



# CITY OF SWEET HOME CITY COUNCIL AGENDA

November 24, 2020, 6:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

## Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

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## Meeting Information

The City Council will hold a Regular City Council meeting at 6:30 p.m. in the City Council Chambers at City Hall, 3225 Main Street. In order to protect residents, staff, and elected officials due to the novel COVID-19 virus, the frequency and length of public meetings, including the City Council, boards and commissions, will be minimized. Non-urgent and non-essential City business with expected public feedback will be postponed whenever possible. Individuals attending public meetings in person will be limited to the first six people, required to maintain appropriate social distancing, (6-ft.) and be free of symptoms related to COVID-19. The City of Sweet Home City Council is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. There will be opportunity for public input via the live stream. To view the City Council meeting live, online visit [live.sweethomeor.gov](https://live.sweethomeor.gov). If you don't have access to the internet you can call in to 541-367-5128 and you'll be asked to choose option #1 to be logged in to the call.

This video stream and call in options are allowed under Council Rules, meet the requirements for Oregon public meeting law, and has been approved by the Mayor as Chairperson of the meeting. All votes will be conducted by Roll Call Vote.

## Call to Order and Pledge of Allegiance

### Roll Call

### Consent Agenda:

- a) [December 22nd Meeting Schedule \(pg. 3\)](#)

### Approval of Minutes:

- a) [2020-11-10 City Council Meeting \(pg. 4\)](#)
- b) [2020-10-13 City Council Meeting \(pg. 8\)](#)

### Recognition of Visitors and Hearing of Petitions:

### Old Business:

- a) [Request for Council Action – Fire Hall Property](#) (pg. 12)
- b) [Discussion Only: Modifications to the Commercial Exterior Improvement Program](#) (pg. 17)

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*The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.*

**New Business:**

- a) [Information Only - City Manager Evaluation/Contract - Set Roundtable Date \(pg. 20\)](#)
- b) [Request for Council Action - COVID-19 Business Loan Program \(pg. 37\)](#)

Request for Council Action and First Reading of Ordinance Bills

**Ordinance Bills**

- a) [Request for Council Action – Ordinance No. 12 for 2020- Business License](#) (pg. 41)
- b) [Request for Council Action – Ordinance No. 13 for 2020 - Vacant Building](#) (pg. 49)

Second Reading of Ordinance Bills

Third Reading of Ordinance Bills (Roll Call Vote Required)

**Reports of Committees:**

- Administrative and Finance/Property
- Charter Review Committee
- Park and Tree Committee
- Youth Advisory Council
- Chamber of Commerce
- Council of Governments
- Area Commission on Transportation
- Solid Waste Advisory Council
- Ad Hoc Committee on Health
- Legislative Committee

**Reports of City Officials:**

- Mayor's Report
- City Manager's Report

**Department Director's Reports** (2nd meeting of the Month)

Finance Director

- a) [First Quarter Financial Status Update for Fiscal Year 2021](#) (pg. 61)
- b) October Monthly Report (pg. 65)

Police Chief

- a) [Police Department Monthly Report](#) (pg. 75)

City Attorney

**Council Business for Good of the Order**

**Adjournment**

# MEMORANDUM

TO: City Council  
FROM: City Manager Ray Towry  
DATE: November 24, 2020  
SUBJECT: Consensus of the Council to Cancel the December 22<sup>nd</sup>  
City Council Meeting



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Consensus of the Council is required if the Council chooses to cancel the December 22<sup>nd</sup> City Council Meeting per the Adopted City of Sweet Home City Council Rules 2(b)

## **Meeting of the City Council.**

- a) Regular Meeting. The City Council will meet for regular meetings on the second and the fourth Tuesday of each month unless the Mayor cancels or reschedules the meeting upon consensus of the City Council. The Mayor, in conference with the City Manager, may cancel a regular meeting for inclement weather or other unforeseen circumstances or emergency situations. Regular meetings will convene at 6:30 pm and will be adjourned by 10:00 pm unless extended by consent of a majority of the City Council.



# CITY OF SWEET HOME CITY COUNCIL MINUTES

November 10, 2020, 6:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

WIFI Passcode: guestwifi

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## Mission Statement

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## Call to Order and Pledge of Allegiance

The meeting was called to order at 6:30 PM.

## Roll Call

### PRESENT

Mayor Greg Mahler  
President Pro Tem Diane Gerson  
Councilor Cortney Nash  
Councilor Dave Trask  
Councilor Lisa Gourley  
Councilor Susan Coleman

### ABSENT

Councilor James Goble

Motion made to approve Councilor Goble's absence by Councilor Trask, Seconded by Councilor Coleman.

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Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask, Councilor Gourley, Councilor Coleman

**STAFF**

City Manager Ray Towry  
Finance Director Brandon Neish  
Community and Economic Development Director Blair Larsen  
Chief of Police Jeff Lynn  
Officer Ean Mason  
Public Works Director Greg Springman  
Utilities Manager Steven Haney  
Engineer Technician Trish Rice  
Library Services Director Rose Peda  
City Attorney Robert Snyder  
Administrative Assistant Julie Fisher

**Media**

Kelly Kenoyer  
Alex Paul

**Consent Agenda:**

Approval of Minutes:

- a) 2020-10-27 City Council (pg. 3)

Motion made by Councilor Trask, Seconded by Councilor Nash.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask, Councilor Gourley, Councilor Coleman

**Recognition of Visitors and Hearing of Petitions:**

Introduction of Ean Mason, Sweet Home Police Department's newly sworn in Police Officer.

Recognition of Julie Fisher for completing the Oregon Risk Management Certificate Program.

**Old Business:**

None

**New Business:**

- a) For Information Only – Fire Hall Property (pg. 9)

City Attorney Snyder presented the Council information regarding the transfer of City owned Fire Hall properties to the Sweet Home Fire and Ambulance District. Discussion ensued. The item will be on the next agenda for action.

- b) WWTP Value Engineering Study Contract Authorization (pg. 16)

City Manager presented the request and explained as a requirement to qualify for federal grants and low interest federal loans, the City must have a neutral 3rd party design review.

Motion made by Councilor Trask, Seconded by Councilor Gourley.

Roll Call Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask, Councilor Gourley, Councilor Coleman

- c) Request for Council Action - Resolution No. 29 for 2020 - Refinancing of existing debt (pg. 56)

Finance Director Neish presented the request for refinancing existing debt for the Water Treatment Plant for approximately combined 6 million, at a current interest rate of 3.14%

and 2-4%. By completing the refinance at interest under 2% for all loans, the City will save nearly \$700,000 over 15 years. FD Neish explained these will be full faith and credit bonds.

Motion made by Councilor Trask, Seconded by Councilor Gourley.

Roll Call Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask, Councilor Gourley, Councilor Coleman

### **Ordinance Bills**

Request for Council Action and First Reading of Ordinance Bills

Second Reading of Ordinance Bills

Third Reading of Ordinance Bills (Roll Call Vote Required)

### **Reports of Committees:**

Administrative and Finance/Property

Charter Review Committee

Councilor Gerson announced the next meeting will be November 17 to review the role of the Mayor, Council, and City Officers.

Park and Tree Committee

Councilor Trask encouraged everyone to drive by Sankey Park to view the new lighting and other improvements.

Youth Advisory Council

Chamber of Commerce

Council of Governments

Area Commission on Transportation

Solid Waste Advisory Council

Ad Hoc Committee on Health

Legislative Committee

### **Reports of City Officials:**

Mayor's Report

None

City Manager's Report

City Manager Towry announced a League of Oregon Cities Elected Essential Workshop which will be offered as a virtual training. Any Council member interested, must register.

The training dates for the 2021 Council Training and Goal Setting Session of February 5-7, 2021 was proposed.

CM Towry reminded the Council nominations for Mayor, Pro-Tem and new committee assignments will take place the first of the year.

### **Department Director's Reports (1st meeting of the Month)**

Library Services Director

- a) Library Monthly Report - October 2020 (pg. 85)

A written report was included in the packet.

Community and Economic Development Director

- a) Community & Economic Development Department October Report (pg. 87)

A written report was included in the packet.

Public Works Director

- a) Public Works Activities Report - October 2020 (pg. 92)

A written report was included in the packet.

City Attorney

None

**Council Business for Good of the Order**

None

**Adjournment**

With no further business, the meeting adjourned at 7:16 PM

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Mayor

ATTEST:

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City Manager – Ex Officio City Recorder



# CITY OF SWEET HOME CITY COUNCIL MINUTES

October 13, 2020, 6:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

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## Call to Order and Pledge of Allegiance

The meeting was called to order at 6:30 PM.

### Roll Call

#### PRESENT

Mayor Greg Mahler  
President Pro Tem Diane Gerson  
Councilor Dave Trask  
Councilor Lisa Gourley  
Councilor Susan Coleman  
Councilor Cortney Nash (Video)  
Councilor James Goble (Video)

#### STAFF

City Manager Ray Towry

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Finance Director Brandon Neish  
City Attorney Robert Snyder  
Community and Economic Development Director Blair Larsen  
Police Chief Jeff Lynn  
Library Services Director Rose Peda  
Public Works Director Greg Springman

**Consent Agenda:**

Motion made by President Pro Tem Gerson, Seconded by Councilor Trask.  
Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask, Councilor Goble, Councilor Gourley, Councilor Coleman

- a) Appointment of David Lowman to Charter Review Committee replacing Z. Lincoln (pg. 3)

**Approval of Minutes:**

- a) 2020-09-22 Charter Review Committee (pg. 4)
  
- b) 2020-09-22 City Council Minutes (pg. 6)  
The City Council minutes for 09-22-2020 will be revised to show absence was approved for those missing.
  
- c) 2020-10-06 Administration, Finance and Property Committee (pg. 12)

**Recognition of Visitors and Hearing of Petitions:**

- a) Information Only - Linn Shuttle Update, Ken Bronson and Dawn Mitchell  
Ken Bronson and Dawn Mitchell gave the Council an update on the Linn Shuttle.

**Old Business:**

- a) Request for Council Action - Water/Wastewater Treatment Facilities Management Direction (pg. 15)  
Public Works Director Greg Springman presented the options and costs related to the operations of the Water Treatment and Wastewater Treatment facilities. Councilor Gerson also expressed concerns about bringing the operations of the plants in-house at this time. Director Springman told the Council that Public Works would be satisfied working with Inframark if that was the decision of the Council. Manager Towry reiterated Director Springman's statements and informed the Council that staff's recommendation is based on the bottom line. Councilor Gourley outlined the numerous steps and considerations the Council has made regarding this decision and highlighted the tenacity and experience of the staff. Councilor Trask reminded the Council of his desires in the past to bring the operations in-house but understands the concerns mentioned by Councilor Gerson.

Mayor Mahler invited Inframark's Jim Huentelman forward to address the City Council. Mr. Huentelman outlined his company's desire to manage the treatment plants and outlined the steps and benefits that they would deliver to the City.

Motion to move terminate all operation contract and move operations of the plants inhouse made by Councilor Gourley, Seconded by Councilor Trask.

Voting Yea: Mayor Mahler, Councilor Nash, Councilor Trask, Councilor Goble, Councilor Gourley

Voting Nay: President Pro Tem Gerson, Councilor Coleman

b) Launch and Demonstration of Financial Transparency & Budget System

Finance Director Neish presented the Council with information on ClearGov. The overview presented the launch and demonstration of Financial Transparency and Budget System.

**New Business:**

a) Request for Council Action - Streetscape and Parking Plan Request for Proposals (pg. 212)

Community and Economic Development Director Larsen presented the Council with a request for a Streetscape and Parking Plan Proposal.

Motion made by President Pro Tem Gerson, Seconded by Councilor Gourley.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask, Councilor Goble, Councilor Gourley, Councilor Coleman

b) Request for Council Action - IGA between City & Sweet Home Fire and Ambulance District for use of old City Hall (pg. 228)

Deputy Fire Chief Doug Emmert and Board President Dawn Mitchell presented to the Council.

Councilor Gourley expressed concerns about not having had a discussion on the future of the building.

Motion made to approve the IGA with Sweet Home Fire and Ambulance District for use of Old City Hall by Councilor Goble, Seconded by Councilor Nash.

Voting Yea: Mayor Mahler, President Pro Tem Gerson, Councilor Nash, Councilor Trask, Councilor Goble, Councilor Coleman

Voting Nay: Councilor Gourley

**Ordinance Bills**

Request for Council Action and First Reading of Ordinance Bills

Second Reading of Ordinance Bills

Third Reading of Ordinance Bills (Roll Call Vote Required)

**Reports of Committees:**

Administrative and Finance/Property

Charter Review Committee

The next Charter Review Committee meeting will be October 27th.

Park and Tree Committee

Youth Advisory Council

Chamber of Commerce

Councilor Gerson reported the committee will meet Thursday night.

Council of Governments

Area Commission on Transportation

Solid Waste Advisory Council

Ad Hoc Committee on Health

Councilor Gourley reported Todd Noble, Lebanon Community Hospital Executive Director will be attending the next meeting.

Legislative Committee

**Reports of City Officials:**

Mayor's Report

Mayor Mahler complemented another successful Harvest Festival.

City Manager's Report

City Manager Towry reported two staff positions that will soon be open, one in Court and the other in Public Works. Staff is still working on the donation of the Annex to the City of Detroit.

CM Towry announced a Council Elect Training opportunity as well as an Economic Development SDC Special Meeting.

CM Towry reported an upcoming vacation.

**Department Director's Reports (1st meeting of the Month)**

Library Services Director

- a) September 2020 Monthly Report (pg. 238)  
A written report was included in the packet.

Community and Economic Development Director

- a) September 2020 Monthly Report (pg. 240)  
A written report was included in the packet.

Public Works Director

- a) September 2020 Monthly Report (pg. 246)  
A written report was included in the packet. PWD Springman also briefed the Council on water loss.

City Attorney

None

**Council Business for Good of the Order**

None

**Adjournment**

With no further business, the meeting adjourned at 9:02 PM.

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Mayor

ATTEST:

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City Manager – Ex Officio City Recorder



# REQUEST FOR COUNCIL ACTION

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**Title:** Request for Council Action – Fire Hall Property

**Preferred Agenda:** November 10, 2020 (For Information Only)  
November 24, 2020 (Request for Council Action)

**Submitted By:** Robert Snyder, City Attorney

**Reviewed By:** Ray Towry, City Manager

**Type of Action:** Resolution  X  Motion \_\_\_\_ Roll Call \_\_\_\_ Other \_\_\_\_

**Relevant Code/Policy:** ORS 271.330

**Towards Council Goal:** Goal 3 section 3 Develop partnerships w/regional services.  
Vision Statement III WE ASPIRE to provide viable and sustainable infrastructure.

**Attachments:** Resolution No. 30 for 2020, Proposed Deed

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## **Purpose of this RCA:**

The purpose of this RCA is to present to City Council a deed to transfer to the Sweet Home Fire and Ambulance District the fire department properties on Long Street and in Foster.

## **Background/Context:**

The City of Sweet Home is the current owner of the real property at 1099 Long Street (Firehall) and at 1390 47<sup>th</sup> Avenue (Substation in Foster) Sweet Home Oregon. The District currently leases the properties for \$100 a year with the lease to expire on June 30, 2051. Under ORS 271.330 the City is allowed to transfer real property to another political subdivision (includes city and district) that is not needed for public use by the City providing the real property shall be used for not less than 20 years for a public purpose by the District. In the proposed deed it has a reservation in the City whereby if the real property is not used for fire department purposes then the real property reverts to the City. Please note that there is now on the title to the Foster Substation donated to the City a reservation that shows up on Exhibit A of the deed. This transfer was discussed by the Finance and Property Committee and the recommendation was to present it to City Council for a decision. In discussions by Staff it has been brought up that the City could be exposed to liability by owning the real property with no apparent benefit by said ownership since the District is about as permanent an entity as the City particularly since the deed has a reservation that will transfer the real property back to the City if and when it is no longer used for fire department purposes. Finally, with ownership the District will be responsible for all

maintenance (it is also under the lease) and ownership could help in future financing of the District's fire, ambulance, and other emergency operations.

On November 10, 2020 at the City Council meeting the transfer was discussed by City Council and fire department personnel who pointed out that the transfer at this time made sense since the District was going to be dealing with obtaining a grant for earthquake upgrades to the structures and the District owning the properties would help in the applications etc. Also they thought that the transfer would clarify, simplify and update the property ownership. Finally they stated that the District had no plans on moving from the current locations since they were centrally located in the District.

**The Challenge/Problem:**

Should the City approve the proposed resolution to authorize the transfer of the real property that is currently being leased by the Fire and Ambulance District?

**Stakeholders:**

- The City of Sweet Home would be transferring real property for a public purpose that is fire protection to the Fire and Ambulance District that serves the City with fire and ambulance protection.
- The Fire and Ambulance District would be in better control of its services by owning its facilities for future decisions on how to provide its services to the citizens of Sweet Home.

**Issues and Financial Impacts:**

The real property does have monetary value if sold but the real value to the City is having it used by the Fire and Ambulance District for the housing of its offices and the vehicles and equipment that are used by the District on fires and ambulance runs for the citizens of Sweet Home.

**Elements of a Stable Solution:**

The transfer will allow the District to own the real property that they use for fire department purposes so that they can make the best decisions for themselves in providing their services and have the most options on what to do on the properties to provide those services.

**Options:**

1. Do nothing. Do not make the transfer and keep the real property in City ownership.
2. Transfer Real Property. Provide Sweet Home Fire and Ambulance District with ownership of its own facilities by passing the proposed Resolution and then deeding the said real property to the District.

**Recommendation:**

Option #2 . Transfer Real Property. Provide Sweet Home Fire and Ambulance District with ownership of its own facilities by passing the Resolution No. 30 for 2020 and then deeding the said real property to the District.

RESOLUTION NO. 30 FOR 2020

A RESOLUTION TO TRANSFER CITY REAL PROPERTY  
TO SWEET HOME FIRE AND AMBULANCE DISTRICT

WHEREAS, The City of Sweet Home is the owner of real property that is currently being used by the Sweet Home Fire and Ambulance District for fire department purposes (operating fire, ambulance and/or related emergency services);

WHEREAS, The City of Sweet Home hereby declares that the real property is not needed for public use by the City of Sweet Home;

WHEREAS, The City of Sweet Home desires to transfer said real property to the Sweet Home Fire and Ambulance District to use for fire department purposes being a public purpose;

WHEREAS, The Sweet Home Fire and Ambulance District desires to have the ownership of the said real property to use for fire department purposes;

NOW THEREFORE, BE IT RESOLVED BY THE SWEET HOME CITY COUNCIL that the real property located at 1099 Long Street and 1390 47<sup>th</sup> Avenue Sweet Home OR 97386 currently being used for fire department purposes be transferred to the Sweet Home Fire and Ambulance District as set forth in the deed attached hereto.

This resolution shall be effective immediately upon its passage and approval.

PASSED by the City Council and approved by the Mayor this 24th day of November, 2020.

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Mayor

ATTEST:

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City Manager - Ex Officio City Recorder

After Recording Return To:

Robert Snyder  
City Attorney  
P O Box 486  
Sweet Home, OR 97386

Send Tax Statements To:

Sweet Home Fire and Ambulance District  
1099 Long Street  
Sweet Home, OR 97386

BARGAIN AND SALE DEED

CITY OF SWEET HOME, an Oregon Municipal Corporation herein called the grantor, hereby conveys to SWEET HOME FIRE AND AMBULANCE DISTRICT, an Oregon Special District under ORS Chapter 478 herein called the grantee, the following real property situated in the County of Linn, State of Oregon, described as follows:

SEE LEGAL DESCRIPTION OF REAL PROPERTY ON EXHIBIT A ATTACHED HERETO

SUBJECT TO: A reservation that if the real property is used for anything other than active fire department purposes (operating fire, ambulance and/or related emergency services) it shall revert in fee simple to the grantor without further action by either party.

The true and actual consideration for this conveyance is \$0 dollars and other value given.

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, AND 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Gregory Mahler, Mayor  
City of Sweet Home

\_\_\_\_\_  
Raymond Towry, City Manager  
City of Sweet Home

STATE OF OREGON            )  
  )  ss.  
County of Linn                )

Personally appeared on \_\_\_\_\_, 2020 the above named GREGORY MAHLER, Mayor and RAYMOND TOWRY, City Manager, for the City of Sweet Home and by authority of its Common Council, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

BEFORE ME:

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires:\_\_\_\_\_

# EXHIBIT A

PARCEL I: A tract of land situated in the City of Sweet Home, County of Linn, State of Oregon, more particularly described as follows: The West 40 feet of even width, of the following described property: A part of the John T. Ames DLC No. 46 situated in Section 31, Township 13 South, Range 1 East of the Willamette Meridian, described as follows: Beginning at the Southeast corner of the East projection of the Lowell Ames DLC No. 47, in said Section 31; thence South 348.2 feet; thence East 81.2 feet; thence North 74° East 162 feet to the Northwest corner of that certain tract of land conveyed to W.R. Dempsey and wife by W.C. Kahle, et al, by deed recorded January 15, 1940 in Book 151, page 72, Deed Records, said Northwest corner being the true place of beginning of the property herein described; thence South 16° East along the West line of that said Dempsey tract 100 feet; thence South 74° West 80 feet to the West line of that certain tract of land conveyed to J. T. Ames by Joseph S. Ames by deed recorded May 1, 1890 in Book 38, page 165, Deed Records; thence North 16° West along the West line of said J.T. Ames tract 100 feet; thence North 74° East 80 feet to the point of beginning.

PARCEL II: A tract of land situated in the City of Sweet Home, County of Linn, State of Oregon, more particularly described as follows: A part of the John T. Ames DLC No. 46 in Township 13 South, Range 1 East of the Willamette Meridian, more particularly described as follows: Beginning at the Southeast corner of the East projection of the Lowell Ames DLC No 47 in said Section 31; thence South 348.2 feet; thence East 81.2 feet; thence North 74° East 162 feet to the Northwest corner of that certain tract of land conveyed to W. R. Dempsey and wife by W.C. Kahle, et al, by deed recorded January 15, 1940 in Book 151, page 72, Deed Records, said Northwest corner being the true place of beginning of the property herein described; thence South 16° East along the West line of said Dempsey tract 100 feet; thence South 74° West 80 feet to the West line of that certain tract of land conveyed to J.T. Ames by Joseph S. Ames by deed recorded May 1, 1890, in Book 38, page 165, Deed Records; thence North 16° West along the West line of J. T. Ames tract 100 feet; thence North 74° East 80 feet to the place of beginning.

EXCEPTING THEREFROM West 40 feet of even width thereof.

## PARCEL III:

Beginning on the West line of Sweet Home Proper South 15°10' East 100 feet from the Northwest corner of Block 1, SWEET HOME PROPER; thence Southeasterly along said West line 346.5 feet; thence South 74°50' West parallel to the South line of Long Street 160 feet to the Southeast corner of that certain tract of land conveyed by Ralph Blanchard to G. W. Gessler by deed recorded May 10, 1946, Book 179, page 493, Deed Records; thence Northwesterly along the East line of said Gessler tract 266.5 feet to the Southwest corner of that certain tract of land conveyed by Lowell G. Weber and wife to George W. Gessler and wife by deed recorded January 18, 1946, Book 175, page 425, Deed Records; thence North 74°50' East along the South line 80 feet to the Southeast corner of said Gessler tract; thence North 15°10' West along the East line of said Gessler tract 80 feet; thence North 74°50' East parallel to the South line of Long Street 80 feet to the place of beginning.

## PARCEL IV:

Beginning at a point which is 54 feet south 74°48' West from the Northwest corner of Block 1, Sweet Home, Linn County, Oregon, thence South 74°48' West along the Southerly line of Long Street, 156.0 feet to the Northeasterly corner of that tract of land conveyed to James G. VavRosky, et ux, by deed recorded April 28, 1958, in Deed Book 259, page 214; thence South 15°44' East, along the Easterly line of said VavRosky tract, 100 feet to the Southeasterly corner thereof; thence South 74°48' West 195.3 feet; thence South 15°44' East, 205.1 feet to the centerline of Ames Creek; thence Southeasterly along the centerline of Ames Creek to a point on the Westerly line of a tract of land conveyed to Lowell G. Weber, et ux, by deed recorded February 24, 1937, in Book 145, page 454, Deed Records; thence North 15°44' West along the Westerly line of said Weber tract to the Southwest corner of a tract of land conveyed to George W. Gessler, et ux, by deed recorded January 18, 1946, in Book 175, page 425, Deed Records; thence North 74°50' East 80 feet; thence North 15°10' West 80 feet; thence North 74°48' East 26 feet; thence North 15°44' West 100 feet to the point of beginning. SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways; as found in MF 173, page 972 Deed Records.

# EXHIBIT A

## PARCEL V

Beginning at a 3/4 inch iron bolt in the center of 47th Ave. said bolt being North 0° 24' 30" West, 268.78 feet from the Southwest corner of the Milton Humphrey D.L.C. #38 in Section 27, T. 13 S., R. 1 E., W.M. in Linn County, Oregon; said bolt being also the Southeast corner of that certain tract of land conveyed to James E. and Frances K. Stock in Volume 262, Page 272, Linn County Deed Records; running thence South 89° 35' 30" West, along the South line of said Stock Tract, 145.00 feet; thence North 0° 24' 30" West, parallel with the West line of said D.L.C. #38, 125.00 feet; thence North 89° 35' 30" East, 145.00 feet to the West line of said D.L.C. #38; thence South 0° 24' 30" East, 125.00 feet to the point of beginning.

Containing 0.4161 acres, less 0.0574 acres in Public Road, leaving 0.3587 acres net.

SUBJECT TO that portion of the above described property lying in Public Roads.

This deed is made on the condition that the said real property shall be used by the fire department of the grantee, and if the grantee shall discontinue said use for a period of one year, then the title to said real property shall revert to the grantors, their heirs and assigns.

# MEMORANDUM



TO: City Council  
Ray Towry, City Manager  
Interested Parties

FROM: Blair Larsen, Community and Economic Dev. Director

DATE: November 19, 2020

SUBJECT: Proposed Amendments to the Commercial Exterior Improvement Program Documents

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At our last Economic Development Workshop held in October, we discussed modifications to the Commercial Exterior Improvement Program (CEIP). Although we had a great discussion, one question remains before staff can amend the program: Staff recommended increasing the maximum grant award to 50% of the project cost up to \$10,000 to \$15,000, and during the discussion, the Council seemed to agree, however, there was no consensus on specific amount.

What would you like the maximum grant award to be?

CITY OF SWEET HOME  
CITY MANAGER  
EMPLOYMENT CONTRACT

WHEREAS this EMPLOYMENT CONTRACT is made and entered into effective the ~~9<sup>th</sup>~~<sup>8<sup>th</sup></sup> day of ~~June, 2020~~<sup>December 2020</sup>, by and between the City of Sweet Home and RAYMOND TOWRY.

NOW THEREFORE, the City of Sweet Home, Oregon (City) acting by and through its City Council and RAYMOND TOWRY (Manager) agree as follows:

1. City herewith employs Manager as City Manager and Manager agrees to be so employed to carry out the functions and duties specified in City's charter, this contract, required by law, such other duties involved in city management, and as directed by City directly or by resolution or ordinance. This agreement may be terminated at any time as provided herein.
2. Manager shall be paid in accordance with established salary schedule for the City Manager position as adopted and or otherwise approved by City Council. Manager shall be paid in installments at the same time and similar manner as other employees. With successful completion of an annual satisfactory performance evaluation, Manager's base salary shall automatically increase to the next step on the approved salary schedule until reaching the top step.
3. Manager shall have standard benefits offered all full-time employees of City. City shall provide medical, dental, vision, life, and disability insurance coverage for Manager and his family as offered other full-time non-represented city employees. The City agrees to provide retirement benefits for the Manager under the same ICMA retirement program and terms offered to other non-represented administrative employees of the City.

Manager shall receive vacation leave in the same manner and amount as all other regular exempt management employees as defined in the City Personnel Policies Manual for, "At least 5 and less than 10 years, 120 hours" annual accrual.

Manager shall also receive Management Leave in the same manner and amount as all other regular exempt management employees as defined in the City Personnel Policies Manual.

Manager shall accrue sick leave in the same manner and amount as all other regular exempt management employees as defined in the City Personnel Policies Manual. Manager shall be eligible for sick leave buyout as other non-represented administrative employees in accordance with adopted personnel policies.

Manager shall be allowed paid holidays as other City employees in accordance with adopted personnel policies.

Manager will be allowed use of city vehicle for work and "on call" purposes. Manager understands the use of the vehicle will be reported by the city and taxed according to the IRS rules. City-owned cars are provided solely for business activities and should not be used for any other purposes other than di minis stops. Manager's use will be consistent with City Policy regarding safety and use privileges.

4. Manager acknowledges the proper and full performance of this contract constitutes a full-time job, he must devote a great deal of time outside normal office hours in furtherance of City's business and interests, and that he is an exempt professional from the overtime provisions of the federal Fair Labor Standards Acts and its counterpart under Oregon law. Manager shall be actively involved in community activities and civic organizations and City shall pay related membership dues and fees. Manager shall not engage in non-city activities for pay unless approved by City.
5. City encourages Manager to be involved in professional organizations for his development and advancement and the benefit of City. Manager is encouraged to attend conferences offered by League of Oregon Cities such as the Annual Conference, Northwest City Managers' Spring Conference, and Oregon City Managers' Association (OCCMA) Summer Conference. Manager is authorized to be a member of ICMA and OCCMA with cost to be paid by City if money is available. Meals, housing, travel and cost for attending approved conferences and meetings shall be paid by City based upon the amounts allowed other administrative employees and in accordance with applicable personnel policies. All out of state travel must be pre-approved by the City Council.
6. Manager agrees to remain in the exclusive employ of the City during the term of this agreement, unless otherwise agreed to in writing by the parties.
7. Manager shall be bonded as required by City, its charter, and Oregon law with cost of the bond(s) to be paid by City. City shall defend, save harmless, and indemnify Manager against any tort, professional liability claim or demand, or other legal action whether valid or not arising out of the performance of manager's duties except that caused by willful or wanton conduct by Manager.
8. City shall place no restriction on the residency of the Manager except that Manager agrees to regularly be available for work as scheduled, and that job performance shall not be adversely impacted by residence location.

9. Should Manager decide to resign, he shall give City through its Mayor as much advance written notice as possible but not less than thirty (30) working days. At that time Manager shall give City a plan for operation of the City during the interim listing all projects then on-going with status for each and a report concerning each department.
10. Should Manager resign at the request of City or is terminated at the will of the City and Manager is willing and able to perform, the City shall pay severance pay equal to four (4) months base pay of City Manager plus one month for every year of employment with a maximum of 12 months, plus accrued vacation benefits. Severance pay will be paid in a lump sum or monthly payments equal to the number of months severance earned by the Manager at the option of the City. Severance pay will cease should Manager become employed elsewhere during this time.
11. If Manager is terminated for cause during the term of this Agreement, City shall have no obligation to pay the separation pay under this agreement. For the purposes of this agreement, "cause" is defined as follows:
  - A. Indictment for an illegal act. If such indictment does not ultimately result in conviction, then Manager shall receive separation pay, if the indictment does ultimately result in conviction, Manager shall receive no severance pay;
  - B. Abandonment by Manager of position as City Manager; or
  - C. Determination by City that Manager is guilty of fraud, dishonesty or any other serious act of misconduct in performance of Manager's duties on behalf of City. Such determination by City shall be made in accordance with disciplinary and grievance procedures set forth in the adopted personnel policies of the City in force and effect on the date of the alleged misconduct.
12. Except as this agreement recites rights and responsibilities of City employees and the City in established City policies, the entire agreement between the parties with respect to the subject matter hereunder is contained in this agreement. Except as herein expressly provided to the contrary, the provisions of this agreement are for the benefit of the parties solely and not for benefit of any other person, persons, or legal entitles.

Manager acknowledges that he has not been induced to enter into this agreement by any representation or statement, oral or written, not expressly contained herein or expressly incorporated by reference. City makes no representations, warranties

or guarantees, expressed or implied, other than expressed representations, warranties and guarantees contained in this agreement.

13. Any written notice hereunder shall become effective as of the date of mailing by receipt sent by certified mail, and shall be deemed sufficiently given if sent to the addresses as stated in this agreement, or at such other address as may hereafter be specified by notice in writing. In lieu of mailing, written notice shall become effective as of the date it is personally delivered to the addressee. Any notice required to be given under the terms and conditions of this agreement shall be given as follows:

City of Sweet Home  
Mayor  
3225 Main St  
Sweet Home, Oregon 97386

Manager  
Raymond Towry  
PO Box 698  
Sweet Home, Oregon 97386

If any part, term, or provision of this agreement is held by the courts to be illegal or in conflict with the laws of the State of Oregon, the validity of the remaining portions of the agreement shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the agreement did not contain that particular part, term or provision. This agreement shall be binding on the City and Manager and their heirs, assigns, executors, personal representatives and successors in interest.

14. This agreement shall become effective as of ~~June 9, 2020~~December 8, 2020, and unless terminated consistent with the terms hereof. this agreement will automatically renew. Nothing shall restrict the ability of the City and Manager to amend or adjust the terms of this Agreement at any time. However, no amendment or adjustment shall be valid unless in writing and signed by an authorized representative of the City and by Manager. Manager reserves the right to discuss the terms of this agreement with the City Council as a whole in either closed Executive Session or open Regular Session as state law allows and as Manager deems appropriate.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the ~~9<sup>th</sup>~~8<sup>th</sup> day of ~~June~~December 20~~2019~~.

CITY OF SWEET HOME

MANAGER

Mayor

Date

Ray Towry

Date

CITY OF SWEET HOME  
CITY MANAGER  
EMPLOYMENT CONTRACT

WHEREAS this EMPLOYMENT CONTRACT is made and entered into effective the 8th day of December, 2020, by and between the City of Sweet Home and RAYMOND TOWRY.

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1. City herewith employs Manager as City Manager and Manager agrees to be so employed to carry out the functions and duties specified in City's charter, this contract, required by law, such other duties involved in city management, and as directed by City directly or by resolution or ordinance. This agreement may be terminated at any time as provided herein.
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  - C. Determination by City that Manager is guilty of fraud, dishonesty or any other serious act of misconduct in performance of Manager's duties on behalf of City. Such determination by City shall be made in accordance with disciplinary and grievance procedures set forth in the adopted personnel policies of the City in force and effect on the date of the alleged misconduct.
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3225 Main St  
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Manager  
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14. This agreement shall become effective as of December 8, 2020, and unless terminated consistent with the terms hereof. this agreement will automatically renew. Nothing shall restrict the ability of the City and Manager to amend or adjust the terms of this Agreement at any time. However, no amendment or adjustment shall be valid unless in writing and signed by an authorized representative of the City and by Manager. Manager reserves the right to discuss the terms of this agreement with the City Council as a whole in either closed Executive Session or open Regular Session as state law allows and as Manager deems appropriate.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the 8th day of December 2020.

CITY OF SWEET HOME

MANAGER

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ray Towry

\_\_\_\_\_  
Date

# City of Sweet Home Performance Evaluation City Manager

## PURPOSE

The purpose of the employee performance evaluation and development report is to increase communication between the City Council and the City Manager concerning the performance of the City Manager in the accomplishment of his/her assigned duties and responsibilities, and the establishment of specific work-related goals and objectives.

## PROCESS

1. The City Manager prepares a memorandum to Council including his/her self-evaluation in a narrative format.
2. The City Manager will copy and distribute the City Manager Performance Evaluation form as well as the City Manager's self-evaluation to the Council for review.
3. The Council members will complete a performance evaluation for the City Manager and then return the completed form to the Mayor. The Mayor will return any incomplete or incorrectly filled out evaluations to be completed correctly.
4. The Mayor and President Pro-Tem will tabulate the results of the evaluation forms and create a compiled evaluation including average scores for each individual element and average scores for each overall section.
5. The Mayor and Councilors will meet with the City Manager to discuss his/her compiled evaluation in an Executive Session in a "round-table" format. Copies of each Councilor's completed individual evaluation must be made available to the City Manager for inspection forty-eight (48) hours prior to this meeting. Councilors will then complete the remaining "round table" portion of their evaluation and may adjust any previous scores as they see fit.
6. The Mayor and President Pro-Tem will tabulate the results of the finalized evaluation forms and create a compiled evaluation including average scores for each individual element and average scores for each overall section.
7. The Mayor and Council will meet with the City Manager in executive session to review the evaluation, unless the City Manager requests an open hearing per ORS 192.660(2)(i).

## INSTRUCTIONS

***Review the employee's work performance for the entire period; try to refrain from basing judgement on recent events or isolated incidents only.*** Disregard your general impression of the employee and concentrate on one factor at a time.

Evaluate the employee on the basis of standards you expect to be met for the job to which assigned considering the length of time in the job. Circle the number which most accurately reflects the level of performance for the factor appraised using the rating scale described below.

# Performance Evaluation

**Councilor:** \_\_\_\_\_ **Evaluation Year: 20 /20**

## RATING SCALE DEFINITIONS (1-5)

- (1) Unsatisfactory\* - The employee's work performance is inadequate and definitely inferior to the standards of performance required for the job. Performance at this level cannot be allowed to continue.
  
- (2) Improvement Needed\*      The employee's work performance does not consistently meet the standards of the position. Serious effort is needed to improve performance.
  
- (3) Meets Job Standard              The employee's work performance consistently meets the standards of the position.
  
- (4) Exceeds Job Standard          The employee's work performance is frequently or consistently above the level of a satisfactory employee, but has not achieved an overall level of outstanding performance.
  
- (5) Outstanding                      The employee's work performance is consistently excellent when compared to the standards of the job.
  
- Not Observed (NO)      The employee's work performance was not observed during this evaluation period.

\*Any score of a (1) Unsatisfactory or (2) Improvement Needed MUST be justified in the comment section.



**2. Performance related to the Job Description**

“Serves as the administrative head of the government of the City and is responsible for the overall management, administration and supervision of all City departments and functions. Exercises direct or indirect supervision of all City Employees with the exception of the City Attorney and Municipal Judge.”

5-Outstanding            4            3-Meets Standard            2            1-Unsatisfactory            NO

1. Maintain effective relationships with elected officials, the media and the public at all times.

5-Outstanding            4            3-Meets Standard            2            1-Unsatisfactory            NO

2. Follow established City Policies at all times.

5-Outstanding            4            3-Meets Standard            2            1-Unsatisfactory            NO

3. Recommend programs and policies to the City Council to ensure that the management of the City is effective and reflects current advances in city government.

5-Outstanding            4            3-Meets Standard            2            1-Unsatisfactory            NO

4. Develop professionally through formal and informal training and membership in professional organizations.

5-Outstanding            4            3-Meets Standard            2            1-Unsatisfactory            NO

5. Control City expenditures within budgetary limitations to ensure that public funds are spent wisely.

5-Outstanding            4            3-Meets Standard            2            1-Unsatisfactory            NO

6. Supervise City personnel to effectively train, motivate and promote a high degree of morale.

5-Outstanding            4            3-Meets Standard            2            1-Unsatisfactory            NO

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### **3. Evaluation Based on Council Goals-Complete After Round Table Discussion**

#### **GOAL #1: INFRASTRUCTURE**

1. Develop specific steps for implementation of the adopted infrastructure master plans.  
Water, Sewer, Streets, Parks, Property
2. Increase community awareness of infrastructure needs and appropriate planning documents.  
Water, Sewer, Streets, Parks, Property

#### **GOAL #2: BE AN EFFECTIVE AND EFFICIENT GOVERNMENT**

1. Update and streamline processes
2. Develop continuity in planning and permitting processes.
3. Invest in long-term staff stability & training.
4. Develop transparency in all communication.
5. Continue to implement strong financial practices.
6. Employ sound technology to maximize efficiency.

#### **GOAL #3: ESSENTIAL SERVICES**

1. Increase access to quality healthcare services in Sweet Home.  
Memory Care, Senior Assisted Living, Physical Therapy, Urgent Care, Mental/Behavior Health
2. Improve community safety, Police, Community Design, Etc.
3. Develop partnerships w/ regional services and work to connect them w/ the appropriate members of the public.

#### **GOAL #4: ECONOMIC STRENGTH**

1. Implement vitalization programs
2. Lead community economic development efforts
3. Develop economic opportunities w/ regional partners
4. Develop a downtown streetscape plan.

5-Outstanding                      4                      3-Meets Standard                      2                      1-Unsatisfactory                      NO

Comments: \_\_\_\_\_  
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\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





This evaluation has been reviewed and discussed between the City Council and the City Manager on:

Date: \_\_\_\_\_

Sweet Home City Council	<u>Concurrence</u>
_____ Mayor Greg Mahler	YES / NO
_____ Council President Pro-Tem Dave Trask	YES / NO
_____ Councilor Susan Coleman	YES / NO
_____ Councilor Diane Gerson	YES / NO
_____ Councilor James Goble	YES / NO
_____ Councilor Lisa Gourley	YES / NO
_____ Councilor Courtney Nash	YES / NO

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date



# REQUEST FOR COUNCIL ACTION

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**Title:** COVID-19 Business Loan Program

**Preferred Agenda:** November 24, 2020

**Submitted By:** Blair Larsen, Community & Economic Development Director

**Reviewed By:** Ray Towry, City Manager

**Type of Action:** Resolution \_\_\_\_ Motion  Roll Call \_\_\_\_ Other \_\_\_\_

**Relevant Code/Policy:**

**Towards Council Goal:** Vision Statement, Aspiration V: Economically Strong Environment; Goal 4.2: Lead Economic Development Efforts

**Attachments:** Draft COVID-19 Business Loan Program

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**Purpose of this RCA:**

The purpose of this RCA is to propose a business assistance loan program targeted at those business closed by the recent statewide “Two-Week Freeze”.

**Background/Context:**

The COVID-19 pandemic continues to grow, and the State is imposing stricter requirements. Recently the Governor announced a statewide “Two-Week Freeze” that limits retail stores to 75% of capacity, requires restaurants to be delivery and take-out only, and outright closes gyms and fitness organizations, indoor recreational and entertainment facilities, outdoor entertainment activities, and event venues.

City Staff are concerned about the effect this will have on those businesses that have been ordered to completely close, and which have exhausted or don’t qualify for the grants offered by the State and Federal governments. Staff are also that this “Two-Week Freeze” may extend until the end of the calendar year. We propose a business loan program limited to the businesses that the Governor has ordered closed, funded with the City’s Economic Development Fund. We recommend that the loan amounts be capped at \$25,000, carry an interest rate no higher than 1.5%, and be amortized over a 10-year period.

**The Challenge/Problem:**

How does the City assist businesses that have been forced to close by the Governor’s recent order?

**Stakeholders:**

- Sweet Home Residents – Residents appreciate the businesses and services that have been ordered closed and would be adversely affected if those businesses were unable to reopen again.

- Sweet Home Businesses – Businesses ordered closed by the Governor need assistance in order to be able to reopen when the Governor's order has been lifted.
- Sweet Home City Council – The City Council is responsible to allocating City funding to accomplish the City's purposes and goals.

**Issues and Financial Impacts:**

Staff estimates that only two businesses within the City have been forced to close by this most recent order from the Governor. This would result in \$50,000 loaned out of the Economic Development Fund.

**Elements of a Stable Solution:**

A stable solution may include authorization of a City Business Assistance Loan Program and authorizing the City Manager to sign contracts with eligible businesses for the loan of City Economic Development Funds.

**Options:**

1. Do Nothing – The Council could choose to do nothing at this time.
2. Approve the proposed COVID-19 Business Loan Program as recommended and authorize the City Manager to sign contracts between the City and eligible businesses under the program – By approving the recommended program and authorizing the City Manager to sign contracts with eligible businesses, the Council would allow the use of City Economic Development funds to be loaned to businesses that have been forced to close due to the recent Governor's order.
3. Approve the proposed COVID-19 Business Loan Program with changes and authorize the City Manager to sign contracts between the City and eligible businesses under the program – The Council may choose to direct Staff to make changes to the recommended program, such as the maximum loan amount, interest rate, and repayment schedule.
4. Direct Staff to Research Other Options – The Council may direct staff to research other ways to help affected businesses.

**Recommendation:**

Staff recommends option 2: Motion to approve the proposed COVID-19 Business Loan Program as recommended and authorize the City Manager to sign contracts between the City and eligible businesses under the program.

## Sweet Home COVID-19 Business Loan Program

November 18, 2020

### 1.0 PURPOSE AND INTENT

- 1.1 The Sweet Home City Council's Vision and Mission Statement for 2017-2018 states in part that the Council aspires: "to create an economically strong environment in which businesses prosper." This environment includes:
  - 1.1.1 Implementing a business vitalization program,
  - 1.1.2 Supporting future economic development efforts within City Hall, and
  - 1.1.3 Developing economic opportunities with regional partners.
- 1.2 The purpose and intent of the COVID-19 Business Loan Program is to support this vision by offering loans to mitigate the impact of State of Oregon Executive Order No. 20-65 ("Temporary Freeze to Address Surge in COVID-19 Cases in Oregon") on Sweet Home's small businesses.

### 2.0 PROGRAM OBJECTIVES

- 2.1 Help small businesses forced to closed by Executive Order No. 20-65 survive the current emergency, and return to previous operations as soon as possible after the emergency subsides by providing loans under the following terms:
  - 2.1.1 Maximum Loan Amount: \$25,000
  - 2.1.2 Annual Percentage Rate: 1.5%
  - 2.1.3 Payment Period: Amortized over 10 years, with monthly payments beginning March 1, 2021.

### 3.0 APPLICATION PROCESS

- 3.1 Interested businesses should contact the Economic Development Director directly, who will work with the City Attorney to draft a contract for the loan.

### 4.0 ELIGIBILITY

- 4.1 Eligible Businesses are defined as those businesses that were forced to completely close by State of Oregon Executive Order No. 20-65.

### 5.0 CONDITIONS AND CONSIDERATIONS

- 5.1 The City Manager, or designee, shall have the authority to approve loans, based on the City Council's authorization.
- 5.2 This program is in effect from the initial date of State of Oregon Executive Order No. 20-65 and new loan requests will be considered for 60 days thereafter, and while funds are available.

## 6.0 PROGRAM IMPLEMENTATION

- 6.1 Where a question regarding implementation of this program arises, or where sections of this program may conflict, the City Manager shall be authorized to determine the appropriate course of action as specified under this Section and guided by the Purpose and Intent statement listed in Section 1.0 and Program Objectives listed in Section 2.0. Modifications to the program shall only be made as specified under Section 6.2 and 6.3.
- 6.2 Minor modifications to this program; which are defined as those changes that do not significantly alter the terms by which funds are distributed or repaid under this program, may be approved by the City Manager.
- 6.3 Major modifications to this program; which are defined as those changes that exceed minor modifications listed under Section 7.2 must be approved by the City Council.



# REQUEST FOR COUNCIL ACTION

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**Title:** Business License Ordinance

**Preferred Agenda:** November 24, 2020

**Submitted By:** Blair Larsen, Community & Economic Development Director

**Reviewed By:** Ray Towry, City Manager

**Type of Action:** Resolution \_\_\_\_ Motion X Roll Call \_\_\_\_ Other \_\_\_\_

**Relevant Code/Policy:**

**Towards Council Goal:** Vision Statement, Aspiration V: Economically Strong Environment; Goal 4.2: Lead Economic Development Efforts

**Attachments:** Ordinance Bill No. 12 for 2020

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## **Purpose of this RCA:**

The purpose of this RCA is to propose a business license ordinance in order to promote cooperation and the sharing of information with the Business Community.

## **Background/Context:**

The COVID-19 pandemic has shown the value of information about local businesses, and the lack of that information in Sweet Home. The various measures taken to combat the virus had and continue to have a devastating toll on local businesses. As the City attempted to help with information and various aid programs, City Staff realized that the lack of reliable information on what businesses existed in Sweet Home and what products and services they offered made it extremely difficult to help businesses through the crisis.

We experienced similar difficulties and challenges during the eclipse in 2017.

The City Council discussed this matter during various meetings and directed staff to move forward with a Business License Ordinance.

## **The Challenge/Problem:**

How does the City gather the information needed to assist businesses and promote cooperation between them and the City?

## **Stakeholders:**

- Sweet Home Residents – Residents appreciate the businesses and services available in the City and have an interest in strong, local businesses that serve their needs and desires.
- Sweet Home Businesses – Local businesses benefit from having a voice in City affairs and having the City as a reliable partner.
- Sweet Home City Council – The City Council is responsible for adopting ordinances and policies that accomplish the City's purposes and goals.

**Issues and Financial Impacts:**

The only financial impact is publicizing the new requirements and the staff time required to develop and process applications. There are software products that may make this easier for a cost, however Staff recommends using existing software initially, since the Sweet Home business community is not large. We estimate that existing personnel are sufficient to operate this program.

**Elements of a Stable Solution:**

A stable solution includes the adoption of an ordinance requiring businesses to provide the City with basic information regarding the business.

**Options:**

1. Do Nothing – The Council could choose to do nothing at this time.
2. Approve Ordinance Bill No. 12 for 2020 as presented – Ordinance pertaining to the Licensing of Businesses within the City.
3. Approve Ordinance Bill No. 12 for 2020 with changes – The Council may choose to revise the ordinance or direct Staff to do so.
4. Direct Staff to Research Other Options – The Council may direct staff to research other ways to promote cooperation and information-sharing with local businesses.

**Recommendation:**

Staff recommends option 2: Motion to approve Ordinance Bill No. 12 for 2020 as presented.

**ORDINANCE BILL NO. 12 FOR 2020**

**ORDINANCE NO. \_\_\_\_**

**SWEET HOME ORDINANCE PERTAINING TO THE LICENSING OF BUSINESSES WITHIN THE CITY**

WHEREAS, the City of Sweet Home desires to provide for the health, safety, and welfare of the citizens and businesses of Sweet Home by requiring all businesses operating within the City to obtain a City Business License.

NOW THEREFORE,

The City of Sweet Home does Ordain as follows:

Section 1. Sweet Home Municipal Code Chapter 5.10 titled BUSINESS LICENSES is created to read as follows:

§5.10.010 Purpose.

This chapter is enacted for the purpose of providing for the health, safety, and welfare of the citizens and businesses of Sweet Home by requiring all businesses within the corporate limits of the City of Sweet Home to obtain a City Business License.

§5.10.020 Definitions.

As used in this chapter, except where the context indicates otherwise, the following definitions apply:

**BUSINESS.** An individual, shop, firm, company, corporation, association or partnership conducting any trade, profession, occupation or pursuit for gain. This definition includes, but is not limited to, non-profit organizations which sell food or liquor, and home occupations.

**CITY.** The City of Sweet Home, a municipal corporation of the State of Oregon.

**EMPLOYEE.** Any person working for, within or under the auspices of a business, other than a certified independent contractor or leased employee, including common law and statutory wage-earning, commission and salaried employees; executive and common employees; agents; sales representatives; sole proprietors; partners; corporate officers and any and all persons associated directly with the business, whether full- or part-time.

**EXCLUSIVELY LICENSED BUSINESSES.** Businesses exclusively licensed by the state of Oregon, or the activities of which are exclusively subject to regulations by the United States as being solely interstate in character.

**GARAGE SALE.** A commercial activity, open to the public, conducted at a private residence where personal property is sold or auctioned to others, provided the number of sale days at a

particular residence does not exceed 3 days per occurrence and no more than 2 occurrences per calendar year.

*LICENSE* or *BUSINESS LICENSE*. The document issued by the city granting the privilege to carry on a particular business or pursue a certain occupation within the city.

*NON-PROFIT*. Any business or organization which holds a certificate of exemption from taxes from the Internal Revenue Service.

*PLACE OF BUSINESS*. A business location inside the city of Sweet Home, which meets all City ordinances, within a permanent structure or building which rest on a permanent foundation and which substantially complies with the Uniform Building Code or at a fixed location on public or private property not within a permanent structure.

*TRANSFER*. To transfer the name or ownership of a business, but does not include a change in business location.

#### § 5.10.020 Business License Required.

There is hereby imposed upon the businesses a license fee in the amount prescribed by City Council resolution, and it is unlawful for any person to conduct, transact or carry on any such business in the city without first having obtained the license therefore for the current calendar year as herein provided and without first complying with any and all application provisions of this chapter.

#### § 5.10.030 Exceptions.

The following activities are exempt from the provisions of this chapter:

- A. Peddlers, Solicitors, and Transient Merchants, as defined and regulated in Chapter 5.12.
- B. Wholesale deliveries to a licensed business from operations based outside the limits of the city.
- C. Casual labor activities performed by minors or others, including, but not limited to, lawn mowing and babysitting services. Childcare facilities are not exempt.
- D. Any activity conducted solely for charitable, religious, community, or public purpose including fairs, festivals, fundraisers, and public entertainment events by nonprofit organizations. A non-profit organization which sells food or liquor on an ongoing basis is not exempt.
- E. Producers of farm products raised in Sweet Home and produced or cultivated exclusively by said producers or their immediate families, shall not be subject to license fees prescribed herein that may apply to the selling of such products if the farm products are sold by themselves or their immediate families exclusively.
- F. Businesses that are exempt from the payment of municipal license fees pursuant to Oregon or federal law.
- G. Any person involved in the home delivery of newspapers, groceries, or other goods purchased outside the city.
- H. Garage Sales entailing the periodic sale of personal property by an individual or group of individuals at their own personal residence, provided the number of sale days at a

particular residence does not exceed 3 days per occurrence and no more than 2 occurrences per calendar year.

- I. Any person, contractor, consultant, firm, company or corporation who do not normally conduct business from or in, or otherwise occupy, a particular site, location or structure within the city limits.
- J. Governmental bodies and their administrative agencies which are engaged in governmental functions.
- K. Other businesses or business related activities that, due to their minimal activities, may be declared exempt by the City Manager.

#### § 5.10.040 License Application and Procedure.

- A. All business licenses required under this chapter or any other ordinance shall be issued by the City Manager or designee. Application for all licenses shall be made to the City on forms prescribed by the city. The application for any permit shall contain the following information:
  - 1. The description of the business carried on within the city.
  - 2. The name of the applicant, with a statement of all persons having an interest in the business, either as proprietors or owners of the business.
  - 3. The location at which the business is conducted.
  - 4. Contact information for the owner or manager, including phone number, email address and mailing address.
  - 5. The date of application.
  - 6. The amount of the fee collected with the application.
- B. The following additional items may be required at the sole discretion of the City Manager or designee:
  - 1. Proof of the applicant's possession of any permits, certificates, or registrations that are required by city, county, state or federal laws to conduct the type of business listed on the application.
  - 2. Site plan of the area where the structure will be located. The site plan shall clearly show any parking spaces, which may be impacted, any necessary driving lanes, utility pole locations, nearby buildings, and sidewalks.
  - 3. Proof of compliance with all applicable building codes.
  - 4. If food or beverages is to be sold, then the applicant shall provide a copy of proof of the applicable food handler's license from Linn County.
  - 5. Any other information necessary to enable the city to review the application and to determine the appropriate fee as established by resolution of the Council. If on private property, a signed letter of authorization from the property owner, or copy of lease agreement.
- C. The City Manager shall refer each application to the appropriate departments for review. Review of the application shall be based on consideration of all available evidence as to whether the business will meet the requirements of the city charter and ordinances. The permit may be denied if:
  - 1. The application is incomplete.
  - 2. The activity to be permitted would not comply with city ordinances or state laws.
  - 3. The permitted activity would endanger property or the public's health or safety.

4. The applicant's violation of law or ordinance represents a reasonable doubt about the applicant's ability to perform the permitted activity without endangering property or the public's health or safety.
  5. The applicant fails to supply the information required, or submits misleading or false information, or submitted misleading or false information on a previous application.
- D. Upon a favorable recommendation from each department, the City Manager or designee shall issue the permit. If the application is denied, the City Manager or designee shall notify the applicant in writing of the denial and the reasons for denial.
  - E. The City Manager or designee shall issue or deny the permit within 10 business days of receiving the application.
  - F. Approved business licenses shall remain on file in the City Manager's Office and a copy shall be provided to the Sweet Home Fire District.

§ 5.10.050 Multiple Businesses at Same Location—Branch Office—Professional Offices.

- A. If more than one business takes place at the same location and is operated under the same ownership, but is operated under more than one business name, one application may be filed, provided each business is clearly identified and all relevant information is included in the unified application.
- B. Each branch establishment of a business or location of a business conducted by any person shall, for the purposes hereof, be treated as a separate business subject to the registration provided for in this chapter. Warehouses used incidentally with a duly registered business shall not be deemed to be a separate place of business or branch establishment.

§ 5.10.060 Transfer of License.

- A. The license shall be the property of the applicant, and may not be assigned or transferred.
- B. Business licenses shall be void if the name of the business changes, the location of the business changes, ownership changes or the business goes out of business.

§ 5.10.070 False Information

It is unlawful for any person to supply false information in connection with any application required by this chapter with intent to obtain a permit or license required in this chapter.

§ 5.10.080 Revocation of License.

A business license may be revoked on any one or more of the following grounds:

- A. Approval of the business license was obtained by fraud or misrepresentation;
- B. The use for which approval was granted has ceased to exist;

- C. The use does not meet the conditions specifically established for it at the time of approval of the application;
- D. The business is in violation of any other applicable statute, ordinance or regulation.

§ 5.10.090 Appeals.

- A. Any person whose application for a permit has been denied, or whose permit has been denied renewal, has been suspended or has been revoked, may, within 30 days after the notice of denial, suspension, or revocation is mailed, appeal in writing to the City Council. The appeal shall state:
  - 1. The name and address of the appellant.
  - 2. The nature of the determination being appealed.
  - 3. The reason the determination is incorrect.
  - 4. What the correct determination of the appeal should be.
- B. An appellant who fails to file a statement within the time permitted waives all objections, and relinquishes all rights to appeal. If a notice of revocation is appealed, the revocation does not take effect until final determination of the appeal. At the hearing, the appellant may present testimony and oral argument. The decision of the Council is final.
- C. An appellant may continue operating until the Council reaches a decision on the appeal.

§ 5.10.100 Expiration and Renewal.

- A. The license year shall commence January 1 in each year and shall terminate at midnight, December 31, of the same year; provided, however, that all businesses required to pay a license fee in the amounts hereinafter prescribed shall apply for a license under the terms of this chapter not later than February 1 of the year for which the license is needed, and failure so to do shall be a violation of this chapter and subject to the penalty provisions herein.
- B. The license fee set by resolution shall be due and payable on January 1 of each year for the calendar year commencing with such date and shall be delinquent on and after the following February 1.
- C. Licenses for persons who first begin engaging in a business after January 1 in any year shall be due and payable prior to such person engaging in business. All license fees shall be delinquent if not paid within 10 days after due.

§ 5.10.110 Violations and Penalties.

- A. Violation of this chapter constitutes a violation and may be prosecuted under the provisions of Chapter 9.36 and any amendments thereto. Each day's violation of a provision of this chapter shall constitute a separate offense.

§ 5.10.120 Disclaimers.

- A. The levy or collection of a license fee shall not be construed to be a license or permit to engage in any business which is unlawful, illegal or prohibited by the laws of the State of Oregon, the County of Linn or ordinances or resolutions of the city.
- B. Nothing herein contained shall be taken or construed as vesting any right in any license as a contract obligation on the part of the city. Business license fees, as set by City Council resolution, may be increased or decreased at any time by the City Council. No person having paid the fee required, and having made application for a business license, shall be entitled to any refund.

§ 5.10.130 Severability.

If any portion of this chapter shall be held to be invalid for any reason, the same shall be stricken from the ordinance and the remainder shall be regarded as having been adopted by the Council and shall remain enforceable.

Passed by the Council and approved by the Mayor this \_\_\_ day of \_\_\_\_\_, 2020.

Mayor \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Manager – Ex Officio City Recorder



# REQUEST FOR COUNCIL ACTION

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**Title:** Vacant Building Ordinance

**Preferred Agenda:** November 24, 2020

**Submitted By:** Blair Larsen, Community & Economic Development Director

**Reviewed By:** Ray Towry, City Manager

**Type of Action:** Resolution \_\_\_\_ Motion  Roll Call \_\_\_\_ Other \_\_\_\_

**Relevant Code/Policy:**

**Towards Council Goal:** Vision Statement, Aspiration V: Economically Strong Environment; Goal 4.2: Lead Economic Development Efforts

**Attachments:** Ordinance Bill No. 13 for 2020

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**Purpose of this RCA:**

The purpose of this RCA is to propose an ordinance regulating vacant commercial and industrial buildings.

**Background/Context:**

The City of Sweet Home suffers from a high number of vacant commercial and industrial buildings. While it can often be difficult to sell such properties or find a tenant, vacant buildings often fall into disrepair, become a target for vandalism or squatting, and generally bring down the appearance of the area. This condition makes it even harder to sell such properties or find good tenants.

At recent meetings, the City Council has identified the Vacant Building problem as a priority and indicated its desire to enact an ordinance that will improve the situation.

Staff has developed a draft ordinance that requires property owners to notify the City of vacant buildings, maintain their properties in watertight and secure condition, and have a local property manager assigned to the property. The ordinance also enrolls such properties into the Police Department's voluntary business watch program, and allows the City to create a database of available properties.

Staff recommends that an ordinance not punish property owners for their buildings being vacant, which can often be out of their control. However, basic information and maintenance requirements can improve the situation.

**The Challenge/Problem:**

How does the City address the problem of vacant commercial and industrial buildings?

**Stakeholders:**

- Sweet Home Commercial and Industrial Property Owners – Property owners are responsible for the maintenance and management of their own properties.
- Sweet Home Residents – Residents deserve safe and well-kept commercial and industrial areas.
- Sweet Home Businesses – Local businesses benefit from well-maintained commercial and industrial building stock for their current and future operations.
- Sweet Home City Council – The City Council is responsible for adopting ordinances and policies that accomplish the City's purposes and goals.

**Issues and Financial Impacts:**

While there are a large number of vacant buildings in the City, Staff believe that current personnel and resources can enforce this draft ordinance.

**Elements of a Stable Solution:**

A stable solution includes the adoption of an ordinance that collects information on vacant properties and holds property owners responsible for the condition of their properties.

**Options:**

1. Do Nothing – The Council could choose to do nothing at this time.
2. Approve Ordinance Bill No. 13 for 2020 as presented – Ordinance pertaining to the Registration, Maintenance, Safety, and Security of Vacant Commercial and Industrial Buildings.
3. Approve Ordinance Bill No. 13 for 2020 with changes – The Council may choose to revise the ordinance or direct Staff to do so.
4. Direct Staff to Research Other Options – The Council may direct staff to research other ways to promote cooperation and information-sharing with local businesses.

**Recommendation:**

Staff recommends option 2: Motion to approve Ordinance Bill No. 13 for 2020 as presented.

**ORDINANCE BILL NO. 13 FOR 2020**

**ORDINANCE NO. \_\_\_\_**

**SWEET HOME ORDINANCE PERTAINING TO THE REGISTRATION, MAINTENANCE, SAFETY, AND SECURITY OF VACANT COMMERCIAL AND INDUSTRIAL BUILDINGS**

WHEREAS, the City of Sweet Home desires to preserve and protect the habitability and promote the productive use of real property in the City, and to protect the city from blight by requiring that vacant commercial and industrial properties be adequately secured and maintained.

NOW THEREFORE,

The City of Sweet Home does Ordain as follows:

Section 1. Sweet Home Municipal Code Chapter 8.20 titled VACANT COMMERCIAL AND INDUSTRIAL BUILDINGS is created to read as follows:

§8.20.010 Purpose and Applicability.

This chapter is enacted for the purpose of preserving and protecting the habitability of commercial and industrial real property in the City, and the peaceable, safe, sanitary, and secure occupancy, and productive use of commercial and industrial real property in the City. The provisions in this chapter shall apply only to buildings in commercial and industrial zones, according to the most recent City of Sweet Home zoning map.

§8.20.020 Definitions.

As used in this chapter, except where the context indicates otherwise, the following definitions apply:

"Abandoned building" means:

1. A building that is both vacant and subject to either pending judicial execution sale under ORS 18.901 et seq., or to nonjudicial foreclosure pursuant to ORS 86.752 et seq.; or
2. A building that is both vacant and subject to either a judicial execution sale under ORS 18.901 et seq., or nonjudicial foreclosure pursuant to ORS 86.752 et seq. where legal title is retained by the beneficiary(ies) of a foreclosed trust deed or was otherwise transferred to beneficiary(ies) pursuant to a deed in lieu of foreclosure.

"Building" means a site-built or manufactured structure, including mobile homes, built to the support, shelter or enclosure of persons, animals, chattels or property of any kind

and having a fixed base on or fixed connection according to the uniform building code standards.

"Chief" means the chief of police of the Sweet Home police department, or designee.

"City Manager" means the City Manager of the City of Sweet Home, or designee.

"Code enforcement officer" means a code enforcement officer of the City of Sweet Home.

"Commercial building" means a nonresidential building constructed or used for purchasing, selling or conducting other transactions involving the handling or disposition of any article, substance, commodity or services for livelihood or profit, and places where commodities, services or merchandise are sold or agreements are made to furnish them.

"Foreclosed building" means a building upon real estate that an owner obtains as a result of:

1. Foreclosing a trust deed on the real estate;
2. Obtaining a judgment foreclosing a lien on the real estate;
3. Purchasing the real estate at a trustee's sale or a sheriff's sale; or
4. Accepting a deed to the real estate in lieu of foreclosure.

"Industrial building" means a nonresidential building constructed or used for manufacturing, processing, compounding, packaging or assembling of products.

"Lender" means any person who makes, extends, or holds a real estate loan agreement and includes, but is not limited to, mortgagees, beneficiaries under trust deeds, vendors under conditional land sales contracts, trustees, and a successor in interest to any mortgagee, beneficiary, vendor, or trustee. The term also includes any mortgagee, beneficiary, or trustee that accepts a deed in lieu of foreclosure.

"Local" means within thirty (30) miles of a building.

"Natural person" means a real human being, as opposed to a legal person, which may be a private or public organization.

"Owner" means any person holding or claiming to hold any legal title or interest in real property, including, but not limited to, a fee owner, a mortgagee in possession, a vendee under a land sale contract, or a beneficiary under a deed of trust.

"Person" means any natural person, association, partnership, or corporation, or other form of legal entity or entity in fact capable of owning or using property.

"Premises" means real estate, including that upon which a building is located or constructed, that is in the same ownership as the building, and that a reasonable person would associate with ownership or use of the building when viewing the building and premises from outdoors. Where there is more than one building on premises, or where

multiple buildings on premises are owned by different owners, the premises are common to each building. Premises are often, but not always, defined by tax lot lines or recorded legal descriptions.

"Real property" means any real property, including, but not limited to, lots, parcels, tracts, premises, buildings, houses, rooms, structures, or any separate part or portion thereof, whether temporary or permanent, and whether or not on the ground itself, and any conveyance or any part or portion thereof.

"Tenant" means a residential tenant as defined by the Oregon Residential Landlord and Tenant Act, and any other person, organization or business holding real property under the terms of a rental agreement.

"Vacant" means:

1. Lack of building habitation or use, or abandonment of habitation or use; or
2. Use of a building, either intermittent or continuous, by persons with no legal right to be present.

"Vacant building" means:

1. A building, or substantial portion thereof, that is unoccupied or has not actively been furnished and so used as a place of business, employment, residence, or other human activity, for more than fifteen (15) days. This includes manufactured structures and mobile homes, whether located in a mobile home park or not. A vacant building also includes any building under construction where no substantial work has taken place for more than sixty (60) days. "Vacant building" does not include a building designed for storage, intermittent or similar types of use, if such building is secure from unauthorized entry, in good repair, and does not otherwise constitute a nuisance; or
2. A building where one or more conditions is present, either singularly or in combination, that would lead a reasonable person to conclude that the building is vacant. Such conditions include, but are not limited to:
  - a. Overgrown or dead vegetation at the property;
  - b. Accumulation of newspapers, circulars, flyers, mail, or similar items;
  - c. Past due utility notices or disconnected utilities;
  - d. Accumulation of trash, junk, or debris;
  - e. Absence of furnishings or other items typically found inside a residential, industrial, or commercial building as the case may be;
  - f. Evidence of criminal mischief or criminal trespass; or
  - g. Statements or other evidence supplied by neighbors, delivery agents, passersby, or government employees, that the building is vacant
3. For the purposes of this ordinance, a building with an active building permit is not considered vacant.

#### §8.20.020 Registration.

- A. A building owner shall register the building with the City Recorder in the event:

1. Of an anticipated judicial foreclosure of the property, no earlier than the commencement of any of the actions described by ORS 18.904, 18.906, 18.908 (2017) and not later than the date first set for the execution sale described in ORS 18.930 (2017);
  2. Of an anticipated nonjudicial foreclosure of the property under ORS 86.752 et seq. (2017) not later than the date of service or mailing of the notice of sale described in ORS 86.764 (2017);
  3. That the owner becomes aware that the building is vacant, as defined in this chapter; or
  4. The owner receives written notice from the code enforcement officer that the code enforcement officer believes the building is a vacant building, abandoned building, or foreclosed building.
- B. Each registration shall be made on a form approved by the City Manager and shall contain, at a minimum:
1. If subsection A.1 or A.2 applies, then:
    - a. The name of the lender;
    - b. The address of the vacant building;
    - c. Legal description and tax parcel identification number of the property per the county assessor's records;
    - d. The date the property became vacant or the lender took legal possession;
    - e. The direct address of the lender and post office box, if applicable (post office boxes alone are not acceptable);
    - f. A direct contact name and telephone number for the lender;
    - g. If the lender does not reside in or have a business office in the City, then the name, mailing address, telephone number, and email address of a local individual or entity charged with responsibility by the trustee, mortgagee, or beneficiary, for ensuring compliance with the obligations imposed by this chapter; and
    - h. A person or entity appointed by the lender who resides in or has a business office in the City, who is authorized to receive service of process, if applicable.
  2. If subsection A.3 applies, then:
    - a. The name of the owner(s);
    - b. The address of the vacant building;
    - c. Legal description and tax parcel identification number of the property per the county assessor's records;
    - d. The date the property became vacant or the owner took legal possession;
    - e. The direct address of the owner(s) and post office box, if applicable (post office boxes alone are not acceptable);
    - f. A direct contact name and telephone number for the owner(s);
    - g. If the owner does not reside or have a principal office in the City, the name, mailing address, telephone number, and electronic mail address of a local agent for the owner(s).

- C. Each registration must be accompanied by a payment of a registration fee in an amount to be set by Council resolution.
- D. The City Recorder or designee shall maintain a list of registered buildings and deliver a copy thereof to the code enforcement officer upon request.
- E. The City Recorder or designee shall share all registration information with the Police Department, and all vacant properties shall be enrolled in the Police Department's Property Watch program.
- F. If ownership of a registered building changes, the registrant shall send notice of the change to the City Recorder within thirty (30) days of the change.
- G. The registration is valid for one year. The property owner or lender must secure a new registration annually if the property remains vacant.
- H. An owner or lender who has registered a property under this chapter must report any change of information contained in the registration to the City within 10 business days of the change, including but not limited to any change in ownership or designation of a responsible person.
- I. Properties subject to this chapter shall remain under the registration requirement as long as the property remains vacant.

§8.20.030 Maintenance.

- A. Every owner of an abandoned building, foreclosed building, or vacant building shall cause the building and premises to be maintained in a generally well-kept condition, at least consistent with conditions found on surrounding or nearby occupied property, and including all of the following:
  - 1. Ensuring that the condition of the subject property does not constitute a public nuisance or a chronic public nuisance as described by the code.
  - 2. Keeping the premises free of weeds, dead vegetation, graffiti, trash, accumulated newspapers, circulars, flyers, discarded personal items, and other items or conditions that would cause a reasonable person to suspect the building or real property is vacant or abandoned.
  - 3. Regular watering, irrigation, cutting, pruning, and mowing of the lawns and other vegetated areas of the subject real property and the removal of all trimming and debris resulting from such work.
  - 4. All fences and gates shall be maintained in sound condition and in good repair.
  - 5. Foundations, basements, cellars and crawlspaces shall be maintained in sound and watertight condition, adequate to support the building, and protected against the entry of rodents or other animals.
  - 6. Exterior walls shall be free of holes, breaks, loose or rotting boards or timbers, and any other condition which might admit rain or dampness to the interior portions of the walls or the interior spaces, and shall be protected against the entry of rodents or other animals.
  - 7. Exterior windows and doors shall be maintained in sound condition and good repair, with hardware for locking and the locking mechanism maintained in property functioning condition.
  - 8. Any window which is broken, cracked, or missing glass or glazing shall be replaced and maintained in good repair.



§8.20.060 Local Presence or Property Management Required.

- A. If an owner or lender has no local presence, as defined in this chapter, that owner or lender shall contract with a local person or property management company in order to ensure compliance with this chapter.
- B. An 18-inch by 24-inch notice shall be posted by the owner or responsible person identifying a local direct contact name and 24-hour contact phone number for persons to report problems or concerns, and the posting shall be placed on the interior of a window facing the street to the front of the property so it is visible from the street. If no such area exists, then the posting shall be placed on the exterior of the property in a location visible from the street to the front of the property. An exterior posting shall be constructed of and printed with weather resistant materials.
- C. If an owner fails to comply with the requirements of this chapter within fifteen (15) days after receiving notice that the Code Enforcement Officer believes that the property is vacant, then the owner(s) or lender(s) shall contract with a property management company, to perform the inspections outlined in SHMC §8.20.050 and verify that the maintenance and security requirements of SHMC §8.20.030 and SHMC §8.20.040 are being carried out.
- D. A property management company retained under this section must post the notice described in SHMC §8.20.040(B).
- E. Nothing in this chapter prevents a local owner(s) from contacting with a property management company to assist the owner in meeting the owner's responsibilities under this chapter.

§8.20.070 Additional Authority.

The code enforcement officer may require, with City Manager approval, an owner(s) or lender to implement any additional maintenance listed below:

- A. Installation and operation of additional security lighting;
- B. Increased frequency of property inspections; and
- C. Employment of an on-site security guard.
- D. Any other measures as may be reasonably required to prevent the decline of the property.

§8.20.080 Additional Remedies; Lien Against Real Property.

- A. In addition to other penalties or enforcement specified in this chapter, if a lender or owner(s) fails to register the building or premises as provided in this chapter, the code enforcement officer may give notice of such failure by certified mail. The notice shall:
  - 1. Be directed to all persons shown on the assessor's records or otherwise known to the City to be the owner(s);
  - 2. Refer to the real property involved with convenient certainty, a building's street address, if any, being sufficient; and
  - 3. Notify the owner to comply with the registration requirements in this chapter within fifteen (15) days of mailing.

- B. If a lender or owner(s) fails to maintain, inspect, or secure the building or premises as provided in this chapter, then notwithstanding whether the premises is registered, the code enforcement officer may give notice and abate such conditions as follows:
1. Give written notice to the owner that includes the following:
    - a. A statement that the code enforcement officer has evaluated the building as being a vacant building pursuant to the definition of "vacant building" set forth in SHMC §8.20.020, along with a statement of the reasons why the building has been so evaluated;
    - b. A reference to the building with convenient certainty, a building's street address, if any, being sufficient;
    - c. Notice of the deficiency in maintenance, inspection, or security that has been observed, and direction to comply with the maintenance, inspection, and security requirements of this chapter within seventy-two (72) hours of the time described in subsection B.2.a;
    - d. Notice that if the condition is not corrected within seventy-two (72) hours, the City may cause the real property to be maintained, inspected, or secured, as provided in this chapter and will charge the costs to the lender or owner(s) and register the same on the City's lien docket against the real property. This subsection B.1.d constitutes the authority needed for the City to so maintain, inspect, or secure property to the standards of this chapter.
  2. A copy of the notice described in subsection B.1 must, at a minimum, be:
    - a. Posted to the front door of the building, or to that side of the building fronting the most well-traveled street adjacent to the building, with the date, time of day, and name of the person posting the notice written on the front of the document in permanent ink;
    - b. Mailed, at least three business days before abatement, to the owner or owners at their last-known mailing addresses on record with the Linn County Assessor's office on the date of posting or available from Title Company or other documents, by certified mail, no later than the date the real property is posted. If no mailing address is of record with the assessor's office or known to the Sweet Home police at the time of posting, then a good faith effort to locate an address for an owner or owners, conducted on or before the day the notice is posted, will satisfy this section.
  3. The code enforcement officer shall make a good faith effort to locate the telephone number of the owner, and call the owner on the day notice is posted and give a person reasonably appearing to be meaningfully connected to the real property oral notice that the building has been evaluated as vacant and that there are seventy-two (72) hours to secure or maintain the building, as the case may warrant. Efforts to locate phone numbers and call the owner qualify as good faith if they are reasonable under the circumstances then existing.

4. Notices mailed under subsection B.2.b must be placed in the mail three business days before commencement of City abatement activity under this chapter. For this purpose, a business day is any day except a Saturday, Sunday, or a legal holiday observed by the state of Oregon under ORS 187.010 and 187.020.
  5. If the building is registered with the City then the code enforcement officer must also send the notice required under subsection B.2.b to the lenders listed in the registration materials. The code enforcement officer will send this notice concurrently with the notice required under subsection B.2.b.
  6. If the building is not registered with the City, then the code enforcement officer may send a courtesy copy of the notice required under subsection B.2.b to one or more lenders if the lenders have an ownership interest in the property, as opposed to a mere security interest, and if the code enforcement officer has actual knowledge of the ownership interest on the day the code enforcement officer sends the owner notice under subsection B.2.b. This provision does not create or impose a duty on the code enforcement officer or any other City employee, official, or agent to receive or collect information about lenders or to send courtesy notice to a lender.
- C. Nothing in this section obligates the City to remedy the problem conditions alleged in the code enforcement officer's letter without charging the cost of such abatement as a lien against the real property on which the building is constructed. The total cost of such abatement, including but not limited to time of City employees or contractors, materials, expenses, overhead, and legal fees and costs, shall be included in such lien filing.
- D. The City Manager, at or near the time Council passes this vacant building ordinance or any amendment thereto, shall promulgate a press release that announces passage of the legislation. A press release is adequately promulgated under this section if it is directed to the media sources customarily contacted by the City Manager for distributing newsworthy City information. Failure of or disagreements about compliance with this subsection supply no defense in any action.

#### §8.20.090 Penalty.

- A. Any person who violates any provision of this chapter may be prosecuted and penalized under SHMC Chapter 9.36
- B. Each day a violation is allowed to persist by a lender or owner(s) constitutes a separate occurrence.

#### §8.20.100 Duties Joint and Several.

Where a building or premises is owned by more than one person, any duty created by this chapter is joint and several as to all owners.

§8.20.110 Appeals.

- A. A lender or owner who is required to implement additional maintenance or security measures as provided for in SHMC §8.20.070 shall have the right to appeal to the municipal court by filing a petition for a hearing before the court with the court clerk. Additionally, a lender or owner who has received a notice of abatement outlined in §8.20.080(B), may, within fifteen (15) days after mailing of such notice, may likewise appeal to the municipal court for relief by filing a petition.
1. Such petition must include:
    - a. A copy of the code enforcement officer's notice;
    - b. Facts upon which petitioner relies for relief from the obligations of this chapter relative to the building or premises;
    - c. The petitioner's signature, telephone number, and mailing address. If a petitioner is not a natural person, a natural person must sign the petition on behalf of the petitioner and provide his or her mailing address and direct telephone number; and
    - d. The payment of a filing fee, if any is established by City Council from time to time for the petition.
  2. If the municipal court finds that strict compliance with this chapter would cause a real and unnecessary hardship upon the petitioner, then the court may relieve the petitioner of one or more obligations of this chapter.
  3. Filing a petition under this subsection does not:
    - a. Relieve an owner(s) or lender from complying with any requirement of this chapter, including requirements listed in posted or mailed notices;
    - b. Stay City abatement of a building or premises under other City ordinances;
    - c. Require the City to reverse, cancel, or undo any abatement action or effort completed, planned, or in progress at the time the petition is filed; or
    - d. Avoid any abatement cost or lien, whether or not the cost or lien has been calculated or, if calculated, charged against real property.
  4. Any relief granted under this section operates only upon an owner or lender listed as a petitioner.

Passed by the Council and approved by the Mayor this \_\_\_ day of \_\_\_\_\_, 2020.

Mayor \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Manager – Ex Officio City Recorder



# Finance Department

**City of Sweet Home**  
3225 Main Street  
Sweet Home, OR 97386  
541-367-5128  
Fax 541-367-1215  
www.sweethomeor.gov

## MEMORANDUM

To: Sweet Home City Council  
Ray Towry, City Manager

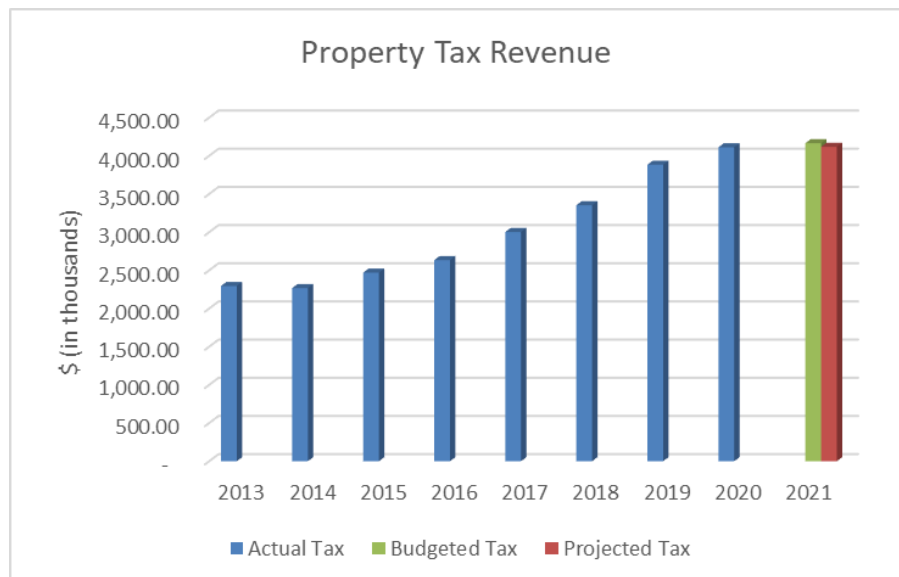
From: Brandon Neish, Finance Director

RE: Financial Status Update for Fiscal Year 2021 – First Quarter

The first quarter of fiscal year 2021 ended September 30, 2020. 2020 is a “year like no other” and certainly the City’s finances are no different. Using information gleaned from recent property tax reports from Linn County and historical data during the last economic downturn, the City has developed a financial snapshot and forecast for the remainder of the fiscal year. To develop this forecast, staff used “burn rates,” a rate which takes a specified timeframe (in this case, Q1) and calculating a percentage of the total from fiscal year 2013 and 2020. FY13 was used due to its proximity to the recession when the City’s property tax revenues were at their lowest point due to lower property tax values and astronomical compression rates. Additionally, at the height of the recession, fees and other revenues were lower as well. FY20 was used to provide a snapshot on the initial effects of COVID-19 on revenue generation. The result was a minimal increase in overall revenues and a decrease in planned expenditures.

### Property Taxes

Due to the coronavirus pandemic, property tax revenue in this fiscal year is the most volatile of the City’s revenues. Through September, property tax revenues were down 19.8% when compared to the same time in September 2019. Generally in the first quarter, property tax payments consist of delinquent taxes being paid. With revenues down nearly 20%, this indicates a disturbing trend for the remainder of the fiscal year. If properties are struggling to catch up with their delinquent payments, current year taxes will likely be down for the year as well. Further analysis of property tax revenues coupled with information from Linn County demonstrates a contraction in revenues beyond what was budgeted for this fiscal year. The City had planned for the following with taxes:

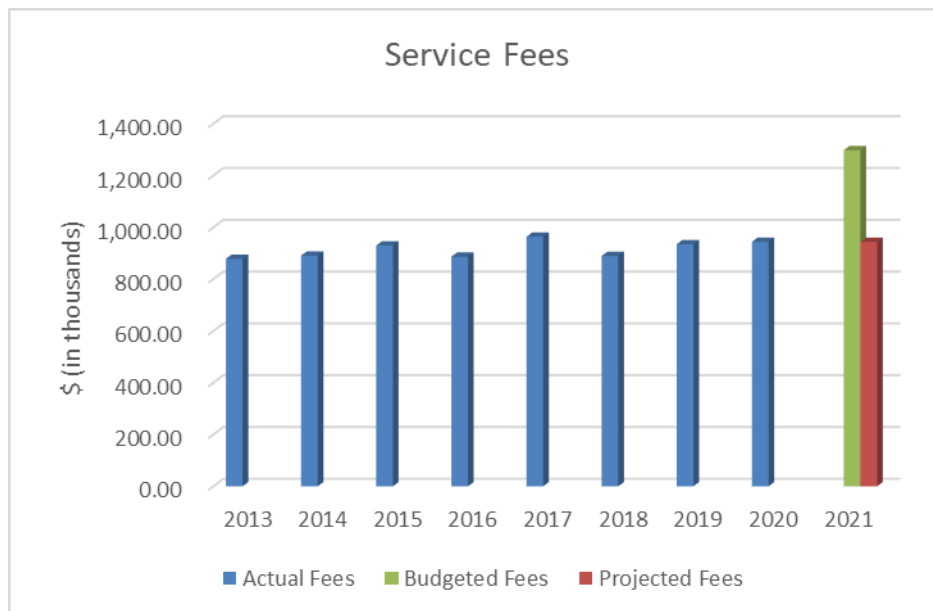


- Compression levels would drop from 19% to 18%
- Assessed values would increase the 3% allowed under Measure 50
- An 8% reduction from total billings to account for early pay discounts and delinquencies

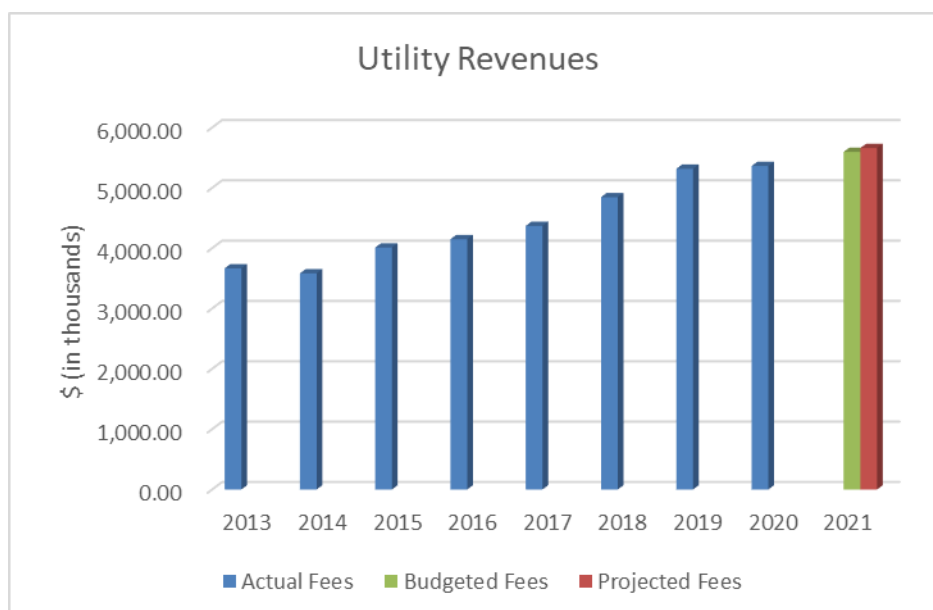
Overall, the current projection for property taxes is slightly below original estimates. The City projects it will generate \$4,116,994 in property tax revenue for the 2021 fiscal year. This is 1.14% below the budgeted amount of \$4,164,469. This is a loss of \$47,475. Much of the projection hinges on how property tax receipts will fill in during the month of November when the City typically receives over 90% of its overall tax revenue. Expect this projection to change for the Q2 report and likely in an adverse direction.

### Service Charges

Service fee revenues have been impacted during the Coronavirus pandemic. Through September, services fees are down 2.8%. Service fees include franchise fees from utility companies, library fees, utility connections, court fees and planning fees. This does not include building permits. Court and franchise fees are up 25% (primarily in the general fund) but library and utility fees are down an



average of 60% for the first quarter. This is a direct result of coronavirus restrictions that have left the City struggling to adapt where the standard practice is direct, in-person service at various City locations. Additionally, more folks are opting to refinance property loans instead of moving as housing prices have continued to climb more than 7% since this time last year resulting in less connection fee revenue. Close monitoring of these service fees will be essential as we continue through the year. Budgeted revenue from service fees for 2021 is \$1.3 million and the first quarter projection puts fee revenue at \$944k, a 27% reduction or \$354k for the year.

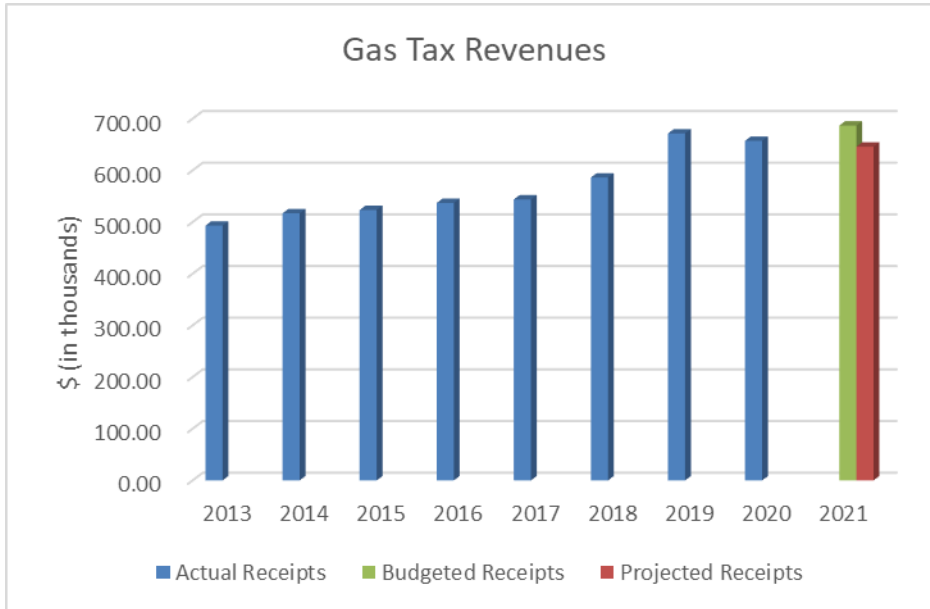


### Utility Revenues

For the first quarter, utility revenues are up 4.8% over the first quarter of the prior year. Budgeted at \$5.6 million, staff expects that utility revenues will reach \$5.66 million by fiscal year end. As the pandemic continues and individuals stay home more, water usage will continue to remain

the increased revenue as there were no increases in utility fees for the current fiscal year. What could impact this forecast in the long term is a drag on the overall economy which may force residents and businesses to cut back or consider paying for other needs over utility fees. The City has taken a considerate stance related to utility accounts as folks face temporary layoffs and will likely continue to work with customers who need additional time and help. This may slow revenue generation overall and spread out the revenue receipts in future fiscal quarters.

**Gas Taxes**

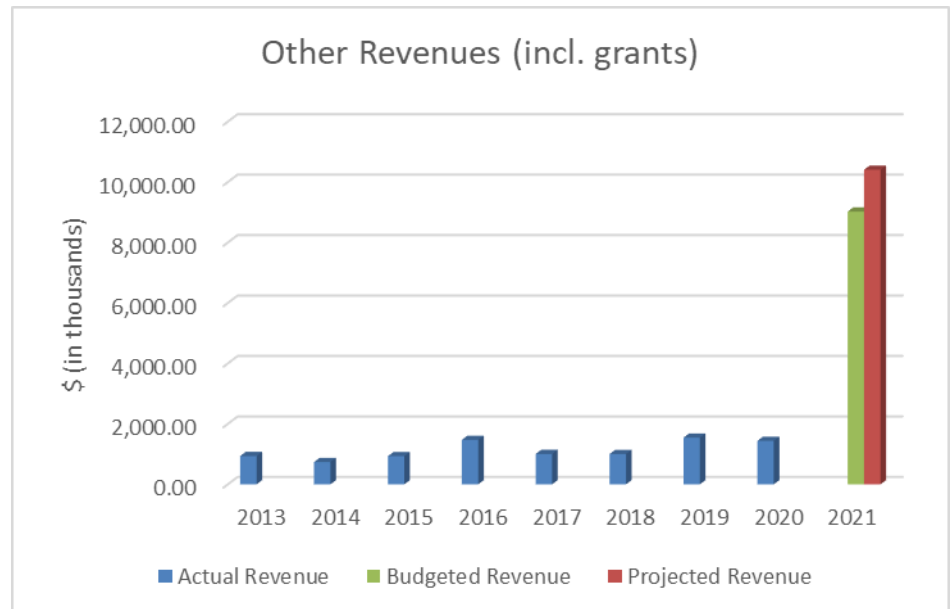


Gas tax revenue is paid by motorists who utilize DMV services, filling up fuel tanks resulting in fuel tax receipts and those who are required to pay tolls, ODOT permit fees, trucking fees and more. The revenue is collected by the Oregon Department of Transportation (ODOT) and distributed to cities and counties across Oregon. In 2017, the Oregon Legislature passed an additional payroll tax, 1/10<sup>th</sup> of 1%, which employees pay as part of their monthly payroll. These taxes originally increased the allocation that Sweet Home

was expecting to receive in gas tax revenues. However, when COVID struck, ODOT projections were swiftly revised and the City ultimately saw a reduction in receipts for the end of fiscal year 2020 as well as revised projections for 2021. These projections were included in the adopted budget which was set at \$686,742, a 4.5% increase over the 2020 actual revenue. As of the end of the first quarter, state receipts are down 13.2% and an October revenue report from ODOT tells the City to expect a reduction of \$40,925 from the original estimates resulting in a forecast of \$645,817 for streets. This impact will be absorbed by the original budgeted ending fund balance of \$194,805 but future reductions or limits to cost increases will be necessary to maintain operations long-term.

## Other Revenues

Included in “other revenues” are building permits, interest, grants and other miscellaneous revenues. Through September 2020, other revenue is up 10.3% primarily due to grant receipts as both the Library and Community & Economic Development have leveraged grant funds to complete projects across the City. The result has been continued purchasing of new furniture to update the Library along with the purchase of new books to continually offer new and updated contents to the community. Additionally, significant progress at Sankey Park using a grant from the Oregon Parks and Recreation Department has resulted in new playground equipment, paths and lighting moving closer to realizing the full potential of Sankey as the City’s flagship park. Given that a majority of these revenues are due to grants, the projection for this grouping of funds, while higher than originally budgeted, has been tempered to match the prior year revenue figure, \$1.4 million in addition to \$9 million in planned grants from the State of Oregon for the Wastewater Treatment Plant Project. As the pandemic continues, grant organizations have shifted to providing grants for COVID mitigation efforts and donations being overall lower have impacted their ability to distribute funds as they have previously.



## Personnel

Personnel expenditures generally make up nearly 50% of the City’s overall expenditures annually. For fiscal year 2021, personnel expenditures were budgeted at \$5.6 million and the City’s current projection shows that we are in-line with that target.

## Materials & Service

At the height of the coronavirus pandemic, City Manager Ray Towry issued a non-essential spending freeze until the financial impacts of COVID could be better determined. This contributed to a carryover of \$2.6 million above the 2020 budget which resides in fund balances across the various funding resources adding to long-term fund stability as we navigate the effects of the pandemic. For 2021, the spending freeze has continued resulting in spending that is 8.1% less than this same period in the prior year. The materials and services budget for 2021 was adopted at \$5,198,202 and current projections estimate that the City will spend \$3.5 million if the non-essential spending freeze lasts through the remainder of the current fiscal year. This is a 33% reduction in total spending and net savings of \$1.7 million.



**City of Sweet Home**  
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 541-367-5128  
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Finance Department

To: City Council  
 Ray Towry, City Manager

From: Brandon Neish, Finance Director

Subject: Finance Department Monthly Report – October 2020

The Finance Department is responsible for the for the fiscal management of the City of Sweet Home. This includes accounts payable, payroll, general accounting, preparing the annual budget and the city’s annual audit. This department also administers the city’s assessment docket, coordinates employee’s benefits and maintains financial records relating to grants and contracts. The following information represents the department’s activities during the month of **October 2020**.

	October 2020	September 2020	YTD	October 2019	Prior Five-Year Average
<b><u>Accounts Payable</u></b>					
Chks printed	151	173	587	208	428
Exp. Total	\$467,557.61	\$1,128,279.42	\$2,745,936.34	\$999,415.02	\$450,901.82
<b><u>Passports</u></b>					
Processed	7	7	14	16	N/A
Photos taken	11	7	15	16	N/A
<b><u>Lien Searches</u></b>					
	66	70	256	70	59

	October 2020	September 2020	YTD	October 2019	Prior Five- Year Average
<b>Utility Billing</b>					
Service requests	207	195	820	226	N/A
New accounts	14	15	63	8	N/A
Net account changes	-1	+2	+4	+2	N/A
Statements processed	3,248	3,240	12,962	3,273	N/A
Past-due notices sent	898	1,144	4,035	1,033	N/A
Accounts scheduled for turn-off	93	98*	434*	64	N/A

\* Beginning April 2020, accounts with past due balances were not turned off due to non-payment

Below is a list of the checks that were equal to or exceeded \$5,000 and their purpose (if not clear on check listing).

<b>Check No.</b>	<b>Vendor</b>	<b>Description</b>	<b>Amount</b>	<b>Fund</b>
91640	Enviro-Clean Equipment, Inc.	Street Sweeper rental	\$6,000	Streets (575)
91641	Environmental Systems Research Inst.	ESRI (ArcGIS) maintenance	\$5,900	Various (Gen Fund & PW)
91665	George R. II and Tana L. Morgan	Support for playground construction	\$15,100	General Fund (100)
91706	Drew Briese	Concrete pour at Sankey Park	\$19,265	General Fund (100)
91719	Marion County, Oregon	City-wide street striping/painting	\$6,619.19	Streets (575)

# Bank Reconciliation

## Checks by Date

User: bneish  
 Printed: 11/19/2020 - 1:59PM  
 Cleared and Not Cleared Checks



Check No	Check Date	Name	Comment	Module	Clear Date	Amount
91612	10/2/2020	Josh Allan Malm		AP		1,000.00
91613	10/2/2020	Jobe Woosley		AP		500.00
0	10/12/2020	SWEET HOME COMMUNITY FOUN		AP		169.13
0	10/12/2020	SWEET HOME POLICE EMPLOYEE!		AP		1,275.00
0	10/12/2020	Vantagepoint Trf. Agents 300619		AP		3,320.00
0	10/12/2020	Stepper Consulting, Inc.		AP		5,522.21
0	10/12/2020	Vantagepoint Trf. Agents 108524/10904		AP		30,050.64
0	10/12/2020	CENTURYLINK - Bus		AP		1,281.16
0	10/12/2020	FEDERAL PAYROLL TAXES		AP		33,579.70
0	10/12/2020	FICA PAYROLL TAXES		AP		40,267.44
0	10/12/2020	PERS		AP		18,772.19
0	10/12/2020	STANDARD INS. CO.		AP		4,001.91
0	10/12/2020	AFLAC		AP		685.12
0	10/12/2020	CHILD SUPPORT ACCOUNTING UN		AP		601.00
0	10/12/2020	Vantagepoint Trf. Agents 705507		AP		508.33
0	10/12/2020	MEDICARE		AP		9,589.66
0	10/12/2020	EBS TRUST		AP		89,012.30
0	10/12/2020	NATIONWIDE-PAYROLL DEDUCTIC		AP		550.00
0	10/12/2020	CENTURYLINK		AP		2,064.18
0	10/12/2020	HSA - PAYROLL DEDUCTIONS		AP		850.00
0	10/12/2020	ASI-PAYROLL DEDUCTIONS		AP		205.41
0	10/12/2020	OREGON PAYROLL TAXES		AP		22,025.61
91614	10/12/2020	OREGON AFSCME COUNCIL 75		AP		840.18
91615	10/12/2020	PenServ Plan Services, Inc.		AP		250.00
91616	10/12/2020	Ray Klein, Inc.		AP		498.08
91617	10/12/2020	STEELHEAD STRENGTH & FITNES		AP		563.80
91618	10/12/2020	UNITED WAY		AP		25.00
91619	10/12/2020	911 SUPPLY		AP		1,027.00
91620	10/12/2020	ALBERTSONS / SAFEWAY		AP		74.20
91621	10/12/2020	ALSCO		AP		434.95
91622	10/12/2020	Amazon Capital Services, Inc.		AP		496.82
91623	10/12/2020	American Legal Publishing Corporation		AP		11.70
91624	10/12/2020	AT&T Mobility/First Net		AP		804.08
91625	10/12/2020	Dennis Bechtel		AP		2,700.00
91626	10/12/2020	Ben-Ko-Matic Co., Inc.		AP		319.48
91627	10/12/2020	BUCK'S SANITARY SERVICE, INC.		AP		195.00
91628	10/12/2020	Tiffany A. Burks		AP		4,897.75
91629	10/12/2020	Canon Financial Services, Inc.		AP		505.41
91630	10/12/2020	TYRIS COLLINGS		AP		24.62
91631	10/12/2020	COMCAST		AP		88.40
91632	10/12/2020	COMCAST BUSINESS		AP		3,019.00
91633	10/12/2020	DAVID M. COREY Ph.D		AP		595.00
91634	10/12/2020	CUES, Inc.		AP		255.75
91635	10/12/2020	BARBARA DAVIDSON		AP		27.33
91636	10/12/2020	Deluxe for Business		AP		1,165.06
91637	10/12/2020	DEPT. OF CONSUMER AND BUSINI		AP		3,991.92

Check No	Check Date	Name	Comment	Module	Clear Date	Amount
91638	10/12/2020	DMV - Driver and Motor Vehicle Serv		AP		8.70
91639	10/12/2020	EMPOWER DIGITAL SOLUTIONS, II		AP		250.00
91640	10/12/2020	Enviro-Clean Equipment, Inc.		AP		6,000.00
91641	10/12/2020	Environmental Systems Research Instit		AP		5,900.00
91642	10/12/2020	Ferguson Enterprises, LLC #3011		AP		1,038.93
91643	10/12/2020	FISHER'S RPM ELECTRIC MOTOR, I		AP		331.25
91644	10/12/2020	Gail Fischer Investigations		AP		982.45
91645	10/12/2020	GOVERNMENT ETHICS COMMISSI		AP		768.41
91646	10/12/2020	Government Portfolio Advisors, LLC		AP		833.33
91647	10/12/2020	DEBBIE HICKS		AP		81.95
91648	10/12/2020	HOME DEPOT CREDIT SERVICES		AP		31.96
91649	10/12/2020	Desi Housley		AP		75.00
91650	10/12/2020	HOY'S TRUE VALUE		AP		29.74
91651	10/12/2020	HOY'S TRUE VALUE		AP		35.00
91652	10/12/2020	ROBERT HUNGER		AP		23.18
91653	10/12/2020	INNOVATIVE CREDIT SOLUTIONS		AP		17.00
91654	10/12/2020	ANGELA JOHNSON		AP		31.05
91655	10/12/2020	CHERYL-LYNN JOHNSON		AP		47.57
91656	10/12/2020	MARK KROPF		AP		100.00
91657	10/12/2020	LANE FOREST PRODUCTS		AP		1,385.00
91658	10/12/2020	LHC Printing Plus, Inc.		AP		378.00
91659	10/12/2020	LINN COUNTY PARKS DEPARTMEN		AP		100.00
91660	10/12/2020	CHAYHOWA MCELHINNY		AP		35.00
91661	10/12/2020	EDDIE MEEK		AP		100.00
91662	10/12/2020	METEREADERS, LLC		AP		1,910.35
91663	10/12/2020	CAROLYN MOFFET		AP		15.37
91664	10/12/2020	MOONLIGHT BPO, INC.		AP		3,302.80
91665	10/12/2020	George R. II and Tana L. Morgan		AP		15,100.00
91666	10/12/2020	JOSEPH MULLER		AP		100.00
91667	10/12/2020	MURRAYSMITH, INC.		AP		51,719.75
91668	10/12/2020	NET ASSETS		AP		700.00
91669	10/12/2020	Floyd Neuschwander		AP		125.00
91670	10/12/2020	Northwest Natural		AP		336.28
91671	10/12/2020	O & M TIRE SHOP, INC.		AP		2,223.00
91672	10/12/2020	JERAD OLSEN		AP		71.14
91673	10/12/2020	OREGON ASSOC. OF WATER UTILI		AP		1,100.00
91674	10/12/2020	O'REILLY AUTOMOTIVE, INC.		AP		10.51
91675	10/12/2020	Pacific Northwest Section - AWWA		AP		250.00
91676	10/12/2020	PACIFIC POWER		AP		20,668.63
91677	10/12/2020	PETROCARD		AP		3,911.18
91678	10/12/2020	PETTY CASH - FINANCE OFFICE		AP		41.12
91679	10/12/2020	PITNEY BOWES		AP		144.12
91680	10/12/2020	Pointe Pest Control-OR, LLC		AP		125.00
91681	10/12/2020	PRIMASING MOTORS, INC.		AP		270.00
91682	10/12/2020	SAMARITAN HEALTH SERVICES, II		AP		36.00
91683	10/12/2020	Scottmiriam, Inc.		AP		76.00
91684	10/12/2020	SENIOR CITIZENS OF SWEET HOM		AP		35.00
91685	10/12/2020	JANELLA SPEARS		AP		90.00
91686	10/12/2020	SPRINGBROOK NATIONAL USER G		AP		175.00
91687	10/12/2020	Staples, Inc.		AP		338.04
91688	10/12/2020	Sunset Electric, Inc.		AP		45.00
91689	10/12/2020	SUNSHINE INDUSTRIES UNLIMITE		AP		754.00
91690	10/12/2020	SWEET HOME SCHOOL DISTRICT #		AP		3,516.87
91691	10/12/2020	THE BUILDING DEPARTMENT, LLC		AP		4,265.00
91692	10/12/2020	THRIFTWAY		AP		6.27
91693	10/12/2020	Thyssenkrupp Elevator Corporation		AP		90.00

Check No	Check Date	Name	Comment	Module	Clear Date	Amount
91694	10/12/2020	TRAFFIC SAFETY SUPPLY CO., INC		AP		510.48
91695	10/12/2020	TWGW, INC. NAPA AUTO PARTS		AP		236.31
91696	10/12/2020	WELLS FARGO FINANCIAL LEASIN		AP		734.00
91697	10/12/2020	XTREME GRAFX		AP		487.20
91698	10/20/2020	All Star Tents and Party Rentals		AP		1,430.00
91699	10/20/2020	ALSCO		AP		132.60
91700	10/20/2020	BUCK'S SANITARY SERVICE, INC.		AP		145.00
91701	10/20/2020	Civil West Engineering Services, Inc.		AP		1,507.50
91702	10/20/2020	COMCAST		AP		362.85
91703	10/20/2020	COMCAST BUSINESS		AP		134.62
91704	10/20/2020	DAILY JOURNAL OF COMMERCE		AP		50.82
91705	10/20/2020	DAN DEE SALES		AP		146.00
91706	10/20/2020	Drew Briese		AP		19,265.00
91707	10/20/2020	EBSCO Industries, Inc.		AP		573.68
91708	10/20/2020	FASTENAL COMPANY		AP		233.98
91709	10/20/2020	JAMES GRAHAM		AP		18.56
91710	10/20/2020	SHAWNA HARLIN		AP		47.85
91711	10/20/2020	HMI - Oregon Dealership, Inc.		AP		1,108.94
91712	10/20/2020	Kelly A Howell		AP		2,500.00
91713	10/20/2020	INDUSTRIAL WELDING SUPPLY, IN		AP		89.41
91714	10/20/2020	Ray O. Jackman		AP		3,000.00
91715	10/20/2020	ANTHONY JEWELL		AP		199.03
91716	10/20/2020	KIP AMERICA, Inc.		AP		240.00
91717	10/20/2020	PENNY LELAND		AP		36.97
91718	10/20/2020	LIBERTY ROCK PRODUCTS, INC.		AP		245.56
91719	10/20/2020	Marion County, Oregon		AP		6,619.19
91720	10/20/2020	Keenan Martin		AP		74.91
91721	10/20/2020	NATIONAL PHOTOCOPY CORPORA		AP		73.45
91722	10/20/2020	NORM'S ELECTRIC, INC.		AP		1,341.42
91723	10/20/2020	Northwest Natural		AP		45.88
91724	10/20/2020	OFFICE DEPOT		AP		80.60
91725	10/20/2020	ONE CALL CONCEPTS		AP		11.60
91726	10/20/2020	OREGON DEPT. OF ENVIRONMENT		AP		360.00
91727	10/20/2020	Pointe Pest Control-OR, LLC		AP		395.00
91728	10/20/2020	PRAETORIAN GROUP, INC.		AP		2,024.00
91729	10/20/2020	Proforce Marketing, Inc.		AP		1,994.50
91730	10/20/2020	Scottmiriam, Inc.		AP		194.40
91731	10/20/2020	SOUTH FORK TRADING CO., INC.		AP		12.00
91732	10/20/2020	SUNBELT RENTALS, INC.		AP		120.16
91733	10/20/2020	Gatehouse Eugene The Register Guard		AP		358.80
91734	10/20/2020	THE TIMES		AP		54.00
91735	10/20/2020	THRIFTWAY		AP		349.66
91736	10/20/2020	DAVE TRASK		AP		26.35
91737	10/20/2020	TWGW, INC. NAPA AUTO PARTS		AP		140.45
91738	10/20/2020	VALLEY VIEW LOGGING		AP		100.00
91739	10/20/2020	W. W. Grainger, Inc.		AP		129.72
91740	10/20/2020	Mark Walter		AP		450.00
91741	10/20/2020	WILCO		AP		188.69
91742	10/21/2020	PETTY CASH - MUNICIPAL COURT		AP		200.00

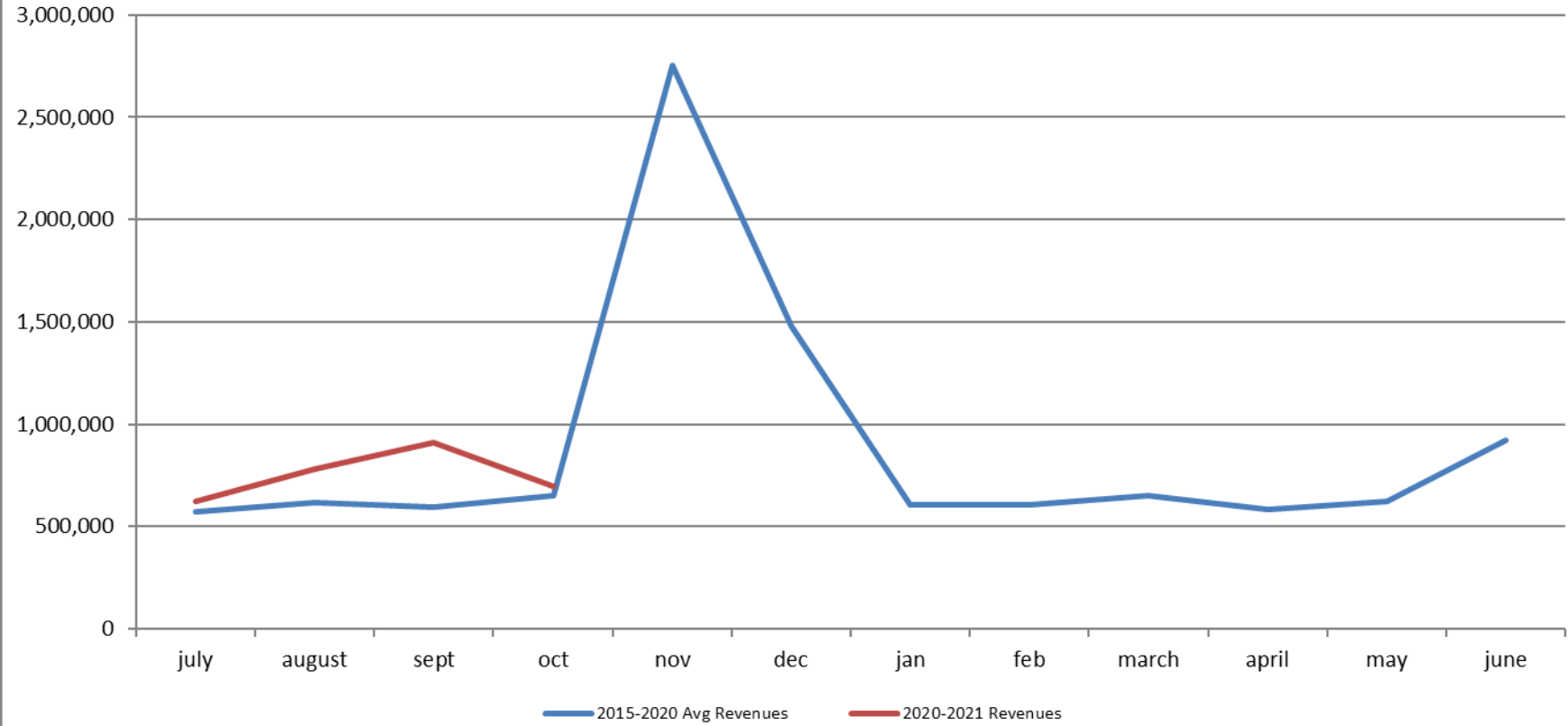
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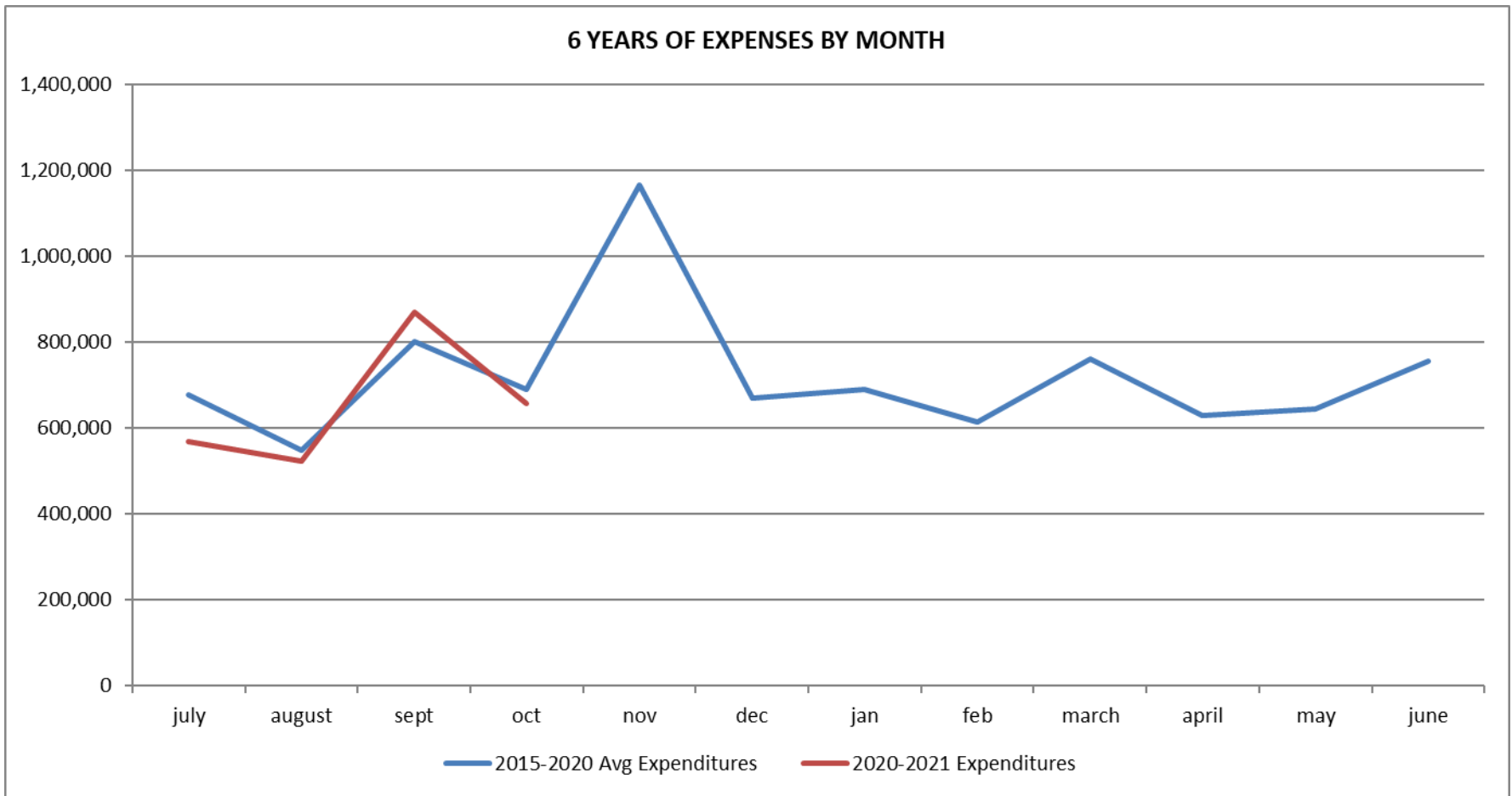
Check No	Check Date	Name	Comment	Module	Clear Date	Amount
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Total Check Amount:

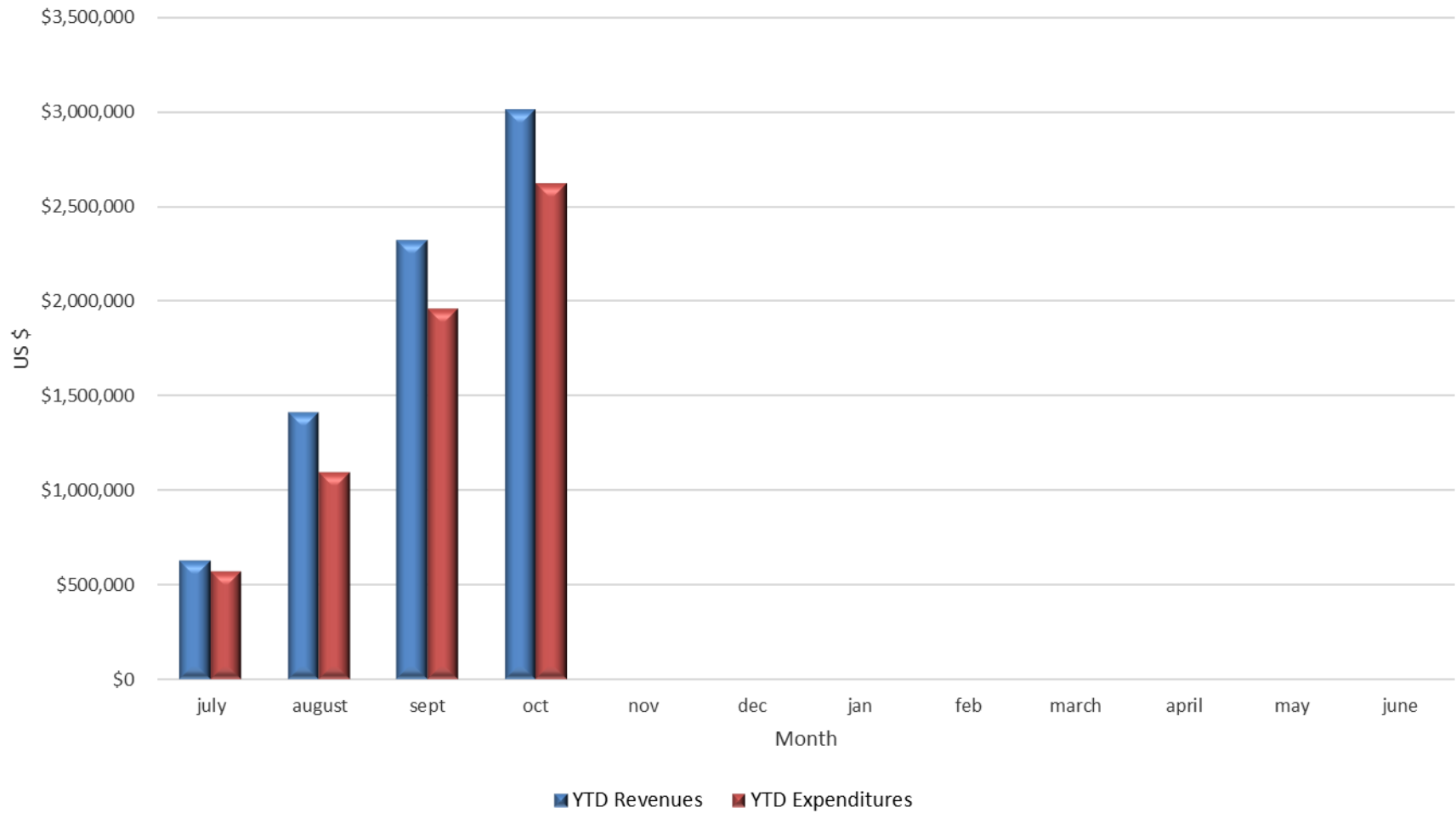
467,557.61

6 Years of Revenues by Month

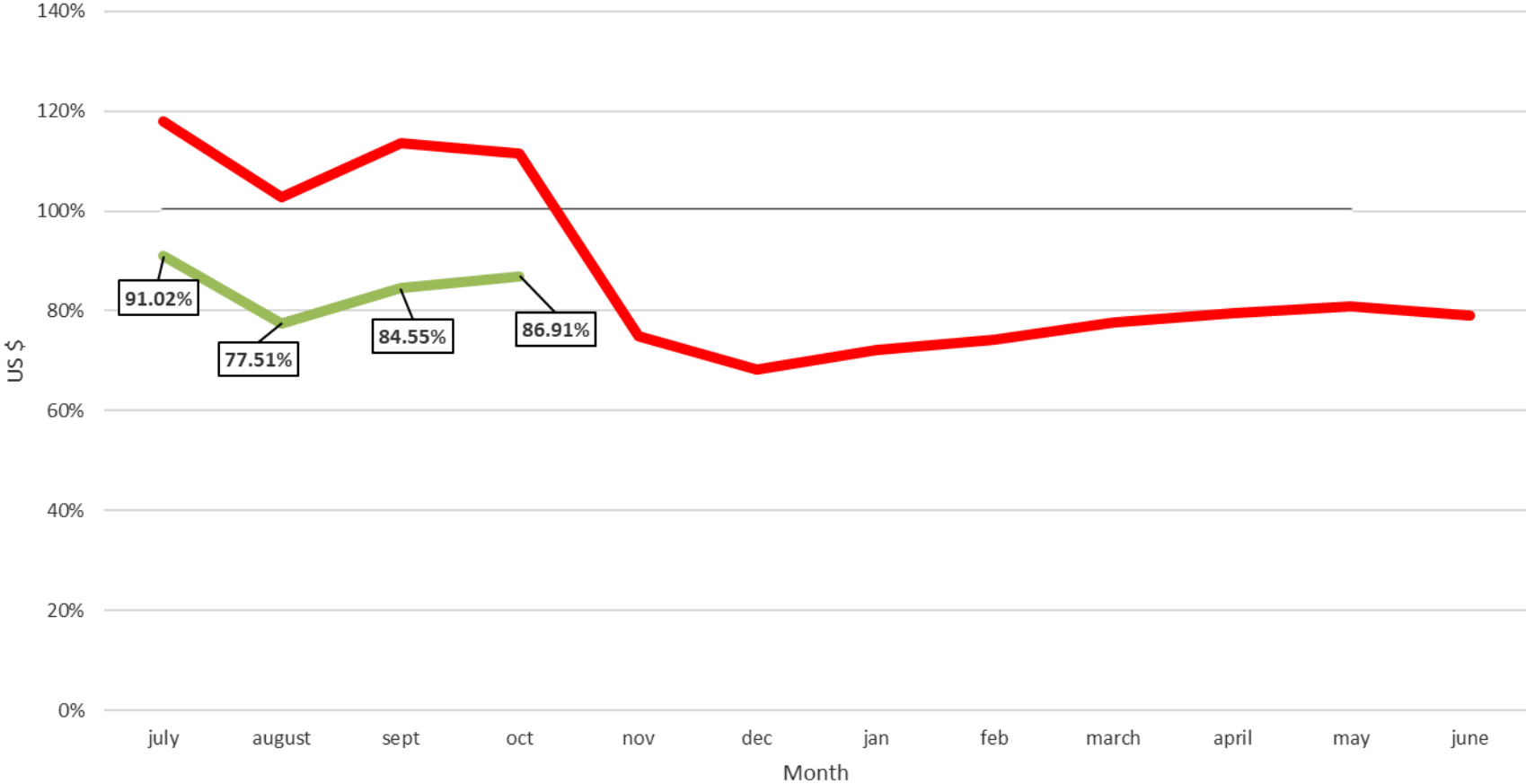




### Current Year Revenue & Expenditure Comparison



Expenditures as % of Revenues YTD



— YTD Expenditures as % of Revenue   
 — Baseline   
 — Average Expense % of Rev



**SWEET HOME POLICE DEPARTMENT**  
**CHIEF OF POLICE**  
 1950 Main Street  
 Sweet Home, OR 97386  
 (541) 367-5181 Fax (541) 367-5235

	<b>This Month</b>	<b>Last Month</b>	<b>Last Year</b>	<b>Year to Date</b>	<b>5 Year</b>
	10/31/2020	9/30/2020	10/31/2019	10/31/2020	2020-07095
<b>Call Volume</b>	722	740	684	2020-07095	741
<b>CAD Calls</b>	1542	1499	1545	13985	1512
<b>ONIBR Person Crimes</b>	20	15	13	140	14
<b>ONIBR Person Crimes Cleared</b>	16	11	12	108	10
<b>ONIBR Property Crimes</b>	62	44	39	439	52
<b>ONIBR Property Crimes Cleared</b>	12	16	10	134	14

**Trends:**

Since April of this year, we continue to monitor trends in several types of calls for service to determine what effects the current COVID-19 pandemic situation has on them. The calls that we are monitoring include thefts, domestic violence calls, child abuse calls (physical and sexual), suicide calls, mental health calls and burglaries. Below is a comparison of those types of calls through the end of October.

	<b>10/01/2020-10/31/2020</b>	<b>10/01/2019-10/31/2019</b>	<b>Difference</b>	
Domestic Violence/Dispute Calls	44	26	18	40.91%
Child Abuse(Physical/Sexual)	30	32	-2	-6.25%
Suicidal Calls	5	2	3	60.00%
Mental Health Calls	29	10	19	65.52%
Burglary	3	4	-1	-25.00%

Domestic dispute/violence calls are continuing to increase. Through the end of October 2019, the Sweet Home Police Department had received a total of 372 calls for service associated with domestic disputes/violence. During the year 2020, ending in October, we have received a total of 434 calls for service associated with domestic disputes/violence. This equates to over 16% increase. I attribute some of this increase to our current pandemic and economic climate that many are struggling with. Our Community Services Officer is investigating/researching resources that are available in our immediate area that Officer's who are that DV calls could provide to families.

As some may be aware, Teresa Culley retired on Monday, November 9<sup>th</sup>, after more than 33 years as a dispatcher at the Police Department. Teresa began her career in 1987 as a dispatcher. In 2010 she became the department's record clear while still covering dispatch on an as needed basis. And in 2013,

Teresa also began serving as the department's property-evidence specialist. We wish Teresa nothing but the best during her retirement. She has earned it.

Officer Steve Carlson completes and graduates from the DPSST Police Academy at the end of the third week in November. He has spent 4 months training at the academy and is looking forward to returning to the Department. Steve will continue with the field training and we hope to see him progress and reach solo status sometime after the first of the year. Officer Ean Mason will leave and begin his 4 months of training at the academy on November 30. We are excited to get both officers back and up to speed to replenish our patrol staff.

Traffic enforcement, particularly speeding issues along Main Street, remains a point of concern to many citizens. With those concerns in mind, when we have a full team of two officers on duty, one is to be assigned to focus on traffic enforcement along Main Street. Their focus will continue to be on gaining compliance whether that is through a citation or a verbal warning.

On November 18<sup>th</sup>, the Governor of Oregon issued an Executive Order aimed at flattening the curve associated with the spike in COVID-19 cases. Similar to several of the previous Executive Orders, there have been a number of questions about how the Sweet Home Police Department will enforce them. Many of the questions revolved around the order that restricts social gatherings to six people from no more than two households.

Just as we did with previous Executive Orders issued by the Oregon Governor, SHPD will continue to focus on an education first strategy. Our officers will not be proactively patrolling residential areas looking for non-compliance with the Orders. Our primary focus will be on responding to calls for service and keeping the public safe. We can play an important role with educating the public and every effort will be to gain voluntary compliance.

The Sweet Home Police Department has no plans on issuing citations to residents for failing to comply with the limits on social gatherings. Our priority is on exercising discretion and common sense to educate the public in following the rules and regulations in place of taking any enforcement actions.

Our goal is to ensure that Sweet Home has a happy and safe holiday season.