated Residential Mixed Density (C-RM) by the City's Comprehensive Plan. Per Table 16.26-1, the only applicable zone is Residential Mixed Density (Z-RM). Therefore, upon annexation, the property will be zoned RM, a zone classification consistent with the Plan designation.

VII. CONCLUSION

The City Council concludes the proposed Annexation, including establishment of the Residential Mixed Density zone, complies with the applicable decision criteria.



NOTICE OF PUBLIC HEARING LEBANON CITY COUNCIL

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon City Council on October 11, 2017 at 6:00 p.m. in the Santiam Travel Station located at 750 S 3rd Street, to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	17-07-30
Applicant:	Scott & Christine Boucher
Location:	2255 Stoltz Hill Road
Map & Tax Lot No.:	12S02W15CA03400
Request:	Annexation



Request: The applicant is requesting Annexation of approximately a .11 acre territory comprised of one tax lot. The property is currently designated Residential Mixed Density (C-RM) and will be assigned a Residential Mixed Density (Z-RM) zoning designation.

Decision Criteria: Lebanon Development Code: Chapter 16.20 – Review and Decision-Making Procedures and Chapter 16.26 – Annexations.

Planning Commission Recommendation: A public hearing will be held before the before the Planning Commission on September 27, 2017. The Commission will vote to recommend or deny City Council approval of the zone change.

Providing Comments: *CITIZENS ARE INVITED TO ATTEND* the public hearings and give written or oral testimony (after presentation of the staff report) that addresses applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least 7 days so such material may be reviewed.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@ci.lebanon.or.us.

Appeals: Failure to raise an issue in the hearings, in person or by letter, or failure to provide sufficient specificity to afford the decision-makers an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue. Please contact our office should you have any questions about the appeals process.

*Upon request, the City will provide an interpreter for hearing impaired persons.
To request an interpreter, please call 541-258-4906 no less than 48 hours prior to the public hearing.*

DLCD Notice of Proposed Amendment or
 Periodic Review work Task Proposed Hearing or
 Urban Growth Boundary or Urban Reserve Area

THIS COMPLETED FORM, including the text of the amendment and any supplemental information, **must be submitted to DLCD's Salem office at least 35 DAYS PRIOR TO THE FIRST EVIDENTIARY HEARING** ORS 197.610, OAR 660-018-0020 and OAR 660-025-0080

Jurisdiction: **City of Lebanon**

Date of First Evidentiary Hearing: **09/20/2017**

Local File Number: **17-07-30**

Date of Final Hearing: **10/11/2017**

Is this a **REVISION** to a previously submitted proposal? No Yes Original submittal date:

Comprehensive Plan Text Amendment(s)

Comprehensive Plan Map Amendment(s)

Land Use Regulation Amendment(s)

Zoning Map Amendment(s)

Transportation System Plan Amendment(s)

Urban Growth Boundary Amendment(s)

Periodic Review Work Task Number _____

Urban Reserve Area Amendment(s)

Other (please describe): **Annexation**

Briefly Summarize Proposal in plain language IN THIS SPACE (maximum 500 characters):

Request to Annex .11 acres to the City of Lebanon, and, establish the Residential Mixed Density (Z-RM) Zone on the newly annexed property. Proposed Zoning conforms to Comprehensive Plan Map designation.

Has sufficient information been included to advise DLCD of the effect of proposal?

Yes, text is included

Are Map changes included: minimum 8½"x11" color maps of Current and Proposed designations.

Yes, Maps included

Plan map change from:

To:

Zone map change from: **UGA-UGM**

To: **Z-RM**

Location of property (Site address and TRS): **2255 Stoltz Hill Rd (T12S; R2W;S15CA; TL03400**

Previous density range: **1/du/ac**

New density range: **20du/ac**

Acres involved: **0.11**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Is an exception to a statewide planning goal proposed? YES NO Goal(s):

Affected state or federal agencies, local governments or special districts (It is jurisdiction's responsibility to notify these agencies).

Local Contact person (name and title): **Walt Wendolowski, AICP**

Phone: **541-258-4252**

Extension:

Address: **925 South Main Street**

City: **Lebanon**

Zip: **97335-**

Fax Number: **541-258-4955**

E-mail Address: **wwendolowski@ci.lebanon.or.us**

- FOR DLCD internal use only -

DLCD File No _____

SUBMITTAL INSTRUCTIONS

This form must be submitted to DLCDC at least 35 days prior to the first evidentiary hearing.
per ORS 197.610, OAR Chapter 660, Division 18 and OAR Chapter 660, Division 25

1. This Form 1 must be submitted by a local jurisdiction. Individuals and organizations may not submit a comprehensive plan amendment for review or acknowledgment.
2. When submitting a plan amendment proposal, please print a completed copy of **Form 1** on light **green paper if available**.
3. **Text:** Submittal of a proposed amendment to the text of a comprehensive plan or land use regulation must **include the text** of the amendment and any other information necessary to advise DLCDC of the effect of the proposal. "Text" means the specific language proposed to be amended, added to or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. **Please submit Form 1 with ALL supporting documentation.**
4. **Maps:** Submittal of a proposed map amendment must also include a map of the affected area showing existing and proposed plan and zone designations. The map must be legible, in color if applicable and printed on paper no smaller than 8½ x 11 inches. Please provide the specific location of property: include the site address (es) and Township/Range/Section/tax lot number. Include text regarding background, justification for the change, and the application if there was one accepted by the local government.
5. **Exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.
6. Unless exempt by [ORS 197.610\(2\)](#), proposed amendments must be submitted to DLCDC's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark, or, if submitted by means other than US Postal Service, on the day DLCDC receives the proposal in the Salem Office. The first evidentiary hearing is typically the first public hearing held by the jurisdiction's planning commission on the proposal.
7. Submit **one paper copy** of the proposed amendment including the text of the amendment and any supplemental information and maps (for maps see # 4 above).
8. Please mail the proposed amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ x11 green paper if available**. If you have any questions or would like assistance, please contact your DLCDC regional representative or contact the DLCDC Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

Agenda Item 2



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4918
www.ci.lebanon.or.us

MEMORANDUM

Engineering Services

To: Mayor Aziz and City Council

Date: October 1, 2017

From: Robert Emmons, Engineering Services Supervisor

Subject: Republic Services Rate Increase

I. Introduction

The Franchise Agreement with Republic Services requires proposed rate increases for collection come before City Council for approval.

II. Current

Republic Services is requesting a Refuse Rate Index of 3.5% effective January 1, 2018. The percentage increase is based on the Consumer Price Index, fuel pricing and disposal costs increases. The average residential account will increase an average of \$0.79 per month.

III. Recommendation

Staff recommends approving the proposed Republic Services rate increase.

**A RESOLUTION REPEALING RESOLUTION NO.) RESOLUTION NO. 2017-36
2014-36 AND APPROVING REPUBLIC)
SERVICES RATE INCREASES)**

WHEREAS, on November 12, 2014, the City Council approved the implementation of an annual CPI rate methodology beginning on January 1, 2015; and

WHEREAS, the cost of providing garbage collection services by Republic Services (the franchisee) have increased since the last rate increase effective on January 1, 2015; and

WHEREAS, the franchisee has experienced increases in fuel costs and landfill disposal expenses; and

WHEREAS, the franchisee has the necessity of a reasonable return on their investment; and

WHEREAS, the rates in Appendix "A" are comparable to other cities for similar services; and

WHEREAS, a rate increase is in the public interest in order to meet basic service needs.

NOW, THEREFORE, BE IT RESOLVED that the Lebanon City Council approved the refuse collection rates as shown in Appendix "A".

Section 1. The residential, commercial and industrial rates listed in Appendix "A" are effective as of January 1, 2018.

Passed by the Lebanon City Council and executed by the Mayor on this 11th day of October, 2017 by a vote of ____yeas and ____nays.

CITY OF LEBANON, OREGON

Bob Elliott, Council President

ATTESTED BY:

Linda Kaser, City Clerk

RS of Albany

Rate Effective 1/1/18

Service	Monthly	Bi-Monthly
1 Can	\$25.99	\$51.98
Add can	\$20.03	\$40.06
20g cart	\$20.31	\$40.62
32g cart	\$22.38	\$44.76
90g cart	\$32.80	\$65.60
On call 35G	\$13.01	
Up-drive	\$17.93	\$35.86
YC Only	\$12.16	\$24.32
CO Only	\$12.16	\$24.32
Extra YC	\$12.16	\$24.32
Extra CO	\$12.16	\$24.32
RC Only	\$8.52	\$17.04
Extra RC	\$8.52	\$17.04
Enclosure	\$23.81	\$47.62
Misc		
Return Trip (In Area-On Service Day)-RTN		\$28.63
EXC-Wash Cart		\$23.83
Residential Container Exchange (1x year @ no charge)		\$21.41
Residential Extra Pick Up - EXR HOURLY-60 MIN		\$119.11
LLK-Locking Cart Set Up		\$27.32

Special Pick Ups - IF ALBANY - ServDay (Not Tues)	
IF LEBANON - Wed ONLY	
Special Pick Ups - IF ALBANY - ServDay (Not Tues)	
BU1-Dead Large Animal	\$119.46
FUR-Furniture	\$33.06
MAT-Mattress or boxspring	\$27.43
TRE-Christmas Trees (up to 8 ft and no tinse)	\$9.51
Special Pick Ups - Delivery Rt - Serv Day	
APP-Appliance Without Freon	\$27.79
APN-Appliance With Freon	\$35.37
TIR-Tires	\$14.31
BU2-Tires with rim	\$21.41
BU3-Truck Tires	\$30.94
BU4-Truck Tires with rim	\$44.05
Misc	
EXB-Extra 32 gal can/bag/box/heavy	\$9.51
Extra loose garbage per yard-EXY	\$23.83
Time per minute to p/u loose garbage-MIN	\$1.53
LLK-Locking Cart Set Up	\$27.32
Container Repair 3rd Party Labor Rate	\$76.96
Truck Time-HRS	\$119.11
Labor Charges Per Hour	\$91.80

Supplemental Service Fees	
Commercial Delivery	\$30.00
Commercial Exchange-EXC	\$44.05
Commercial Dry Run-DRY	\$59.55
Commercial Extra Lift-EXT	See EXT Rates
Commercial Extra Yardage-EXY	\$23.83
Commercial Relocate-REL	NA
Commercial Removal	NA
Industrial Delivery	\$50.04
Industrial Exchange-EXC	HOURLY
Industrial Dry Run-DRY	\$50.04
Industrial Relocate-REL	\$50.04
Industrial Removal	\$50.04
Residential Delivery	\$30.00
Residential Removal	NA
Fees	
Late Fee	1.5% or 5.00 Min
Returned Check Fee	\$25.00
Service Interrupt Fee	\$30.00
Account Origination Fee	\$10.00
Commercial Container Recovery Fee	\$480.00
Industrial Container Recovery Fee	\$4,000.00
Bin Replacement	\$15.00
32/35g Cart Recovery/Replacement	\$75.00
65G/RC Cart Recovery/Replacement	\$75.00
90g.Yc Cart Recovery/Replacement	\$75.00

Temp	Size	Dump Fee	Max Rent
	3yd	\$90.48	\$35.52
Rent- 1st week free			
After One Week Priced Per Day			
Temp Delivery Schedules			
FR 1 - LINN CO	T/F		
FR 2/3/4 - SE/NE ALBANY	M/H		
FR 2/3/4 - SW/NW ALBANY	T/F		
FR 5 - Lebanon	W/F		
FR 6/7 - Linn Co	T/F		
FR 6 - Harrisburg	W		
FR 9 - Harrisburg	W		
FR 11 - NOT AVAILABLE	NA		

Commercial Stab					
Size	1/week	2/week	3/week	4/week	5/week
1.5 yd	\$122.49	\$227.95	\$333.40	\$439.09	\$544.53
2 yd	\$148.73	\$278.77	\$396.58	\$538.85	\$668.89
3 yd	\$185.34	\$348.49	\$511.76	\$674.91	\$838.06
4 yd	\$220.85	\$417.12	\$613.27	\$809.64	\$1,005.80
6 yd	\$304.34	\$580.06	\$855.99	\$1,131.70	\$1,407.41
8 yd	\$371.54	\$707.81	\$1,044.06	\$1,380.30	\$1,749.56

Commercial Manual						
Size	Bi/Wk	1/week	2/week	3/week	4/week	5/week
1 yd	NA	NA	NA	NA	NA	NA
1.5 yd	NA	\$145.12	\$275.38	\$405.74	\$535.80	\$665.94
2 yd	NA	\$177.69	\$338.43	\$499.07	\$659.83	\$820.36

Commercial Compactors						
Size	1/week	2/week	3/week	4/week	5/week	EXT
2 yd	\$355.39	\$676.87	\$998.14	\$1,319.65	\$1,640.71	\$98.35
3 yd	\$453.52	\$863.97	\$1,290.81	\$1,688.14	\$2,107.33	\$122.82
4 yd	\$541.82	\$1,033.79	\$1,522.04	\$2,012.69	\$2,501.17	\$154.31
5 yd	NA	NA	NA	NA	NA	NA
6 yd	\$752.70	\$1,445.98	\$2,131.59	\$2,818.07	\$3,503.48	\$222.28
8 yd	\$912.70	\$1,743.44	\$2,558.86	\$3,373.88	\$4,173.37	\$286.31

Commercial On Call Containers/EXT Rates	
Size	Dump Fee
1 yd	NA
1.5 yd	\$40.99
8 yd	\$30.27

Commercial Food Waste	
40g Emptied Weekly	\$34.84
Each Additional Cart	\$8.87
Commercial Yard Debris	
90g with Trash	FOOD WASTE

FR 12 - Solo	T	Extra YC	FOOD WASTE
Size	Max Rent	Commercial Comingled Recycle	
300g YW	\$40.54	Commercial Recycling	\$0.00
Rent- 1st week free, then prorated			
Div: On Serv Day Only - Pu: Only on yw day			

3 yd	NA	\$226.77	\$431.99	\$645.41	\$844.06	\$1,053.66
4 yd	NA	\$270.90	\$516.89	\$761.03	\$1,006.35	\$1,250.58
5 yd	NA	NA	NA	NA	NA	NA
6 yd	NA	\$376.36	\$722.99	\$1,065.80	\$1,409.04	\$1,751.74
8 yd	NA	\$456.35	\$871.72	\$1,279.44	\$1,686.95	\$2,086.68

2 yd	\$49.17	\$32.89
3 yd	\$61.42	\$35.52
4 yd	\$77.15	\$38.14
6 yd	\$111.13	\$40.87
8 yd	\$143.15	\$43.49

MISC:	XCS-Container Over Weight Charge per 500 lbs	\$21.85	EP1-Container Off Route Pick Up In area - 30 min	\$59.56	EP2-Container Off Route Pick Up - Out of Area 60 min	\$119.11	LOC-Lock & Key LK-Locking Container Set Up	\$25.03	\$59.65
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Industrial		Prepayment	Industrial
		\$300/350	
	10yd Haul	\$247.74	
	20yd Haul	\$247.74	
	30yd Haul	\$260.85	
	40yd Haul	\$275.18	
	15yd Compactor Haul	\$296.59	
	20yd Compactor Haul	\$329.91	
	30yd Compactor Haul	\$329.91	
	40yd Compactor Haul	\$108.94	

Rent		Temp Rent Per Day	Prorated
	Temp Industrial Rent Per Month		\$327.90
	Perm Industrial Rent Per Month		\$115.51
	Perm Industrial Rent Per Month 10yd RE (lidded)		\$134.63
	Perm Industrial Rent Per Month 20yd RE (lidded)		\$134.63
	Perm Industrial Rent Per Month 30yd RE (lidded)		\$134.63
	Perm Industrial Rent Per Month 40yd RE (lidded)		\$140.53
	Perm Industrial Rent Per Month 10yd RE (lidded) not crank		\$161.95
	Perm Industrial Rent Per Month 20yd RE (lidded) not crank		\$161.95
	Perm Industrial Rent Per Month 30yd RE (lidded) not crank		\$161.95
	Perm Industrial Rent Per Month 40yd RE (lidded) not crank		\$167.97

Disposal *Pass Through	
Trash - Per Ton	\$41.50
Y/W/Wood - Per Ton	\$40.50
Environmental Fee Per Haul	\$16.25
SheetRock Disposal Per Ton	SAME AS TRASH
Metal	None
Concrete	\$75.00

Rent	\$120.00
Delivery Per Hour - One Hour Min.	\$75.00

Compactor Cleaning Per Hour

Version: 8/24/2017

Resi P1% 3.50% Com P1% 3.50%

Ind P1% 3.50%



August 25, 2017

Mayor Paul Aziz
Lebanon City Council
City of Lebanon Staff

This report provides information necessary to calculate the Refuse Rate Index effective January 1, 2018. This calculation is based on the Consumer Price Index, fuel pricing and disposal cost. Based on these factors, the increase for 2018 will be calculated at 3.5%, or an average of \$.79 per residential account per month.

We are proud to partner with the City of Lebanon and appreciate your comments and suggestions as you review this document. Feel free to contact me with questions.

Best Regards,

A handwritten signature in blue ink, appearing to read "Julie Jackson", with a long, sweeping flourish extending to the right.

Julie Jackson
Municipal Relations Manager
Republic Services
541-286-3313

Republic Services - City of Lebanon RRI

	Index: June 30, 2016	Index: June 30, 2017	% Change	Weight	Refuse Index
CPI - Portland/Salem Urban Wage Earners and Clerical Workers	237.784	247.871	4.2%	65%	2.8%
CPI - West Coast Ultra Low Sulfur Diesel	2.713	2.757	1.6%	10%	0.2%
Coffin Butte Disposal Rate (4.0% cap)	\$ 40.50	\$ 41.50	2.5%	25%	0.6%
Rate Adjustment %					3.5%
					100.0%
Adjustment Factor					103.5%

Agenda Item 3



55 Academy Street
Lebanon, Oregon 97355

TEL: 541.258.4926
www.lebanonpubliclibrary.com

MEMORANDUM

Lebanon Public Library

To: Paul Aziz, Mayor
Lebanon City Council

Date: October 3, 2017

From: Kendra Antila

Subject: Linn Library Consortium Resource Sharing

I. INTRODUCTION

The Lebanon Public Library has benefited from an Intergovernmental Agreement with the Albany Public Library for a shared Integrated Library System (ILS) since 2001. The libraries of Sweet Home, Scio, Harrisburg, and Linn-Benton Community College are now sharing the same ILS. Annual costs are split between all participating libraries while the Albany Public Library provides technical support.

In February of 2016, the above mentioned libraries (excluding Lebanon Public Library) entered into a new Agreement for resource sharing. Their patrons are now able to borrow up to five items from any of the other participating libraries. Each individual library determines the types of items it will circulate. The only cost to the libraries is that of a courier service, also shared between the libraries.

II. CURRENT REPORT

A copy of the existing Intergovernmental Agreement between Albany, Harrisburg, Scio, Sweet Home and Linn-Benton (collectively referred to as the Linn Library Consortium or LLC) is included with this report. The circulation policies set forth by the LLC and a statistical comparison of items loaned/borrowed by each library since the inception of resource sharing are also included.

If the Lebanon Public Library were to purchase a single copy of each item that other LLC libraries own that we do not, it would cost over \$3.5 million. However, if one includes staff time in selecting, ordering, cataloging and processing, the value is significantly higher. For only \$1500 annually (our portion of the shared courier cost) our patrons could have access to many of those materials. Every Tuesday and Thursday, the courier would drop off incoming items for Lebanon patrons, while outgoing items would be picked up for delivery to other LLC libraries. Additional workload for staff would be minimal and more than offset by the value of the material. This is a wonderful opportunity to join a successful, mutually beneficial Agreement that will expand services to the public at very little cost.

III. RECOMMENDATION

I respectfully recommend the City Council approve the Intergovernmental Agreement allowing the Lebanon Public Library to join Linn Library Consortium Resource Sharing.

**LINN LIBRARIES CONSORTIUM
INTERGOVERNMENTAL AGREEMENT**

THIS AGREEMENT is made and entered into this day of _____ by the municipalities of Albany, Harrisburg, Lebanon, Scio, Sweet Home and by Linn-Benton Community College. These municipalities and community college district are collectively referred to herein as "LLC" and, individually, as "Consortium member".

WHEREAS, ORS 190.010 to ORS 190.111 authorizes units of local government to enter into a written agreement with other units of local governments for the performance of authorized functions and activities; and

WHEREAS, ORS 357.410(3) authorizes cities and community college districts to jointly provide library services; and

WHEREAS, Linn Consortium members have jointly provided access to a shared library catalog since 2012; and

WHEREAS, all LLC members have been participating in the Oregon Library Passport Program since 2012, a program that permits library card holders from Oregon Passport libraries throughout the state to use other Oregon Passport libraries without being assessed a nonresident fee; and

WHEREAS, the libraries of Albany, Harrisburg, Scio, Sweet Home, and Linn-Benton Community College established a resource sharing service in February, 2016; and

WHEREAS, LLC members find that it is in their patrons' best interests to establish a resource sharing service which allows patrons to request certain materials from the holdings of other LLC members, and for enhanced delivery of library materials by other LLC members.

NOW THEREFORE, the LLC members do agree as follows:

I. PURPOSE:

- A. The purpose of this agreement is to utilize the Resource Sharing feature of the shared software system, and to further improve LLC patrons' access to a wider selection and number of resources by adding to the existing Oregon Passport program a courier service between LLC members.

II. TERMS OF AGREEMENT:

- A. This agreement shall be effective from the date set forth above, and shall continue until terminated by the Consortium members.
- B. LLC shall adopt a minimal common set of policies to carry out this agreement, such as borrowing limitations, hold policies; collection of fees and fines; but the existing policies and procedures of each Consortium member library take precedence.
- C. An annual maintenance fee payment shall be set for each Consortium member for the resource sharing costs (i.e. maintenance cost for the integrated library system and courier service) by a mutually arrived at agreement by all Directors of the Consortium member libraries.
- D. LLC shall establish with a local courier the best times and locations for dropsites, pickups, and delivery limitations.
- E. A Consortium member may withdraw from participation in this agreement by giving each member library 90 days written notice.

III. REVIEW

A. The Directors of the Consortium member libraries will periodically review this Agreement and will bring any proposed changes to their governing bodies as needed.

IV. MODIFICATIONS

This Agreement contains the entire agreement between the Consortium members hereto and supersedes any and all prior express and/or implied statements, negotiations and/or agreements between the Consortium members, either oral or written. Any Consortium member to this agreement may from time to time request changes in the scope of the agreement as set forth herein. No changes shall be valid unless in writing and signed by all Consortium members to this agreement.

V. INDEMNITY

Each aforementioned Consortium member agrees to defend, hold harmless and indemnify the other Consortium members, their officers, employees, board members, and agents from any and all liability, damages, costs, expenses, and attorney fees arising out of the Consortium member's negligence or unlawful intentional act while engaged in the activities arising out of this agreement.

VI. COUNTERPARTS

This agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute a duplicate original, but all counterparts together shall constitute a single agreement.

Approved:

By: _____

Date: _____

Approved:

By: _____

Date: _____

Approved:

By: _____

Date: _____

Approved:

By: _____

Date: _____

Approved:

By: _____

Date: _____

Approved:

By: _____

Date: _____

LINN LIBRARY CONSORTIUM CIRCULATION POLICIES

Eligibility for resource sharing

To be eligible for resource sharing, a patron must be in good standing, which is here defined as:

- having a current account at their home library and
- not owing more than \$5 in fines to any individual Linn Library.

Restrictions on borrowing

The following types of items may not circulate to patrons of other libraries:

- DVDs and other videorecordings (identified in our system by the circulation modifier VIDEO).
- Certain kits (identified by circulation modifier BIGKIT).
- Equipment (identified by circulation modifier EQUIPMENT).

Additionally, each member library may identify certain types of materials that may not be borrowed by borrowers from other libraries. These will preferably be identified by circulation modifier (such as the new LocalOnly circ modifier), but may also be identified by shelving location or item age.

Renewals

Patrons may typically renew items borrowed from a library other than their home library at least once, unless the item is needed to fulfill a hold elsewhere in the consortium.

If extenuating circumstances exist, a borrower's home library and an item's owning library are empowered to grant additional renewals to a resource sharing patron. If the borrower's home library grants such a renewal, they should contact the owning library to apprise them of the situation.

Fines and fees

Each loan is subject to the circulation rules of the owning library, including replacement costs, fines, fees.

Return locations

Any item returned to and checked in at any Linn Libraries Consortium member by the end of the loan period will be considered to have been returned on time.

**RESOURCE SHARING STATISTICS
SINCE FEBRUARY 2016**

LIBRARY	ITEMS BORROWED	APPROXIMATE VALUE	ITEMS LOANED	APPROXIMATE VALUE
ALBANY	2115	\$30,600	1702	\$35,200
SWEET HOME	1314	\$26,100	1227	\$18,800
LBCC	189	\$4,050	476	\$4,500
SCIO	318	\$6,100	578	\$9,900
HARRISBURG	200	\$3,200	159	\$1,850

Agenda Item 4



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4902
gmarks@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Administration

To: President Elliott and City Councilors

Date: October 4, 2017

From: City Manager Gary Marks

Subject: Commercial Lease Agreement for 626 Second
Street – Boys & Girls Club of the Greater Santiam

I. INTRODUCTION

The City Council approved a lease of the Old Lebanon Hospital/Library Building and grounds, 626 Second Street, Lebanon, on October 1, 2010 with the Boys and Girls Club (Club) of the Greater Santiam. The agreement has expired and is in need of renewal.

II. CURRENT REPORT

A new lease agreement has been prepared, and included in the Council packet, to extend the use of the building by the Club through October 31, 2018.

III. RECOMMENDATION

I respectfully recommend the City Council approve the proposed Commercial Lease Agreement with the Boys & Girls Club of the Greater Santiam for the property located at 626 Second Street, Lebanon.

COMMERCIAL LEASE AGREEMENT
Boys & Girls Club of the Greater Santiam

This Commercial Lease Agreement (Lease) is entered into by and between City of Lebanon (Landlord) and Boys and Girls Club of the Greater Santiam (Tenant). Landlord is the owner of land and a building located at 626 Second Street, Lebanon, Oregon, formerly used as a City Library. Landlord makes available for lease this building, and grounds at 626 Second Street, Lebanon, Oregon (Tax Lot# 02300).

Landlord and Tenant desire to enter into a lease for the Premises for the term, at the rental and upon the provisions set forth herein.

THEREFORE, in consideration of the mutual promises contained herein, and for other good and valuable consideration, it is agreed:

1. Term.

- a. **Term Period.** The Term of the Lease is extended through October 31, 2018.
- b. **Notice of Intent to Terminate** – Notice of intent to terminate shall be provided by either party not less than six months prior to the termination date.
- c. **Loss of Funding.** It is further agreed that this lease may be terminated within sixty (60) days notice, by the Tenant for loss of available funding by the mailing of written notice specifying the cause to the Landlord at the Landlord's address given herein.

2. Rent.

- a. **Rental Amount** - The Tenant shall pay Landlord a base monthly rent in the amount of \$0.00 per year. Payments shall be made at the following address:

City of Lebanon
925 Main Street
Lebanon, Oregon 97355

The rental payment amount for any partial calendar year included in the lease term shall be prorated on a monthly basis.

- b. In addition to the base annual rent, the Tenant will pay all of the monthly utilities (electrical, water, gas, sewer, and garbage) costs. Tenant will apply for all utility services directly to the utility providers and be solely responsible for the payment of same.
- 3. Use of Premises.** Tenant shall use the Premises located at 626 Second Street, Lebanon, Oregon only for the purpose of activities and events sponsored by and under the control of the Lebanon Boys and Girls Club. Tenant shall not use or permit the Premises' use for any other purpose without the written consent of Landlord, nor in any manner prohibited by the laws of the State of Oregon. Tenant shall be solely responsible for maintaining the grounds including all watering, weeding, and fertilizer necessary to maintain the grounds in like manner and condition as the effective date of this lease agreement. In addition, tenant shall solely pay for and be responsible for all building maintenance, including, but not limited to, the buildings, HVAC, plumbing, electrical, roof, foundation, windows, exterior walls, interior walls, flooring, paint, etc. as further described in Section 5 of this agreement.
- 4. Sublease and Assignment.** Tenant shall not sublease all or any part of the Premises, or assign this Lease in whole or in part without Landlord's consent, such consent not to be unreasonably withheld or delayed, except that any Tenant program or department may use the demised

Premises for any purpose permitted in this agreement without prior written notification to Landlord.

5. Obligations.

- a. **Tenant's Obligations** – Tenant shall be responsible for:
 - i. Repair of interior walls, ceilings, doors and windows and related hardware.
 - ii. Any repairs necessitated by the negligence of the Tenant, its employees, agents and invitees.
 - iii. Any repairs or alterations required under the Tenant's obligation to comply with laws and regulations.
 - iv. All other repairs to the Premises.
 - v. Custodial services, phone, fax lines and telecommunications service on the Premises.
 - vi. Repairs and maintenance of the roof and gutters, exterior walls (including painting), bearing walls, structural members and foundation.
 - vii. Repair of sidewalks, driveways, curbs and parking area.
 - viii. Repair and maintenance of water, sewage, gas, and electrical services including light fixtures by switches, wiring and plumbing in the Premise.
 - ix. Repair and ordinary maintenance of the heating system and the air conditioning system within the Premises. Repair of interior walls, ceilings, doors and windows and related hardware.
 - x. Maintenance of the yard and grounds around the leased Premises in good condition; keeping the parking areas clean and free of debris; and, removing ice, snow, debris and obstructions from the property to the extent necessary to provide reasonably safe access to the Premises.

6. Alterations and Improvements.

- a. Tenant, at Tenant's expense, shall have the right, upon obtaining Landlord's consent, to remodel, redecorate, and make additions, improvements and replacements of and to all or any part of the Premises from time to time as Tenant may deem desirable, provided the same are made in a workmanlike manner and utilizing good quality materials. Tenant shall have the right to place and install personal property, trade fixtures, equipment and other temporary installations in and upon the Premises, and fasten the same to the Premises. All personal property, equipment, machinery, trade fixtures and temporary installations, whether acquired by Tenant at the commencement of the Lease term or placed or installed on the Premises by Tenant thereafter, shall remain Tenant's property free and clear of any claim by Landlord. Tenant shall have the right to remove the same at any time during the term of this Lease provided that Tenant shall repair, at Tenant's expense, all damage to the Premises caused by such removal.
- b. Landlord reserves the right to alter, repair or improve the building, or add thereto and for that purpose may erect scaffolding and all other necessary structures about or upon the Premises and for that purpose the Landlord and its representatives, contractors and workmen may, subject to legal requirements, enter in and about the Premises with such materials as Landlord may deem necessary therefore provided that such actions are done in a manner calculated to interfere as little as is reasonably possible with Tenant's use of the Premises. Landlord shall provide Tenant with notice of its intent to alter, repair or improve the building and not less than 30 days prior to the commencement of any alteration, repair or improvement to the building.
- c. No use of the Premises shall result in (1) waste on the Premises, or (2) a finding by a court of competent jurisdiction that a public or private nuisance exists on the Premises.

7. Insurance.

- a. **Risk of Loss** – Tenant bears the risk of loss from fire or other casualty to the building and any furnishings or appliances left or located by Landlord therein. Tenant shall bear the risk of loss for the contents of the Premises and any improvements, alterations or fixtures it installs thereon.
- b. **Insurance Required** - Tenant shall maintain fire and extended coverage insurance on the Building and the Premises, as well as comprehensive general liability insurance, in such amount as Landlord shall deem appropriate. Tenant shall be responsible, for fire and extended coverage insurance on all of its personal property, located in the Premises, and for comprehensive general liability insurance.
- c. **Waiver of Subrogation** – Neither party shall be liable to the other for loss arising out of damage to or destruction of the Premises, or the contents thereof.
- d. **Indemnification** – The parties each agree to indemnify and defend the other from any claim, loss, or liability arising out of or related to the indemnifying party's sole negligent or intentional acts or omissions.

8. Signs. Tenant may, subject to review and approval of Landlord, which approval may not be unreasonably withheld, erect and maintain outdoor signs identifying the entrance to the building on Second Street as the location of the facility. Such signs and lettering thereon shall be of sufficient size to include other pertinent information and be visible to passers-by in motor vehicles as well as afoot, provided that such signs shall comply with or are exempted from ordinances of the Landlord. Such signs may be attached to the building or placed upon posts set in the grounds of the Premises. All signage must be in compliance with city sign ordinances.

9. Entry. Landlord agrees to limit its right of entry to the property to only business hours following 24 hours notice of intent to enter. Non-business hour entry, except in an emergency, shall only occur upon five days written notice and approval of Tenant, which approval shall not be unreasonably withheld. Emergency entry without notice may occur only in cases where such action is necessary to prevent injury to persons or to prevent damage to the Premises or building.

10. Parking. Tenant shall have the use of the common automobile parking area, driveway, and pedestrian ways, subject to rules and regulations for the use thereof as prescribed from time to time by Landlord.

11. Damage and Destruction. Except as otherwise provided in this agreement, if the Premises or any part thereof or any appurtenance thereto is so damaged by fire, casualty or structural defects, such damage or defects not being the result of any act of negligence by Tenant or by any of Tenant's agents, employees or invitees, that the same cannot be used for Tenant's purposes, then Tenant shall have the right within 45 days following damage to elect by notice to Landlord to terminate this Lease as of the date of such damage. In the event of minor damage to any part of the Premises, and if such damage does not render the Premises unusable for Tenant's purposes, Tenant shall promptly repair such damage, at the cost of the Tenant. Rentals and other charges paid in advance for any such periods shall be credited on the next ensuing payments, if any, but if no further payments are to be made, any such advance payments shall be refunded to Tenant. The provisions of this paragraph extend not only to the matters aforesaid, but also to any occurrence which is beyond Tenant's reasonable control and which renders the Premises, or any appurtenance thereto, inoperable or unfit for occupancy or use, in whole or in part, for Tenant's purposes.

- 12. Default.** Tenant shall have breached this lease and shall be considered in default hereunder if Tenant fails to pay rent when due and does not make the delinquent payment within 10 days after receipt of notice thereof by the Landlord directed to the Board of Directors of the Boys and Girls Club of the Greater Santiam or Tenant fails to perform or comply with any of the covenants or conditions of this lease and such failure continues for a period of 20 days after the receipt of notice thereof from Landlord. Landlord shall use reasonable efforts to mitigate its damages.
- 13. Waiver.** No waiver of any default of Landlord or Tenant hereunder shall be implied from any omission to take any action on account of such default if such default persists or is repeated, and no express waiver shall affect any default other than the default specified in the express waiver and that only for the time and to the extent therein stated. One or more waivers by Landlord or Tenant shall not be construed as a waiver of a subsequent breach of the same covenant, term or condition.
- 14. Remedy.** In the event of a default the lease may be terminated at the option of Landlord by notice in writing to Tenant. If the lease is not terminated by election of Landlord, Landlord shall be entitled to recover damages from tenant for default. If the lease is terminated, Tenant's liability to Landlord for damages shall survive such termination, and Landlord may reenter, take possession of the Premises, and remove any persons or property as allowed by law.
- 15. Quiet Possession.** Landlord covenants and warrants that upon performance by Tenant of its obligations hereunder, Landlord will keep and maintain Tenant in exclusive, quiet, peaceable and undisturbed and uninterrupted possession of the Premises during the term of this Lease.
- 16. Condemnation.** If any legally, constituted authority condemns the Building or such part thereof which shall make the Premises unsuitable for leasing, this Lease shall cease when the public authority takes possession, and Landlord and Tenant shall account for rental as of that date. Such termination shall be without prejudice to the rights of either party to recover compensation from the condemning authority for any loss or damage caused by the condemnation. Neither party shall have any rights in or to any award made to the other by the condemning authority.
- 17. Subordination.** Tenant accepts this Lease subject and subordinate to any mortgage, deed of trust or other lien presently existing or hereafter arising upon the Premises, or upon the Building and to any renewals, refinancing and extensions thereof, but Tenant agrees that any such mortgagee shall have the right at any time to subordinate such mortgage, deed of trust or other lien to this Lease on such terms and subject to such conditions as such mortgagee may deem appropriate in its discretion. Landlord is hereby irrevocably vested with full power and authority to subordinate this Lease to any mortgage, deed of trust or other lien now existing or hereafter placed upon the Premises of the Building. Tenant agrees that it will from time to time upon request by Landlord execute and deliver to such persons as Landlord shall request a statement in recordable form certifying that this Lease is unmodified and in full force and effect (or if there have been modifications, that the same is in full force and effect as so modified), stating the dates to which rent and other charges payable under this Lease have been paid, stating that Landlord is not in default hereunder (or if Tenant alleges a default stating the nature of such alleged default) and further stating such other matters as Landlord shall reasonably require.
- 18. Security Deposit.** No security deposit has been collected nor shall be required of Tenant.

19. Notice.

- a. Any notice required or permitted under this Lease shall be deemed sufficiently given or served if sent by United States certified mail, return receipt requested, addressed as follows:
 Landlord: City of Lebanon, 925 Main Street, Lebanon, Oregon 97355
 Tenant: Linn County, PO Box 100, Albany, OR 97321
- b. Landlord and Tenant shall each have the right from time to time to change the place notice is to be given under this paragraph by written notice thereof to the other party.

20. Headings. The headings used in this Lease are for convenience of the parties only and shall not be considered in interpreting the meaning of any provision of this Lease.

21. Final Agreement. This Agreement terminates and supersedes all prior understandings or agreements on the subject matter hereof. This Agreement may be modified only by a further writing that is duly executed by both parties.

IN WITNESS WHEREOF, the parties have executed this Lease as of the day and date written below.

LANDLORD – Agreed to by City of Lebanon on October 11, 2017, by

Attest by:

By:

Linda Kaser
City Recorder

Bob Elliott
President Pro Tem

TENANT – Agreed to by Boys & Girls Club of the Greater Santiam on _____ 2017.

By:

Boys & Girls Club of the Greater Santiam - Official

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Gary B. Marks
City Manager

John E. Kennedy
City Attorney

Agenda Item 5



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4905
www.ci.lebanon.or.us

MEMORANDUM

City Clerk's Office

To: Mayor Aziz and City Council

Date: September 29, 2017

From: Linda Kaser, City Clerk

Subject: Amending Chapter 5.10 Liquor License Recommendation

I. Background

The department responsible for overseeing Liquor Licensing has gone through many transitions over the past 30 years. Starting with the Finance Department, then Police, back to Finance, then Administration, and now the City Clerk's Office.

II. Current

The proposed recommended changes to the Lebanon Municipal Code, Chapter 5.10 are being made to reflect the current responsible department or position. These sections were last updated in 2008.

III. Recommendation

Staff recommends approval of the attached ordinance amending sections of LMC 5.10.

/lgk

A BILL FOR AN ORDINANCE AMENDING) ORDINANCE BILL NO. 2017-18
SECTIONS OF CHAPTER 5.10 OF THE)
LEBANON MUNICIPAL CODE – LIQUOR)
LICENSE RECOMMENDATION) ORDINANCE NO. 2906

THE PEOPLE OF THE CITY OF LEBANON DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Section(s) of Chapter 5.10 of the Lebanon Municipal code are hereby amended as follows:

5.10.020 Application Conditions.

The City Clerk’s Office shall accept applications for regular OLCC liquor licenses only when all required forms are properly completed and in order; and the appropriate processing fee established by Council resolution has been paid, or as required under OLCC regulations for application renewals.

5.10.030 - City investigation.

The City Clerk’s Office shall coordinate an investigation of each application to determine the appropriate city recommendation to the OLCC. The City Clerk may require additional information appropriate for conducting the investigation. The City Clerk’s Office shall provide a copy of each application to the building official, fire district, city planner, police chief and any other city or county official deemed appropriate for such investigation and reporting. Reporting from such departments shall be included in each staff recommendation to council. Report for any unfavorable recommendation must be made to the City Clerk’s Office within ten days of the date the application was accepted.

5.10.040 - Recommendation Procedure.

OLCC applications receiving favorable recommendations from the reporting departments listed in Section 5.10.030 will be scheduled as a consent calendar item on the next available city council meeting agenda, unless a councilmember requests a public hearing. Upon request of a councilmember, or an adverse or conditional recommendation by the City Clerk, a public hearing will be scheduled and notice provided.

5.10.060 - Criteria for Unfavorable or Conditionally Favorable Recommendation.

- A. The city council may make an unfavorable or conditionally favorable recommendation to the OLCC on an application if the following apply, or a favorable recommendation if none of the following apply:
 - 1. The application is not complete;
 - 2. The applicant fails to provide the city council, any of the reporting departments listed in Section 5.10.030, city staff, or government agency involved herein with reasonably requested information in a timely manner;
 - 3. The applicant recklessly or intentionally provides the city with false or misleading information;

4. The applicant has been convicted of or pled guilty to one or more of the following local, state or federal offenses:
 - a. Driving while under the influence of intoxicants,
 - b. Drinking alcoholic liquor in a motor vehicle upon a public highway,
 - c. Possession of a controlled substance,
 - d. Delivery of a controlled substance,
 - e. Manufacture of controlled substance,
 - f. Any other offense involving moral turpitude;
5. Evidence is discovered which indicates that the applicant is in the habit of using alcoholic beverages, habit-forming drugs or controlled substances to excess;
6. The applicant is incompetent or physically unable to carry on the management of the establishment proposed to be licensed;
7. The applicant has maintained an unsanitary establishment;
8. The applicant does not display a good record of compliance with the alcoholic liquor laws of this state and the rules of the OLCC when previously licensed;
9. The applicant is not the legitimate owner of the business proposed to be licensed or other persons have ownership interests in the business, which interests have not been disclosed;
10. The applicant's record shows, through convictions, guilty pleas, civil compromises, administrative rulings or other means, violation(s) of law(s) or ordinance(s) connected in time, place and manner with a liquor establishment, including state alcoholic liquor and gambling laws;
11. The applicant has maintained or allowed to exist, an establishment that creates or is a public nuisance under state law or city ordinance;
12. That there are sufficient licensed premises in the locality set out in the application, or that granting of a license in the locality set out in the application is not demanded by public interest or convenience;
13. The applicant has not maintained the premises in accordance with the building code or fire code in the city and the state;
14. The applicant seeks licensing of premises inconsistent with city land use designations;
15. A history of serious and persistent problems involving disturbances, lewd or unlawful activities or noise either in the premises or involving patrons of the establishment in the immediate vicinity of the premises, if the activities in the immediate vicinity of the premises are related to the sale or service of alcohol under the exercise of the license privilege. Behavior for which is grounds for an unfavorable recommendation under this criterion, where related to the sale or service of alcohol, includes, but is not limited to:
 - a. Obtrusive or excessive noise, music or sound vibrations,
 - b. Public drunkenness,
 - c. Fights or altercations,

- d. Harassment of customers at businesses in the vicinity or citizens on public rights-of-way,
 - e. Alcohol or related litter,
 - f. Trespassing on private property,
 - g. Public urination or defecation,
 - h. Vandalism of near-by private property by applicant's customers, and
 - i. For those licensees/applicants located within the city established alcohol impact and enhanced enforcement area (AIEEA): Providing service to any individual(s) who are under court order not to enter the AIEEA.
- B. The city council may consider such mitigating factors by a showing of the applicant that the problems are not serious or persistent or that the applicant has demonstrated a willingness and ability to control adequately the licensed premises and patron's behavior in the immediate vicinity of the premises.

5.10.080 - Unfavorable recommendation—Resubmittal terms and conditions.

If the council makes an unfavorable recommendation on any license application, the council shall not consider a new application from the same applicant while an administrative or court appeal relating to the license is pending. An application may be resubmitted to the council in less than six months from the date of the council's unfavorable recommendation only if the conditions which caused such recommendation have been remedied, as determined by the Chief of Police.

Section 2. This ordinance shall become effective 30 days after Council approval.

Passed by the Lebanon City Council and executed by the Mayor on this 11th day of October 2017 by a vote of ____yeas and ____nays.

CITY OF LEBANON, OREGON

Bob Elliott, Council President

ATTESTED BY:

Linda Kaser, City Clerk

Chapter 5.10 - LIQUOR LICENSE RECOMMENDATION

Sections:

- **5.10.010 - Purpose.**

The purpose of this chapter is to establish criteria for council consideration in recommending to the Oregon Liquor Control Commission (OLCC) that it grant, deny, modify or renew liquor licenses for premises within the city. The process established to review license applicants in order to make recommendations will be fair, effective and efficient.

(Ord. 2770 (part), 2008)

- **5.10.020 - Application conditions.**

The city **Clerk's Office** shall accept applications for regular OLCC liquor licenses only when all required forms are properly completed and in order; and the appropriate processing fee established by council resolution has been paid, or as required under OLCC regulations for application renewals.

(Ord. 2770 (part), 2008)

- **5.10.030 - City investigation.**

The ~~City manager, or designee,~~ **Clerk's Office** shall coordinate an investigation of each application to determine the appropriate city recommendation to the OLCC. The ~~city manager~~ **City Clerk** may require additional information appropriate for conducting the investigation. The ~~city manager~~ **City Clerk** shall provide a copy of each application to the building official, fire district, city planner, police chief and any other city or county official deemed appropriate for such investigation and reporting. Reporting from such departments shall be included in each staff recommendation to council. Report for any unfavorable recommendation must be made to the ~~city manager~~ **City Clerk's Office** within ten days of the date the application was accepted.

(Ord. 2770 (part), 2008)

- **5.10.040 - Recommendation procedure.**

OLCC applications receiving favorable recommendations from ~~city staff~~ **the reporting departments listed in Section 5.10.030** will be scheduled as a consent calendar item on the next available city council meeting agenda, unless a councilmember requests a public hearing. Upon request of a councilmember, or an adverse or conditional recommendation by the ~~city manager~~ **City Clerk**, a public hearing will be scheduled and notice provided.

(Ord. 2770 (part), 2008)

- **5.10.060 - Criteria for Unfavorable or Conditionally Favorable recommendation.**

A. The city council may make an unfavorable or conditionally favorable recommendation to the OLCC on an application if the following apply, or a favorable recommendation if none of the following apply:

1. The application is not complete;
2. The applicant fails to provide the city council^{or}, any of the reporting departments listed in Section 5.10.030, city staff, or county government agency involved herein with reasonably requested information in a timely manner;
3. The applicant recklessly or intentionally provides the city with false or misleading information;
4. The applicant has been convicted of or pled guilty to one or more of the following local, state or federal offenses:
 - a. Driving while under the influence of intoxicants,
 - b. Drinking alcoholic liquor in a motor vehicle upon a public highway,
 - c. Possession of a controlled substance,
 - d. Delivery of a controlled substance,
 - e. Manufacture of controlled substance,
 - f. Any other offense involving moral turpitude;
5. Evidence is discovered which indicates that the applicant is in the habit of using alcoholic beverages, habit-forming drugs or controlled substances to excess;
6. The applicant is incompetent or physically unable to carry on the management of the establishment proposed to be licensed;
7. The applicant has maintained an unsanitary establishment;
8. The applicant does not display a good record of compliance with the alcoholic liquor laws of this state and the rules of the OLCC when previously licensed;
9. The applicant is not the legitimate owner of the business proposed to be licensed or other persons have ownership interests in the business, which interests have not been disclosed;
10. The applicant's record shows, through convictions, guilty pleas, civil compromises, administrative rulings or other means, violation(s) of law(s) or ordinance(s) connected in time, place and manner with a liquor establishment, including state alcoholic liquor and gambling laws;
11. The applicant has maintained or allowed to exist, an establishment that creates or is a public nuisance under state law or city ordinance;
12. That there are sufficient licensed premises in the locality set out in the application, or that granting of a license in the locality set out in the application is not demanded by public interest or convenience;
13. The applicant has not maintained the premises in accordance with the building code or fire code in the city and the state;
14. The applicant seeks licensing of premises inconsistent with city land use designations;
15. A history of serious and persistent problems involving disturbances, lewd or unlawful activities or noise either in the premises or involving patrons of the establishment in the immediate vicinity of the premises^s, if the activities in the immediate vicinity of the premises are related to the sale or service of alcohol under the exercise of the license privilege. Behavior for which is grounds for an unfavorable recommendation under this criterion^{on}, where related to the sale or service of alcohol, includes, but is not limited to:
 - a. Obtrusive or excessive noise, music or sound vibrations,
 - b. Public drunkenness,
 - c. Fights or altercations,
 - d. Harassment of customers at businesses in the vicinity or citizens on public rights-of-ways^s,

- e. Alcohol or related litter,
 - f. Trespassing on private property,
 - g. Public urination or defecation,
 - h. Vandalism of near-by private property by applicant's customers, and
 - i. For those licensees/applicants located within the city established alcohol impact and enhanced enforcement area (AIEEA): Providing service to any individual(s) who are under court order not to enter the AIEEA.
- B. The city council may consider such mitigating factors by a showing of the applicant that the problems are not serious or persistent or that the applicant has demonstrated a willingness and ability to control adequately the licensed premises and patron's behavior in the immediate vicinity of the premises.

(Ord. 2770 (part), 2008)

5.10.070 - Conditional recommendation.

If council finds that any of the criteria established by LMC Section 5.10.070 apply to an applicant, a conditionally favorable recommendation with a letter of warning may be made. The city shall deliver to the applicant in person or by certified mail a summary of the reports relating to the application and a notice to correct the problems cited. A copy of this notice and summary shall be sent to the GLCC. During the following license period, the city manager shall monitor the progress of the applicant in correcting such problems and report to the council. At the time of the next license renewal, the applicant shall have the burden of proof to establish that the license should receive a favorable recommendation for renewal. If the council finds that the applicant has not made sufficient progress in correcting the conditions, which resulted in the letter of warning, then the council may make an unfavorable recommendation to the GLCC. Unfavorable staff recommendation requires public hearing per Section 5.10.040.

(Ord. 2770 (part), 2008)

5.10.080 - Unfavorable recommendation—Resubmittal terms and conditions.

If the council makes an unfavorable recommendation on any license application, the council shall not consider a new application from the same applicant while an administrative or court appeal relating to the license is pending. An application may be resubmitted to the council in less than six months from the date of the council's unfavorable recommendation only if the conditions which caused such recommendation have been remedied, as determined by the ~~city manager~~ **Chief of Police**.

Agenda Item 6



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4918
www.ci.lebanon.or.us

MEMORANDUM

Maintenance Operations

Date: October 5, 2017

To: Mayor Aziz and City Council

From: Jason Williams, Maintenance Services Director

Subject: **Amending 12.12 Parks and Public Places**

I. INTRODUCTION

The attached Ordinance modifies the existing 12.14 Park Hours and Park Closure Chapter to clarify the process for reservations after dusk. Staff felt the clarification was needed with the Strawberry Plaza usage change and the addition of Cheadle Lake Park into the Lebanon Parks System.

II. RECOMMENDATION

Staff is recommending that City Council approve the attached Ordinance amending Chapter 12.12 Parks and Public Places.

**A BILL FOR AN ORDINANCE AMENDING) ORDINANCE BILL NO. 2017-19
SECTIONS OF CHAPTER 12.12 OF THE)
LEBANON MUNICIPAL CODE – PARKS)
AND PUBLIC PLACES) ORDINANCE NO. 2907**

THE PEOPLE OF THE CITY OF LEBANON DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Section(s) of Chapter 12.12 of the Lebanon Municipal code are hereby amended as follows:

12.12.022 - Alcoholic beverages—Prohibition in city parks.

It is unlawful for any person to possess an alcoholic beverage in a city park without a special permit issued by the State of Oregon Liquor Control Commission and granted by the City Clerk (or designee). In the event that the State does not require a permit, a special permit must be obtained from the City Clerk.

12.12.024 - Alcoholic beverages—Special permit—Issuance authority.

Notwithstanding prohibition against the use or possession of alcoholic beverages in a city park set forth in other ordinances of the city, the City Clerk (or designee) shall have the right to issue a special permit for the use and possession of alcoholic beverages in City Parks.

12.12.026 - Alcoholic beverages—Special permit—Fees.

Any person or organization may request a permit referred to in Section 12.12.024, subject to the following conditions:

- A. Payment of a fee as designated by resolution of city council;
- B. The name and address of the applicant and other information as required by the City Clerk shall be furnished prior to the issuance of a special permit.

12.12.190 - Violation and penalty.

Except as otherwise provided herein, a violation of any provision of this chapter shall be punishable by a fine not to exceed one thousand dollars. Each day of violation shall constitute a separate offense.

12.14.020 - Park hours.

- A. Lebanon Parks shall be closed to access and use by members of the public between dusk to dawn, unless a reservation has been made.
- B. Reservations shall be granted by the Maintenance Services Director (or designee) if the following occur:

1. An application, in a form prescribed by the Maintenance Services Director, has been completed which identifies a specific applicant, with a designated reason for the use of the park after the hours of closure. In appropriate situations, the Maintenance Services Director (or designee) may require the applicant to show proof of adequate liability insurance coverage, with the city listed as an insured.
2. The Maintenance Services Director (or designee) may use the following to determine whether or not to grant the reservation:
 - a. The night of the week for which the reservation is sought;
 - b. The specific hours past closure of the park for which the reservation is sought;
 - c. The number of people which may be reasonably expected at the event for which the reservation is sought;
 - d. The noise, traffic, parking or other needs which may be required for the event for which the reservation is sought; or
 - e. Other considerations for which the neighborhood surrounding the park may require to preserve the health, safety and welfare of the neighborhood.

Section 2. This ordinance shall become effective 30 days after Council approval.

Passed by the Lebanon City Council and executed by the Mayor on this 11th day of October 2017 by a vote of ____ yeas and ____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTESTED BY:

Linda Kaser, City Clerk

CHAPTER 12.12 PARKS AND PUBLIC PLACES

12.12.010 - Applicability.

The regulations contained in this chapter shall be applicable to municipal parks, recreation areas, and other public space or way contained within the Lebanon corporate limit, or other real property owned by the city of Lebanon to the extent that the city enacts or prescribes rules and regulations for the park. All police and penal ordinances and charter provisions necessary to protect and preserve the peace and order in defined parks shall also apply to recreation areas and other public spaces or ways. The enforcement of the ordinances and provisions by penalties of fine or imprisonment and the power to make arrests and serve processes of court therein or upon persons therein or thereon may be made with like manner and with like effect in an established park, recreation area, public space or way.

(Ord. 2768 (part), 2008)

12.12.015 - Definitions.

The following definitions shall apply for the purposes of this chapter:

"Alcoholic beverage" is any beverage having an alcoholic content of more than one-half of one percent by volume.

"City park" is defined to mean all city of Lebanon owned or maintained parks, playgrounds and public recreation areas.

"Public space" is a place to which the general public has access and includes, but is not limited to, highways, streets, parks and playgrounds or designated public recreational areas.

"Roller skates" or "roller blades" means a shoe or boot with a set of wheels attached for skating over a flat surface. These terms also include a metal frame with wheels attached that can be fitted to the sole of a shoe or boot.

"Scooter" means a foot-operated vehicle, consisting of a narrow board mounted between two wheels tandem with an upright steering handle attached to the front wheel.

"Skateboard" means a board or similar platform made from any substance mounted on wheels.

"Smoke" or "smoking" means the carrying or holding of a lighted pipe, cigar, cigarette or other lighted smoking product or equipment used to burn any tobacco products, weed, plant, or any other combustible substance. Smoking also includes the use of any inhalant delivery system, which includes any device that can be used to deliver nicotine in the form of a vapor or aerosol to a person inhaling from the device. Smoking does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product.

(Ord. 2768 (part), 2008; Ord. No. 2827, § 1, 10-12-2011; Ord. No. [2891](#), § 1, 1-11-2017)

12.12.020 - Alcohol.

Unless otherwise permitted by law or a government licensing agency, no person shall, within any city park or recreation area, or other public space or way, drink or consume alcohol.

(Ord. 2768 (part), 2008; Ord. No. 2794, § 1, 4-14-2010; Ord. No. 2803, § 1, 7-14-2010)

12.12.022 - Alcoholic beverages—Prohibition in city parks.

It is unlawful for any person to possess an alcoholic beverage in a city park without a special permit issued by the State of Oregon Liquor Control Commission and granted by the City Clerk (or designee). In the event that the State does not require a permit, a special permit must be obtained from the City Clerk.

(Ord. 2768 (part), 2008)

12.12.024 - Alcoholic beverages—Special permit—Issuance authority.

Notwithstanding prohibition against the use or possession of alcoholic beverages in a city park set forth in other ordinances of the city, the **chief of police City Clerk (or designee)** shall have the right to issue a special permit for the use and possession of alcoholic beverages in **said neighborhood City Parks**.

(Ord. 2768 (part), 2008)

12.12.026 - Alcoholic beverages—Special permit—Fees.

Any person or organization may request a permit referred to in Section 12.12.024, subject to the following conditions:

- A. Payment of a fee as designated by resolution of city council;
- B. The name and address of the applicant and other information as required by the **chief of police City Clerk** shall be furnished prior to the issuance of a special permit.

(Ord. 2768 (part), 2008)

12.12.028 - Alcoholic beverages—Special permit—Conditions.

The granting of a permit referred to in Section 12.12.024, shall be discretionary with the **chief of police City Clerk** and, if issued, such conditions may be attached thereto as will be in the best interest of peace, health and safety to all citizens.

(Ord. 2768 (part), 2008)

12.12.190 - Violation and penalty.

Except as otherwise provided herein, a violation of any provision of this chapter shall be punishable by a fine not to **exceed five hundred one thousand dollars**. Each day of violation shall constitute a separate offense.

(Ord. 2768 (part), 2008)

(Ord. No. 2795, § 2, 4-14-2010; Ord. No. 2827, § 2, 10-12-11)

Note— See the editor's note to § 12.12.140.

Chapter 12.14 - PARK HOURS AND PARK CLOSURE

Sections:

12.14.010 - Definitions.

For the purpose of this chapter, the term "park" shall have that meaning as defined in Section 12.12.015 of this code.

(Ord. 2769 (part), 2008; Ord. 2350 § 1 (part), 2003)

12.14.020 - Park hours.

- A. Lebanon Parks shall be closed to access and use by members of the public between dusk to dawn, unless a **permit reservation** has been **issued made**.

- B. **Permits Reservations** shall be granted by the **chief of police Maintenance Services Director (or designee)** if the following occur:
1. An application, in a form prescribed by the **chief of police, Maintenance Services Director**, has been completed which identifies a specific applicant, with a designated reason for the use of the park after the hours of closure. ~~The chief of police may also consider whether or not the applicant has reserved the park in the manner provided in Lebanon Municipal Code Section 12.12.041 in determining whether or not to approve the application.~~ In appropriate situations, the **chief of police Maintenance Services Director (or designee)** may require the applicant to show proof of adequate liability insurance coverage, with the city listed as an insured.
 2. ~~In determining whether or not to grant a permit, the chief of police may consider the following:~~ **The Maintenance Services Director (or designee) may use the following to determine whether or not to grant the reservation:**
 - a. The night of the week for which the **permit reservation** is sought;
 - b. The specific hours past closure of the **neighborhood park** for which the **permit reservation** is sought;
 - c. The number of people which may be reasonably expected at the event for which the **permit reservation** is sought;
 - d. The noise, traffic, parking or other needs which may be required for the event for which the **event reservation** is sought; or
 - e. Other considerations for which the neighborhood surrounding the park may require to preserve the health, safety and welfare of the neighborhood.
 3. ~~The chief of police may charge an administrative fee in the processing of the application, in an amount to be determined by the city council by resolution of the council.~~

(Ord. 2769 (part), 2008; Ord. 2350 § 1 (part), 2003)

12.14.030 - Prohibited behavior in public parks and facilities.

- A. No person shall sleep on the seats or benches; or make, assist in making, continue, or cause to be made any boisterous, disturbing, threatening, abusive, indecent, or obscene language or gestures or unnecessary noise; or by any other act to breach the public peace; or annoy, disturb, injure, or endanger the comfort, repose, health, safety, welfare, or peace of others while in any park or public facility.
- B. No person shall enter or remain in a park or public facility while in a visibly intoxicated condition.

(Ord. 2769 (part), 2008; Ord. 2350 § 1 (part), 2003)

12.14.040 - Exclusion of persons from parks and public facilities.

- A. If a police officer, or designee of the chief of police, has probable cause to believe that a person has violated any section of the Lebanon Municipal Code, or any laws of the state of Oregon, while in a public park or public facility, a police officer or designee of the chief of police may exclude that person from any or all parks or public facilities for a period of not more than thirty days in accordance with the following procedure:
 1. Written notice shall be given to the person to be excluded from a park or public facility. The exclusion period shall take effect immediately upon the giving of the notice.
 2. The notice shall prominently specify the beginning and ending dates of the exclusion period.
 3. The notice shall prominently display a trespass warning describing the potential consequences of unlawful behavior after receipt of an exclusion notice and for entering a park or public place during the exclusion period.
 4. At any time within the exclusion period, a person having received a notice may apply in writing to the chief of police, or his designee, for a temporary waiver from the exclusion for good reason shown.

5. At any time within the exclusion period, if an individual violates the exclusion order by entering a city park or public facility, the exclusion order should be extended for an additional one hundred eighty days.
 6. At any time within the exclusion period, if an individual violates the laws of the City of Lebanon or the State in a city park or public facility the exclusion order should be extended for an additional three hundred sixty-five days.
- B. Any person receiving an exclusion notice may appeal the issuance of such notice by appealing to the city manager in a form provided for that purpose. Such written notice shall be delivered within three business days from the date of its issuance to the city manager's office. The city manager shall conduct a due process hearing on the appeal within ten business days after receipt of the notice. At such hearing, the city manager shall offer an opportunity for the appellant to offer evidence. The chief of police may appear at such hearing to provide evidence, or may supply the city manager with any written reports concerning the reason for the exclusion order. The Oregon Rules of Evidence shall not apply at such hearing, but the city manager may rely upon such evidence as is allowed in administrative proceedings under ORS Chapter 183.
 - C. After hearing such evidence as may be offered, the city manager may modify, affirm or reverse the decision of the chief of police as to any exclusion order made. Notice of such decision shall be sent to the appellant, in writing, at the address given by the appellant for such purpose. The decision of the city manager shall be made within five business days of the hearing.
 - D. The decision of the city manager shall be final and not appealable by the chief of police or by the appellant.
 - E. The exclusion order shall remain in effect pending the decision of the city manager.

(Ord. 2769 (part), 2008; Ord. 2350 § 1 (part), 2003; Ord. No. [2880](#), § 1, 5-25-2016; Ord. No. [2882](#), § 1, 7-13-2016)

12.14.050 - Closure of parks.

- A. A police officer of the city of Lebanon may close any park, or any part thereof, in accordance with this section, in the interest of public safety, health and welfare in the event that conditions exist in or near the park which involve any of the following, but not limited to the following, circumstances:
 1. Life or property reasonably appear to be endangered and other means cannot reasonably be utilized to eliminate the danger;
 2. An overcrowding of persons or vehicles has occurred, impairing access of emergency assistance or emergency vehicles;
 3. Park property or other property located near the park reasonably appear to be endangered; or
 4. Persons making, assisting in making, continuing, or causing to be made any boisterous, disturbing, threatening, abusive, indecent, or obscene language or gestures, or unnecessary noise, or by any other act to breach the public peace; or annoying, disturbing, injuring, or endangering the comfort, repose, health, safety, welfare or peace of others in any park or public facility, and is such consequence that cessation of the disturbance cannot otherwise be accomplished;
 5. A hazardous condition exists;
 6. That violation(s) of criminal offenses or ordinances is occurring and is caused by sufficient numbers of persons, or is of such consequence that cessation of the disturbance cannot otherwise be accomplished; or
 7. Other conditions exist such that the safety of persons or property cannot reasonably be assured.
- B. Closure of the park, or any part thereof, whether for an emergency or for any reason, may be accomplished at the direction of a police officer by erecting barricades prohibiting access to any such park, or any part thereof, at appropriate locations. Notice that any park, or part thereof, is closed shall be posted at appropriate locations during the period of such closure.

- C. During the closure of a park, or portion thereof, it is unlawful for any person to enter the park, or any part thereof, that has been closed or to remain in the park, or part thereof, after having been notified of the closure and having been requested to leave the park, or portion thereof, by a police officer.

(Ord. 2769 (part), 2008; Ord. 2350 § 1 (part), 2003)

12.14.060 - Violation and penalty.

Violation of any provision of this chapter shall be punishable by a fine not to exceed five hundred dollars. Each day of violation shall constitute a separate offense.

(Ord. 2769 (part), 2008; Ord. 2350 § 1 (part), 2003)

12.14.070 - Severability.

Invalidity of a section or part of a section of this chapter shall not affect the validity of the remaining section or parts of sections.

(Ord. 2769 (part), 2008; Ord. 2350 § 1 (part), 2003)

Agenda Item 7



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4918
www.ci.lebanon.or.us

MEMORANDUM

Engineering Services

To: Mayor Aziz and City Council
From: Ron Whitlatch, Engineering Services Director
Subject: **Approval to Accept Deed for Lebanon Skate Park**

Date: October 4, 2017

I. INTRODUCTION

Over the course of the last several years, the Lebanon Skate Park Committee has privately funded and constructed the first two phases of the Lebanon Skate Park located at 200 Harrison Street. The Committee has done an outstanding job of raising funds and generating a volunteer network to complete the construction done to date.

It has always been the intent that when the park was up and running that the City of Lebanon would take over ownership. The Committee feels that now is an appropriate time for the City to take control of the park and use its existing value to apply for Parks Grants to complete the few remaining items needed for the park. Those items include a restroom, lighting, irrigation/landscaping, and a paved parking lot.

It should be noted that the only expenses for taking on the park are the monthly power fees and maintenance, which will be performed by City of Lebanon Staff. Per the title report, the property is free from any liens. The Committee has indicated that the construction to date has been paid in full with no outstanding debt.

II. RECOMMENDATION

Staff recommends that City Council pass a motion accepting the Property Deed to take ownership of the Lebanon Skate Park.

BARGAIN AND SALE DEED

Grantor: Lebanon Skatepark Committee
31479 Stoltz Hill Road
Lebanon, OR 97355

Grantee: City of Lebanon
925 Main Street
Lebanon, OR 97355

After Recording Return to: City of Lebanon
925 Main Street
Lebanon, OR 97355

Future Tax Statements to: City of Lebanon
925 Main Street
Lebanon, OR 97355

KNOW ALL MEN BY THESE PRESENTS, That the **Lebanon Skatepark Committee, a domestic nonprofit corporation,** hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto **City of Lebanon, a Municipal Corporation,** hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of Linn, State of Oregon, described as follows, to-wit:

A portion of land in the Northeast ¼ of Section 10, Township 12 South, Range 2 West, of the Willamette Meridian in the City of Lebanon, Linn County, Oregon, more particularly described as follows;

Parcel 1 of Partition Plat No. 2011-12, recorded on March 30, 2011 as Document No. 2011-04464 in Linn County Record of Partition Plats by Linn County Clerk. (0.95 acres)

See Exhibit "A" attached hereto.

TO HAVE AND TO HOLD the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is **\$ NONE**. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the grantor has executed this instrument this 29th day of September, 2017.

Dan Schneider

Dan Schneider, President
Lebanon Skatepark Committee

STATE OF OREGON) ss
COUNTY OF LINN)

This instrument was acknowledged before me on the 29 day of September, 2017, by **Dan Schneider** of the Lebanon Skatepark Committee

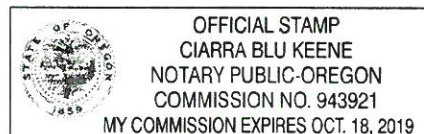
Ciarra Blum Keene
Notary Public for Oregon

The City of Lebanon, by and through its City Mayor, Paul Aziz, hereby accepts conveyance of real property identified on **Exhibit A** and as set forth herein from the Lebanon Skatepark Committee.

City of Lebanon

By: **Paul Aziz, Mayor**
Its: **Mayor**

Dated: _____



C.S. 25357

PARTITION PLAT NO. 2011-12
CITY OF LEBANON
AN OREGON MUNICIPAL CORPORATION

A REPLAT OF BLOCKS 5, 7, 8, AND A PORTION
OF LOT 6 OF WASSON'S ADDITION TO LEBANON,
IN THE NE 1/4 OF SECTION 10, T12S, R27W, W.M.
CITY OF LEBANON, LINN COUNTY, OREGON
SUBMITTED SEPTEMBER 30, 2010

NARRATIVE:

THE PURPOSE OF THIS SURVEY WAS TO ADJUST THE PROPERTY LINE AS SHOWN
HEREON FOR THE CITY OF LEBANON NOTICE OF DECISION (PLANNING FILE NO.
10-04-25) DATED MAY 4, 2010, AND AT THE REQUEST OF OUR CLIENT.

THE BASIS OF RECORD WAS HOLD FOR FOUND MONUMENTS 'X' AND 'Y' ON THE
NORTH RIGHT-OF-WAY OF MARSHEN STREET AS SHOWN HEREON. POINT 'Y' WAS
CALCULATED BY PROPORTIONS BETWEEN FOUND MONUMENTS 'X' AND 'Y'. POINT 'Y'
WAS ESTABLISHED AT RECORD RIGHT-OF-WAY DISTANCE FROM 'X' ALONG LINE 'X'-Y'.
I FOUND A 5/8" IRON ROD AT POINT 'Y' (C.S. 25352) AND HELD AS THE SOUTHEAST
CORNER LOT 8, BLOCK 8 OF WASSON'S ADDITION TO LEBANON. POINT 'Y' WAS
ESTABLISHED AT RECORD DISTANCE OF 60 FEET FROM CALCULATED POINT 'Y' ALONG
LINE 'X'-Y'. CORNER WAS ESTABLISHED AND HELD AS ESTABLISHED AT RECORD
DISTANCE FROM POINT 'Y' ALONG LINE 'X'-Y'. POINT 'Y' WAS ESTABLISHED BY
INTERSECTING LINE 'Y'-Z' AND LINE 'Y'-X'. POINT 'Z' WAS ESTABLISHED BY
INTERSECTING LINE 'Y'-Z' WITH THE EAST RAILROAD RIGHT-OF-WAY. POINT 'Y' WAS
ESTABLISHED BY PROPORTIONS BETWEEN POINTS 'Y' AND 'Z'. POINT 'X' WAS
ESTABLISHED BY INTERSECTING LINE 'Y'-X' AND 'X'-Y'. POINT 'Z' WAS ESTABLISHED
AT RECORD DISTANCE FROM POINT 'Y' ALONG LINE 'X'-Y'. POINT 'Y' WAS
ESTABLISHED BY PROPORTIONS BETWEEN POINTS 'Y' AND 'Z'. POINT 'Z' WAS
ESTABLISHED BY INTERSECTING LINE 'Y'-Z' WITH THE EAST RAILROAD
RIGHT-OF-WAY. POINT 'Y' WAS ESTABLISHED BY PROPORTIONS BETWEEN POINTS 'Y'
AND 'Z'. POINT 'Y' WAS ESTABLISHED AT THE POINT BETWEEN POINTS 'Y' AND 'Z'.
POINT 'Y' WAS ESTABLISHED AT THE POINT BETWEEN POINTS 'Y' AND 'Z'. POINT
'Y' WAS ESTABLISHED BY INTERSECTING LINE 'Y'-X' WITH THE EAST RAILROAD
RIGHT-OF-WAY. THE EAST RAILROAD RIGHT-OF-WAY WAS ESTABLISHED FROM FOUND
MONUMENTS 'X' AND 'Y' AT RECORD POINTS AND ORIENTING RECORD RIGHT-OF-WAY
SOUTH. THE NORTH RIGHT-OF-WAY LINE OF MARSHEN STREET PER COUNTY SURVEY
88, 1887-A.

SURVEYOR'S CERTIFICATE:

I, DEBORA M. CRAWFORD, BEING A REGISTERED PROFESSIONAL LAND
SURVEYOR IN THE STATE OF OREGON CERTIFY THAT I HAVE CORRECTLY
SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS
REPRESENTED HEREON PER ORS 92. THE EXTENSION BOUNDARY OF BLOCK
5, 7, 8 AND A PORTION OF BLOCK 6 OF WASSON'S ADDITION TO LEBANON,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD MARKING THE NORTHEAST CORNER OF
LOT 1, BLOCK 5, WASSON'S ADDITION TO LEBANON, IN THE NORTHEAST
QUARTER OF SECTION 10, TOWNSHIP 12 SOUTH, RANGE 2 WEST,
WILLAMETTE MERIDIAN, LEBANON, OREGON; THENCE ALONG THE WEST
RIGHT-OF-WAY OF 2ND STREET SOUTH 070'23" EAST 182.78 FEET TO A
5/8" IRON ROD; THENCE NORTH 89'42'37" WEST 228.74 FEET TO A 5/8" IRON
ROD; THENCE SOUTH 070'23" EAST 228.74 FEET TO THE RIGHT A
DISTANCE OF 184.7 FEET (CORNED OF WHICH BORDERS SOUTH 35'28'13"
WEST 108.14 FEET) TO 5/8" IRON ROD; THENCE ALONG (CORNED OF
WHICH BORDERS SOUTH 35'28'13" WEST 108.14 FEET) TO A 5/8" IRON ROD
ON THE NORTH LINE OF TANGENT STREET; THENCE CONTINUING ON SAID
RIGHT-OF-WAY SOUTH 83'31'16" WEST 152.65 FEET TO A 5/8" IRON ROD
ON THE EASTERN RIGHT-OF-WAY OF THE SOUTHERN PACIFIC RAILROAD;
THENCE ALONG SAID RIGHT-OF-WAY, ALONG A 1902.75 FOOT RADIUS
CURVE TO THE LEFT A DISTANCE OF 502.22 FEET (CORNED OF WHICH
BORDERS NORTH 33'02'09" WEST 500.18 FEET) TO A 5/8" IRON ROD;
THENCE LEAVING SAID RIGHT-OF-WAY NORTH 00'15" WEST 50.00 FEET
TO A 5/8" IRON ROD ON THE SOUTH RIGHT-OF-WAY OF HARRISON
STREET; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 89'00'00" EAST
598.89 FEET TO THE POINT OF BEGINNING.

ACKNOWLEDGEMENTS:

STATE OF OREGON) SS
COUNTY OF Linn)

THIS IS TO CERTIFY THAT ON THE 16 DAY OF March, 2011, BEFORE ME A NOTARY
PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN HILL, CITY
MANAGER AND KENNETH TOWNES, MAYOR, CITY OF LEBANON, AN OREGON MUNICIPAL
CORPORATION, WHO IS KNOWN TO ME TO BE THE IDENTICAL PERSONS NAMED IN AND WHO
EXECUTED THE FOREGOING DECLARATION AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE
SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES HEREON NAMED.

John Hill
JOHN HILL, CITY MANAGER
Kenneth Townes
KENNETH TOWNES, MAYOR
CITY OF LEBANON, AN OREGON MUNICIPAL CORPORATION

NOTARY SIGNATURE
Debra M. Crawford
DEBORA M. CRAWFORD
(PRINT NAME)
COMMISSION NO. 4416038
BY COMMISSION EXPIRES 01-22-14

I HEREBY CERTIFY THIS TO BE A TRUE AND
FAITHFUL COPY OF THE ORIGINAL PLAT.
Debra M. Crawford
DEBORA M. CRAWFORD

RECORDER'S STATEMENT:

STATE OF OREGON) SS
COUNTY OF Linn)

I HEREBY CERTIFY THAT THE PARTITION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN THE
LINN COUNTY RECORD OF PARTITION PLATS AS PLAT NO. 2011-12, ON THIS 30 DAY OF
March, 2011, AT 9:24 O'CLOCK AM, TARGET SHEET RECORDED IN DEED RECORDS
DOCUMENT NO. 2011-22216

BY: *Shirley Nelson, Deputy*
SHERIFF, OREGON
LINN COUNTY CLERK

ASSESSOR'S STATEMENT:

TAXES ON THE HEREIN DESCRIBED PROPERTY HAVE BEEN PAID AS OF THE 29th
DAY OF March, 2011.

Mark Nonhe
LINN COUNTY TAX COLLECTOR/ASSESSOR

STATEMENTS OF RECORD:

A PLANT SERVICE REPORT WAS PREPARED BY AMERITITLE, TITLE NUMBER 050978L, DATED
SEPTEMBER 13, 2010, REVEALED THE FOLLOWING EASEMENTS OF RECORD;

IN FAVOR OF CITY OF LEBANON FOR PUBLIC UTILITIES RECORDED DECEMBER 22, 1929 IN BOOK
138, PAGE 210. INSUFFICIENT INFORMATION TO PROPERLY LOCATE.

IN FAVOR OF CITY OF LEBANON FOR PUBLIC UTILITIES RECORDED FEBRUARY 4, 1964 IN BOOK
236, PAGE 101. INSUFFICIENT INFORMATION TO PROPERLY LOCATE.

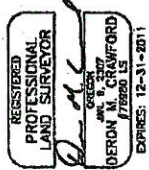
IN FAVOR OF NORTHWESTERN TELEPHONE SYSTEMS, INC., AN OREGON CORPORATION FOR
COMMUNICATION LINES RECORDED AUGUST 10, 1973 IN 1st VOLUME 68, PAGE 938 AS SHOWN.

IN FAVOR OF PACIFICORP, AN OREGON CORPORATION FOR RIGHT-OF-WAY RECORDED DECEMBER
4, 2008 AS DOCUMENT NO. 2008-226AL. INSUFFICIENT INFORMATION TO PROPERLY LOCATE.

APPROVAL:

CITY OF LEBANON PLANNING DEPT. FILE NO. 10-04-23. WE THE UNDERSIGNED HAVE EXAMINED AND
APPROVED THE PORTION OF THIS PLAT AS REQUIRED BY DESIGNATED AUTHORITY OF OUR RESPECTIVE
OFFICES.

Debra M. Crawford
CITY CLERK OF LEBANON
John Hill
CITY MANAGER OF LEBANON
Kenneth Townes
MAYOR OF LEBANON
DATE 03-11-2011
DATE 03-11-2011
DATE 03-11-2011



Kirby A. Crawford, Inc.
ENGINEERING AND LAND SURVEYING
1035 ARWAY ROAD, SUITE 1012
PO BOX 288, LEBANON, OREGON 97036
PH: (503) 268-3825 FAX: (503) 268-3824
JOB: 10-03-001
PAGE 2 OF 2



320 Church St. NE, Salem, OR 97301
PHONE (503)581-1431 FAX (503)364-8716

LOT BOOK REPORT

Desiree Whitlow
The MorleyThomas Law Firm
80 E Maple
Lebanon, OR 97355

September 20, 2017
Title Number: 196845AM
Title Officer: Michele Harris
Client File #:
Fee: \$150.00

We have searched our Tract Indices as to the following described property:

Subject Property Address: 200 Harrison St., Lebanon, OR 97355

Legal Description:

A portion of land in the Northeast 1/4 of Section 10, Township 12 South, Range 2 West, of the Willamette Meridian in the City of Lebanon, Linn County, Oregon, more particularly described as follows:

Parcel 1 of Partition Plat No. 2011-12, recorded on March 30, 2011 as Document No. 2011-04464 in Linn County Record of Partition Plats by Linn County Clerk.

And dated as of: August 31, 2017, at 7:30 a.m.

We find that the last deed of record runs to:

Lebanon Skatepark Committee, a domestic nonprofit corporation

We also find the following apparent monetary encumbrances within ten years prior to the effective date hereof and the following unpaid taxes and city liens:

1. The 2017-2018 Taxes: A lien not yet due or payable.
2. Taxes assessed under Code No. 0977 Account No. 171666 Map No. 12S-02W-10AA 4600, including the current fiscal year, not assessed because of City-Owned Exemption. If the exempt status is terminated an additional tax may be levied.

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:

1. NONE

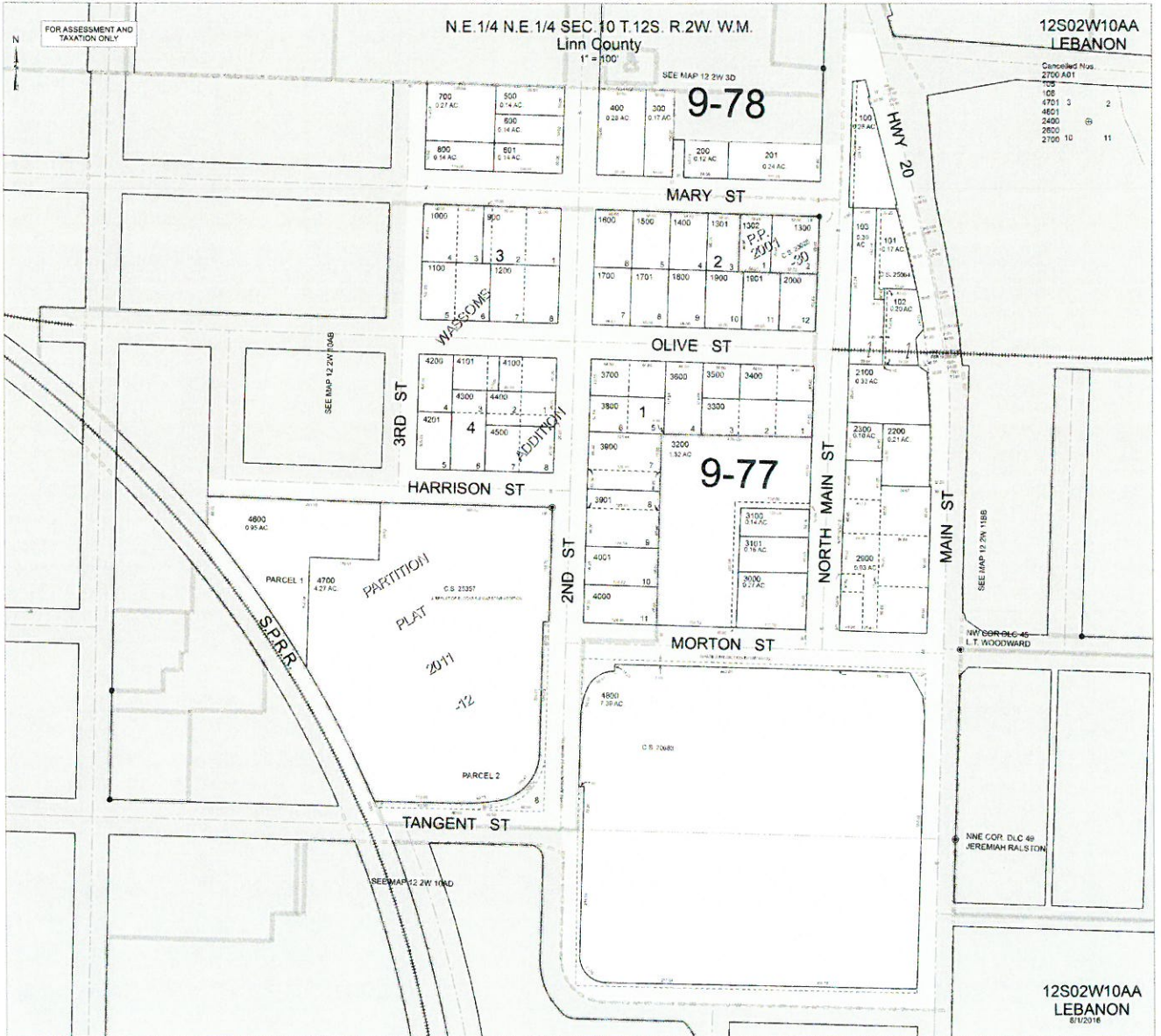
NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

NOTE: This Lot Book Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. Our search was limited to our tract indices and no examination of the public record was made. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

"Superior Service with Commitment and Respect for Customers and Employees"

12S02W10AA



Agenda Item 8



CITY MANAGER REPORT

Reporting period: September 2017

I. A. ADMINISTRATION – Gary Marks, City Manager

Month in Review: The following provides the highlights of my work during the month of September.

- Work to recruit a new finance director continued during the month of September. The City received seven (7) applications. A committee including Council President Bob Elliott, Councilor Rebecca Grizzle, city staff members Theresa Hilton, Niki Hubbard, Brent Hurst, Martha Stiffler and myself evaluated all applications and selected four (4) as finalist candidates. Subsequently, one (1) candidate withdrew. A meet-and-greet event and interviews of the three remaining candidates is scheduled for October 5th and 6th.
- Jason Williams and I joined members of the Build Lebanon Trails group for a walking tour of possible future path corridors, some of which involve property owned by the City of Albany. I will hope to host a second walking tour in the near future with new Albany City Manager Peter Troedsson to begin a dialogue for potential agreements that would facilitate the creation of new pathways.
- I met with staff members and representatives of the Lebanon Skatepark about transferring the park to City ownership. A proposal to transfer park ownership is on the October 11th City Council meeting agenda.
- Efforts to develop new urban renewal districts, pursuant with the Lebanon 2040 Strategic Plan, are underway. Staff hopes to bring a proposal to the City Council early in 2018.
- I attended the League of Oregon Cities Annual Conference in Portland, September 28th and 29th. While at the conference I participated as part of a panel presentation on Homelessness. I spoke about Lebanon's efforts to hold the Summit on Homelessness and our subsequent development of the Coalition on Homelessness. I also attended the annual awards event for City-County Insurance Services and received a Gold Award for worker safety. The award recognizes the City's record of having no loss-time injuries during FY2016-17. This is the third year in the past four years the City has received the Gold Award. Lebanon received a Silver Award for FY2014-15.
- In addition to the above listed activities I participated in several meetings, including but not limited to a discussion with Kindra Oliver about the City's new Transit Development Plan, the community September 11th event, a meeting with Kendra Antila about the City joining the Linn Library Consortium, a discussion with the City's auditor about the FY2016-17 audit, a lunch meeting with Toledo City Manager Craig Martin, a meeting with Officer David Dominy about next year's September 11th event, and a discussion with Jason Williams about the Old Library Building on Second Street. Other meetings included routine staff meetings and meetings of the Lebanon Optimist and Rotary Clubs.

B. HUMAN RESOURCES – Debi Shimmin, HR Generalist

- **Employee Benefits**
 - Emailed staff regarding the new online vendor for the life insurance benefit.
 - Working on open enrollment packets for life insurance, which begins next month.
 - Sent email to staff regarding the benefit information available on the intranet.
 - Will be working on a reminder to staff regarding Veteran's Day off for employees who are veterans (ORS 408.495)
- **Employee Safety/Wellness Committee**
 - 33 employees participated in the Free Flu Shot program, up significantly from last year.
 - The Employment Action Plan review should be completed by next month, with only a few pages left to review. The new booklet will be printed and distributed by the first of 2018.
 - The Safety/Wellness Committee began planning for the Wellness Fair that is scheduled for February 6, 2018.

THE CITY THAT FRIENDLINESS BUILT

- **Employee Recruitment**
 - Building Maintenance Technician: Jason Rush was selected to fill the position/begins work on November 1, 2017.
 - Finance Director: The Finalist Committee selected four applicants for the Interview Panel to interview, and will be available for the public to meet at the Meet & Greet on Thursday, October 5, 2017.
 - Police Officer: Interviewed applicants on September 14, 2017.
 - Park Maintenance Worker: This position is pending.
- **Employee Training**
 - Completed the training "Veteran's preference gets practical" on September 26, 2017.
 - Created a training packet for employees called "Walking Workstations."
 - Updated the Bloodborne Pathogen training packet.
- **HR Notes**
 - Patty Melson has submitted her letter of retirement notice, effective December 1, 2018. Patty will have 30 years of service with the City when she retires.
 - Completed Recruitment Procedure Checklist form and Employee Status Change form.
 - Completed and issued Employee Buzz newsletter, Volume 5, Issue 2.
 - Will be working on written process on how to apply the new law on Veteran's preference (ORS 408.237)
 - Will be updating employment application and job descriptions to comply with new Veteran's preference law. (ORS 408.237)

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

- **Advisory Boards:** The Advisory Groups Manual needs to be updated. To get this off the back burner, we have reached out to other Oregon cities to see how they may differ.
- **City Council Meetings:** City Council tours the old Library building currently being leased by the Boys and Girls Club on October 3, at 12:30 p.m.; the Community Meet and Greet has been scheduled for October 5, at 4:00 p.m.; and the Regular Council Meeting will be held October 11, at 6:00 p.m.
- **Contracts/Agreements:** 1) The Boys and Girls Club Lease Renewal (Old Library) is scheduled for October 11 Council Meeting; 2) All agreements (provided to the City Clerk) have been logged on a spreadsheet, separated between expired and current, and are currently being matched to what is on the L: Drive for employee quick reference. We will start reviewing the spreadsheet monthly, notify Department Managers when a contract is nearing expiration; and place any contracts up for renewal on the Pending Agenda Table (PAT) so they don't fall through the cracks.
- **Reference Manual:** Great progress has been made over the past six months creating a reference manual of policies and procedures for our department.
- **Employee Development:** Donna and I completed the required training for bloodborne pathogens, fire extinguishers, and Personal Protection Equipment.
- **Liquor Licenses:** Special Event applications are slowing down for the year. An application from Conversion Brewing was approved for three events "Playing for Tips in the Park" (Strawberry Plaza/Park) scheduled for September 16, 30 and October 7. The events will have live music, food and games.
- **Ordinances:** Recent park event changes triggered a review of the Municipal Code to update sections relating to the use of alcohol as well as other outdated language. I will be recommending that the Council amend sections of the Code at the October 5 meeting.
- **Records Management:** Work has started up again in clearing old records slated for destruction with another 8 boxes ready to be shredded next month.

III. COMMUNITY DEVELOPMENT – Walt Wendolowski, Director

A. Planning:

- The September Planning Commission meeting will be held on September 27. There are two applications: (1) Annexation application for property along Stoltz Hill Road; and, (2) a Conditional Use to replace the existing garage at Miller Auto.
- Since last month, the Department approved two Administrative Reviews for a time extension and is in the process of reviewing an Administrative Review for a cell tower and the Final Plan for the first phase of the Mill Race project.

- Transportation System Plan's consulting team is continuing work. At this juncture, they are working on possible solutions to identified issues. Periodic updates and a comments map may be found at www.lebanontsp.org.

B. Building:

- The City processed 122 permits in August, up from 54 permits in July. Of interest were 19 permits for single-family homes. For FY 2017/18 total fees to date were \$126,507 on \$8,802,016 in valuation. By comparison, for the same period in FY 2016/17, the fees were \$53,826 on \$3,845,057 in valuation.

IV. ENGINEERING SERVICES – Ron Whitlatch, Director

- Construction of the New Water Treatment Plant (WTP) is continuing. Slayden Constructors (SCI) has completed the cofferdam at the new river intake site. This will allow them to begin construction of the intake structure. Work is continuing at the Water Plant site as well, with construction of the decant basins and pump station. Construction of the piping under the WTP building has begun. SCI anticipates that building construction will begin in late October. Currently there are two City Staff assigned to the construction oversight along with intermittent help from Carollo Engineers. To date there have been no change orders for either the water treatment plant or new river intake, and the project is on schedule. There is however a change order that will be processed for the two canal bores. SCI began the jack and bore of the raw water pipe under the canal and while doing so were having cave in issues. The jack and bore operation was stopped in order to prevent further cave in of the canal bottom. It was determined that the material being bored through was much different than the material from the bore logs. City Staff, Udell Engineering, SCI, and City of Albany Staff have met on site several times and are proposing a new method for crossing the canal, which involves sheet piles and open cutting rather than boring. We are still working through the added costs, but this will likely add \$100k to the project cost which will be covered in the budgeted contingencies. Staff is working with the Permitting Agencies for approval.
- Staff has begun a design for sidewalks on Dodge Street between Williams Street and Bromil Street. Staff has received numerous complaints citing the lack of safe pedestrian facilities in this neighborhood. Staff will begin contacting property owners this fall in hopes of negotiating the needed right-of-way to complete the project.
- Staff has started design of the next and final phase of Russell Drive Improvements. This phase will go from Franklin Street to Cheadle lake Park. Staff anticipates requesting approval to bid the project in February 2018.
- Staff is working with Linn County and ODOT to realign the intersection of Dewey and Walker Road at Highway 20. Linn County is in possession of the property where the old Hoskins Supply was located. Staff is currently working on funding the project.
- Airport Road opened to traffic from Highway 20 to Franklin Street on August 26th. The section of Russell Drive from Porter Street to Highway 20 is planned to be paved during the first part of October. The new signal mast arm has been installed at Highway 20 and Airport Road in preparation for the new right turn lane. Overall the project has gone well with most change order work being add on for porter park and other minor items on Airport/Russell. The project will likely wrap up in November.
- Staff is currently working with ODOT to install a Pedestrian Activated Crosswalk light at the intersection of Fifth Street and Tangent Street. ODOT is going to fund the construction of this improvement through an IGA with the City. The project is currently being designed by David Evans & Associates. We are hopeful that it can be constructed this fall.
- The first phase of Porter Park, which was to strip and prep the site for construction has been completed. North Santiam Paving has installed all the main utility lines into the park. It is likely that concrete and electrical work will begin this fall. It is anticipated that this will take well over a year to complete.
- Site work has started on the new Starbucks restaurant and drive thru along with an AT&T retail store south of Jack in the Box. No additional tenants are known at this time.
- Construction of the Conser "Aspen Place" Apartments on 2nd Street just south of Airport Rd continues. Building in the final stages of completion. The public water system extension is completed the new fire hydrant operational. Temp occupancy of a couple builds issued.
- Gleanns at River Place II is a residential subdivision between Kokanee Way and the Santiam canal north of River Road near Cheadle Lake. The public improvements are complete. Staff approved the subdivision plat. Construction of homes has begun and almost complete.

- Public improvements are complete and accepted building permits to be issued soon for duplexes that will be constructed at the northwest corner of 7th Street and Airport Road.
- Public improvements are near completion of the duplexes on West Ash Street east of 10th. With building permits issued for 2 duplexes under construction at this time.
- Home construction continues in the Eagle View Subdivision (east of South Main south of Joy), Heather Estates Subdivision (west of South Main Road south of Joy), and Santiam Riverfront Estates (east of Mountain River Drive by the Santiam River). The Gleann Subdivision (formerly known as Santiam River Place 3 along Kokanee Way) is full. Staff continues to review site plans for additional homes for these subdivisions and other home sites throughout the City.
- Plans have been approved for the new Kidco Head Start campus on S Main Road and Joy St. Existing home had been demo. Site work is started and building construction is underway.
- Plans have been approved for the new Samaritan Treatment and Recovery center located on the Corner of Hwy 20 & Tangent St. (former Teen Challenge building demo) Site work is expected to start soon.
- Stutzman Residential Project plans have been approved for a 5-plex off Second Street. Site work is expected to start soon.
- Plans have been approved for Snook investments for an Industrial Flex Space for 2 tenants. Site work is expected to start soon.
- Plans have been approved for the new Keller-Williams building off Grant Street, west of Williams. Site work and demo of old building has begun. Site work and building construction is underway.
- Plans have been approved for new duplex on 9th street. Site work to start soon.
- Plans have been approved for Lutheran Christ Church on the corner of Market. The water line has been completed and passed testing. Final stages of construction are underway.
- Plans have been submitted for Mill Race Apartment site and Self-storage facilities at the north end of town along with the proposed public improvements. All three projects are under separate review and near completion. Planning approve is still in process.
- Plans have been submitted and under review for Kate's addition 4 duplexes with a half street improvement along Wasson Street.

V. FINANCE SERVICES – Tina Huff, Assistant Finance Director

- First Payment has been submitted to the Willamette Neighborhood housing services for grant housing improvements.
- **The IVR system is back on the table and should be up and working before next month.** Springbrook has resolve the issue with transfers. The IVR system is another option allowing customers to pay their utility bills over the phone or through the use of a smart phone app, 24 hours per day. Working with Springbrook to finalize a contract.
- Springbrook has picked Lebanon to add flyers to the utility bills to promote online payments for the next three months. Springbrook will cover all cost occurred. The response has been very positive.
- First part of the Audit went well. They are scheduled for November Council meeting to present this last year's audit to the council.
- Accounts Payable; FY17/18 payments made in September 2017, 345 invoices were processed for payments of \$2,910,108.00.
- Utility Billing for September 2017:
- 6071 Billing statements mailed by the end of September = \$1,037,423.36 (299 Cycle 3 \$3,161.57 – Cycle 1 \$1,034,261.79)
- 1247 Accounts received a penalty (past due 9/19/17).
- 286 lien letters mailed to property owners.
- 87 accounts were locked off for non-payment on 9/13/17 for bills due 8/15/17.
- 60 accounts were reconnected the same week. The balance was vacant properties or the tenants moved out and property is back in the owner's name.
- 7 accounts called for after-hours reconnect, 6 paid as promised, 1 was relocked off. 1 payment plan.
- Total of 456 Service orders: 66 Move Outs, 54 Move ins, 8 Turn offs, 57 Turn on, 73 reconnects, 31 read request, 2 Dead meters, 23 Leak Checks, 1 Lid Hazard checks, 86 Lock offs, 3 Meter Change out, 32 New Meter Installations, 1 Pressure check, 19 misc. other.

	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	March 17	April 17	May 17	June 17	July 17	Aug 17	Sept 17	1 yr. ago Sept 16
Billing Statement	5703	5703	6001	5688	5694	5986	5703	5713	5997	5767	5783	6071	5712
Penalty applied	1416	-0-	1175	1112	794	927	832	852	1041	1257	935	1247	1205
Lock Offs	121	137	82	122	124	112	69	94	144	95	112	87	75

VI. INFORMATION TECHNOLOGY SERVICES – Brent Hurst, Director

- We are mid-assessment in our Virtual Desktop Assessment for City staff workstations.
- We have obtained initial quotes from ESRI to move interactive City mapping functionality to the cloud and are continuing discussions with them.
- IT is working with PEAK to provide fixed wireless services at the Water Treatment Plant project, River Park, and Gill's Landing for WiFi and security purposes.
- Annual maintenance was performed at Peterson's Butte radio tower.
- WiFi assessments were performed in Strawberry Plaza, Gill's Landing, and Lebanon Fire District 31 to scope out providing better WiFi.
- We continue to work with Engineering on security, cameras, and SCADA connectivity and provisioning for the Water Treatment Plant project.
- Phase II of the GIS flyover has been delivered by GeoTerra and is being processed by City GIS.
- New aerial mounted photos have been produced and are being installed around the City, replacing our 2012 fly-over aerials.
- Sound issues at the Santiam Travel Station have been addressed to correct feedback and static occurring during council meetings.
- We addressed normal break-fix issues, equipment replacements, and maintenance renewals for IT.
- The GIS Systems Coordinator responded to GIS map requests as needed.

VII. LIBRARY – Kendra Antila, Director

- Extended hours on Thursday evenings began this month and have been well received by patrons.
- Our evening Canning Class with OSU Extension was attended by 27 adults.
- Back-to-school means back to regular programming. Baby & Me Storytime and Preschool Storytime began again this month and will run Wednesdays & Thursdays throughout the year. Lego Club will be on the third Wednesday of the month. An addition to our regularly scheduled programming this year will be Bring Your Own Craft in the Community Meeting Room every 3rd Friday from 11:00-4:00
- Our World Cultures & Travel Series with well-travelled photographer Donald Lyon will occur monthly from October thru March, beginning with English Country Life on October 19th at 2:00.
- I've designated one staff member as our social media liaison and her efforts have resulted in 1042 followers on Facebook and 198 on Instagram. It's a great way to connect with the public and let them know what we offer.
- We now have a life-sized version of the game Connect Four on the children's patio.

VIII. MAINTENANCE – Jason Williams, Director

A. Streets:

- Street sweeping continues including sweeping for Brownsville and the City of Halsey.
- Assisted AERC with a lane closure on Hwy 20.
- Completed a round of pothole patching.
- The Streets crew finished construction of a new staff parking area at the Justice Center.
- Completed the excavation and rocking of the Jim McDaniel's youth baseball field at Christopher Columbus Park. It is now ready for turf to be installed.

- Extended the utilities to the site of the new restroom building at Christopher Columbus. The Pre-fab building will be here in October sometime.
- Completed sign maintenance from the sweeper generated sign maintenance list.
- Finished fabrication of the gate for the soccer fields.
- Excavated and set the posts for the new gate at the soccer fields.
- Completed vehicle maintenance on the 12-yard dump trucks.
- Removed three illegal dumpsites.
- Removed dead animals from the right of way as needed.

B. Collections (Sanitary-Storm):

- Cleaned and televised sanitary sewer mains.
- Completed an entire quarter section of root cutting from our sewer mains.
- Located sewer laterals for contractors.
- Finished all open ditch way mowing and cleaning.
- The entire department attended a locating class.
- Assisted the water crew with hydro excavating needs.
- Assisted OMI at the WWTP.

C. Water:

- Completed daily water service orders including; 16 daily water samples, 51 utility locates, customer service requests, and emergency water service turn offs.
- Placed 3 new water services for development.
- Fixed 9 water main leaks.
- Replaced all concrete and asphalt for water main leak repairs and new service installation.
- Completed water meter reads.
- Went out on two cross connection issues with customers.
- Continue working on the water meter changeout program.
- Responded to afterhours requests for service on multiple occasions.
- Completed 87 water service lock offs. Our after-hour program has benefited our customers greatly. We completed 7 reconnects after hours and only had to re-lock one customer off for not paying the next day.

D. Parks:

- Mowing of all parks, school district facilities and city owned buildings continues.
- Removed overgrown brush/vegetation from school district properties to allow for more effective maintenance.
- Vandalism repair/replacement at all parks facilities is consuming way too much staff time.
- Set up for the Rolling Oldies Car show and other large parks reservations.
- Sprayed all non-turf areas for weed control.
- Serviced all doggie stations.
- Completed playground safety inspections. Had to close Century Park as safety brackets and bolts were stolen. We had to have more made prior to re-opening.

E. General Department Notes:

- Attended meetings with City Council, the dog park committee, management team meetings, BLT, ODOT, City of Sweet home, Classroom to Career group, Skate Park group and two volunteer groups.
- Conducted two safety trainings this month one on Blood Borne Pathogens including taking the test as well as confined space training.
- Completed building and vehicle inspections.
- We were successful obtaining a large grant (\$388k) for the removal of the old restroom building, placement of new restroom building, large shelter, court improvements and youth baseball field improvements.
- Removed utility drop box had powder coated applied city logo and replaced.
- Started the replacement of the city door stickers on all vehicles. We wanted to phase them in gradually however due to the condition of all the existing ones we decided it best to just finish the changeout all at once.

- Jason will be on vacation September 28th- October 4th.

IX. POLICE – Frank Stevenson, Chief of Police

- As of September 23rd, 2017, 116 individuals were booked and released, brought to Lebanon Municipal Court or Linn County Court, transported to/from Linn County Jail or sentenced to Lebanon Municipal Jail. A combined 156 days were served by inmates in the Lebanon Jail. During the past month, we were unable to utilize inmate work crew manpower within the city due to weather conditions and lack of inmate workers eligible to participate due to criteria requirements.
- The Patrol Division had approximately 1,986 calls for service this month, made 141 arrests, wrote 276 case reports, and issued 164 traffic citations.
- The Detective Division remains very active with several investigations including narcotic enforcement, sex abuse cases and property crimes. This month, detectives cleared 14 very involved cases and made 7 arrests in total. A total of 5 cases were directly assigned to detectives for further in-depth investigations, and 8 were sent to them as information pertaining to narcotics complaints.
- The Community Services Division remains actively involved with many local events. This month, the Division discussed the Peer Court program and the elements which target troubled youth with the Lebanon School District. Two cases were heard this month by Peer Court.
- The Community Services Division coordinated a walk-to-school event with Cascades Elementary School, helped Officer David Dominy with the 9/11 ceremony, held a traffic safety class with 25 participants, conducted a Business Watch meeting, and met with ABC House to help coordinate the upcoming Pumpkin Run event. They are also making preparations for upcoming disaster preparedness classes that include *Map Your Neighborhood*.
- Community Policing Officer Dala Johnson is now certified to instruct a teen marijuana education course that will teach children within our community about the dangers of marijuana. Her first class will be at the Alternative Education building.
- We received 35 applications for our open police officer recruitment. Fourteen were evaluated during panel interviews conducted on September 14, 2017. Out of the fourteen, seven advanced to the executive interviews conducted on September 19th and September 21st. One candidate has been selected to proceed into the in-depth background check, physical and psychological exam portion. Once this candidate has successfully passed, he will meet with City Manager Gary Marks for a final decision.

X. SENIOR SERVICES – Kindra Oliver, Director

- We have five medical students from COMP-NW Medical College that chose the Lebanon Senior Center to volunteer this year for their community service learning projects. They will be helping us out at the Senior Center, visiting and working with our visitors and participants with various projects.
- The Senior Center October events, classes, workshops and activities are posted on the city's website and on the Senior Center Facebook page.