



# CITY OF SWEET HOME CITY COUNCIL AGENDA

August 27, 2024, 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 of Sweet Home 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 meeting live, visit <http://live.sweethomeor.gov>. If you do not have access to the internet, you can call in to 541-367-5128, choose option #1, and enter the meeting ID to be logged in to the call. Meeting ID: 258 239 814 274

This video stream and call in options are allowed under Council Rules, meet the requirements for Oregon Public Meeting Law, and have been approved by the Mayor and Chairperson of the meeting.

### I. Call to Order & Pledge of Allegiance

### II. Roll Call

### III. Recognition of Visitors & Hearing of Petitions

- a) [Citizen Recognition](#)

### IV. Old Business

- a) [Request for Council Action - Resolution No. 21 for 2024 - First Avenue Traffic Modifications](#)

### V. New Business

- a) [Request for Council Action – Resolution No. 20 for 2024 – Appointing a City Attorney](#)

### VI. Reports of Committees

### VII. Reports of City Officials

City Manager's Report

Mayor's Report

### VIII. Department Director Reports

Community & Economic Development Director

- i) [Community & Economic Development Director Report - July 2024](#)

Public Works Director

Police Chief

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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.*

i) [Police Chief Report - July 2024](#)

**IX. Council Business for Good of the Order**

**X. Adjournment**



**City of Sweet Home**  
1950 Main Street  
Sweet Home, OR 97386  
541-367-5181  
Fax 541-367-5235  
[www.sweethomeor.gov](http://www.sweethomeor.gov)  
[shpd@sweethomeor.gov](mailto:shpd@sweethomeor.gov)

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Sweet Home Police Department  
Letter of Appreciation

Dear Gavin,

On behalf of the City of Sweet Home and the Sweet Home Police Department, I would like to extend our heartfelt gratitude to you for your outstanding contribution to our community.

During a recent patrol at Sankey Park, you were observed selflessly picking up a large amount of loose trash around Weddle Bridge. Your actions not only reflect a deep care for our public spaces but also serve as a powerful example of community spirit and civic responsibility.

Your dedication to keeping our parks clean does not go unnoticed, and we are truly inspired by your commitment to making Sweet Home a better place for everyone.

As a token of our appreciation, I am honored to present you with this letter, along with a challenge coin from both the Sweet Home Police Department and the City of Sweet Home. This coin is a symbol of our deep respect and gratitude for your efforts. We hope it serves as a reminder of the positive impact you have on our community and the important role you play in keeping Sweet Home a place we can all be proud of.

Thank you, Gavin, for being a true friend to law enforcement and for your unwavering dedication to our city.

With warm regards,

Jason Ogden  
Chief of Police and City Manager Pro Tem



# REQUEST FOR COUNCIL ACTION

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**Title:** Six-Month Trial Period Closure of 1st Avenue

**Preferred Agenda:** August 27, 2024

**Submitted By:** Jason Ogden, Chief of Police/Interim City Manager

**Reviewed By:** Cecily Hope Pretty, Assistant City Manager

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

**Relevant Code/Policy:** SHMC 10.04.030

**Towards Council Goal:** Goal 3: IMPROVE PUBLIC SAFETY AND INFRASTRUCTURE

1. Enhance pedestrian and traffic safety.
2. Implement solutions based on community feedback and data analysis.
3. Foster a safer environment for residents and visitors.

**Attachments:** Resolution No. 21 for 2024; 1<sup>st</sup> Avenue Motor Vehicle Crashes

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**Purpose of this RCA:**

Council decision and approval of a six-month trial period to close 1st Avenue to vehicular traffic, allowing the city to assess the impact on safety, traffic flow, and community satisfaction.

**Background/Context:**

1st Avenue has long been identified as an area of traffic concern due to a combination of heavy traffic, pedestrian activity, and a history of speeding incidents. Over the years, residents on 1st Avenue have consistently voiced concerns about speeding and the number of large commercial motor vehicles using the road to travel between Highway 228 and Highway 20, causing unease among residents.

These issues were discussed by the Public & Traffic Safety Committee on September 27, 2023 and in a subsequent meeting, it was recommended that the issue be referred to the City Council for review. It was brought before the City Council during a Traffic Safety Work Session on March 26, 2024. During this session, Public & Traffic Safety Committee Chair Frank Gallagher presented the complaints related to speeding and the heavy commercial traffic on 1st Avenue. At that time, City Manager Kelcey Young indicated that the committee recommended a six-month closure of 1st Avenue at Clover Park to conduct traffic impact studies. The Council requested the city to return with various options, including temporary closure, one-way traffic, and traffic calming measures, to address these concerns.

A significant contributing factor to these issues is the unique positioning of 1st Avenue, which is bookended by Highway 228 to the south and Highway 20 to the north. This configuration funnels a considerable amount of through traffic onto 1st Avenue, a primarily residential street, creating

a challenging environment for both residents and motorists. These traffic patterns are the result of historical planning decisions made many years ago, at a time when traffic volumes and residential safety considerations were likely very different.

Adding to the problem is the fact that 1st Avenue, with a width of only 30 feet from curb to curb, was designed as a residential street but is now functioning as an arterial street. For comparison, Foothills Drive, which is clearly a residential street, has a curb-to-curb width of 45 feet. The narrow width of 1st Avenue contributes to the difficulties in managing the volume and speed of traffic, further exacerbating safety concerns.

A review of traffic crash data from January 2019 to June 2024 underscores these concerns, highlighting several incidents that have resulted in significant property damage and injuries. Notable examples include:

- **January 28, 2022:** At the intersection of 1st Avenue and Main Street, a vehicle pulling onto Main Street collided with another vehicle already on the road, causing over \$2,500 in damage.
- **August 11, 2022:** At the intersection of 1st Avenue and West Holley, a rear-end collision occurred after a vehicle suddenly braked at a stop sign, leading to injuries and damages exceeding \$2,500.
- **September 11, 2023:** Another rear-end collision occurred at the same intersection (1st Avenue and West Holley), with similar damage estimates and resulting injuries.
- **December 26, 2023:** A vehicle traveling on West Holley missed the turn onto 1st Avenue and struck a telephone pole, causing over \$2,500 in damage.
- **March 8, 2024:** A vehicle backing out of a driveway on the 1000 block of 1st Avenue collided with a northbound vehicle, resulting in an injury and an estimated damage of over \$2,500.
- **May 18, 2024:** At the intersection of West Holley and 1st Avenue, a southbound vehicle turning onto West Holley struck a vehicle traveling west, resulting in citations for careless driving and over \$2,500 in damage.
- **June 28, 2024:** A distracted driver left the roadway while eating and struck two parked vehicles in the driveway at 1255 1st Avenue, causing over \$2,500 in damage and resulting in a citation for careless driving.

These incidents, among others, demonstrate a pattern of traffic-related issues on 1st Avenue, particularly at intersections and driveways, which further justifies the need for the proposed temporary closure to assess its impact on improving traffic safety.

The Public & Traffic Safety Committee, after extensive review and consultation with these concerned residents, has recommended a temporary closure of 1st Avenue to throughway traffic. This closure is intended to address the persistent speeding issue, enhance pedestrian safety, and reduce traffic-related incidents in the area.

Alongside the proposed temporary closure, several alternative traffic calming measures have been explored to address the safety concerns on 1st Avenue.

As part of our due diligence, we engaged in discussions with the local fire district to evaluate the potential impact of the proposed closure on emergency response times. The fire district reviewed the proposed closure and confirmed that they do not foresee any issues with emergency vehicle access. Their input supports the feasibility of the temporary closure from a public safety standpoint.

### ***Option 1: Implement Speed Tables***

In response to the Council's request for alternative traffic calming measures, the option of installing speed tables on 1st Avenue was explored.

- **Speed Tables:** Speed tables, which are essentially flat-topped speed humps, offer a smoother ride with a typical length of 22 feet, allowing vehicles to maintain speeds of 25 to 30 mph. Additionally, their installation requires significant engineering to accommodate drainage and prevent street flooding. The cost for each speed table ranges between \$10,000 and \$15,000.

**Considerations:** This option could reduce vehicle speeds on 1st Avenue, but the street's physical constraints, the need for professional installation, and ongoing maintenance, as well as trying to find proper placement in between residential driveways make this option not optimal.

***Option 2: Partially Restrict Southbound Access on 1st Avenue at Highway 20***

- **Description:** This option proposes a partial restriction on 1st Avenue at the intersection with Highway 20. Southbound traffic would be blocked from entering 1st Avenue from Highway 20 by installing a barricade or "pork chop" on the west side of the intersection. Vehicles traveling on 1st Avenue would still be able to head northbound and southbound; however, at the intersection with Highway 20, only a right-hand turn would be allowed onto Highway 20. The rest of 1st Avenue would remain open to two-way traffic.
- **Considerations:**
  - **Safety Risks:** This option may reduce through traffic from Highway 20 onto 1st Avenue, but there is a risk that some drivers may still attempt to use 1st Avenue as a shortcut or ignore the restriction, particularly at night. This could create safety concerns, especially if drivers make illegal turns or enter the street in the wrong direction.
  - **Resident Concerns:** While this option may limit access from Highway 20, it does not fully address residents' concerns about preventing 1st Avenue from being used as a through street. Traffic flow may still continue from the south, leading to continued concerns about safety and traffic volume.
  - **Effectiveness:** The partial restriction may help to some extent in reducing traffic, but it may not be sufficient to resolve the core problem of through traffic on 1st Avenue. Additionally, it could introduce enforcement challenges and potential confusion for drivers.

***Option 3: Approve the Six-Month Trial Period to Close 1st Avenue***

- **Description:** This option involves temporarily closing 1st Avenue to vehicular traffic for a six-month trial period. The purpose of this closure is to assess its impact on safety, traffic flow, and overall community satisfaction. By eliminating through traffic, the trial period aims to reduce speeding, decrease traffic-related incidents, and improve the quality of life for residents.
- **Considerations:**
  - **Comprehensive Evaluation:** The trial period provides an opportunity to gather valuable data on traffic patterns, accident rates, and community feedback, which will be critical in determining whether a permanent closure should be pursued.
  - **Community Feedback:** Engaging with residents throughout the trial will ensure their concerns are heard and addressed, fostering a collaborative approach to finding a long-term solution.
  - **Feasibility:** The temporary nature of this option allows the city to evaluate its effectiveness without making permanent changes, reducing the risk of unintended consequences.
  - **Enhanced Livability:** A closure of 1<sup>st</sup> Avenue will allow for better community access to Clover Park due to the traffic calming and potential temporary parking, enhancing its use and value to the community.

- **Emergency Access:** Discussions with the local fire district have confirmed that emergency vehicle access will not be compromised during the closure, ensuring public safety is maintained.
- **Detour Impact:** The Traffic Safety Committee found that the average amount of time it takes to take the detour from either side of 1st Avenue to the opposite side is approximately 45 seconds. This minimal delay is expected to have a negligible impact on overall traffic flow while significantly improving safety on 1st Avenue.

***Option 4: Deny the Request and Maintain Current Traffic Flow on 1st Avenue***

- **Description:** This option would involve denying the request for a trial closure and maintaining the current traffic flow on 1st Avenue. Under this option, no immediate changes would be made, and traffic conditions would remain as they are.
- **Considerations:**
  - **Status Quo:** Maintaining the current traffic flow means that the existing safety risks, such as speeding, heavy traffic, and frequent accidents, will continue to affect residents and pedestrians on 1st Avenue.
  - **Resident Concerns:** This option may not address the longstanding concerns raised by residents, potentially leading to further dissatisfaction and calls for action.
  - **Opportunity Missed:** By not implementing the trial period, the city may miss an opportunity to explore a potential solution that could significantly improve safety and quality of life on 1st Avenue.

**The Challenge/Problem:**

The current traffic conditions on 1st Avenue pose significant safety risks to pedestrians and motorists alike. High traffic volume, combined with narrow lanes and limited visibility, has led to an increased number of accidents and near-misses. The committee's analysis indicates that a temporary closure could mitigate these risks, but a trial period is necessary to gather data and community feedback before considering a permanent change.

**Stakeholders:**

- Residents on 1<sup>st</sup> Avenue – Potential impact on accessibility
- Broader Community - Potential effects from traffic being diverted to neighboring streets, impacting traffic flow and safety in other areas.
- Pedestrians – Increased safety and reduced risks of accidents
- Local Law Enforcement – Monitoring the diversion and enforcement of the closure
- Council – Responsible for approving the trial and evaluating its success

**Issues and Financial Impacts:**

The closure will require temporary signage and barriers, which can be sourced within the current budget allocated for traffic management.

**Elements of a Stable Solution:**

A stable solution includes a comprehensive evaluation of the trial period, with specific metrics to assess the effectiveness of the closure and its impact on public safety, traffic flow, and community satisfaction.

**Options:**

1. *Implement a plan to put in speed tables.*
2. *Partially Restrict Southbound Access on 1st Avenue at Highway 20.*
3. *Approve the six-month trial period to close 1<sup>st</sup> Avenue.*
4. *Deny the request and maintain current traffic flow on 1<sup>st</sup> Avenue.*

**Recommendation:**

Staff recommends **Option 3** – Approve the six-month trial period to close 1st Avenue. This option provides the most direct and effective approach to improving safety, reducing through traffic, and addressing the community's concerns. While Options 1 and 2 present alternatives, they come with significant drawbacks, including high costs, potential safety risks, and the likelihood of not fully resolving the issues identified by residents and stakeholders.



Incident	RptDate	RptTime	OffenseDesc	ID
202401604	08-Mar-24	5:06:00 PM	MVC-INJ	50763
202200603	28-Jan-22	4:45:00 PM	MVC-NON INJ	34646
202205533	11-Aug-22	1:44:00 PM	MVC-INJ	62051
202307000	11-Sep-23	7:43:00 AM	MVC-INJ	60464
202404478	28-Jun-24	11:05:00 PM	MVC-NON INJ	53412
202309696	26-Dec-23	10:09:00 AM	MVC-INJ	63241
202403289	18-May-24	9:49:00 AM	MVC-NON INJ	53412

Loc_Concat	Blotter
1000 BLCK 1ST AVE	VEHICLE #1 BACKING OUT OF DRIVEWAY INTO VEHICLE #2 TRAVELING NORTH ON 1ST AVE
1ST AVE & MAIN	VEHICLE #1 PULLING OFF OF 1ST AVE ONTO MAIN TO HEAD WEST HIT VEHICLE #2 THAT WAS ALREADY ON MAIN STREET HEADING WEST
1ST AVE & W HOLLEY	BOTH VEHICLES SOUTHBOUND ON 1ST AVE AT STOP SIGN LOCATED AT HIGHWAY 228. VEHICLE #1 PROCEEDED THROUGH STOP SIGN AND VEHICLE #2 FOLLOWED. VEHICLE #1 SLAMMED ON BRAKES AND VEHICLE #2 RAN INTO THE BACK OF VEHICLE #1.
1ST AVE & W HOLLEY	BOTH VEHICLES TRAVELING WESTBOUND ON W HOLLEY. VEHICLE #1 SLOWED TO TURN SOUTH ONTO 1ST AVE. VEHICLE #2 RAN INTO THE BACK OF VEHICLE #1
1255 1st Ave	VEHICLE #1 TRAVELING SOUTH. DRIVER DISTRACTED BY EATING TACO BELL, LEFT ROADWAY AND STRUCK TWO VEHICLES PARKED IN DRIVEWAY AT LOCATION. DRIVER OF VEHICLE #1 CITED FOR CARELESS DRIVING.
1ST AVE & W HOLLEY	VEHICLE TRAVELING ON W HOLLEY, MISSED TURN ONTO 1ST AND HIT TELEPHONE POLE. UNKNOWN DIRECTION OF TRAVEL.
W HOLLEY & 1ST AVE	VEHICLE #1 TRAVELING SOUTH ON 1ST AVE, VEHICLE #2 TRAVELING WEST ON W HOLLEY. VEHICLE #1 PROCEEDED TO TURN WEST ONTO W HOLLEY AND STRUCK VEHICLE #2. CITATIONS ISSUED TO VEHICLE #1 OPERATOR FOR CARELESS DRIVING

ScratchPad

DAMAGE ESTIMATE OVER 2500

DAMAGE ESTIMATE OVER 2500

DAMAGE ESTIMATE OVER 2500

DAMAGE ESTIMATE OVER 2500

DAMAGE ESTIMATE OVER 2500

DAMAGE ESTIMATE OVER 2500

DAMAGE ESTIMATE OVER 2500

**RESOLUTION NO. 20 FOR 2024**

**A RESOLUTION APPOINTING THE CITY ATTORNEY.**

WHEREAS, the current City Attorney, Robert Snyder, has indicated his intent to retire;  
and

WHEREAS, the Charter of the City of Sweet Home, Chapter II, Section 4, states that the  
City Council shall appoint and keep in office a city attorney;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
SWEET HOME COUNCIL

That the City Council of the City of Sweet Home hereby appoints W. Blair Larsen as City  
Attorney with the effective date of employment in this role to be pending Mr. Larsen's  
admittance to the Oregon State Bar.

This resolution shall become effective immediately upon passage by the City Council and  
signature of the Mayor.

PASSED by the Council and approved by the Mayor this 27<sup>th</sup> day of August, 2024.

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Mayor

ATTEST:

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City Manager Pro Tem - Ex Officio City Recorder



# REQUEST FOR COUNCIL ACTION

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**Title:** Request for Council Action – Resolution No. 20 for 2024 – Appointing a City Attorney

**Preferred Agenda:** August 27, 2024

**Submitted By:** Cecily Hope Pretty, Assistant City Manager

**Reviewed By:** Jason Ogden, Interim City Manager / Police Chief

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

**Relevant Code/Policy:** City Charter

**Towards Council Goal:** Be an Effective and Efficient Government

**Attachments:** Resolution No. 20 for 2024; Draft City Attorney Contract

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**Purpose of this RCA:**

To seek City Council approval of a new appointed City Attorney.

**Background/Context:**

The City of Sweet Home’s Charter states in Chapter II, Section 4 that the City Council shall appoint and keep in office a City Attorney. The current City Attorney, Robert Snyder, has indicated his intent to retire and has been operating under a contract extension while the City Council deliberates on appointing a new City Attorney to replace him.

**The Challenge/Problem:**

With the pending retirement of the City Attorney, the City Council must determine who will provide City Attorney services according to the City Charter. The City released two Requests for Proposal (RFPs) and two job postings for City Attorney services, which resulted in one response to the RFP and three responses to the job posting. City Council met in an Executive Session on July 9, 2024, to discuss the applications. After a review of the applicants and their proposed costs, their areas of expertise, their locales of experience, and their planned approaches to deliver City Attorney services, in addition to a review of attorney costs in several other Oregon cities, it was determined that W. Blair Larsen would be selected (pending his admittance to the Oregon State Bar). In the interim, he will continue in his current role as Community & Economic Development Department (CEDD) Director while shadowing City Attorney Snyder. Once he is in the City Attorney role, he is expected to work 30 hours weekly to support City Council, Municipal Court, and City staff.

**Stakeholders:**

1. **Citizens:** Citizens deserve competent, qualified personnel and excellence in the City’s Executive Team.
2. **City Council:** City Council will fulfill their Charter duties and select a City Attorney who can provide quality services to the City of Sweet Home.

3. **City Staff**: Staff will have continuity in attorney services.

**Issues and Financial Impacts:**

The fiscal year 2025 budget can absorb the proposed contract at \$125,000 annually with benefits. W. Blair Larsen will continue to be paid out of the CEDD fund until he is able to transition into the role. Should Mr. Larsen fail to gain entry to the Oregon State Bar, City Council will not be required to uphold his contract and can pursue other options.

**Elements of a Stable Solution:**

A fiscally responsible solution to maintain necessary City Attorney services.

**Options:**

1. Do Nothing: The resolution will not be approved and the City will continue to have a pending vacancy for the City Attorney position.
2. Amend the Resolution: Suggest an alternative to the resolution as proposed.
3. Approve the Resolution: Move to approve Resolution No. 20 for 2024 appointing a City Attorney.

**Recommendation:**

Staff recommends Option 3: Move to approve Resolution No. 20 for 2024 appointing a City Attorney.

## CITY ATTORNEY EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT ("AGREEMENT") is made and entered into this 6th day of August, 2024 by and between the City of Sweet Home, Oregon ("City"), and Whitney Blair Larsen ("Employee").

### Recitals

WHEREAS, the City desires to employ Employee as City Attorney of the City of Sweet Home; and

WHEREAS, Employee desires to accept the position of City Attorney of the City of Sweet Home.

### Agreement

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

1. Employment

A. General.

Employee is hereby employed by the City as City Attorney of the City of Sweet Home, Oregon. Employee accepts this position on the terms and conditions set forth below.

B. Effective Date.

The effective date for commencement of employment is upon Employee's admission to the Oregon State Bar. If Employee is not admitted to the Oregon State Bar within a year of the execution of this AGREEMENT, this AGREEMENT shall be null and void.

2. Duties

Employee shall perform the functions and duties specified for the position of City Attorney by the City Charter and Code of the City of Sweet Home, and by any other applicable ordinances, resolutions, or policies of the City, together and with such other duties as may be lawfully assigned by the City Council, including, but not limited to, the following:

- Prosecute City Municipal Cases in Sweet Home Municipal Court and on Appeal;
- Prepare Complaints, Affidavits for Warrants and other Court documents;
- Prepare Offers, Victim Letters and Discovery;
- Attend City Council Meetings;

- Prepare and Review Ordinances, Resolutions, Contracts, Deeds and other legal documents;
- Research legal issues presented by the City Council and City Staff; and
- Be available to perform other functions and duties of a City Attorney as directed and/or needed.

Employee shall at all times loyally and conscientiously perform all the duties and obligations required of them, either expressly or implicitly, by the terms of this AGREEMENT.

### 3. Schedule and Location of Work

Employee shall perform any work required under this contract between the hours of 8 am and 5 pm, Monday through Friday, as well as during any evening meetings required within Employee's duties. Employee is not expected to work or communicate with any City official or staff member outside of these times.

Employee shall work at City facilities and other locations as required by Employee's duties but will not have any dedicated office space at any City facility. Employee shall be responsible for arranging and determining the location of needed office space.

### 4. Term of Employment

Employee shall serve at the pleasure of the City Council and hold office subject to the discretion of the City Council and may be removed by the City Council with or without cause per the Sweet Home Municipal Charter, Chapter II, Section 4. Employee's employment shall commence on the date set forth in paragraph 1.B. of this AGREEMENT.

### 5. Salary

Employee shall be paid a salary in installments at the same time as other employees are paid. Starting annual salary is \$125,000. After six months of satisfactory performance, Employee shall be entitled to a 5% pay increase. "Satisfactory Performance" shall be determined by a performance review by the City Council, and any lack of a review within one month of the end of the initial six months of this contract shall result in Employee's performance being deemed satisfactory. Employee shall receive cost of living adjustments at the same amount and on the same basis as City's Non-Represented Management Employees. Any other salary changes or changes to benefits are subject to City Council approval.

City and Employee agree that the required duties of this position shall be accomplished during a 30-hour work week, and that any work over 30 hours required from Employee during any given week will be paid in addition to Employee's regular salary based on a pro rata basis. Any such work in excess of 30 hours must be approved by the City Manager.



## 6. Employment Benefits

City agrees that for the purposes of calculating benefits, Employee will be considered a full-time employee, and to provide benefits to Employee on the same basis and amounts as City's Non-Represented Management Employees. Benefits include, but are not limited to health, dental and vision insurance, and retirement contributions.

## 7. Vacation, Holidays, and Sick Leave

City agrees to provide Vacation, Holiday, and Sick Leave to Employee on the same basis and amounts as City's Non-Represented Management Employees.

## 8. Dues and Professional Development

City agrees to pay for the professional dues and participation of Employee in national, regional, state and local associations and organizations reasonably necessary and desirable for Employee's continued professional growth and development and for the good of the City, subject to City Council budget decisions.

## 9. Performance Evaluation and Feedback

Employee will seek frequent informal feedback on performance from the Mayor and individual City Council members. A more formal performance review will be conducted by the City Council as a body in December of each year, and at any other time that the City Council, in its sole discretion, desires to conduct a review.

## 10. Other Employment

Employee may accept other employment provided that such employment does not substantially interfere with the duties set forth in this AGREEMENT.

## 11. Termination of Employment

### A. Termination Basis

#### i) At Will Employment

It is expressly understood and agreed between the parties that Employee serves as an at-will employee of the City. Either Employee or the City Council may terminate the Employee's employment relationship with the City at any time with or without cause.

#### ii) For Cause Termination

The City Council may terminate the services of the Employee for cause, which are the events listed in Subsection C below.

## B. Notice

Subject to the requirements and limitations set forth below, in the event that the City terminates Employee' s employment without cause while Employee is still willing and able to perform Employee' s duties, Employee shall be entitled to not less than sixty (60) days' prior notice of such termination.

## C. Exceptions to Notice Requirements

Employee shall not be entitled to prior notice of termination in any of the following events:

- i) Employee is terminated for cause, which shall mean willful misconduct, willful failure to carry out or abide by the lawful directions or decisions of the City Council, dishonesty or gross malfeasance.
- ii) Employee commits a serious violation of City personnel policy/policies or standards of conduct that the City Council determines justifies termination.
- iii) Employee is convicted of any crime.
- iv) Employee resigns or retires from their employment with the City.
- v) Employee becomes physically or mentally unable to perform the essential duties of the City Attorney with reasonable accommodation as required by law.

## D. Resignation or Retirement

Employee shall provide City not less than 30 calendar days' advance notice of termination of their employment by resignation or retirement.

## 12. Use and Return of City Property

Employee recognizes and agrees that all property provided by the City to the Employee shall be and remain the property of the City. Employee will preserve, use, and hold City property only for the benefit of the City and to carry out the City' s business. When Employee' s employment is terminated, Employee will immediately deliver to City all City property, including all originals and copies of records, Employee has in Employee's possession or control.

## 13. Contact Information

The contact information for Employee for the purposes of this AGREEMENT is:

Address:

  
Sweet Home, OR 97386

Telephone: [REDACTED]  
Email Address: [REDACTED]

The principal point of contact for City under this AGREEMENT is:

City Official: Cecily Pretty, Assistant City Manager  
Address: 3225 Main St  
Sweet Home, OR 97386  
Telephone: (541) 367-8969  
Email Address: cpretty@sweethomeor.gov

#### 14. Arbitration

The parties agree that any issue which has not been released pursuant to Section 14.B.ii above arising from Employee' s employment, employment termination or whether a party has breached this AGREEMENT that cannot be resolved informally, shall be submitted to confidential, binding arbitration in Linn County, Oregon. The arbitration shall be conducted in confidence and pursuant to the then current rules of the American Arbitration Association for employment disputes, unless the parties agree to some other arbitration procedure. Except as otherwise required by law, the parties shall share equally the arbitrator' s fees, and each party shall be responsible for its own attorney' s fees and related costs at arbitration or in any litigation or court action relating to the arbitration.

ORS 36. 620(6) Acknowledgment:

I acknowledge that I have received and read or have had the opportunity to read this arbitration agreement. I understand that this arbitration agreement requires that disputes that involve the matters subject to the agreement be submitted to mediation or arbitration pursuant to the arbitration agreement rather than to a judge and jury in court.

s/Whitney Blair Larsen  
WHITNEY BLAIR LARSEN

August 7, 2024  
Date:

#### 15. Personnel Policies

The terms and provisions of the City's Personnel Policies shall apply to Employee, as now adopted or hereafter amended, except to the extent provided otherwise in this AGREEMENT.

#### 16. Modification or Amendment

No amendment, change, or modification of this AGREEMENT shall be valid, unless in writing and signed by both parties.

#### 17. Entire Agreement



# MEMORANDUM



TO: City Council  
 Jason Ogden, Interim City Manager  
 Interested Parties

FROM: Blair Larsen, Community and Economic Dev. Director

DATE: August 27, 2024

SUBJECT: Community and Economic Development Department Report for July, 2024

The Community and Economic Development Department (CEDD) consists of the City's Building, Planning, Engineering, Economic Development, Code Enforcement, and Parks and Recreation programs. The following is a summary of activities and notes on current projects from July 1<sup>st</sup> to July 31<sup>st</sup>, 2024.

## 1. BUILDING

- Summary of Building Program Permits Issued.

Permit Category	July, 2024	June, 2024	2024 YTD	2023 Total	2019-2023 Annual Average
Residential 1 and 2 Family Dwellings	0	6	12	12	24.8
Residential Demolition	0	0	1	10	8.6
Residential Manufactured Dwellings	0	0	2	4	9.2
Residential Mechanical Permits	6	21	78	91	104
Residential Plumbing	2	1	7	24	30.8
Residential Site Development	0	0	0	0	0.4
Residential Structural	6	5	25	33	50.4
Commercial Alarm or Suppression Systems	0	0	1	2	3.6
Commercial Demolition	0	0	0	5	3.6
Commercial Mechanical	2	1	11	11	16.4
Commercial Plumbing	0	1	6	11	9.8
Commercial Site Development	0	0	1	1	2.2
Commercial Structural	3	3	15	26	36.6
<b>Total Permits</b>	<b>19</b>	<b>38</b>	<b>159</b>	<b>230</b>	<b>300.4</b>
<b>Value Estimate of All Permits</b>	<b>\$4,034,552.33</b>	<b>\$2,141,024.60</b>	<b>\$9,474,360.75</b>	<b>\$10,728,408.94</b>	<b>\$19,600,417.90</b>
<b>Fees Collected</b>	<b>\$33,839.31</b>	<b>\$24,798.73</b>	<b>\$107,257.03</b>	<b>\$133,127.61</b>	<b>\$246,251.26</b>

- Developments of note: For your reference, below are some developments of note that were previously reported. Changes are noted with **bold text**.
  - Duck Hollow Phase III Subdivision: 51-lot single-family home subdivision located adjacent to the existing Duck Hollow Subdivision (41<sup>st</sup> Avenue and Long Street). This subdivision received planning approval in 2020, however there was a long delay due to wetlands regulations administered by the Oregon Department of State Lands. State approval has been granted, **however there is no timeline available on actual construction.**
  - Live Oak Subdivision: 8-lot single-family home subdivision located between the two existing portions of Live Oak Street. The subdivision was approved in 2021, however the property changed hands, which delayed development. The new owner is planning on constructing 8 duplexes (16 housing units) on the lots. Development of the road and infrastructure is complete, and construction of the first buildings has begun.
  - Foothills Ridge Subdivision: 21-lot single-family home subdivision located at the west end of Foothills Drive. This subdivision was approved in 2021, **however the property has changed ownership, and the new owner recently applied for changes in the subdivision that are now being considered by the Planning Commission.**
  - Santiam River Development Phase 1 : 42-lot single-family home subdivision located at the north end of Clark Mill Road. Planning approval was granted at the beginning of this year, however some of the property is being sold to a different developer. It is unknown when construction will begin.
  - Clear Water Subdivision: 18-lot single-family home subdivision located on the west side of 45<sup>th</sup> Avenue, just north of Kalmia Street. Planning approval was granted in June. Road, sidewalk, and other infrastructure construction is complete. Construction on the first houses **has begun.**
  - Domino's Pizza is under construction at the northwest corner of Main Street and 22<sup>nd</sup> Avenue. The modular commercial building was placed on site, but construction is not yet complete.
  - Coulter Subdivision: The Sweet Home Planning Commission recently approved a 157-lot low-density residential subdivision located at 43<sup>rd</sup> Avenue and Coulter Lane. This subdivision will be built in four phases; however it is unclear when construction will start. The property includes wetlands, and development will require mitigation and permitting through the Department of State Lands, which will likely decrease the number of lots that are ultimately developed. The initial phase is unhindered by wetlands and will likely move forward as soon as market conditions warrant construction.

## 2. PLANNING

- Summary of Final Decisions of Planning Division Applications:

Application Type	July, 2024	June, 2024	2024 YTD	2023 Total	2019-2023 Annual Average
Adjustments	0	0	1	1	N/A
Annexations	0	0	0	0	0.4
Code Amendments	0	0	0	3	1.4
Conditional Use	0	0	1	3	7.4
Partition	0	0	2	4	11.8
Planned Development/ Subdivision	0	0	1	0	1.8
Property Line Adjustments	0	0	4	3	13.4
Vacation	0	0	0	1	0.2
Variance	0	0	1	4	3.0
Zoning Map Amendment	0	0	1	2	2.2

- 0 Land Use Applications were submitted in July.
- 5 Land Use Applications are pending final approval.
- 2 Fence Permits were issued in July.
- 0 Temporary RV Permit was issued in July.
- The City received a grant from the State to update our Transportation System Plan and create an Area Plan for the undeveloped land on the north side of the City. The project is fully underway and expected to be complete by October 31<sup>st</sup>.
- Work is now underway on the City's Housing Production Strategy. This project is grant funded and fulfills a State requirement.
- The Planning Commission last met on August 1<sup>st</sup>. The next meeting will be September 5, 2024.

## 3. ECONOMIC DEVELOPMENT

- The first phase of implementing the Downtown Streetscape and Parking Plan is underway. Staff have drafted plans to convert 10<sup>th</sup> and 13<sup>th</sup> Avenues between Long and Main Streets to one-way parking to allow for additional parking and the EV charging station. The Council approved changing these streets to one-way southbound traffic. Staff have finalized the parking plan. 10<sup>th</sup> Avenue has been converted as planned. Changes to 13<sup>th</sup> Avenue are awaiting public works staff capacity.
- The EV Charging Station project is now complete.

## 4. CODE COMPLIANCE

- Summary of Actions.

<b>Case Status</b>	<b>July, 2024</b>	<b>June, 2024</b>	<b>2024 YTD</b>	<b>2023 Total</b>	<b>2019-2023 Annual Average</b>
New Complaints-Residents	N/A	N/A	62	243	128.5
New Complaints-Officer			23	39	61.3
Violations Resolved			31	125	213
Complaints Noted with No Violation Found			25	111	40.8
Open Cases at End of Period			53	61	32.3
Citations			14	30	8.4
Abatements			1	8	2.4
<b>Enforcement Type</b>	<b>July, 2024</b>	<b>June, 2024</b>	<b>2024 YTD</b>	<b>2023 Total</b>	<b>2019-2023 Annual Average</b>
Animal	N/A	N/A	9	38	42.8
Blight			6	17	4.4
Illegal Burn			4	7	2.2
Illegal Dumping			0	2	0.6
Illegal Parking			1	3	9.6
Illegal Sign			0	1	2.0
Junk/Abandoned Vehicle			19	34	15.6
Minimum Housing			1	3	3
Occupying an RV			9	44	40
Open Storage			24	51	57.4
Other			5	29	14.4
Public Nuisance			4	14	39.2
Public Right-of-way			0	9	12
Tall Grass & Weeds			3	28	93.2
Vacant Lot			0	2	0.4

The City's Code Compliance Officer responds to complaints submitted through the City's website, and actively patrols the City and works to resolve identified code violations. This position is currently vacant, with little to no work taking place in April or May, however some duties are being taken on by our Building Permit Technician.



## 5. PARKS

- The Park and Tree Committee last met on June 17<sup>th</sup>. Their next meeting will be August 21<sup>st</sup>, 2024.
- Work continues on updated the Parks System Master Plan. It was expected to be complete by June 30, 2024, however recent requests by the consultant may delay adoption until the end of summer.
- Staff have applied for a grant from the Oregon Park and Recreation Department for Phase III of Sankey Park improvements, which will include a replacement structure for the now-demolished bandstand and trail connections to the upper portion of the park. The application has passed the first review, and Staff gave a presentation to the grant review committee on June 27<sup>th</sup>. Staff recently received an award letter for this grant. Staff and the Park & Tree Committee are continuing to solicit and gather donations. A Request for Proposals was issued for the engineering design work, and recently closed. Staff negotiated a contract with the winning bidder, and the cost came in below the threshold required for Council approval, and within the City Manager's approval authority.
- Design work is underway for a new park adjacent to City Hall. The Park will include a donated playground structure and dog park.
- Movies in the Park we held on June 16<sup>th</sup> and July 14<sup>th</sup> and were well attended. The final movie in the park this summer will be on August 11<sup>th</sup> in Sankey Park.

## 6. OTHER PROJECTS

- Willow Street Neighborhood LID: Staff have finalized a financing plan, and recently received approval from the financing agency. A Request for Proposals was issued, however new information on current conditions has come to light which requires the RFP to be reissued. The City is utilizing its Engineer-of-Record contract to do the initial engineering design, after which an RFP for construction will be issued.
- The ODOT Foster Lake Sidewalk Project: Construction is nearly complete. Staff are working with the Railroad and ODOT on a plan to construct the portion that lies under the railroad trestle.
- Engineering on the 2<sup>nd</sup> Avenue/Holley Road pedestrian crossing, which is funded by a Safe Routes to School Grant, is complete and a Request for Proposals for the work has been issued. A contract for the remaining work has been signed, and the contractor has ordered materials and equipment. This project has been delayed by ODOT permitting, however permits were recently granted, and Staff are working with the contractor to get the project moving again. Construction is complete, and the project has passed ODOT inspection. Staff are now closing out the grant.

SWEET HOME POLICE DEPARTMENT  
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	Jul-24	Jul-23	2024 TO DATE	2023 TO DATE	YEAR TO DATE CHANGE
<b>CALLS FOR SERVICE</b>					
<b>PERSON CRIMES</b> (Homicide, Assault, Harassment, Sex Crimes, Menacing, Reckless Endanger, Kidnap, Domestic Violence, Elder & Child Abuse, etc)	18	15	168	143	14.88%
<b>PROPERTY CRIMES</b> (Arson, Burglary, Theft, Criminal Mischief, Motor Vehicle Theft, Robbery, Unlawful Entry into Motor Vehicle, Reckless Burning, etc)	54	68	295	388	-23.97%
<b>SOCIETY CRIMES</b> (Drive Under Influence of Intoxicants, Disorderly Conduct, Resisting Arrest, Criminal Trespass, Escape, Runaway, Drug Offenses, Weapon Offenses, etc)	21	29	171	189	-9.52%
<b>OREGON SPECIFIC CRIMES</b> (Protective Custodies, Traffic Crimes other than DUII, Warrant Arrests)	71	67	385	468	-17.74%
<b>TOTAL CRIMES REPORTED</b>	164	179	1019	1188	-14.23%
<b>TOTAL CRIMES CLEARED</b>	106	130	674	695	-3.02%
<b>NON CRIMINAL CALLS FOR SERVICE</b> (Abandoned Vehicles, Agency Assists, 911 hangups, Alarm Calls, Ambulance Assist, Animal Calls, Death Investigations, Disturbances, Domestic Disputes, Juvenile, Motor Vehicle Crashes, Public Assists, Suspicious Activity, Traffic, Trespass Warnings, etc)	719	749	4795	4336	9.57%
<b>TOTAL CALLS FOR SERVICE</b>	883	928	5814	5524	4.99%
<b>TOTAL INCIDENT NUMBERS ISSUED</b>	819	873	5341	5836	-8.48%
<b>TOTAL CAD NUMBERS ISSUED</b>	1609	1595	10326	11077	-6.78%

	Jul-24	Jul-23	2024 TO DATE	2023 TO DATE	YEAR TO DATE CHANGE
<b>CUSTODIES</b>					
<b>TOTAL PERSONS IN CUSTODY</b>	68	66	429	484	-11.36%
<b>TOTAL ADULTS ARRESTED</b>	65	65	406	466	-12.88%
<b>TOTAL JUVENILES IN CUSTODY</b>	3	1	37	18	51.35%
<b>TOTAL CHARGES</b>	122	149	761	944	-19.39%
<b>TOTAL ADULT CHARGES</b>	119	148	605	922	-34.38%
<b>TOTAL JUVENILE CHARGES</b>	3	1	55	21	61.82%

SWEET HOME POLICE DEPARTMENT

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CITATIONS ISSUED	Jul-24	Jul-23	2024 TO DATE	2023 TO DATE	YEAR TO DATE CHANGE
<b>Chapter 803 Vehicle Title and Registration</b> (Fail to Register Vehicle, Fail to Renew Registration, Altered Plate, Switched Plates, Fail to Display Plate, etc.)	2	1	8	12	-33.33%
<b>Chapter 806 Financial Responsibility Law</b> (Driving Uninsured, Fail to Carry Proof of Insurance, False Info Regarding Liability Insurance, etc.)	16	4	97	75	22.68%
<b>Chapter 807 Driving Privileges, Licenses and Permits</b> (No Operator License, Fail to Carry and Present License, Fail to Change Name and/or Address on Operator License, etc.)	3	1	19	21	-9.52%
<b>Chapter 811 Rules of the Road for Drivers</b> (Speeding, DWS, Reckless Driving, Careless Driving, Hit and Run, Fail to Obey Traffic Control Device, Follow too Close, Illegal Parking, Fail to Yield to Pedestrian, Fail to Wear Seatbelt, etc.)	40	17	200	145	27.50%
<b>Chapter 813 Driving Under Influence of Intoxicants</b> (Drive Under Influence of Intoxicants, Refuse the Breath Test, etc.)	8	3	20	9	55.00%
<b>Chapter 814 Pedestrians; Passengers; Livestock; Motorized Wheelchairs; Motorcycles; Bicycles</b> (Improper Use of Lanes, No Motorcycle Helmet, Bicyclist failing to Signal, etc)	0	0	0	0	0.00%
<b>Chapter 815 Vehicle Equipment Generally</b> (Improper Fenders or Mud Guards, Unreasonable Noise, Obstructed Vehicle Windows, etc.)	0	0	0	0	0.00%
<b>Chapter 816 Vehicle Equipment</b> (Operate Without Lighting Equipment, Operate Without Tail Lights, etc)	0	0	2	0	100.00%
<b>Chapter 818 -821</b> (Vehicle limits, abandoned vehicle, special provisions, off road vehicles)	2	0	3	0	100.00%
<b>TOTAL CITATIONS ISSUED</b>	71	26	349	262	24.93%
<b>TOTAL PERSONS CITED</b>	46	20	223	161	27.80%
<b>TOTAL WARNINGS ISSUED</b>	197	68	860	719	16.40%
<b>TOTAL TRAFFIC STOPS</b>	228	88	1019	948	6.97%

MOTOR VEHICLE CRASHES	Jul-24	Jul-23	2024 TO DATE	2023 TO DATE	YEAR TO DATE CHANGE
MVC-FATAL	0	0	1	0	100.00%
MVC-INJURY	4	4	20	20	0.00%
MVC-NON INJURY	13	5	79	57	27.85%
HIT & RUN VEHICLE INJURY	2	0	5	0	100.00%
HIT & RUN PROPERTY	6	5	46	27	41.30%
<b>TOTAL CRASHES</b>	25	14	151	104	31.13%

<b>CRASHES INVOLVING DUII ARREST</b>	2	0	5	1	80.00%
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