



# CITY OF SWEET HOME CITY COUNCIL AGENDA

August 11, 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:

Approval of Minutes:

- a) [2020-07-28 City Council Work Session \(pg. 3\)](#)
- b) [2020-07-28 City Council \(pg. 5\)](#)

### Recognition of Visitors and Hearing of Petitions:

### Old Business:

- a) Judge Larry Blake - Court Update
- b) Information Only - Homelessness Resource Update
- c) [Request for Council Action - Resolution 22 for 2020 - Resolution to Submit to Electors the Question of Renewing Police Services Operating Levy \(pg. 10\)](#)

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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.*

- d) [Request for Council Action - Resolution 23 for 2020 - Resolution to Submit to Electors the Question of Renewing Library Services Operating Levy \(pg. 21\)](#)

**New Business:**

- a) [Information Only – Solid Waste Rate Increase \(pg. 30\)](#)
- b) [Discussion Only - Street Sweeping \(pg. 44\)](#)
- c) [Information Only—Sankey Park Bandstand \(pg. 46\)](#)

**Ordinance Bills**

Request for Council Action and First Reading of Ordinance Bills

- a) [Continuation of Public Hearing to consider Application ZMA20-02 \(pg. 58\)](#)

Second Reading of Ordinance Bills

- a) [Request for Council Action – Ordinance Bill No. 10 for 2020 – An Ordinance Annexing and Amending the Official Zoning Map \(pg. 83\)](#)

Third Reading of Ordinance Bills (Roll Call Vote Required)

**Reports of Committees:**

Administrative and Finance/Property

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** (1st meeting of the Month)

Library Services Director

- a) [Library Monthly Report, July 2020 \(pg. 99\)](#)

Community and Economic Development Director

[Community & Economic Development Department Monthly Report for July, 2020 \(pg. 101\)](#)

Public Works Director

- a) [Public Works Department - Monthly Report of Activities July 2020 \(pg. 106\)](#)

**Council Business for Good of the Order**

**Adjournment**



# CITY OF SWEET HOME CITY COUNCIL MINUTES

July 28, 2020, 5:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

WIFI Passcode: guestwifi

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## 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 Work Session at 5:30 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. To view the City Council meeting live, visit [live.sweethomeor.gov](https://www.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.

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## Call to Order

The meeting was Called to Order at 5:30 PM.

## Roll Call

### PRESENT

Mayor Greg Mahler  
President Pro Tem Diane Gerson  
Councilor Cortney Nash  
Councilor Dave Trask  
Councilor James Goble  
Councilor Lisa Gourley

### ABSENT

Councilor Susan Coleman

### STAFF

Community and Economic Development Director Blair Larsen

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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.*

Finance Director Brandon Neish  
Public Works Director Greg Springman  
Engineer Tech Trish Rice  
Administrative Assistant Julie Fisher

MEDIA  
None

**Old Business:**

None

**New Business:**

- a) Information Only - System Development Charges Update

Presentation by Austin Rambin and Deb Galardi for Murraysmith.

The presentation explained the Basic Methodology Equation for developing System Development Charges (SDCs). Oregon Law provides guidelines on methodology development, reporting and notification requirements. Preliminary Water, Wastewater, Stormwater, Transportation, and Parks SDCs were reviewed and discussed.

SDC Fee Levels showed that Sweet Home's average of \$1,839 is far below the statewide average of \$18,800. The average was based on 2018 data. Council requested staff research 2020 average and add comparable cities for their review.

Next steps in the process are to develop the Methodology Report, issue 90 day notice to the public, have the report available for a 60 day review, and Public Hearing for adoption.

Staff will bring additional information to Council during the next meeting.

**Adjournment**

With no further business, the meeting adjourned at 6:24 PM.

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Mayor

ATTEST:

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City Manager – Ex Officio City Recorder



# CITY OF SWEET HOME CITY COUNCIL MINUTES

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## Call to Order and Pledge of Allegiance

The meeting was called to order at 6:30 P.M.

Mayor Mahler asked for a Moment of Silence for Zachary Maynard.

## Roll Call

### PRESENT

Mayor Greg Mahler  
President Pro Tem Diane Gerson  
Councilor Cortney Nash  
Councilor Dave Trask  
Councilor James Goble  
Councilor Lisa Gourley

### ABSENT

Councilor Susan Coleman

## STAFF

Community and Economic Development Director Blair Larsen  
Finance Director Brandon Neish  
Police Chief Jeff Lynn  
Library Service Director Rose Peda  
Staff Engineer Joe Graybill  
City Attorney Robert Snyder  
Administrative Assistant Julie Fisher

## MEDIA

Kelly Kenyoer, The New Era

### **Consent Agenda:**

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

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

Motion made to approve the Consent Agenda by Councilor Gourley, Seconded by Councilor Trask.

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

### Approval of Minutes:

- a) 2020-07-14 City Council Work Session
- b) 2020-07-14 City Council

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

Larry Angland spoke on the condition of Ironwood Street. Mayor Mahler stated the City is in the process of updating the System Development Charges (SDCs) that could help fund further street improvement. Larry Angland stated that he himself has brought in 12 yards of gravel as well as two other neighbors also have added 12 yards of gravel each.

Robert Coakley who works for Knife River suggested tar and pea gravel as opposed to asphalt. PW Director stated an asphalt base is required prior to any oil mat layer.

A Local Improvement District (LID) for neighborhood improvement was discussed. CEDD Blair Larsen explained that option.

Vince Adams spoke on the upcoming land use hearing regarding 23rd and Ironwood. Mr. Adams opposed the development and was against the rezoning.

### **Old Business:**

- c) Information Only - ODOT Multi Modal Transportation Enhance Program Update  
CEDD Blair Larsen and Staff Engineer Joe Graybill gave an update on the ODOT Multi Modal Transportation Enhancement Program changes - the pathway to lake shore at 60th Avenue. Pedestrian crossings of Hwy, one near Midway Market, second at 49th Avenue will still continue. The 4000' of sidewalk on the south in the original scope will no longer be possible.  
Council questioned the RR bridge and liability to the City.

### **New Business:**

- d) Public Hearing to consider Application AX 20-01 & ZC 20-01  
The Public Hearing pen at 6:45 PM.

Mayor Mahler explained the Public Hearing process.

Mayor Mahler asked if any of the Council had any Ex-parte Information, Conflict of Interest, or Personal Bias. There was none.

Staff Report: Community and Economic Development Director Blair Larsen explained the application for an Annexation and Zone Map Amendment of a 39,000 Sq Ft. property. The zone change proposed is from Linn County zoning to City low density residential. The property is in Urban Growth Boundary and just outside City limits. The Sweet Home Planning Commission held a Public Hearing, received testimony and recommended approval to City Council. No conditions of approval were required.

There were no questions from Council

Testimony in Favor: None

Testimony in Opposition: None

Neutral Testimony: None

Public Hearing closed at 6:52 PM.

City Council discussion.

Motion made to move Ordinance No. 10 for 2020 for first reading by Councilor Gourley, Seconded by President Pro Tem Gerson.

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

Voting Nay: Councilor Nash

e) Public Hearing to consider Application ZMA20-02

The Public Hearing was opened at 6:59 PM.

Mayor Mahler explained the Public Hearing process.

Mayor Mahler asked if any of the Council had any Ex-parte Information, Conflict of Interest, or Personal Bias. There was none.

Staff Report: Community and Economic Development Director Blair Larsen gave the Staff Report and explained the application was for a Zone Map Amendment to change .61 acres currently zoned as low density to medium density which is in conformity with Sweet Home Comprehensive Plan. The Planning Commission received testimony, held a Public Hearing, and then passed a motion for recommendation of approval to City Council. No conditions of approval were required. CEDD Larsen made it clear, the application the Council was to consider was for a zone change, and not for building application.

There were no questions of staff.

Applicant Testimony: None

Testimony in favor: None

Testimony in Opposition: Vince Adams, 809 Mt View Rd. stated he was opposed to the zone change.

Neutral Testimony: None

Rebuttal: None

Public Hearing closed at 7:01 PM.

Motion made to approve Ordinance No. 11 for 2020 - An Ordinance Amending the Zoning Map by Councilor Gourley, Seconded by Councilor Trask.

Voting Yea: Mayor Mahler, Councilor Trask, Councilor Gourley

Voting Nay: President Pro Tem Gerson, Councilor Nash, Councilor Goble.  
There was City Council discussion.

The Public Hearing was reopened at 7:10 PM.

Testimony in Favor: The Applicant stated the request is to change zoning from low density to the Comprehensive Plan designation of medium density. There was questions of the Council on what kind of apartments would be going in. Councilor Gerson was concerned of the terrain and wanted to see engineering in the plan.

Testimony in Opposition: Vince Adams again opposed the zone change.

Neutral testimony: None

Motion made to reconsider by Councilor Gourley, Seconded by Councilor Trask.

Voting Yea: Mayor Mahler, Councilor Trask, Councilor Gourley

Voting Nay: President Pro Tem Gerson, Councilor Nash, Councilor Goble.

Motion to continue the Public Hearing made by Councilor Trask, Seconded by Councilor Gerson.

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

The Public Hearing will continue on August 11, 2020.

- f) City Council Candidate Handbook - Candidate Qualifications & Filing Procedures for General Election

Finance Director Neish referred to the City Council Candidate Handbook for Candidate Qualifications and Filing Procedures for General Election. Finance Director Neish reported a page on the website has been created with information and links for anyone who is interested in running for a City Council position.

- g) PageFreezer Contract Review

Finance Director Brandon Neish presented Council with a proposed contract for Social Media Archive System. PageFreezer would replace our current Archive Social and would be a cost savings to the City.

Motion made by Councilor Gourley, Seconded by Councilor Trask.

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

- h) Memorandum - 2020 Levy Rates

Finance Director Neish reported on the 5 yr local option levies for Sweet Home Police Department and the Sweet Home Library. Compression and how it effects the levied funds was discussed. A 5 year forecast for the Public Safety and Library relating to levied funds was presented. Staff recommended leaving levy rates at current rate and submit renewal of current rates for the November Election. Key dates and timeline includes Council decision on August 11, Aug 14 forms must be submitted to the City Manager, and Sept 2 the title must be submitted to Linn County with Notice of Election. There were no questions of the Council.

## **Ordinance Bills**

Request for Council Action and First Reading of Ordinance Bills

Ordinance No. 10 for 2020 - An Ordinance Annexing and Amending the Official Zoning Map was read in its entirety.

Motion made to move Ordinance No. 10 for 2020 to second reading by Councilor Trask, Seconded by President Pro Tem Gerson.

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

Voting Nay: Councilor Nash

Councilor Goble left the meeting at 7:55 P.M.

Second Reading of Ordinance Bills

None

Third Reading of Ordinance Bills (Roll Call Vote Required)

None

**Reports of Committees:**

Chamber of Commerce

Councilor Gerson reported the Chamber has added an additional member to the Board of Directors. Mayor Mahler added the Chamber is considering a virtual Chamber Awards Banquet on August 19 to honor award winners.

Ad Hoc Committee on Health

Councilor Gourley stated the Western University students will be giving an update at the August meeting.

**Reports of City Officials:**

Mayor's Report

None

City Manager's Report

None

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

Finance Director

- i) June 2020 Monthly Report (pg. 115)

Police Chief

- j) Police Department Monthly Report (pg. 124)

Chief Lynn gave an update on Community Court.

City Attorney

None

**Council Business for Good of the Order**

Councilor Gerson reported SHOWCASE will host a Pandemic Art Show on August 15th.

**Adjournment**

With no further business, the meeting adjourned at 8:15 P.M.

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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:** Renewal of Police Services Operating Levy

**Preferred Agenda:** August 11, 2020

**Submitted By:** Brandon Neish, Finance Director

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

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

**Relevant Code/Policy:** ORS 280.060 – Levy of local option taxes outside constitutional limitation

**Towards Council Goal:** Goal 2.3: Invest in long-term staff stability & training  
Goal 3.2: Improve community safety, Police, Community Design, etc.

**Attachments:** Resolution No. 22 for 2020  
Resolution No. 22 for 2020 (track changes)  
Resolution No. 20 for 2015

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## **Purpose of this RCA:**

To review Resolution No. 22 for 2020 and determine if a renewal of the Police Services operating levy should be referred to voters.

## **Background/Context:**

In 1986, the citizens of the City of Sweet Home voted to enact a temporary levy to fund public safety services including the Police department, Dispatch and Fire and EMS services. This levy has been renewed by the voters each time it has been on the ballot. In 1996, Oregon voters approved Measure 47 which was amended in 1997 by the Oregon Legislature to ensure the intent of Measure 47 was protected and could be implemented appropriately. This became Measure 50. Measure 50 established a permanent rate for all existing taxing districts in the State of Oregon, less 10%. Communities with existing tax levies saw these levy amounts rolled into the existing “permanent” rate to establish the new permanent rate. At the time of passage in 1997, Sweet Home had a “permanent” rate of \$1.4157 per 1,000 real market value (RMV) and two, temporary levies. Unfortunately, those temporary levies were expiring and their replacements were higher and for another taxing period. As a result, the expiring levies were not included in the new permanent rate calculation and the City was left with its extremely low permanent rate of \$1.4157 per 1,000 assessed value (AV). Furthermore, without action from Oregon voters, the Measures could not be amended (an attempt in 2000 to fix the issue failed at the voters box).

In 2015, voters in Sweet Home approved the current levy rate. The levy approval included an increase of \$1.45 per 1,000 AV for the Police Services operating levy. The new rate generated \$9.9 million for fiscal years 2017 through 2020 and is projected to generate \$3.0 million for the current fiscal year, 2021. The Police Services operating levy was proposed to the City Council with an increase in a bid to keep taxpayer money in Sweet Home fighting compression.

From its peak in 2017, compression rates have dropped from a high of 38.2% to 19%. As the housing market inevitably levels off, the City expects that the compression rate will increase. Additionally, Linn County's local option levy for public safety services, slated to renew in 2022 if approved by voters in November, will add to the compression as the County has asked voters to approve a \$.25 increase in their rate to \$3.08 per 1,000 AV. The estimated impact to the City's Police Department due to this increase is approximately \$75,000 in lost revenue annually.

To meet the City's goals, continue providing the same level of service and given the current economic climate, staff is proposing to ask voters to renew the five-year local option levy with no change in the rate. At \$7.85 per 1,000 AV, the City projects this would generate \$17.7 million in revenue for the Police Department over the life of the levy. If the levy rates were reduced to their 2015 rates, the City would expect to generate approximately 15% less than the current rate for total revenue of \$15.2 million. To make up the additional revenue, the City would need to attempt to find additional resources to fund operations (which could include a general fund contribution) and/or reduce expenses to balance the budget. The loss of funds could be greater depending on compression changes and how much money would go to other taxing districts as a result of the City's rate change.

Should the City Council opt to leave the Police Services operating levy at its current rate, property owners would see increases in property tax payments only associated with the annual 3% increase in assessed valuation pursuant to Measure 50. In fact, as compression edges upward, property owners would **likely** see a decrease in their City taxes so they remain below the established tax caps of Measure 5.

### **The Challenge/Problem:**

Does the City Council feel a local option tax levy is the best method to fund the Police Department's operations and wish to refer a renewal to voters?

### **Stakeholders:**

- City of Sweet Home voters – Voters in the City of Sweet Home make up a large majority of the property owners in town. The decision of whether to renew the Police Services operation levy directly impacts their property taxes annually as well as the services they receive from the City, in this case, through a local Police Department.
- Sweet Home City Council – The City Council is elected to make policy decisions on behalf of the 9,000+ residents within city limits and adopt a budget under Oregon Local Budget Law. The levy provides nearly \$3 million annually to operate the Police Department which the Council oversees spending authorizations for.
- City of Sweet Home Police Department – Without the \$3 million in revenue generated by the levy, the Police Department and the City would need to find alternative resources to fund the department's operations or reduce expenditures to continue operations.

### **Issues and Financial Impacts:**

The Police Department's operating budget for 2021 is \$3.4 million (including contingency). The Police Services operation levy generates 88% of the total resources needed to operate the department. In fiscal year 2022 when this renewal would take effect, expenditures are estimated to be \$3.3 million with costs rising an average of 4.4% annually.

**Elements of a Stable Solution:**

A decision on resources to cover Police Department expenditures annually would provide a stable solution.

**Options:**

1. Do Nothing – The City Council could decide to not take action on Resolution No. 22 for 2020. The current Police Services operating levy would expire on June 30, 2021 and there would be no funding available from a local option levy to fund the Police Department for the 2022 fiscal year which begins on July 1, 2021.
2. Move to approve Resolution No. 22 for 2020 – The Resolution maintains the current operating levy rate of \$7.85 per \$1,000 assessed value and refers the local option levy to voters to decide.
3. Move to amend and approve Resolution No. 22 for 2020 with a revised rate – The City Council could opt to revise the rates proposed in Resolution No. 22 for 2020 before adopting the resolution.
4. Direct staff to prepare another proposal based on forecasts and specific limits for compression. The City Council could direct staff to recalculate the rates to mitigate an increase in compression rates over the five-year levy. Based on timing restrictions for getting a local option levy into the general election, a special session of the Council would be necessary.

**Recommendation:**

Staff recommends option 2, move to approve Resolution No. 22 for 2020. The Police Services operation levy is vital for the safety and wellbeing of the community. Having been supported by the community since 1986, staff believes this is the best proposal balancing the needs of citizens, businesses and the City.

RESOLUTION NO. ~~20-22~~ FOR ~~2015~~2020

A RESOLUTION OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON CALLING AN ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY OF SWEET HOME THE QUESTION OF RENEWING THE CURRENT FIVE YEAR POLICE SERVICES OPERATING LEVY FOR ANOTHER FIVE YEARS BEGINNING JULY 1, ~~2016~~2021.

WHEREAS, on June 30, ~~2016~~2021, the existing Police Services operating levy in the amount of ~~\$6.40~~7.85 per \$1,000 of assessed value will expire; and

WHEREAS, City Council of the City of Sweet Home has determined that it is critical to the safety and security of the citizens of Sweet Home that funding for police and emergency dispatch services be continued at the conclusion of this levy;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON AS FOLLOWS:

1. That an election is hereby called for the purpose of submitting to the electors of the City the question of renewing the existing five-year Police Services operating levy for another five-year period commencing July 1, ~~2016-2021~~ and ending June 30, ~~2021~~2026. The Council directs staff to prepare a Notice of Measure Election consistent with the provisions of this resolution, which provides a tax rate of \$7.85 per \$1,000 of assessed valuation during this five year levy. The requested rate will raise an estimated total of ~~\$17,580,437~~16,017,681 from the following estimated annual authorizations to levy: ~~\$3,311,356~~3,045,917 in ~~2016~~2021; ~~\$3,410,696~~3,099,402 in ~~2017~~2022; ~~\$3,513,017~~3,151,456 in ~~2018~~2023; ~~\$3,618,408~~3,203,844 in ~~2019~~2024; and ~~\$3,726,960~~3,517,062 in ~~2020~~2025.
2. That the tax rate of \$7.85 per \$1,000 of assessed value is a ~~\$1.45 increase over renewal of~~ the current expiring Police Services operating levy with no rate increase.
3. That the election hereby called and shall be held on the 3rd day of November, ~~2015~~2020.
4. That the City directs that there shall be delivered to the election officer of Linn County, Oregon not later than the 61<sup>st</sup> day before the date of the election the Notice of Measure Election prepared by staff and approved by the Mayor and the City Manager.
5. That the County Clerk shall cause the Notice of Measure Election, sample ballot, and days of the election to be posted and published in accordance with the laws of the State of Oregon.

6. Pursuant to ORS 310.145, the five-year police/emergency services operating levy described in this resolution shall be classified as being subject to the limits of section 11b, Article XI of the Oregon Constitution and that the revenues will be used for government purposes other than education, specifically police and emergency dispatch purposes including, but not limited to, all operational expenditures as established by the City budget assembled pursuant to ORS 294.305 to ORS 294.565.

This resolution shall be effective immediately upon its passage.

PASSED by the Council and approved by the Mayor this 11th day of August, ~~2015~~2020.

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Mayor

ATTEST:

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City Manager – Ex Officio City Recorder

RESOLUTION NO. 22 FOR 2020

A RESOLUTION OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON CALLING AN ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY OF SWEET HOME THE QUESTION OF RENEWING THE CURRENT FIVE YEAR POLICE SERVICES OPERATING LEVY FOR ANOTHER FIVE YEARS BEGINNING JULY 1, 2021.

WHEREAS, on June 30, 2021, the existing Police Services operating levy in the amount of \$7.85 per \$1,000 of assessed value will expire; and

WHEREAS, City Council of the City of Sweet Home has determined that it is critical to the safety and security of the citizens of Sweet Home that funding for police and emergency dispatch services be continued at the conclusion of this levy;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON AS FOLLOWS:

1. That an election is hereby called for the purpose of submitting to the electors of the City the question of renewing the existing five-year Police Services operating levy for another five-year period commencing July 1, 2021 and ending June 30, 2026. The Council directs staff to prepare a Notice of Measure Election consistent with the provisions of this resolution, which provides a tax rate of \$7.85 per \$1,000 of assessed valuation during this five year levy. The requested rate will raise an estimated total of \$16,017,681 from the following estimated annual authorizations to levy: \$3,045,917 in 2021; \$3,099,402 in 2022; \$3,151,456 in 2023; \$3,203,844 in 2024; and \$3,517,062 in 2025.
2. That the tax rate of \$7.85 per \$1,000 of assessed value is a renewal of the current expiring Police Services operating levy with no rate increase.
3. That the election hereby called and shall be held on the 3rd day of November, 2020.
4. That the City directs that there shall be delivered to the election officer of Linn County, Oregon not later than the 61<sup>st</sup> day before the date of the election the Notice of Measure Election prepared by staff and approved by the Mayor and the City Manager.
5. That the County Clerk shall cause the Notice of Measure Election, sample ballot, and days of the election to be posted and published in accordance with the laws of the State of Oregon.

6. Pursuant to ORS 310.145, the five-year police/emergency services operating levy described in this resolution shall be classified as being subject to the limits of section 11b, Article XI of the Oregon Constitution and that the revenues will be used for government purposes other than education, specifically all operational expenditures for police and emergency dispatch purposes established by the City budget assembled pursuant to ORS 294.305 to ORS 294.565.

This resolution shall be effective immediately upon its passage.

PASSED by the Council and approved by the Mayor this 11th day of August, 2020.

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Mayor

ATTEST:

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City Manager – Ex Officio City Recorder



**City of Sweet Home**  
November 3, 2020 - General Election  
Police and Library Operating Levy Information



- What: Sweet Home Police and Library Operating Levies
- Who: Voters within the City of Sweet Home
- How: Ballots will be mailed to registered voters on October 14, 2020
- When: **Ballots must be mailed in time to arrive by November 3<sup>rd</sup> or must be placed in drop boxes in Sweet Home or received at the Linn County Court House by 8:00 pm on Tuesday, November 3, 2020**

**Q – What is the issue?**

A - Primary funding for the Sweet Home Police and Library Services has been obtained through temporary local option tax levies since 1986. The tax levies approved in 2015 are scheduled to expire June 30, 2021. Continuation of both levies have been placed on the November 3, 2020 Election Ballot.

**Q – How will the new levies affect the rates of the current levies?**

A - The new levies if approved, would replace the expiring levies and not be added to the current levy rates.

**Q – What happens to the money from these levies?**

A - The tax revenue generated from the levies can be used only to fund Sweet Home Police and Library operations.

**Q – What is the tax rate of each of the levy requests?**

A - The Police Operating Levy rate will be \$7.85 per \$1,000 of assessed property value.  
The Library Operating Levy rate will be \$1.17 per \$1,000 of assessed property value.

**Q – How do these tax rates compare to the rates in the expiring levies?**

A - The rates proposed match the rates of the expiring operating levies. Taxpayers may pay more taxes than the prior year solely due to an increase in assessed value of their property but not due to an increase in the rate charged.

**Q – How can I get more information on these ballot measures?**

A - If you have questions or want additional information regarding these two ballot measures, contact the City of Sweet Home at (541) 367-8969.

**TURN OVER FOR BALLOT TITLES**

## BALLOT TITLES

### **22-138 SWEET HOME POLICE SERVICES FIVE YEAR OPERATING LEVY CONTINUATION**

**QUESTION:** Shall the City continue the Police Services Operating Levy beginning in 2021 and maintain current services for another five years? This measure may cause property taxes to increase more than three percent.

**SUMMARY:** APPROVING THIS FIVE YEAR LOCAL OPTION LEVY WOULD EXTEND THE CITY OF SWEET HOME POLICE SERVICES OPERATING LEVY THROUGH JUNE 2026.

This levy would begin July 1, 2021 with all revenues received used to provide continued funding for the City of Sweet Home Police Services operations through June 2026.

This five year levy would produce at a rate of \$7.85 per \$1,000 of assessed value an estimated total of \$16,017,681 from the following estimated annual authorizations to levy: \$3,045,917 in 2021; \$3,099,402 in 2022; \$3,151,456 in 2023; \$3,203,844 in 2024; and \$3,517,062 in 2025. This estimate may reflect the impact of early payment discounts, compression and the collection rate.

A "YES" VOTE RETAINS SWEET HOME'S POLICE SERVICES OPERATING LEVY

The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate.

### **22-139 SWEET HOME LIBRARY FIVE YEAR OPERATING LEVY CONTINUATION**

**QUESTION:** Shall the City continue the Library Operating Levy beginning in 2021 and maintain current services for another five years? This measure may cause property taxes to increase more than three percent.

**SUMMARY:** APPROVING THIS FIVE YEAR LOCAL OPTION LEVY WOULD EXTEND THE CITY OF SWEET HOME LIBRARY OPERATING LEVY THROUGH JUNE 2026.

This levy would begin July 1, 2021 with all revenues received used to provide continued funding for the City of Sweet Home Library operations through June 2026.

This five year levy would produce at a rate of \$1.17 per \$1,000 of assessed value an estimated total of \$2,393,820 from the following estimated annual authorizations to levy: \$453,977 in 2021; \$561,949 in 2022; \$469,707 in 2023; \$477,516 in 2024; and \$530,671 in 2025. This estimate may reflect the impact of early payment discounts, compression and the collection rate.

A "YES" VOTE RETAINS SWEET HOME'S LIBRARY OPERATING LEVY

The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate.

**OFFICIAL BALLOT DROP SITES IN SWEET HOME ARE LOCATED AT  
THE POLICE DEPARTMENT AND CITY HALL**

RESOLUTION NO. 20 FOR 2015

A RESOLUTION OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON CALLING AN ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY OF SWEET HOME THE QUESTION OF RENEWING THE CURRENT FIVE YEAR POLICE SERVICES OPERATING LEVY FOR ANOTHER FIVE YEARS BEGINNING JULY 1, 2016.

WHEREAS, on June 30, 2016, the existing Police Services operating levy in the amount of \$6.40 per \$1,000 of assessed value will expire; and

WHEREAS, City Council of the City has determined that it is critical to the safety and security of the citizens of Sweet Home that funding for police and emergency dispatch services be continued at the conclusion of this levy;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON AS FOLLOWS:

1. That an election is hereby called for the purpose of submitting to the electors of the City the question of renewing the existing five-year Police Services operating levy for another five-year period commencing July 1, 2016 and ending June 30, 2021. The Council directs staff to prepare a Notice of Measure Election consistent with the provisions of this resolution, which provides a tax rate of \$7.85 per \$1,000 of assessed valuation during this five year levy. The requested rate will raise an estimated total of \$17,580,437 from the following estimated annual authorizations to levy: \$3,311,356 in 2016; \$3,410,696 in 2017; \$3,513,017 in 2018; \$3,618,408 in 2019; and \$3,726,960 in 2020.
2. That the tax rate of \$7.85 per \$1,000 of assessed value is a \$1.45 increase over the current expiring Police Services operating levy.
3. That the election hereby called and shall be held on the 3rd day of November, 2015.
4. That the City directs that there shall be delivered to the election officer of Linn County, Oregon not later than the 61<sup>st</sup> day before the date of the election the Notice of Measure Election prepared by staff and approved by the Mayor and the City Manager.
5. That the County Clerk shall cause the Notice of Measure Election, sample ballot, and days of the election to be posted and published in accordance with the laws of the State of Oregon.

6. Pursuant to ORS 310.145, the five-year police/emergency services operating levy described in this resolution shall be classified as being subject to the limits of section 11b, Article XI of the Oregon Constitution and that the revenues will be used for government purposes other than education, specifically police and emergency dispatch purposes.

This resolution shall be effective immediately upon its passage.

PASSED by the Council and approved by the Mayor this 11th day of August, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

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



# REQUEST FOR COUNCIL ACTION

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**Title:** Renewal of Library Services Operating Levy

**Preferred Agenda:** August 11, 2020

**Submitted By:** Brandon Neish, Finance Director

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

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

**Relevant Code/Policy:** ORS 280.060 – Levy of local option taxes outside constitutional limitation

**Towards Council Goal:** Goal 2.3: Invest in long-term staff stability & training  
Goal 3.2: Improve community safety, Police, Community Design, etc.

**Attachments:** Resolution No. 23 for 2020  
Resolution No. 23 for 2020 (track changes)  
Resolution No. 19 for 2015

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## **Purpose of this RCA:**

To review Resolution No. 23 for 2020 and determine if a renewal of the Library Services operating levy should be referred to voters.

## **Background/Context:**

In 1986, the citizens of the City of Sweet Home voted to enact a temporary levy to fund library services. This levy has been renewed by the voters each time it has been on the ballot. In 1996, Oregon voters approved Measure 47 which was amended in 1997 by the Oregon Legislature to ensure the intent of Measure 47 was protected and could be implemented appropriately. This became Measure 50. Measure 50 established a permanent rate for all existing taxing districts in the State of Oregon, less 10%. Communities with existing tax levies saw these levy amounts rolled into the existing “permanent” rate to establish the new permanent rate. At the time of passage in 1997, Sweet Home had a “permanent” rate of \$1.4157 per 1,000 real market value (RMV) and two, temporary levies. Unfortunately, those temporary levies were expiring and their replacements were higher and for another taxing period. As a result, the expiring levies were not included in the new permanent rate calculation and the City was left with its extremely low permanent rate of \$1.4157 per 1,000 assessed value (AV). Furthermore, without action from Oregon voters, the Measures could not be amended (an attempt in 2000 to fix the issue failed at the voters box).

In 2015, voters in Sweet Home approved the current levy rate. The levy approval included an increase of \$.32 per 1,000 AV for the Library Services operating levy. The new rate generated \$1.5 million for fiscal years 2017 through 2020 and is projected to generate \$400k for the current fiscal year, 2021. The Library Services operating levy was proposed to the City Council with an increase in a bid to keep taxpayer money in Sweet Home fighting compression.

From its peak in 2017, compression rates have dropped from a high of 38.2% to 19%. As the housing market inevitably levels off, the City expects that the compression rate will increase. Additionally, Linn County's local option levy for public safety services, slated to renew in 2022 if approved by voters in November, will add to the compression as the County has asked voters to approve a \$.25 increase in their rate to \$3.08 per 1,000 AV. The estimated impact to the City's Library due to this increase is approximately \$11,000 in lost revenue annually.

To meet the City's goals, continue providing the same level of service and given the current economic climate, staff is proposing to ask voters to renew the five-year local option levy with no change in the rate. At \$1.17 per 1,000 AV, the City projects this would generate \$2.4 million in revenue for the Library over the life of the levy. If the levy rates were reduced to their 2015 rates, the City would expect to generate approximately 15% less than the current rate for total revenue of \$2 million. To make up the additional revenue, the City would need to attempt to find additional resources to fund operations (which could include a general fund contribution) and/or reduce expenses to balance the budget. The loss of funds could be greater depending on compression changes and how much money would go to other taxing districts as a result of the City's rate change.

Should the City Council opt to leave the Library Services operating levy at its current rate, property owners would see increases in property tax payments only associated with the annual 3% increase in assessed valuation pursuant to Measure 50. In fact, as compression edges upward, property owners would **likely** see a decrease in their City taxes so they remain below the established tax caps of Measure 5.

### **The Challenge/Problem:**

Does the City Council feel a local option tax levy is the best method to fund the Library's operations and wish to refer a renewal to voters?

### **Stakeholders:**

- City of Sweet Home voters – Voters in the City of Sweet Home make up a large majority of the property owners in town. The decision of whether to renew the Library Services operation levy directly impacts their property taxes annually as well as the services they receive from the City, in this case, through the Library.
- Sweet Home City Council – The City Council is elected to make policy decisions on behalf of the 9,000+ residents within city limits and adopt a budget under Oregon Local Budget Law. The levy provides nearly \$450k annually to operate the Library which the Council oversees spending authorizations for.
- City of Sweet Home Library – Without the \$450k in revenue generated by the levy, the Library and the City would need to find alternative resources to fund the department's operations or reduce expenditures to continue operations.

### **Issues and Financial Impacts:**

The Library's operating budget for 2021 is \$480k (including contingency). The Library operation levy generates 94% of the total resources needed to operate the department. In fiscal year 2022 when this renewal would take effect, expenditures are estimated to be \$500k with costs rising an average of 4.3% annually.

**Elements of a Stable Solution:**

A decision on resources to cover Library expenditures annually would provide a stable solution.

**Options:**

1. Do Nothing – The City Council could decide to not take action on Resolution No. 23 for 2020. The current Library Services operating levy would expire on June 30, 2021 and there would be no funding available from a local option levy to fund the Library for the 2022 fiscal year which begins on July 1, 2021.
2. Move to approve Resolution No. 23 for 2020 – The Resolution maintains the current operating levy rate of \$1.17 per \$1,000 assessed value and refers the local option levy to voters to decide.
3. Move to amend and approve Resolution No. 23 for 2020 with a revised rate – The City Council could opt to revise the rates proposed in Resolution No. 23 for 2020 before adopting the resolution.
4. Direct staff to prepare another proposal based on forecasts and specific limits for compression. The City Council could direct staff to recalculate the rates to mitigate an increase in compression rates over the five-year levy. Based on timing restrictions for getting a local option levy into the general election, a special session of the Council would be necessary.

**Recommendation:**

Staff recommends option 2, move to approve Resolution No. 23 for 2020. The Library provides many valuable services impacting the wellbeing of the community. Having been supported by the community since 1986, staff believes this is the best proposal balancing the needs of citizens, businesses and the City.

RESOLUTION NO. ~~19-23~~ FOR ~~2015~~2020

A RESOLUTION OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON CALLING AN ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY OF SWEET HOME THE QUESTION OF RENEWING THE CURRENT FIVE YEAR LIBRARY OPERATING LEVY FOR ANOTHER FIVE YEARS BEGINNING JULY 1, ~~2016~~2021.

WHEREAS, on June 30, ~~2016~~2021, the existing Library operating levy in the amount of \$ ~~.821.17~~ per \$1,000 of assessed value will expire; and

WHEREAS, City Council of the City of Sweet Home has determined that it is desirable to renew the existing library operating levy in order to continue funding library services for the citizens of Sweet Home;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON AS FOLLOWS:

1. That an election is hereby called for the purpose of submitting to the electors of the City the question of renewing the existing five-year library operating levy for another five-year period commencing July 1, ~~2016-2021~~ and ending June 30, ~~2021~~2026. The Council directs staff to prepare a Notice of Measure Election consistent with the provisions of this resolution, which provides a tax rate of \$1.17 per \$1,000 of assessed valuation during this five year levy The requested rate will raise an estimated total of \$~~2,620,2692,393,820~~ from the following estimated annual authorizations to levy: \$~~493,540453,977~~ in ~~2016~~2021; \$~~508,346461,949~~ in ~~2017~~2022; \$~~523,596469,707~~ in ~~2018~~2023; \$~~539,304477,516~~ in ~~2019~~2024; and \$~~555,483530,671~~ in ~~2020~~2025.
2. That the tax rate of \$ 1.17 per \$1,000 of assessed value is a ~~.35 increase over renewal of~~ the current expiring Library operating levy with no rate increase.
3. That the election is hereby called and shall be held on the 3rd day of November, ~~2015~~2020.
4. That the City directs that there shall be delivered to the election officer of Linn County, Oregon not later than the 61<sup>st</sup> day before the date of the election the Notice of Measure Election prepared by staff and approved by the Mayor and the City Manager.
5. That the County Clerk shall cause the Notice of Measure Election, sample ballot, and days of the election to be posted and published in accordance with the laws of the State of Oregon.

6. Pursuant to ORS 310.145, the five-year library services operating levy described in this resolution shall be classified as being subject to the limits of section 11b, Article XI of the Oregon Constitution and that the revenues will be used for government purposes other than education, specifically all operational expenditures for library services purposes established by the City budget assembled pursuant to ORS 294.305 to ORS 294.565.

This resolution shall be effective immediately upon its passage.

PASSED by the Council and approved by the Mayor this 11th day of August, ~~2015~~2020

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Mayor

ATTEST:

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City Manager – Ex Officio City Recorder

RESOLUTION NO. 23 FOR 2020

A RESOLUTION OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON CALLING AN ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY OF SWEET HOME THE QUESTION OF RENEWING THE CURRENT FIVE YEAR LIBRARY OPERATING LEVY FOR ANOTHER FIVE YEARS BEGINNING JULY 1, 2021.

WHEREAS, on June 30, 2021, the existing Library operating levy in the amount of \$ 1.17 per \$1,000 of assessed value will expire; and

WHEREAS, City Council of the City of Sweet Home has determined that it is desirable to renew the existing library operating levy in order to continue funding library services for the citizens of Sweet Home;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON AS FOLLOWS:

1. That an election is hereby called for the purpose of submitting to the electors of the City the question of renewing the existing five-year library operating levy for another five-year period commencing July 1, 2021 and ending June 30, 2026. The Council directs staff to prepare a Notice of Measure Election consistent with the provisions of this resolution, which provides a tax rate of \$1.17 per \$1,000 of assessed valuation during this five year levy. The requested rate will raise an estimated total of \$2,393,820 from the following estimated annual authorizations to levy: \$453,977 in 2021; \$461,949 in 2022; \$469,707 in 2023; \$477,516 in 2024; and \$530,671 in 2025.
2. That the tax rate of \$ 1.17 per \$1,000 of assessed value is a renewal of the current expiring Library operating levy with no rate increase.
3. That the election is hereby called and shall be held on the 3rd day of November, 2020.
4. That the City directs that there shall be delivered to the election officer of Linn County, Oregon not later than the 61<sup>st</sup> day before the date of the election the Notice of Measure Election prepared by staff and approved by the Mayor and the City Manager.
5. That the County Clerk shall cause the Notice of Measure Election, sample ballot, and days of the election to be posted and published in accordance with the laws of the State of Oregon.

6. Pursuant to ORS 310.145, the five-year library services operating levy described in this resolution shall be classified as being subject to the limits of section 11b, Article XI of the Oregon Constitution and that the revenues will be used for government purposes other than education, specifically all operational expenditures for library services purposes established by the City budget assembled pursuant to ORS 294.305 to ORS 294.565.

This resolution shall be effective immediately upon its passage.

PASSED by the Council and approved by the Mayor this 11th day of August, 2020

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Mayor

ATTEST:

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City Manager – Ex Officio City Recorder

RESOLUTION NO. 19 FOR 2015

A RESOLUTION OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON CALLING AN ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY OF SWEET HOME THE QUESTION OF RENEWING THE CURRENT FIVE YEAR LIBRARY OPERATING LEVY FOR ANOTHER FIVE YEARS BEGINNING JULY 1, 2016.

WHEREAS, on June 30, 2016, the existing Library operating levy in the amount of \$ .82 per \$1,000 of assessed value will expire; and

WHEREAS, City Council of the City has determined that it is desirable to renew the existing library operating levy in order to continue funding library services for the citizens of Sweet Home;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON AS FOLLOWS:

1. That an election is hereby called for the purpose of submitting to the electors of the City the question of renewing the existing five-year library operating levy for another five-year period commencing July 1, 2016 and ending June 30, 2021. The Council directs staff to prepare a Notice of Measure Election consistent with the provisions of this resolution, which provides a tax rate of \$1.17 per \$1,000 of assessed valuation during this five year levy. The requested rate will raise an estimated total of \$2,620,269 from the following estimated annual authorizations to levy: \$493,540 in 2016; \$508,346 in 2017; \$523,596 in 2018; \$539,304 in 2019; and \$555,483 in 2020.
2. That the tax rate of \$ 1.17 per \$1,000 of assessed value is a .35 increase over the current expiring Library operating levy.
3. That the election is hereby called and shall be held on the 3rd day of November, 2015.
4. That the City directs that there shall be delivered to the election officer of Linn County, Oregon not later than the 61<sup>st</sup> day before the date of the election the Notice of Measure Election prepared by staff and approved by the Mayor and the City Manager.
5. That the County Clerk shall cause the Notice of Measure Election, sample ballot, and days of the election to be posted and published in accordance with the laws of the State of Oregon.

6. Pursuant to ORS 310.145, the five-year library services operating levy described in this resolution shall be classified as being subject to the limits of section 11b, Article XI of the Oregon Constitution and that the revenues will be used for government purposes other than education, specifically library services purposes.

This resolution shall be effective immediately upon its passage.

PASSED by the Council and approved by the Mayor this 11th day of August, 2015

\_\_\_\_\_  
Mayor

ATTEST:

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



# REQUEST FOR COUNCIL ACTION

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**Title:** Information Only – Solid Waste Rate Increase

**Preferred Agenda:** August 11, 2020

**Submitted By:** Julie Fisher, Administrative Assistant

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

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

**Relevant Code/Policy:** Ordinance No. 3 for 2018, Ordinance #1261

**Towards Council Goal:** Goal #3 Essential Services.

**Attachments:** Letter to Ray Towry, 2019 CPI West B-C, Proposed Rates, New Rates, Ordinance No. 3 for 2018,

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**Purpose of this RCA:**

2020-2021 rates for solid waste.

**Background/Context:**

Waste Connection Inc. (Sweet Home Sanitation) is the current provider of solid waste disposal and recycling services in Sweet Home.

In 2018, City Council passed Sweet Home Ordinance 1261 which provides for an automatic annual rate adjustment tied to CPI W B-C and a process for extraordinary circumstances in which SH Sanitation would request above CPI, requiring a resolution by City Council at a City Council public meeting. This is not above CPI so is an automatic increase.

Sweet Home Sanitation is enacting a rate increase to help cover the increased cost of doing business. They are implementing an 2.54% raise in the rates as of October 1, 2020.

SH Sanitation did request an increase due to the recycling market crisis in 2018. SH Sanitation did not implement an increase in 2019.

**The Challenge/Problem:**

**Stakeholders:**

- City of Sweet Home Residents – Solid waste disposal and recycling are necessary and valued by the community.
- City of Sweet Home City Council – Council is entrusted to make decisions that do the most good for the most people for the longest period of time.

**Issues and Financial Impacts:**

The world recycling market is still changing. Sweet Home Sanitation is enacting a 2.54% allowed by the contract. Council has already approved the increase with Ordinance No. 3 for 2018.

**Elements of a Stable Solution:**

A palatable and predictable rate increase that is fair to all parties, while ensuring the needs of the community are met.

**Options:**

1. No Action Required. For Information Only



August 4, 2020

Ray Towry

City of Sweet Home

Re: Garbage Franchise Price Increase

Mr. Towry,

We would like to go before the City Council to discuss our annual CPI increase. In 2019, we didn't have a price increase in the City of Sweet Home. Because of the COVID-19, we postponed coming to the city on July 1<sup>st</sup> this year. We have seen many of our expenses increase over the last two years and to prevent asking for a larger increase in the future, we feel that this is the best time to implement the 2.54% CPI increase. This price increase will be effective October 1, 2020.

We would also like to present a power point at the City Council meeting to show the councilors some of the things we have been doing, future plans for the transfer station, and an update on recycling.

Please let me know if you have any questions or need any additional information for the packet.

Thank you,

Candi Unger  
Site Manager  
Sweet Home Sanitation

Brian White  
District Manager  
Sweet Home Sanitation

ORDINANCE BILL NO. 3 FOR 2018

ORDINANCE NO. 1272

AN ORDINANCE RELATING TO RATE INCREASES FOR SOLID WASTE MANAGEMENT IN THE CITY OF SWEET HOME, OREGON AND REPEALING SWEET HOME ORDINANCE 1261 WITH AN EXPEDIENCY CLAUSE.

WHEREAS, in 1998 the City of Sweet Home entered into a franchise agreement with Sweet Home Sanitation Services Inc. now known as Sweet Home Sanitation Service and operated by Waste Connection Inc.;

WHEREAS, the City of Sweet Home passed Sweet Home Ordinance No. 1117 in 1998 known as the Solid Waste Management Ordinance;

WHEREAS, Sweet Home Ordinance No. 1117 requires in Subsection 6.1 that changes in rates shall be made only by an Ordinance amending Exhibit A therein;

WHEREAS, the City of Sweet Home passed Sweet Home Ordinance No. 1261 in 2017 amending Exhibit A of Sweet Home Ordinance No. 1117 which was the last amendment to Exhibit A;

WHEREAS, the franchisee desires to have a rate increase because of extraordinary circumstances in the world recycling market and a rate schedule as set forth in Exhibit A under proposed rates;

WHEREAS, in Ordinance No. 1261 the parties agreed to have automatic annual rate changes based on the Portland-Salem Consumer Price Index;

WHEREAS, the parties need to select another consumer price index because the Portland-Salem Consumer Price Index is no longer being maintained;

WHEREAS, the City of Sweet Home desires to establish a procedure that will be responsive to the need to change rates to reflex the market fluctuations in the market; and

WHEREAS, the rate increases for the extra costs of recycling need to be established as of August 1, 2018 to help compensate for the increases in the cost of recycling over the last year.

NOW THEREFORE,

The City of Sweet Home does ordain as follows:

Section 1. Exhibit A of Sweet Home Ordinance No. 1117 referenced in Subsection 6.1 thereof is amended to read as set forth in the attached Exhibit A hereto and by this reference hereby incorporated therein with the August 1, 2018 proposed rates being

in effect as of August 1, 2018. The rates established hereby shall remain in effect until changed by the City Council except for the automatic annual CPI adjustment.

Section 2. Section 6.1 of Sweet Home Ordinance 1117 is amended to read as follows:

6.1 Rates for service set after those set in Sweet Home Ordinance No. 1272 shall be set by City Council resolution except for the automatic annual adjustment as stated below.

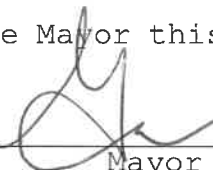
Section 3. Section 6.1.1 of Sweet Home Ordinance 1117 is created to read as follows:

6.1.1 In addition to the foregoing, the rates for service described above shall be automatically adjusted annually, (first effective July 1, 2018) and each year thereafter during the term of this Ordinance based on the annual average increase or decrease, if any, of the Consumer Price Index-CPI-U W West B/C, as published by the United States Bureau of Labor Statistics (<https://data.bls.gov/PDOWeb/cu>) (the "CPI") during the most recent twelve (12) month period ending no later than June 30 of the then current year. Thus, if the CPI increased 2% from the previous 12 month average of 2018-2019 then the rates for service would automatically increase 2% effective as of July 1, 2019. In addition to the above rate structure either party to the franchise can request increases or decreases in the rates based on extraordinary circumstances.

Section 4. Sweet Home Ordinance No. 1261 passed in 2017 is hereby repealed.

Section 5. Expediency Clause. It is hereby adjudged and declared by the Sweet Home City Council that existing conditions are such that this ordinance is needed to be in effect at the time and date of its passage by the City Council and approval by the Mayor and it is hereby declaring an emergency to promote the public health, safety and welfare.

PASSED by the Council and approved by the Mayor this 11th day of September, 2018.

  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Manager + Ex Officio City Recorder

**Sweet Home Sanitation**  
**City of Sweet Home - Proposed Rates**

	7/1/2017	7/1/2018 (4.2% CPI)	8/1/2018 (8% Recycling)
<b>Residential Service:</b>			
Cans and Carts			
1-20 gallon weekly	\$11.60	\$12.10	\$13.00
1-35 gallon weekly	\$23.40	\$24.40	\$26.25
1-90 gallon weekly	\$28.85	\$30.05	\$32.35
<b>Other Services</b>			
Yard Debris Only	\$5.25	\$5.45	\$5.90
Recycling Only	\$5.25	\$5.45	\$5.90
Recall Fee	\$9.35	\$9.75	\$10.50
Access Fee	\$6.15	\$6.40	\$6.90
<b>Commercial Service:</b>			
90 gallon cart	\$32.15	\$33.50	\$36.05
35 gallon cart	\$23.45	\$24.45	\$26.30
<b>1 Yard Container</b>			
Rental	\$53.05	\$55.30	\$59.50
Once per Month	\$71.40	\$74.40	\$80.10
Every Other Week	\$89.60	\$93.35	\$100.55
Weekly	\$114.95	\$119.80	\$128.95
2X per Week	\$207.05	\$215.75	\$232.30
Extra Dump	\$31.85	\$33.20	\$35.75
<b>1.5 Yard Container</b>			
Rental	\$53.05	\$55.30	\$59.50
Once per Month	\$76.50	\$79.70	\$85.85
Every Other Week	\$101.85	\$106.15	\$114.30
Weekly	\$147.90	\$154.10	\$165.95
2X per Week	\$254.70	\$265.40	\$285.75
Extra Dump	\$37.75	\$39.35	\$42.35
<b>2 Yard Container</b>			
Rental	\$53.05	\$55.30	\$59.50
Once per Month	\$89.60	\$93.35	\$100.55
Every Other Week	\$115.00	\$119.85	\$129.05
Weekly	\$182.30	\$189.95	\$204.55
2X per Week	\$328.10	\$341.90	\$368.15
Extra Dump	\$42.60	\$44.40	\$47.80
<b>3 Yard Container</b>			
Rental	\$53.05	\$55.30	\$59.50
Once per Month	\$97.85	\$101.95	\$109.80
Every Other Week	\$175.20	\$182.55	\$196.55
Weekly	\$262.70	\$273.75	\$294.75
2X per Week	\$471.65	\$491.45	\$529.20
Extra Dump	\$47.10	\$49.10	\$52.85
<b>4 Yard Container</b>			
Rental	\$53.05	\$55.30	\$59.50
Once per Month	\$115.00	\$119.85	\$129.05
Every Other Week	\$182.30	\$189.95	\$204.55
Weekly	\$306.10	\$318.95	\$343.45
2X per Week	\$550.65	\$573.80	\$617.85
Extra Dump	\$76.50	\$79.70	\$85.85

**Sweet Home Sanitation  
City of Sweet Home - Proposed Rates**

	7/1/2017	7/1/2018 (4.2% CPI)	8/1/2018 (8% Recycling)
<b>Temporary 4 Yard Container</b>			
3 Days	\$96.65	\$100.70	\$108.45
Extra Dump	\$76.50	\$79.70	\$85.85
Demurrage per Day After 3 Days	\$3.40	\$3.55	\$3.80
3 Tab Roofing (3 days)	\$143.70	\$149.75	\$161.25
Extra Dump	\$113.35	\$118.10	\$127.20
<b>Roll-Off Services:</b>			
20 Yard Box/per Haul	\$158.05	\$164.70	\$164.70
30 Yard Box/per Haul	\$180.60	\$188.20	\$188.20
48 Yard Box/per Haul	\$203.15	\$211.70	\$211.70
Tonnage	\$67.20	\$70.00	\$70.00
Delivery	\$11.70	\$12.20	\$12.20
Demurrage – after 3 days	\$11.70	\$12.20	\$12.20
Monthly Rental	\$116.85	\$121.75	\$121.75
<b>Sweet Home Transfer Station</b>			
Solid Waste 0-500 lbs Minimum Charge	\$20.40	\$21.25	\$21.25
Solid Waste 500 lbs or Greater	\$62.70/ton	\$70.00/ton	\$70.00/ton
32 Gallon Can	\$5.75/can	\$6.00/can	\$6.00/can
Yard Waste Clean	\$39.45/ton	\$41.10/ton	\$41.10/ton
Wood Waste Clean	\$34.00/ton	\$35.45/ton	\$35.45/ton
Refrigerators	\$24.75	\$25.80	\$25.80
Scrap Metal Clean	No Charge	No Charge	No Charge
E-Waste TV's, Computers, Monitors, Etc	No Charge (7 Item Max) \$5.20 each additional item	No Charge (7 Item Max) \$5.40 each additional item	No Charge (7 Item Max) \$5.40 each additional item
Used Motor Oil - 5 Gallon bucket or smaller	No Charge	No Charge	No Charge
Car Tires - Off Rim	\$5.75	\$6.00	\$6.00
Car Tires - On Rim	\$6.80	\$7.10	\$7.10
Commercial Equipment Tires	\$0.20/lb	\$0.20/lb	\$0.20/lb
Commingle Recycle (Not to Exceed 100lbs/load)	\$5.00/load	\$5.00/load	\$5.00/load

**CPI for All Urban Consumers (CPI-U)  
Original Data Value**

**Series Id:** CUURN400SA0,CUUSN400SA0  
**Not Seasonally Adjusted**  
**Series Title:** All items in West - Size Class B/C, all urban  
**Area:** West - Size Class B/C  
**Item:** All items  
**Base Period:** DECEMBER 1996=100  
**Years:** 2009 to 2019

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2009	130.682	131.636	131.775	131.912	131.990	132.952	132.774	132.756	133.128	133.618	133.335	133.132	132.474	131.825	133.124
2010	133.366	133.513	133.863	134.133	133.889	133.635	133.685	133.704	133.544	133.745	133.930	134.328	133.778	133.733	133.823
2011	134.917	135.826	137.200	138.174	138.598	138.269	138.128	138.171	138.564	138.696	138.411	138.017	137.748	137.164	138.331
2012	138.465	138.997	140.235	140.619	140.834	140.375	139.645	139.971	140.600	140.847	140.287	139.768	140.054	139.921	140.186
2013	139.865	141.072	141.573	141.788	141.838	141.805	141.940	142.228	142.277	141.954	141.736	141.751	141.652	141.324	141.981
2014	141.998	142.120	142.813	143.077	144.253	144.522	144.435	144.317	144.506	144.214	143.398	142.669	143.527	143.130	143.923
2015	142.022	143.005	143.887	144.426	145.346	145.198	144.917	144.752	144.507	144.379	143.595	143.398	144.119	143.981	144.258
2016	143.932	144.128	144.264	145.128	145.942	145.866	145.850	145.829	146.130	146.328	146.004	145.918	145.443	144.877	146.010
2017	146.469	147.451	147.880	148.496	148.789	148.792	148.691	149.255	149.954	150.336	150.003	149.920	148.836	147.980	149.693
2018	150.564	151.200	151.702	152.350	153.201	153.546	153.464	153.797	154.158	154.729	154.625	154.228	153.130	152.094	154.167
2019	154.328	154.671	155.178	156.523	157.488	157.564	157.465	157.654	157.738	158.635	158.482	158.496	157.019	155.959	158.078
2010													0.98%		
2011													2.97%		
2012													1.67%		
2013													1.14%		
2014													1.32%		
2015													0.41%		
2016													0.92%		
2017													2.33%		
2018													2.89%		
2019													2.54%		

**City of Sweet Home**  
**Automatic Annual CPI Increase**

<b>Residential - Monthly Rates</b>	<b>Current Rate</b>	<b>7/1/2018 Rate</b>
<b>Cans and Carts</b>		
1-20 gallon weekly	\$11.60	\$12.10
1-35 gallon weekly	\$23.40	\$24.40
1-90 gallon weekly	\$28.85	\$30.05
<b>Other Services</b>		
Yard Debris Only	\$5.25	\$5.45
Recycling Only	\$5.25	\$5.45
Recall Fee	\$9.35	\$9.75
Access Fee	\$6.15	\$6.40
<b>Commercial</b>		
	<b>Current Rate</b>	<b>7/1/2018 Rate</b>
90 gallon cart	\$32.15	\$33.50
35 gallon cart	\$23.45	\$24.45
<b>1 Yard Container</b>		
Rental	\$53.05	\$55.30
Once per Month	\$71.40	\$74.40
Every Other Week	\$89.60	\$93.35
Weekly	\$114.95	\$119.80
2X per Week	\$207.05	\$215.75
Extra Dump	\$31.85	\$33.20
<b>1.5 Yard Container</b>		
Rental	\$53.05	\$55.30
Once per Month	\$76.50	\$79.70
Every Other Week	\$101.85	\$106.15
Weekly	\$147.90	\$154.10
2X per Week	\$254.70	\$265.40
Extra Dump	\$37.75	\$39.35
<b>2 Yard Container</b>		
Rental	\$53.05	\$55.30
Once per Month	\$89.60	\$93.35
Every Other Week	\$115.00	\$119.85
Weekly	\$182.30	\$189.95
2X per Week	\$328.10	\$341.90
Extra Dump	\$42.60	\$44.40
<b>3 Yard Container</b>		
		\$0.00

Rental	\$53.05	\$55.30
Once per Month	\$97.85	\$101.95
Every Other Week	\$175.20	\$182.55
Weekly	\$262.70	\$273.75
2X per Week	\$471.65	\$491.45
Extra Dump	\$47.10	\$49.10
<b>4 Yard Container</b>		\$0.00
Rental	\$53.05	\$55.30
Once per Month	\$115.00	\$119.85
Every Other Week	\$182.30	\$189.95
Weekly	\$306.10	\$318.95
2X per Week	\$550.65	\$573.80
Extra Dump	\$76.50	\$79.70
<b>Temporary 4 Yard Container</b>		\$0.00
3 Days	\$96.65	\$100.70
Extra Dump	\$76.50	\$79.70
Demurrage per Day After 3 Days	\$3.40	\$3.55
3 Tab Roofing (3 days)	\$143.70	\$149.75
Extra Dump	\$113.35	\$118.10
<b>Drop Box Service</b>		\$0.00
20 Yard Box/per Haul	\$158.05	\$164.70
30 Yard Box/per Haul	\$180.60	\$188.20
48 Yard Box/per Haul	\$203.15	\$211.70
Tonnage	\$67.20	\$70.00
Delivery	\$11.70	\$12.20
Demurrage – after 3 days	\$11.70	\$12.20
Monthly Rental	\$116.85	\$121.75

**Sweet Home Sanitation**  
**City of Sweet Home - Proposed Rates**

Effective PI October 1, 2020

	Current Rate	2.54% Proposed PI 10-1-2020 Change	2.54% Proposed PI 10-1-2020
<b>Residential Service:</b>			
Cans and Carts			
1-20 gallon weekly	\$13.00	\$0.35	\$13.35
1-35 gallon weekly	\$26.25	\$0.65	\$26.90
1-90 gallon weekly	\$32.35	\$0.80	\$33.15
<b>Other Services</b>			
Yard Debris Only	\$5.90	\$0.15	\$6.05
Recycling Only	\$5.90	\$0.15	\$6.05
Recall Fee	\$10.50	\$0.25	\$10.75
Access Fee	\$6.90	\$0.20	\$7.10
<b>Commercial Service:</b>			
90 gallon cart	\$36.05	\$0.90	\$36.95
35 gallon cart	\$26.30	\$0.65	\$26.95
<b>1 Yard Container</b>			
Rental	\$59.50	\$1.50	\$61.00
Once per Month	\$80.10	\$2.05	\$82.15
Every Other Week	\$100.55	\$2.55	\$103.10
Weekly	\$128.95	\$3.30	\$132.25
2X per Week	\$232.30	\$5.90	\$238.20
Extra Dump	\$35.75	\$0.90	\$36.65
<b>1.5 Yard Container</b>			
Rental	\$59.50	\$1.50	\$61.00
Once per Month	\$85.85	\$2.20	\$88.05
Every Other Week	\$114.30	\$2.90	\$117.20
Weekly	\$165.95	\$4.20	\$170.15
2X per Week	\$285.75	\$7.25	\$293.00
Extra Dump	\$42.35	\$1.10	\$43.45
<b>2 Yard Container</b>			
Rental	\$59.50	\$1.50	\$61.00
Once per Month	\$100.55	\$2.55	\$103.10
Every Other Week	\$129.05	\$3.30	\$132.35
Weekly	\$204.55	\$5.20	\$209.75
2X per Week	\$368.15	\$9.35	\$377.50
Extra Dump	\$47.80	\$1.20	\$49.00
<b>3 Yard Container</b>			
Rental	\$59.50	\$1.50	\$61.00
Once per Month	\$109.80	\$2.80	\$112.60
Every Other Week	\$196.55	\$5.00	\$201.55
Weekly	\$294.75	\$7.50	\$302.25
2X per Week	\$529.20	\$13.45	\$542.65
Extra Dump	\$52.85	\$1.35	\$54.20
<b>4 Yard Container</b>			
Rental	\$59.50	\$1.50	\$61.00
Once per Month	\$129.05	\$3.30	\$132.35
Every Other Week	\$204.55	\$5.20	\$209.75
Weekly	\$343.45	\$8.70	\$352.15
2X per Week	\$617.85	\$15.70	\$633.55
Extra Dump	\$85.85	\$2.20	\$88.05
<b>Temporary 4 Yard Container</b>			
3 Days	\$108.45	\$2.75	\$111.20
Extra Dump	\$85.85	\$2.20	\$88.05
Demurrage per Day After 3 Days	\$3.80	\$0.10	\$3.90
3 Tab Roofing (3 days)	\$161.25	\$4.10	\$165.35
Extra Dump	\$127.20	\$3.25	\$130.45
<b>Roll-Off Services:</b>			
20 Yard Box/per Haul	\$164.70	\$4.20	\$168.90
30 Yard Box/per Haul	\$188.20	\$4.80	\$193.00

**Sweet Home Sanitation**  
**City of Sweet Home - Proposed Rates**

Effective PI October 1, 2020

	Current Rate	2.54% Proposed PI 10-1-2020 Change	2.54% Proposed PI 10-1-2020	
48 Yard Box/per Haul	\$211.70	\$5.40	\$217.10	
Tonnage	\$70.00	\$1.80	\$71.80	
Delivery	\$12.20	\$0.30	\$12.50	
Demurrage – after 3 days	\$12.20	\$0.30	\$12.50	
Monthly Rental	\$121.75	\$3.10	\$124.85	
<b>Sweet Home Transfer Station</b>				
Solid Waste 0-500 lbs	\$21.25		\$22.00	
Minimum Charge		\$0.75		
Solid Waste 500 lbs or Greater	\$70.00	\$1.80	\$71.80	Ton
32 Gallon Can	\$6.00	no change	\$6.00	Can
Yard Waste Clean	\$41.10	\$1.05	\$42.15	Ton
Wood Waste Clean	\$35.45	\$0.90	\$36.35	Ton
Refrigerators	\$25.80	\$0.70	\$26.50	Each
Scrap Metal Clean	No Charge		No Charge	No Charge
E-Waste TV's, Computers, Monitors, Etc	No Charge (7 Item Max) \$5.40 each		No Charge (7 Item Max) \$5.55 each	
Recycling for the following products: Glass, Tin, Waste Paper, Cardboard, Plastic Bottles and Used Motor Oil - 5 Gallon bucket or smaller	No Charge	\$0.15	No Charge	No Charge
Car Tires - Off Rim	\$6.00	\$0.15	\$6.15	
Car Tires - On Rim	\$7.10	\$0.20	\$7.30	
Commercial Equipment Tires	\$0.20/lb		\$0.20/lb	\$0.20/lb
Commingle Recycle (Not to Exceed 100lbs/load)	\$5.00/load		\$5.00/load	\$5.00/load

**Sweet Home Sanitation**  
**City of Sweet Home - Proposed Rates**

Effective July 1, 2018  
 With Continued Recycling

	CURRENT RATE	NEW RATE 7-1-2018
<b>Residential Service:</b>		
Cans and Carts		
1-20 gallon weekly	\$11.60	\$12.55
1-35 gallon weekly	\$23.40	\$25.35
1-90 gallon weekly	\$28.85	\$31.25
<b>Other Services</b>		
Yard Debris Only	\$5.25	\$5.70
Recycling Only	\$5.25	\$5.70
Recall Fee	\$9.35	\$10.15
Access Fee	\$6.15	\$6.65
<b>Commercial Service:</b>		
90 gallon cart	\$32.15	\$34.85
35 gallon cart	\$23.45	\$25.40
<b>1 Yard Container</b>		
Rental	\$53.05	\$57.45
Once per Month	\$71.40	\$77.35
Every Other Week	\$89.60	\$97.05
Weekly	\$114.95	\$124.55
2X per Week	\$207.05	\$224.30
Extra Dump	\$31.85	\$34.50
<b>1.5 Yard Container</b>		
Rental	\$53.05	\$57.45
Once per Month	\$76.50	\$82.90
Every Other Week	\$101.85	\$110.35
Weekly	\$147.90	\$160.25
2X per Week	\$254.70	\$275.95
Extra Dump	\$37.75	\$40.90
<b>2 Yard Container</b>		
Rental	\$53.05	\$57.45
Once per Month	\$89.60	\$97.05
Every Other Week	\$115.00	\$124.60
Weekly	\$182.30	\$197.50
2X per Week	\$328.10	\$355.45
Extra Dump	\$42.60	\$46.15
<b>3 Yard Container</b>		
Rental	\$53.05	\$57.45
Once per Month	\$97.85	\$106.00
Every Other Week	\$175.20	\$189.80
Weekly	\$262.70	\$284.60
2X per Week	\$471.65	\$510.95
Extra Dump	\$47.10	\$51.05
<b>4 Yard Container</b>		
Rental	\$53.05	\$57.45
Once per Month	\$115.00	\$124.60
Every Other Week	\$182.30	\$197.50
Weekly	\$306.10	\$331.60
2X per Week	\$550.65	\$596.55
Extra Dump	\$76.50	\$82.90

**Sweet Home Sanitation**  
**City of Sweet Home - Proposed Rates**

*Effective July 1, 2018*  
*With Continued Recycling*

	CURRENT RATE	NEW RATE 7-1-2018
<b>Temporary 4 Yard Container</b>		
3 Days	\$96.65	\$104.70
Extra Dump	\$76.50	\$82.90
Demurrage per Day After 3 Days	\$3.40	\$3.70
3 Tab Roofing (3 days)	\$143.70	\$155.70
Extra Dump	\$113.35	\$122.80
<b>Roll-Off Services:</b>		
20 Yard Box/per Haul	\$158.05	\$158.05
30 Yard Box/per Haul	\$180.60	\$180.60
48 Yard Box/per Haul	\$203.15	\$203.15
Tonnage	\$67.20	\$67.20
Delivery	\$11.70	\$11.70
Demurrage – after 3 days	\$11.70	\$11.70
Monthly Rental	\$116.85	\$116.85
<b>Sweet Home Transfer Station</b>		
Solid Waste 0-500 lbs	\$20.40	\$20.40
Minimum Charge		
Solid Waste 500 lbs or Greater	\$67.20/ton	\$70.00/ton
32 Gallon Can	\$5.75/can	\$6.00/can
Yard Waste Clean	\$39.45/ton	\$41.10/ton
Wood Waste Clean	\$34.00/ton	\$35.45/ton
Refrigerators	\$24.75	\$25.80
Scrap Metal Clean	No Charge	No Charge
E-Waste TV's, Computers, Monitors, Etc	No Charge (7 Item Max) \$5.20 each	No Charge (7 Item Max) \$5.40 each
Recycling for the following products: Glass, Tin, Waste Paper, Cardboard, Plastic Bottles and Used Motor Oil - 5 Gallon bucket or smaller	No Charge	No Charge
Car Tires - Off Rim	\$5.75	\$6.00
Car Tires - On Rim	\$6.80	\$7.10
Commercial Equipment Tires	\$0.20/lb	\$0.20/lb
Commingle Recycle (Not to Exceed 100lbs/load)	\$0.00	\$5.00/load

## MEMORANDUM

TO: City Council  
FROM: Greg Springman, Public Works Director  
Brandon Neish, Finance Director  
DATE: August 11, 2020  
SUBJECT: Street Sweeper Evaluation



After 11 years of service in the City of Sweet Home (and additional years as a sweeper for Lebanon), the Public Works Street Sweeper is in desperate need of repairs that exceed the current value of the equipment. A 1997 IH 4700 TYMCO 600, the City's only street sweeper is currently not operational and will take a significant amount of time and materials to get the street sweeper back on the road. With the sweeper offline, the City's streets are susceptible to a buildup of dirt, grime and other hazards that pose both environmental and cosmetic concerns. Additionally, safety is a concern as the sweeper is often used to sweep after traffic accidents or during the fall season to keep the City's storm drains clear and preventing localized flooding that can impact nearby properties.

The estimated value of the street sweeper is approximately \$4,500 when operational. Based on its current condition, the resale value is lower and likely be purchased for parts. To repair the sweeper, the City's Mechanic, Tommy Robey, estimates that \$13,500 in parts are needed just to get the sweeper back on the road plus the labor to make the repairs. Another \$4,500 in materials would be necessary in the near future to ensure continued operation. In total (time and materials), \$23,000 would be spent to extend the life of the current sweeper for another 3-5 years (at best). A list of the repairs and estimated costs is included on the following page.

Given the extensive repairs that are needed, staff has also reviewed alternative options for the street sweeper. The City could choose to repair the current sweeper, thereby extending its useful life for a period of time. Subsequently, the City could also replace the street sweeper by purchasing a new unit. A quote obtained under the City's purchasing guidelines lists a new sweeper at \$160,100. According to the U.S. Department of Transportation, the useful lifespan of a sweeper is generally four to seven years from time of purchase to minimize overall cost of ownership. If the City were to purchase a new sweeper, it could either be purchased outright (requiring Council action to authorize funds) or the City could lease a unit which would then fall within existing expenditure authority. If the City were to take this path, a reserve would be set up for the eventual replacement.

The City's other option to address sweeping needs is to contract with a local government organization or independent contractor. While this option has pros (lower cost, no costly equipment repairs, etc.), it would also limit the work that would be completed. Contracting this service would likely limit sweeping to once a month and would not be available on demand for project cleanup or accidents.

Staff is looking for a direction from the City Council on the best way to move forward. The street sweeper is a vital piece of equipment which provides multiple benefits to Public Works.

## Repairs List

Part	Labor estimate (hours)	Materials cost estimate
Box shell*	N/A	\$37,000
Hopper (box) repair	60-100	800
Hopper parts/fittings	10-24	5,000
Water system	16-24	1,200
Front end repairs	N/A	1,800
Pickup hood replacement	N/A	~ 3,500
Suction/pressure tubes		1,000
Rear dump door	5-8	200
Replace driver side mirror	.75	20
Lift pump	8-16	Unkn
Brooms/pickup head	Unkn	4,500
Rear arrow board (notification lights)	Unkn	Unkn

\* Box shell replacement would eliminate the need for repairs to the Hopper



# REQUEST FOR COUNCIL ACTION

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**Title:** Information Only—Sankey Park Bandstand

**Preferred Agenda:** August 11, 2020

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

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

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

**Relevant Code/Policy:** Sweet Home Parks

**Towards Council Goal:** Goals 1.d and 2.d: Parks Infrastructure Implementation and Community Awareness

**Attachments:** 2019 Sankey Park Bandstand Report

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**Purpose of this RCA:**

The purpose of this RCA is to make the Council aware of the condition of the Sankey Park Bandstand, discuss options, and provide staff direction on the matter.

**Background/Context:**

The Sankey Park bandstand was constructed in the late 1930's or early 1940's as a WPA project. While the structure is quite old, it has never been placed on any historic registry.

In early 2018, a tree fell on the structure, causing damage and concerns about the safety of the structure. Stability Engineering, Inc. was hired to conduct a structural review of the bandstand, and completed their report in July, 2019. The report shows that the structure does not meet current building code, cannot meet snow load requirements for our area. Most concerning, the report shows that the floor beams are inadequate, the main horizontal structural beams are extremely inadequate, and the footings are significantly undersized.

Since then, staff has been attempting to gather more information on the cost to repair the structure but has only managed to come up with very rough, anecdotal estimates. Repairing the structure would likely cost around \$150,000.

Staff investigated a similar structure that the City of Lebanon recently constructed. The materials and labor for that structure was mostly donated, but based on discussions with people who were involved, the cost of the Lebanon structure was approximately \$150,000 to \$200,000.

The current project to add improvements to the park, including walking trails near the structure, necessitate discussion regarding the future of the bandstand.

The Park and Tree Committee discussed the matter at a recent meeting, and recommended that the structure be removed and replaced with a similarly-sized structure that incorporates architectural elements and/or materials from the original.

**The Challenge/Problem:**

Should the City seek to repair the bandstand, or replace it?

**Stakeholders:**

- Sweet Home Residents – Residents benefit from park amenities that add to their enjoyment of parks, such as bandstands and pavilions. Residents may also have interests in preserving historic structures.
- Sweet Home City Council – The City Council is responsible for decisions that affect the available amenities at City Parks.
- City of Sweet Home Staff – City Staff are responsible for implementing the Council’s vision, and maintaining City infrastructure in a safe and financially-responsible manner.

**Issues and Financial Impacts:**

Since the structure was insured, the City is eligible for some reimbursement for repairs. However, because the insurance payment is limited to only the damage caused by the tree, it is rather limited: only \$4,825.

The City of Sweet Home has limited funding for Parks capital improvements, and what we do have has typically been used as a match to grant funding. At this time, the City has no funding allocated for repairing or replacing the structure. If a directive is given to repair or replace the structure, Staff would likely look into grant opportunities and donations from the community.

**Elements of a Stable Solution:**

A stable solution would preserve City history and park amenities in a safe, financially responsible way. This RCA is for information and discussion purposes, and Staff is seeking direction, rather than a vote.

**Options:**

1. Repair the Bandstand – Direct staff to develop options for repairing the structure to meet current building code make it structurally safe.
2. Remove the Bandstand without a Replacement – Direct staff to develop options for removing the Bandstand and leaving the park without a similar structure.
3. Remove the Bandstand and Replace it with a Similarly Sized Structure – Direct staff to develop options for removing the Bandstand and replacing it with a similarly sized structure, possibly utilizing architectural elements or materials from the original.

**Recommendation:**

Staff recommends any option that results in a safe park.

P.O. Box 2646 • Corvallis, Oregon 97339 • p: 541.223.5360 • f: 541.223.5278

July 22, 2019

Joseph Graybill  
City of Sweet Home Public works  
1140 12<sup>th</sup> Ave.  
Sweet Home, Oregon 97386

Job#: 19-0275

**RE: Structural review of bandstand at Sankey park, 877 14<sup>th</sup> Ave, Sweet Home, Oregon**

**Scope of work:**

Stability Engineering Inc has been hired to review the structural damage caused by a tree impact as well as structural deterioration of the structure. We will also review the structural adequacy of the structure in relation to current structural codes. This report is based on what could be observed on site.

**Observations:**

The structure consists of a wood framed elevated platform with a covered roof. It is open on all sides. The foundation is post and beam construction with a continuous perimeter concrete footing and stem wall. Based on provided information and the sign attached to the front indicating it was a WPA project it was constructed in the late 1930's to early 1940's. (picture 1)

A tree fell on the south side damaging the roof and one of the main structural members. (pictures 2,3,4). At the time of the inspection temporary shoring was in place to support the broken beam. (picture 5)

We noted several areas of dry rot damage at the outside edges of the roof members. (pictures 6,7,8)

The southeast corner has settled, and the movement has cracked the adjacent foundation. The downspout above this section is not installed or was knocked off when the tree hit the roof. (picture 9) Water movement adjacent to the foundation may cause foundation settlement. There is also a large stump within a few feet of the east side. The tree may have undermined and moved the foundation adjacent. (picture 10)

The gutters and downspouts for the entire structure are compromised and not functioning as designed. This will contribute to the foundation movement and dry rot issues as the water can land on the structural members below. (picture 11). The roof flashing was missing at several locations which allows water to infiltrate onto the roof framing.

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The lateral braces (knee braces) at the front of the structure were removed and a decorative stick was installed (picture 12). This will have severely affected the lateral resistance to wind and seismic loads at the north end of the structure.

We did enter the crawlspace and found footings that had settled and shifted over time. (picture 13, 14). The foundation appears to have been replaced or repaired relatively recently (in relation to the age of the structure). The posts are dimensional lumber instead of the round members use for the rest of the structure, we also noted pressure treated lumber used for the sill plate on the continuous footing.

Since the platform is more than 30 inches above grade current code requires guardrails to protect from fall over the top and to limit small children squeezing through the rails. The current guardrail is too short to meet code and has openings that exceed the allowable size. This is a potential safety hazard. Code does not require upgrading existing structures but we recommend addressing this issue if the structure is going to be rehabilitated.

#### Structural review

Due to the age of the structure and construction type portions of the structure do not meet today's building code. This is due to changes in the design process since the 1930's and increased safety factors in the current code.

For instance, the current minimum snow load at this location is 20 psf but the actual snow load based on the SEAO snow loading maps is 11 psf.

Inadequate structural elements:


1. The main horizontal structural beams are extremely inadequate. (~2300%)
2. The round floor beams are inadequate (~75%)
3. The footings are significantly undersized. (~500%)

The lateral resisting system for the bandstand is a series of knee braces around the structure in conjunction with partially braced columns. The missing braces would need to be replaced and all of the connections should be repaired as necessary.

Please let us know if you have any questions.

Sincerely,

Stability Engineering, Inc.

By:   
James DiNardo, P.E., Principal, Project Engineer



Picture 1 – north side



Picture 2 – Broken main member



Picture 3- tree damage



Picture 4 – tree damage



Picture 5 -south side tree damage and shoring



Picture 6 – dry rot damage



Picture 7 – dry rot damage



Picture 8 – dry rot damage



Picture 9 – downspout



Picture 10 – foundation movement and stump



Picture 11 – damaged downspout



Picture 12 – knee brace removed



Picture 13 – shifted post/footing



Picture 14 – shifted footings





## REQUEST FOR COUNCIL ACTION

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**Title:** Continuation of Public Hearing to consider Application ZMA20-02

**Preferred Agenda:** July 28, 2020 Public Hearing, Introduction & First Reading  
August 11, 2020 Continuation of Public Hearing & First Reading

**Submitted By:** Angela Clegg, Associate Planner

**Reviewed By:** R. Towry, City Manager

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

**Relevant Code/Policy:** SHMC 2.04.030 Powers of the City Council

**Towards Council Goal:** Vision Statement, Aspiration I: Desirable Community, Mission Statement

**Attachments:** Planning Commission Order of Approval  
July 6, 2020 Planning Commission Meeting Minutes  
Ordinance No. 11 for 2020  
Original Application

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### **Purpose of this RCA:**

To approve the Zone Map Amendment Application ZMA20-02.

### **Background/Context:**

The applicant is proposing to change the Zoning Map in an area consisting of approximately 26,552 square feet (0.61 acre) located on the Linn County Assessor's Map 32CA, tax lots 4735 and 4700, Sweet Home, OR 97386. The Sweet Home Zoning Map is proposed to change from the Residential Low Density (R-1) Zone to the Residential Medium Density (R-3) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation.

The Sweet Home Planning Commission held a public hearing on July 6, 2020. At the hearing the Planning Commission reviewed application ZMA20-02. The Planning Commission received testimony and deliberated on this matter at their July 6, 2020 meeting and passed a motion to recommend approval of the application to City Council. That motion of approval specified a 12-day appeal period from the date the decision motion is mailed. No specific conditions of approval were required.

### **The Challenge/Problem:**

Should the zoning map be changed to allow residential activity on the property in question, rather than the current Highway Commercial designation.

### **Stakeholders:**

- The Owner/Developer would be able to develop the property as they have proposed.
- The residents in the surrounding area would benefit from the vacant property being cleared and developed.
- The City of Sweet Home would gain revenue from the development.

**Issues and Financial Impacts:**

1. Applicant –be able to develop the property cost effectively
2. Planning and Community Development – processing the applications and permits

**Elements of a Stable Solution:**

The proposed zone change will allow the owner to affordably develop the property.

**Options:**

1. Do Nothing.
2. Deny Application Staff would prepare and Order of Denial for Application ZMA20-02.
3. Approve Ordinance No. 11 for 2020 as presented and move to the first reading.
4. Recommend different zone amendment. Council could review these proposed changes and recommend different zone amendments. Staff would take these recommendations and revise the proposed application for review at a future Council meeting.

**Recommendation:**

Staff Recommends Option 3: Approve Ordinance No. 11 for 2020 as presented and move to the first reading.



**OFFICIAL NOTICE OF A PLANNING COMMISSION RECOMMENDATION  
ON A LAND USE APPLICATION**

**PLANNING COMMISSION ORDER OF APPROVAL**

**REQUEST:** The applicant is proposing to change the Zoning Map in an area consisting of approximately 26,552 square feet (0.61 acre) located on the Linn County Assessor's Map 32CA, tax lots 4735 and 4700, Sweet Home, OR 97386. The Sweet Home Zoning Map is proposed to change from the Residential Low Density (R-1) Zone to the Residential Medium Density (R-3) Zone. The proposed zone change would bring the zoning designation into conformity with the property's existing Comprehensive Plan Map designation. The Planning Commission held a public hearing on July 6, 2020 and made a recommendation to the City Council. The City Council will hold a public hearing on July 28, 2020 and decide on this application.

**APPLICANT:** Jim Bradford

**PROPERTY OWNER:** Seven Star Investments

**PROPERTY LOCATION:** South end of 23<sup>rd</sup> Avenue, approximately 100 feet south of Ironwood Street, Sweet Home, OR 97386; identified on the Linn County Assessor's Map as 13S01E32CA Tax Lots 4700 and 4735.

**REVIEW AND DECISION CRITERIA:** Sweet Home Municipal Code Sections(s) 17.12, 17.24, 17.30; OAR 660-012-0060

**FILE NUMBER:** ZMA20-02

**STAFF CONTACT:** Angela Clegg, Associate Planner  
Phone: (541) 367-8113; Email: [aclegg@sweethomeor.gov](mailto:aclegg@sweethomeor.gov)

- I. **PUBLIC HEARING:** The Sweet Home Planning Commission held a public hearing on July 6, 2020. At the hearing the Planning Commission reviewed application ZMA20-02. The Planning Commission received testimony and deliberated on this matter at their July 6, 2020 meeting and passed a motion to recommend approval of the application to City Council. That motion of approval specified a 12-day appeal period from the date the decision motion is mailed. No specific conditions of approval were required.
- II. **FINDINGS OF FACT:** The Planning Commission provided an opportunity for testimony at the July 6, 2020 public hearing. The Planning Commission considered the information in the record, testimony at the public hearing, and the Findings of Fact listed in the Staff Report presented to the Planning Commission prior to the July 6, 2020 public hearing. The Planning Commission adopted the Findings of Fact listed in Section III of the Staff Report, and those are included as Exhibit A to this Order
- III. **DECISION: Approved** the motion to recommend the application to City Council on July 28, 2020. Based on the findings referenced in Exhibit A of this order, the Planning Commission found that

the proposal described in ZMA20-02 complies with the applicable sections of the Sweet Home Municipal Code. The Sweet Home Planning Commission hereby approves application ZMA20-02 and recommends approval by the City Council.

**PLANNING COMMISSION DECISION:** July 6, 2020

**APPEAL DEADLINE:** July 24, 2020 at 5:00 PM

**CITY COUNCIL MEETING:** July 28, 2020 at 6:30 PM

  
\_\_\_\_\_  
Jeffery Parker, Planning Commission Chair

7/13/2020  
Date

  
\_\_\_\_\_  
Blair Larsen, Community and Economic Development Director

7/13/2020  
Date

**APPEAL:** This decision can be appealed. The decision made by the Planning Commission is final unless written appeal from an aggrieved party is received by the City of Sweet Home no later than the appeal deadline listed above (12 days from the mailing of this decision). All appeals must be filed with the appropriate fee and documentation and submitted to: City of Sweet Home Community and Economic Development Department, 3225 Main Street, Sweet Home, OR 97386. The City Council will hold a public hearing on the request upon appeal. If you would like any information concerning filing of an appeal, please contact the Planning Office at (541) 367-8113. Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and a copy will be provided at reasonable cost. A copy of the Staff Report and all documentation included in the record for the file are available for inspection at no cost and a copy will be provided at reasonable cost at the City of Sweet Home Community and Economic Development Department, 3225 Main Street, Sweet Home, OR 97386; (541) 367-8113.

## Exhibit A to Order of Approval for ZMA20-01

The review and decision criteria for a zone change are listed below in bold. Staff findings and analysis are provided under each review and decision criterion.

- A. An amendment to the official zoning or comprehensive plan map may be authorized provided that the proposal satisfied all relevant requirements of this title and also provided that the applicant demonstrates the following: [SHMC 17.12.010]**
- 1. The proposed amendment is consistent with the goals and policies of the comprehensive plan; [SHMC 17.12.025(A)]**
    - a. The Zoning Code implements the Comprehensive Plan by providing specific development guidelines for each Land Use Designation. The general nature of each Comprehensive Plan Land Use Designation will guide the uses and standards for the corresponding zone in the Zoning Code. [Sweet Home Comprehensive Plan, Chapter 2 Text]**
    - b. The Comprehensive Plan Map graphically portrays Sweet Home's land use pattern as recommended by Comprehensive Plan policy. Each designation has a different symbol or color. The land use map portrays the long-range vision of land use patterns in Sweet Home. [Sweet Home Comprehensive Plan, Chapter 2, Comprehensive Plan Map Policies, Policy 1]**
    - c. Zoning Codes. The Zoning Codes regulate the use of land on a comprehensive basis. More specifically, the Zoning Codes divide the community into residential, commercial, industrial, and other use zones based on the Comprehensive Plan. Each zone has standards and regulations that determine the allowed uses on that land and the standards to which structures must conform, such as building height, yard setbacks, and lot size. The Codes consists of text, found in Title 17 of the Sweet Home Municipal Codes, and an official Zoning Map.**

The Zoning Codes fulfill two major roles. First, zoning promotes the public health, safety, and welfare of Sweet Home. Secondly, the Zoning Codes implement the Comprehensive Plan. Oregon Revised Statute 197.175 states that cities will:

- Prepare, adopt, amend, and revise comprehensive plans in compliance with Statewide Planning Goals; and
- Enact land use regulations to implement their comprehensive plan.

In a broad sense, zoning encourages the orderly development of the community and implements the Comprehensive Plan. Zoning can only partially relate to the long-term aspects of the plan because as a regulatory tool, it must relate to the current conditions within the City of Sweet Home.

The Comprehensive Plan provides a general and long-range policy for the City while the Zoning Codes serve as a legal ordinance with binding provisions on land development. The various zones have specific boundaries and when drafting the Zoning Ordinance, the City considers how each land parcel will be affected.

Zoning Code provisions and the Zoning Map can be amended. Amendments shall be consistent with the Comprehensive Plan. If proposed amendments to the Zoning Codes do not comply with the Comprehensive Plan, the Comprehensive Plan must also be amended so that the two documents correspond. [Sweet Home

Comprehensive Plan, Chapter 2, Comprehensive Plan Map Policies, Chapter 8: Plan Management]

- d. **Updating the plan: Making the Comprehensive Plan a basic part of the community's planning process an ongoing active function of City government will keep the Plan as a viable and useable policy document. The Comprehensive Plan needs to be updated occasionally for the following reasons:** [Sweet Home Comprehensive Plan, Chapter 8: Plan Management]
  - i. **To accurately reflect changes in the community.**
  - ii. **To ensure integration with other policies, Zoning Codes, and Subdivision Codes.**
- e. **Changes to the Plan Shall be made by ordinance after public hearings.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 2]
- f. **Changes in the Plan shall be incorporated directly into the document at the appropriate place. A list of all amendments with date of passage should be a part of the document.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 3]
- g. **Property Owners, their authorized agents, or the City Council may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan amendment, the applicants have the burden of proof that all of the following conditions exist.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 5]
  - i. **There is a need for the proposed change;**
  - ii. **The identified need can best be served by granting the change requested;**
  - iii. **The proposed change complies with the Statewide Planning Goals; and,**
  - iv. **The proposed change complies with all other elements of the City's Comprehensive Plan.**
- h. **Highway Commercial: To provide suitable and desirable commercial areas along the highway intended to meet the business needs of the community.** [Sweet Home Comprehensive Plan Land Designations for Economic Development, Table 11]
- i. **High Density Residential: To provide areas suitable and desirable for higher density residential development, and particularly for apartments, manufactured home parks, other residential uses, and appropriate community facilities.** [Sweet Home Comprehensive Plan Map Residential Land Designations, Table 7]

Staff Findings: The applicant is proposing to change the Zoning Map of an approximately 26,552 square feet (0.61 acre) property identified on the Linn County Assessor's Map as 13S01E32CA Tax Lots 04735 and 04700 (Attachment A). The applicant has proposed a change in zoning from Residential Low Density (R-1) to Residential Medium Density (R-3).

Based on the Linn County 2017 aerial photograph, the area is surrounded by Low Density and High Density Residential dwellings. The applicant states a desire to develop a multi-family dwelling on the subject property.

Based on the findings above the proposed zoning plan designation would be consistent with the Sweet Home Comprehensive Plan.

The application complies with this criterion.

- 2. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment; [SHMC 17.12.025(B)]**

Staff Findings: The applicant states that the proposed zoning map amendment would be consistent with the pattern of development in the area, based on the 2017 Linn County aerial photograph Staff finds that the subject property is surrounded by Low Density and High Density Residential dwellings.

The application complies with this criterion.

- 3. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district; and [SHMC 17.12.025(C)]**

Staff Findings: Water and sanitary sewer services are available at 23<sup>rd</sup> Avenue and Mountain View Road. The subject property has frontage along 23<sup>rd</sup> Avenue. Based on the applicant's statements the subject property is anticipated to be developed with a multi-family dwelling in the future. Staff finds that utilities and services are efficiently provided to serve the proposed use of a multi-family dwelling or other potential uses in the proposed zoning district.

The application complies with this criterion.

- 4. The proposed amendment to the comprehensive plan map is consistent with Oregon's statewide planning goals. [SHMC 17.12.025(D)]**

Staff Findings: The applicant is not proposing an amendment to the comprehensive plan map.

- 5. OAR 660-012-0060(1). If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:**
  - a. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**
  - b. Change standards implementing a functional classification system; or**
  - c. Result in any of the effects listed in paragraphs (a) through (c) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.**
    - i. Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
    - ii. Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or**
    - iii. Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan. [OAR 660-012-0060(1)]**

Staff Findings: The subject property has existing frontage along 23<sup>rd</sup> Avenue. 23<sup>rd</sup> Avenue is identified as a local street in the Sweet Home Transportation System Plan; Figure 2.2. The applicant has proposed a change in zoning from the Residential Low Density (R-1) to the Residential Medium Density (R-3) zone. The proposed use would be consistent with the Comprehensive Plan Map designation. Based on these findings, staff concludes that the proposed zone change would not significantly affect the existing transportation infrastructure in the neighborhood and is consistent with the Sweet Home Transportation System Plan.

The application complies with this criterion.



# CITY OF SWEET HOME PLANNING COMMISSION MINUTES

July 06, 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.

The Planning Commission will hold a Regular Planning Commission 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 Planning Commission, boards and City Council, 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 Planning Commission 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 Planning Commission meeting live, online visit <http://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 Planning Commission 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.

## Roll Call of Commissioners

Chairman Parker:	Present
Commissioner Wolthuis:	Present
Commissioner Gatchell:	Absent
Commissioner Stephens:	Present
Commissioner Journey:	Present
Commissioner Korn:	Present
Commissioner Unger:	Present

## Staff:

Blair Larsen, CEDD Director; Angela Clegg, Associate Planner

## Visitors:

Jim Bradford, 1625 Cascade Drive, Lebanon, OR 97355  
Alan Stutz, 845 Alder Street, Sweet Home, OR 97386

## Public Comment.

None

## Meeting Minutes: June 1, 2020

### Commissioners Comments:

None

**Commissioner Wolthuis** moved to approve the June 1, 2020 meeting minutes as presented.

**Commissioner Korn** seconded the motion to approve the meeting minutes as presented.

*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.*

**Question was called by roll call vote:**

Chairman Parker:	Aye
Commissioner Wolthuis:	Aye
Commissioner Gatchell:	Absent
Commissioner Stephens:	Aye
Commissioner Journey:	Aye
Commissioner Korn:	Aye
Commissioner Unger:	Aye

**Motion Passed ( 6 ) Ayes to ( 0 ) Nays, ( 1 ) Absent**

**Public Hearings**

**File ZMA20-02:** The applicant is proposing to change the Zoning Map in an area consisting of approximately 26,552 square feet (0.61 acre) located on the Linn County Assessor’s Map 32CA, tax lots 4735 and 4700, Sweet Home, OR 97386. The Sweet Home Zoning Map is proposed to change from the Residential Low Density (R-1) Zone to the Residential Medium Density (R-3) Zone. The proposed zone change would bring the zoning designation into conformity with the property’s existing Comprehensive Plan Map designation. The Planning Commission will hold a public hearing and make a recommendation to the City Council. The City Council will hold a public hearing and decide on this application.

**PUBLIC HEARING OPENED AT 6:41 PM**

Chairman Parker read the description of the application and the Planning Commission criteria.

**The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.**

<b>Personal Bias:</b>	<b>None</b>
<b>Conflict of Interest:</b>	<b>None</b>
<b>Exparte Information:</b>	<b>None, Chairman parker drove by</b>

**Comments/Discussion:**

Associate Planner Clegg read through portions of the staff report. There were no questions from the Planning Commissioners.

Jim Bradford testified on behalf of his application. He explained the reduction from the 12-plex to 9-plex. Mr. Bradford stated that they had worked with the Corp of Engineers on the drainage and waterway issues. The Planning Commissioners had no questions for Mr. Bradford.

<b>Testimony in Favor:</b>	none
<b>Testimony in Opposition:</b>	none
<b>Neutral Testimony:</b>	none
<b>Rebuttal:</b>	none

**PUBLIC HEARING CLOSED AT 6:46 PM**

**Commissioners Discussion:**

Commissioner Wolthuis spoke about the connection and fire turn around. CEDD Director Larsen stated that the fire turnaround was unnecessary because its proximity to the Ironwood intersection giving it an approved turn-around area.

**Commissioner Korn** moved to approve application ZMA20-02 and thereby permit the Zone Map Amendment, adopting the findings of fact listed in Attachment A of the staff report, and recommending the City Council hold a public hearing on Tuesday, July 28, 2020 at 6:30 PM and make a decision on the application.

**Commissioner Unger** seconded the motion to approve.

**Question was called by roll call vote:**

Chairman Parker:	Aye
Commissioner Wolthuis:	Aye
Commissioner Gatchell:	Absent
Commissioner Stephens:	Aye
Commissioner Journey:	Aye
Commissioner Korn:	Aye
Commissioner Unger:	Aye

**Motion Passed** ( 6 ) Ayes to ( 0 ) Nays, ( 1 ) Absent

**File AX ZC20-01:** This is an application to annex an approximately 39,005 square foot (0.71-acre) property located in the City of Sweet Home's Urban Growth Boundary into the City limits of Sweet Home. The application also requests to change the zoning of the property from Linn County's Urban Growth Area-Rural Residential-1 Acre Minimum (UGA-RR-1) Zone to the City of Sweet Home's Low Density Residential (R-1) Zone.

**PUBLIC HEARING OPENED AT 6:53 PM**

Chairman Parker read the description of the application and the Planning Commission criteria.

**The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.**

**Personal Bias:** None, Commissioner Journey walks by every day, but feels she could make an unbiased decision. Commissioner Stephens lives next door, but feels he could make an unbiased decision

**Conflict of Interest:** None

**Ex parte Information:** None, Commissioner Journey walks by every day. Commissioner Stephens lives next door. Chairman Parker has driven by.

**Comments/Discussion:**

Commissioner Wolthuis discussed the past Alder Street Annexation and the individual properties annexing into the city.

Associate Planner Clegg read through portions of the staff report.

Commissioner Stephens asked about 8<sup>th</sup> Avenue being annexed. CEDD Director Larsen explained about the process to annex 8<sup>th</sup> along with Alder. Communication has been made with Linn County about the potential annexation, but no response has been received as of the date of the meeting.

There was discussion regarding the annexation and maintenance of Alder, 8<sup>th</sup> and just past Elkhorn. CEDD Director Larsen stated that is the desire of the City to annex Alder Street to the edge of the City right-of-way on the southwest side of Elkhorn Street.

Applicant not present

**Testimony in Favor:** None

**Testimony in Opposition:** None

**Neutral Testimony:** Mr. Stutz wanted to know why the applicant was annexing their property at this time.

**Rebuttal:** None

#### **PUBLIC HEARING CLOSED AT 7:09 PM**

#### **Commissioners Discussion:**

Commissioner Journey stated that the annexation makes sense, and to connect to city sewer.

Commissioner Wolthuis asked if the sewer line will be extended to the southwest edge of the applicant's property. He supports annexing the subject property and Adler Street in the future. CEDD Director Larsen stated that the sewer extension will most likely extend to the edge of the applicant's property.

**Commissioner Unger** moved to approve application AX ZC20-01 and thereby permit the Annexation and Zone Map Amendment, adopting the findings of fact listed in Attachment A of the staff report, and recommending the City Council hold a public hearing on Tuesday, July 28, 2020 at 6:30 PM and make a decision on the application.

**Commissioner Korn** seconded the motion to approve.

#### **Question was called by roll call vote:**

Chairman Parker: Aye

Commissioner Wolthuis: Aye

Commissioner Gatchell: Absent

Commissioner Stephens: Aye

Commissioner Journey: Aye

Commissioner Korn: Aye

Commissioner Unger: Aye

**Motion Passed ( 6 ) Ayes to ( 0 ) Nays, ( 1 ) Absent**

#### **Staff Updates on Planning Projects:**

##### **Development Code Updates**

CEDD Director Larsen discussed the current state of the city; pandemic issues, masks indoors, etc. According to the guidelines, the mask requirement doesn't apply to government buildings. City manager and department heads decided to follow the guidelines and ask staff and visitors to wear masks. Masks can be removed in meetings once everyone is settled and is social distanced.

Associate Planner Clegg, CEDD Director Larsen, and Staff Engineer Graybill are reviewing the first round of drafts. Once they are reviewed, they are return to Mr. Wendolowski who will then take the edits and comments to create a second rough draft. Staff will review the second draft and either the second or third drafts will be given to the Planning Commissioner for review.

Commissioner Wolthuis asked about the RC zone and any development going on. CEDD Director Larsen explained no development, but there have been conversations with the landowners. The city is waiting on the No Further Action (NFA) order on the Public Works property so that the city can proceed with the land swamp and street widening of 24<sup>th</sup> Avenue. Larsen discussed the 24<sup>th</sup> Ave widening for the access to the county and the city property down by the river. He received a letter from the railroad approving a crossing across the 24<sup>th</sup> avenue, however there must be access on the other side for the crossing which is owned by Linn County.

### **Pending Applications**

CEDD Director Larsen gave a brief summary of the applications that have come into the planning department.

Associate Planner Clegg read off the various types of pending applications and how many of each the planning department has received.

### **Planning Commissioner Comments:**

Commissioner Unger asked about the September meeting. It falls on Labor Day. The Commissioners and Staff discussed an alternative date. It was decided to change the meeting to September 21, 2020.

Commissioner Stephens asked whether applicants must be at meetings to testify. Associate Planner Clegg stated that it is not required but recommended. Planning Commissioners can postpone a public hearing to a future public hearing if need more information from the applicant.

Associate Planner Clegg officially introduced Commissioner Unger. Due to COVID-19 restrictions Commissioner Unger had not attended a meeting in person. The Commissioners and staff welcomed her.

### **Adjournment 7:37**



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Jeff Parker, Chairperson  
Sweet Home Planning Commission

Respectfully submitted by Angela Clegg, Associate Planner

ORDINANCE BILL NO. 11 FOR 2020

ORDINANCE NO. \_\_\_\_

AN ORDINANCE ANNEXING AND AMENDING THE OFFICIAL ZONING MAP

WHEREAS, the applicant, Jim Bradford, applied for a Zone Change, application ZMA20-02, and requested a zone map change for an area consisting of 0.61 acres located at the south end of 23<sup>rd</sup> Avenue, approximately 100 feet south of Ironwood Street, Sweet Home, OR 97386. The Sweet Home Zoning Map is proposed to change from the Residential Low Density Residential (R-1) Zone to the Residential Medium Density (R-3) Zone. The subject property is identified on the Linn County Assessor's Map as 13S01E32CA Tax Lots 4700 and 4735. The applicant has requested a property line adjustment between two lots. Application PLA20-02 was filed simultaneously as the Zone Map Amendment application. The property Line Adjustment application is a Type I, Administrative Decision application. The proposal would transfer approximately 14,189 square feet (0.33 of an acre) from Parcel 1 to Parcel 2 and transfer approximately 12,363 square feet (0.28 of an acre) from Parcel 2 to Parcel 1. There will be no net gain. Parcel 1 and Parcel 2 would be combined to form one parcel. The properties are currently in the Residential Low Density (R-1) Zone.; and

WHEREAS, the Planning Commission of the City of Sweet Home held a public hearing on July 6, 2020 with due notice of such public hearing having been given and provided an opportunity for public comments and testimony. The Planning Commission deliberated at their July 6, 2020 meeting, and recommended that the City Council approve application ZMA20-02; and

WHEREAS, the City Council held a public hearing on this matter on July 28, 2020, with due notice of such public hearing having been given and provided an opportunity for public comments and testimony. The City Council approved this application by motion at their July 28, 2020 meeting; and

WHEREAS, the proposed R-3 zoning is needed to facilitate development of the subject property;

Now, Therefore,

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1: The City of Sweet Home adopts the findings of fact in support of zone change application ZMA20-02 included as Exhibit A.

Section 2: The City of Sweet Home amends the Official Zoning Map, identified in SHMC 17.20.020 as the City Zoning Map including all subsequent amendments, for the an area consisting of 0.61 acres located at the south end of 23<sup>rd</sup> Avenue, approximately 100 feet south of Ironwood Street, Sweet Home, OR 97386.; and identified on the Linn County Assessor's Map as 13S01E32CA Tax Lots 4700 and 4735. The Official Zoning Map shall be amended from the Residential Low Density (R-1) Zone to the Residential Medium Density (R-3) Zone for the subject property as shown on Exhibit B.

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

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Manager - Ex Officio City Recorder

## Exhibit A

### Findings of Fact in Support of Zone Change Application ZMA20-02

#### Exhibit A to Order of Approval for ZMA20-02

The review and decision criteria for a zone change are listed below in bold. Staff findings and analysis are provided under each review and decision criterion.

**A. An amendment to the official zoning or comprehensive plan map may be authorized provided that the proposal satisfied all relevant requirements of this title and also provided that the applicant demonstrates the following: [SHMC 17.12.010]**

- 1. The proposed amendment is consistent with the goals and policies of the comprehensive plan; [SHMC 17.12.025(A)]**
  - a. The Zoning Code implements the Comprehensive Plan by providing specific development guidelines for each Land Use Designation. The general nature of each Comprehensive Plan Land Use Designation will guide the uses and standards for the corresponding zone in the Zoning Code. [Sweet Home Comprehensive Plan, Chapter 2 Text]**
  - b. The Comprehensive Plan Map graphically portrays Sweet Home's land use pattern as recommended by Comprehensive Plan policy. Each designation has a different symbol or color. The land use map portrays the long-range vision of land use patterns in Sweet Home. [Sweet Home Comprehensive Plan, Chapter 2, Comprehensive Plan Map Policies, Policy 1]**
  - c. Zoning Codes. The Zoning Codes regulate the use of land on a comprehensive basis. More specifically, the Zoning Codes divide the community into residential, commercial, industrial, and other use zones based on the Comprehensive Plan. Each zone has standards and regulations that determine the allowed uses on that land and the standards to which structures must conform, such as building height, yard setbacks, and lot size. The Codes consists of text, found in Title 17 of the Sweet Home Municipal Codes, and an official Zoning Map.**

The Zoning Codes fulfill two major roles. First, zoning promotes the public health, safety, and welfare of Sweet Home. Secondly, the Zoning Codes implement the Comprehensive Plan. Oregon Revised Statute 197.175 states that cities will:

- Prepare, adopt, amend, and revise comprehensive plans in compliance with Statewide Planning Goals; and
- Enact land use regulations to implement their comprehensive plan.

In a broad sense, zoning encourages the orderly development of the community and implements the Comprehensive Plan. Zoning can only partially relate to the long-term aspects of the plan because as a regulatory tool, it must relate to the current conditions within the City of Sweet Home.

The Comprehensive Plan provides a general and long-range policy for the City while the Zoning Codes serve as a legal ordinance with binding provisions on land development. The various zones have specific boundaries and when drafting the Zoning Ordinance, the City considers how each land parcel will be affected.

**Zoning Code provisions and the Zoning Map can be amended. Amendments shall be consistent with the Comprehensive Plan. If proposed amendments to the Zoning Codes do not comply with the Comprehensive Plan, the Comprehensive Plan must also be amended so that the two documents correspond.** [Sweet Home Comprehensive Plan, Chapter 2, Comprehensive Plan Map Policies, Chapter 8: Plan Management]

- d. **Updating the plan: Making the Comprehensive Plan a basic part of the community's planning process an ongoing active function of City government will keep the Plan as a viable and useable policy document. The Comprehensive Plan needs to be updated occasionally for the following reasons:** [Sweet Home Comprehensive Plan, Chapter 8: Plan Management]
  - i. **To accurately reflect changes in the community.**
  - ii. **To ensure integration with other policies, Zoning Codes, and Subdivision Codes.**
- e. **Changes to the Plan Shall be made by ordinance after public hearings.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 2]
- f. **Changes in the Plan shall be incorporated directly into the document at the appropriate place. A list of all amendments with date of passage should be a part of the document.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 3]
- g. **Property Owners, their authorized agents, or the City Council may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan amendment, the applicants have the burden of proof that all of the following conditions exist.** [Sweet Home Comprehensive Plan, Chapter 2, Plan Amendment Policies, Policy 5]
  - i. **There is a need for the proposed change;**
  - ii. **The identified need can best be served by granting the change requested;**
  - iii. **The proposed change complies with the Statewide Planning Goals; and,**
  - iv. **The proposed change complies with all other elements of the City's Comprehensive Plan.**
- h. **Highway Commercial: To provide suitable and desirable commercial areas along the highway intended to meet the business needs of the community.** [Sweet Home Comprehensive Plan Land Designations for Economic Development, Table 11]
- i. **High Density Residential: To provide areas suitable and desirable for higher density residential development, and particularly for apartments, manufactured home parks, other residential uses, and appropriate community facilities.** [Sweet Home Comprehensive Plan Map Residential Land Designations, Table 7]

Staff Findings: The applicant is proposing to change the Zoning Map of an approximately 26,552 square feet (0.61 acre) property identified on the Linn County Assessor's Map as 13S01E32CA Tax Lots 04735 and 04700 (Attachment A). The applicant has proposed a change in zoning from Residential Low Density (R-1) to Residential Medium Density (R-3).

Based on the Linn County 2017 aerial photograph, the area is surrounded by Low Density and High Density Residential dwellings. The applicant states a desire to develop a multi-family dwelling on the subject property.

Based on the findings above the proposed zoning plan designation would be consistent with the Sweet Home Comprehensive Plan.

The application complies with this criterion.

- 2. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment; [SHMC 17.12.025(B)]**

Staff Findings: The applicant states that the proposed zoning map amendment would be consistent with the pattern of development in the area, based on the 2017 Linn County aerial photograph Staff finds that the subject property is surrounded by Low Density and High Density Residential dwellings.

The application complies with this criterion.

- 3. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district; and [SHMC 17.12.025(C)]**

Staff Findings: Water and sanitary sewer services are available at 23<sup>rd</sup> Avenue and Mountain View Road. The subject property has frontage along 23<sup>rd</sup> Avenue. Based on the applicant's statements the subject property is anticipated to be developed with a multi-family dwelling in the future. Staff finds that utilities and services are efficiently provided to serve the proposed use of a multi-family dwelling or other potential uses in the proposed zoning district.

The application complies with this criterion.

- 4. The proposed amendment to the comprehensive plan map is consistent with Oregon's statewide planning goals. [SHMC 17.12.025(D)]**

Staff Findings: The applicant is not proposing an amendment to the comprehensive plan map.

- 5. OAR 660-012-0060(1). If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:**
  - a. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**
  - b. Change standards implementing a functional classification system; or**
  - c. Result in any of the effects listed in paragraphs (a) through (c) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.**
    - i. Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
    - ii. Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or**

- iii. **Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.** [OAR 660-012-0060(1)]

Staff Findings: The subject property has existing frontage along 23<sup>rd</sup> Avenue. 23<sup>rd</sup> Avenue is identified as a local street in the Sweet Home Transportation System Plan; Figure 2.2. The applicant has proposed a change in zoning from the Residential Low Density (R-1) to the Residential Medium Density (R-3) zone. The proposed use would be consistent with the Comprehensive Plan Map designation. Based on these findings, staff concludes that the proposed zone change would not significantly affect the existing transportation infrastructure in the neighborhood and is consistent with the Sweet Home Transportation System Plan.

The application complies with this criterion.



City of Sweet Home  
 3225 Main Street  
 Sweet Home, OR 97386  
 541-367-8113  
 Fax 541-367-5113  
 www.sweethomeor.gov

Community and Economic Development Department

Application for an Amendment to the  
 Comprehensive Plan or Zoning  
 Maps or Text

Within 30 days following the filing of this application, the City Planner will make a determination of completeness regarding the application. If deemed complete, the application will be processed.

Date Received: 06.08.20  
 Date Complete: 06.08.20  
 File Number: ZMA20-02  
 Map/Text Amendment Application Fee \$: \$1,030.00  
 Zoning Application Fee \$: \$1,030.00  
 Receipt #: 3947  
 Planning Commission Hearing Date: \_\_\_\_\_  
 City Council Hearing Date: \_\_\_\_\_

Applicant's Name:  
 JIM BRADFORD  
 Applicant's Address:  
 1625 CASCADE DR LEBANON OR 97355  
 Applicant's Phone and e-mail:  
 541-570-2278

Property Owner:  
 SEVEN STAR INVESTMENTS  
 Owner's Address:  
 1625 CASCADE DR LEBANON OR 97355  
 Owner's Phone and email:  
 541-570-2278

**Comprehensive Plan Map or Zoning Map Amendment**

Subject Property Address:  
 933 23RD AVE SWEET HOME  
 Subject Property Assessor's Map and Tax Lot:  
 LOT 4735 + 4700 13501E32CA  
 Subject Property Size:  
 .61 AC  
 Current Zoning Classification: R1  
 Current Comprehensive Plan Classification: R3  
 Purpose of Request: 9  
 TO RE ZONE FROM R1 TO R3 FOR THREE STORY ~~AP~~ PLEX

**Zoning or Comprehensive Plan Text Amendment**

Sections proposed to be changed:  
 FROM COMP PLAN TO R3  
 Proposed language for change:  
 Attach proposed text to this form.  
 Purpose of Request

**Submittal Requirements**

The checklist on the other side of this application lists the required items must be submitted with this application and the Criteria the request must meet. Please address all items that apply to this request.  
 I certify that the statements contained on this application, along with the submitted materials, are in all respects true and are correct to the best of my knowledge and belief.

Applicant's Signature: \_\_\_\_\_ Date: 6-1-2020  
 Property Owner's Signature: \_\_\_\_\_ Date: 6-1-2020

**SHMC 17.12.025 REVIEW CRITERIA FOR MAP AMENDMENTS.**

**An amendment to the official zoning or comprehensive plan map may be authorized provided that the proposal satisfied all relevant requirements of this title and also provided that the applicant demonstrates the following:**

- A. The proposed amendment is consistent with the goals and policies of the comprehensive plan.
- B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment.
- C. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district.
- D. The proposed amendment to the comprehensive plan map is consistent with Oregon's statewide planning goals.

**17.80.040 CONDITIONAL USE CRITERIA.**

**The criteria that will be used in approving, approving with conditions, or denying an application, or to enlarge or alter a conditional use, will be based on findings with respect to each of the following standards and criteria.**

- A. The request complies with the requirements of the underlying zone or overlay zone, city codes, state and federal laws.
- B. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering, but not limited to, the following:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> 1. Building size | <input type="checkbox"/> 6. Exhaust and emissions | <input type="checkbox"/> 11. Visibility                               |
| <input type="checkbox"/> 2. Parking       | <input type="checkbox"/> 7. Light and glare       | <input type="checkbox"/> 12. Safety                                   |
| <input type="checkbox"/> 3. Traffic       | <input type="checkbox"/> 8. Erosion               | <input type="checkbox"/> 13. Building, landscaping or street features |
| <input type="checkbox"/> 4. Noise         | <input type="checkbox"/> 9. Odor                  |   |
| <input type="checkbox"/> 5. Vibration     | <input type="checkbox"/> 10. Dust                 |   |

- C. Any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval that include but are not limited to those listed in this chapter.
- D. All required public facilities have adequate capacity, as determined by the city, to serve the proposed use.
- E. Home occupations must meet the following standards:

- 1. The home occupation shall be secondary to the residential use.
- 2. All aspects of the home occupation shall be contained and conducted within a completely enclosing building.
- 3. No materials or mechanical equipment shall be used which are detrimental to residential use of the dwelling or nearby dwellings because of vibration, noise, dust, smoke, odor, interference with the electrical grid, radio or television reception or other similar factors.
- 4. Vehicles related to the home occupation shall be parked in a manner so as to not block any driveway or impede the safe flow of traffic

- F. Marijuana facilities must be located in a fixed location. No temporary or mobile sites of any sort are allowed.
- G. Marijuana facilities may not have any drive up services.
- H. Marijuana facilities must be located at least 1,000 feet from the property boundary of any school.
- I. Marijuana facilities must be sited on a property so as to be at least 100 feet from the boundary of any residentially zoned property.

# MAP "B"

S 89°45' W

4733  
0.49 AC.

4734  
0.83 AC.

PROPOSED LOT  
LINE ADJUSTMENT

C.S. 15895

4700  
0.28 AC.

C.S. 23507

4735  
0.33 AC.

P.P.

2003

4736  
0.31 AC.

406  
0.42 AC.

4702  
0.42 AC.

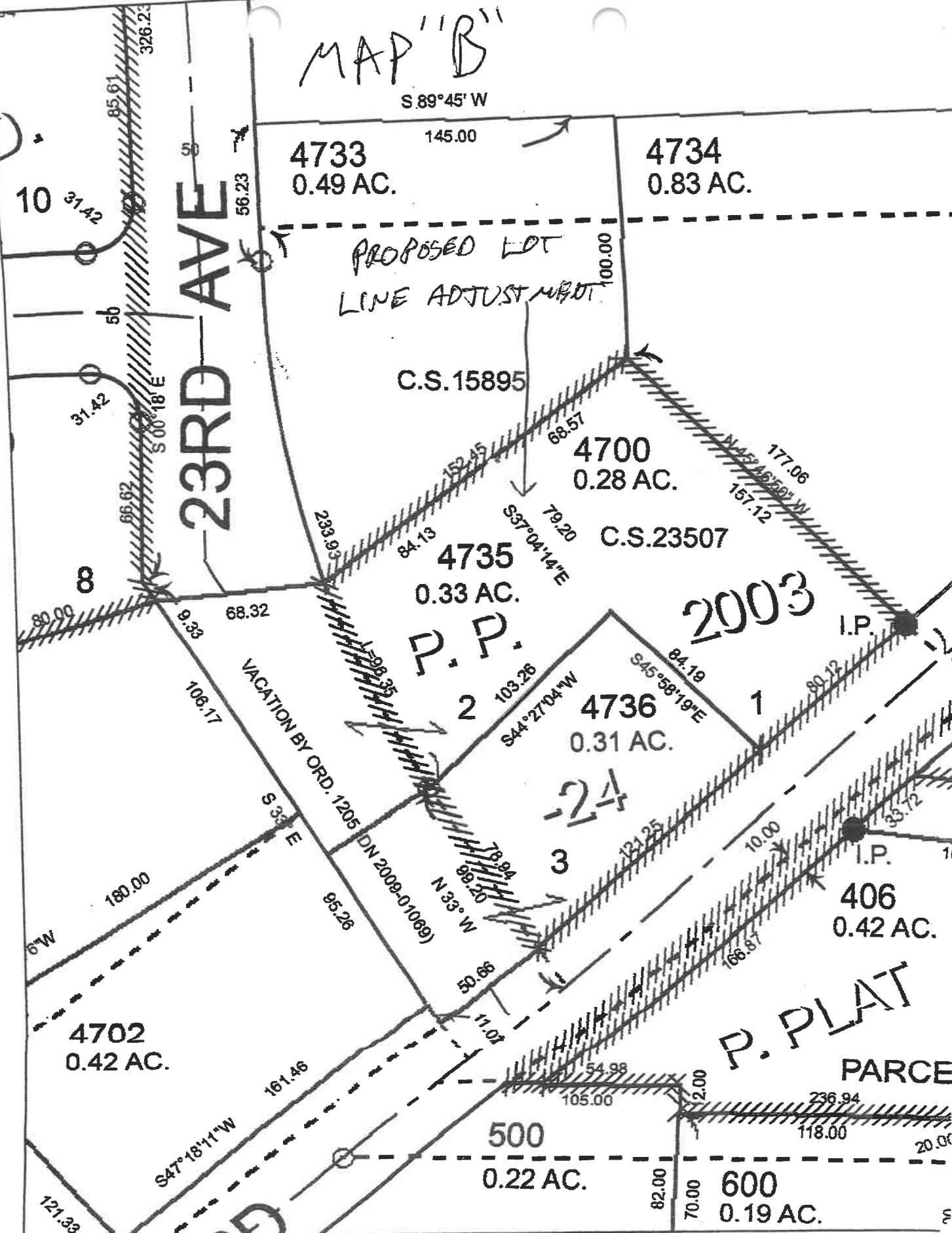
500  
0.22 AC.

600  
0.19 AC.

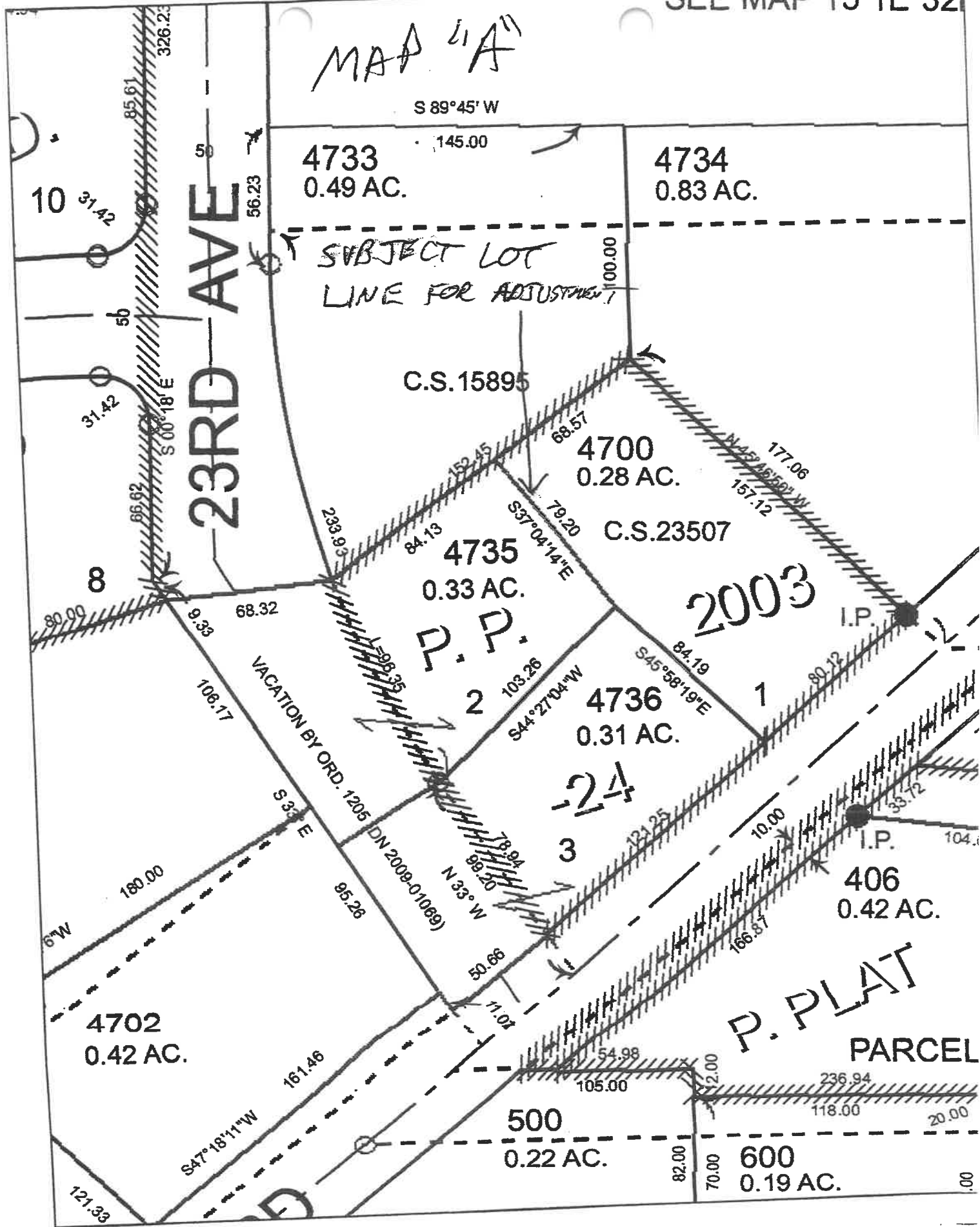
P. PLAT  
PARCE

23RD AVE

VACATION BY ORD. 1205  
DN 2009-01089

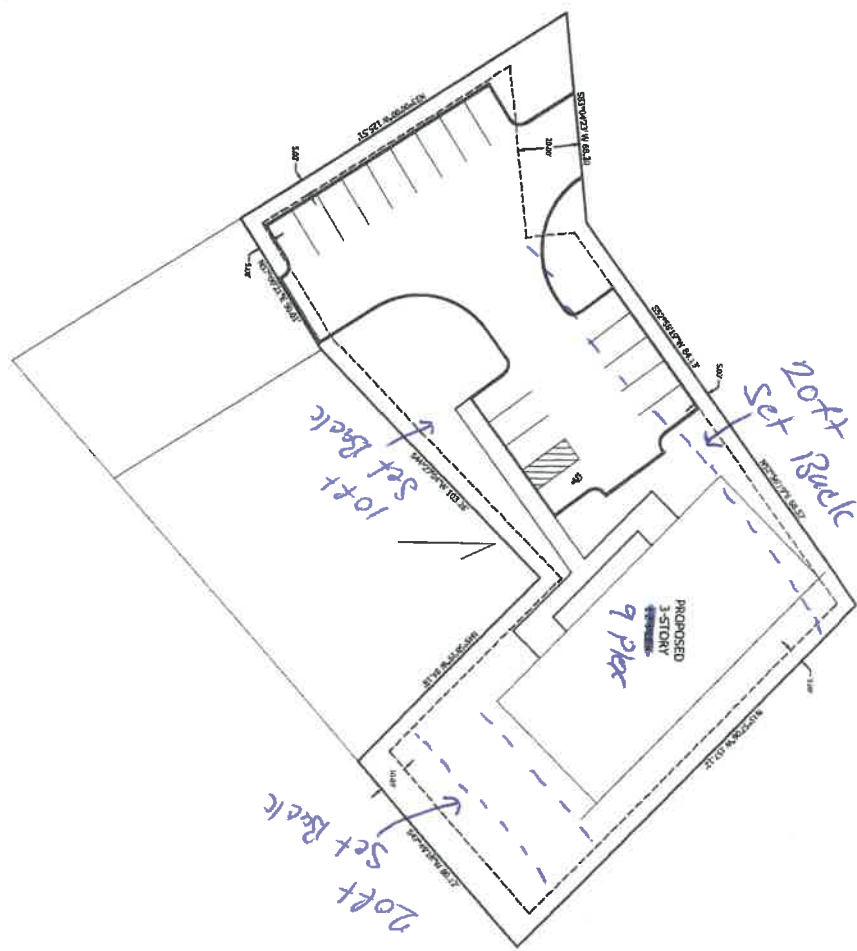


MAP "A"



JM BRADFORD

Revised Set Backs  
9 plex To shift over To meet set back  
Code.



REVISIONS	DATE

Scale: SEE MAPSHEET  
Sheet: C100

REVIEW COPY  
NOT FOR  
CONSTRUCTION



DATE: MARCH 22, 2008 PROJECT: DRAWN BY: CHECKED BY: EBY	<b>SITE PLAN</b>  <b>BRADFORD MULTI-FAMILY DEVELOPMENT SWEET HOME, OREGON</b>	<b>UELLE ENGINEERING AND LAND SURVEYING, LLC</b> 63 EAST ASH ST. SWEET HOME, OREGON 97137 (541) 451-5125 PHL (541) 451-1366 FAX	<b>CLIENT:</b>  CLIENT ADDRESS CITY, STATE COUNTY
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6/03/2020

ZMA -20-02 Subject property 933 23<sup>rd</sup> Ave Sweet Home Or

Applicant is requesting subject property zone change. Current zoning is R1 in the comprehensive map zoning is R3. Applicant would like to re-zone to R2 from the current zoning and the comp plan of R3

Attached is new proposed site map and revised site plan.

## Julie Fisher

---

**From:** Scott Walker <pinehilltreefort1@gmail.com>  
**Sent:** Wednesday, August 5, 2020 8:34 AM  
**To:** Julie Fisher

Dear Sweet Home City Council.

Hello, I wanted to write you to let you know that we are also opposed to the re-zoning of the property in our neighborhood of residential homes.

We are against any new apartments in our residential neighborhoods. However we are not opposed to the owner(s) to build residential homes on the property that is subject of this City Council

Scott Walker  
1006 Mountain View Rd.  
Sweet Home, OR 97386  
(541) 818 0572

---

---

### Of The New Era

A public hearing at Sweet Home City Council to consider a zoning change drew debate from the community and led to an evenly divided council with no decision.

At their July 28 meeting, councilors considered an order that would rezone a 26,552-square-foot section of land along Mountain View Road from a low-density residential zone to a medium-density residential zone.

This would allow an apartment building to be built there. The plots are close to where 23rd Avenue ends in a cul-de-sac next to Ironwood Street, and a neighbor who lives on Ironwood appeared at the meeting to op...

Sent from [Mail](#) for Windows 10



## REQUEST FOR COUNCIL ACTION

---

**Title:** Request for Council Action – Ordinance Bill No. 10 for 2020 – An Ordinance Annexing and Amending the Official Zoning Map

**Preferred Agenda:** July 28, 2020 Public Hearing, Introduction & First Reading  
August 11, 2020 2<sup>nd</sup> Reading

**Submitted By:** Angela Clegg, Associate Planner

**Reviewed By:** R. Towry, City Manager

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

**Relevant Code/Policy:** SHMC 2.04.030 Powers of the City Council

**Towards Council Goal:** Vision Statement, Aspiration I: Desirable Community, Mission Statement

**Attachments:** Planning Commission Order of Approval  
Ordinance No. 10 for 2020  
Original Application

---

### **Purpose of this RCA:**

To approve the Annexation and Zone Map Amendment Applications AX 20-01 and ZC 20-01.

### **Background/Context:**

This is an application to annex an approximately 39,005 square foot (0.71-acre) property located in the City of Sweet Home's Urban Growth Boundary into the City limits of Sweet Home. The application also requests to change the zoning of the property from Linn County's Urban Growth Area-Rural Residential-1 Acre Minimum (UGA-RR-1) Zone to the City of Sweet Home's Low Density Residential (R-1) Zone.

The subject property is located within the City's Urban Growth Boundary, which has been identified as the planned location for urban development in the City. Tax Lots 400 and 500, to the east, were annexed to the City in 2010 and Tax Lot 700 was annexed to the City in 2017 under similar circumstances: they sought connection to the City's sewer system. The subject property is contiguous to the Sweet Home City Limits.

The Sweet Home Planning Commission held a public hearing on July 6, 2020. At the hearing the Planning Commission reviewed application AX ZC 20-01. The Planning Commission received testimony and deliberated on this matter at their July 6, 2020 meeting and passed a motion to recommend approval of the application to City Council. That motion of approval specified a 12-day appeal period from the date the decision motion is mailed. No specific conditions of approval were required.

The SHMC does not provide specific criteria for annexations; however, the City of Sweet Home Comprehensive Plan requires that upon annexation that the zoning of the subject property be changed to a City zoning classification that is consistent with the Sweet Home Comprehensive Plan Map. This application for an annexation is therefore linked to the application for a zone change. For this reason, staff recommends that these applications be either both approved, or both denied. This annexation proceeding was initiated at the request of the property owner.

**The Challenge/Problem:**

Should the zoning map be changed to allow for the annexation into the City with a Residential Low-Density designation, rather than the current Linn County Urban Growth Area-Rural Residential 1-Acre Minimum.

**Stakeholders:**

- The Owner/Developer would be able to develop the property and connect to city water and sewer services.
- The residents in the surrounding area would benefit from the extension of the water and sewer lines along Alder Street.
- The City of Sweet Home would gain revenue from the annexation.

**Issues and Financial Impacts:**

1. Applicant – be able to connect to City water and sewer.
2. Planning and Community Development – processing the applications and permits

**Elements of a Stable Solution:**

The proposed annexation and zone change will allow the owner to connect to city water and sewer services and affordably develop the property.

**Options:**

1. Do Nothing.
2. Deny Application Staff would prepare and Order of Denial for Application AX 20-01 and ZC 20-01.
3. Approve Ordinance Bill No 10 as presented and make a motion to move to the third and final reading.
4. Recommend different annexation and zone amendment. Council could review these proposed changes and recommend different annexation and zone amendments. Staff would take these recommendations and revise the proposed application for review at a future Council meeting.

**Recommendation:**

1. Staff Recommends Option 3: Approve Ordinance Bill No 10 as presented and make a motion to move to the third and final reading.



**OFFICIAL NOTICE OF A PLANNING COMMISSION RECOMMENDATION  
ON A LAND USE APPLICATION**

**PLANNING COMMISSION ORDER OF APPROVAL**

**REQUEST:** This is an application to annex an approximately 39,005 square foot (0.71-acre) property located in the City of Sweet Home's Urban Growth Boundary into the City limits of Sweet Home. The application also requests to change the zoning of the property from Linn County's Urban Growth Area-Rural Residential-1 Acre Minimum (UGA-RR-1) Zone to the City of Sweet Home's Low Density Residential (R-1) Zone. The Planning Commission held a public hearing on July 6, 2020 and made a recommendation to the City Council. The City Council will hold a public hearing on July 28, 2020 and decide on this application.

**APPLICANT/**

**PROPERTY OWNER:** Cindy Sieg

**FILE NUMBERS:** AX20-01 & ZC20-01

**PROPERTY LOCATION:** 789 Alder Street, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 14S01E06B Tax Lot 800.

**REVIEW AND**

**DECISION CRITERIA:** Sweet Home Municipal Code Section(s): 17.104.010 and 17.12.025; ORS 222.111

**STAFF CONTACT:**

Angela Clegg, Associate Planner  
Phone: (541) 367-8113; Email: aclegg@sweethomeor.gov

- I. **PUBLIC HEARING:** The Sweet Home Planning Commission held a public hearing on July 6, 2020. At the hearing the Planning Commission reviewed application AX ZC 20-01. The Planning Commission received testimony and deliberated on this matter at their July 6, 2020 meeting and passed a motion to recommend approval of the application to City Council. That motion of approval specified a 12-day appeal period from the date the decision motion is mailed. No specific conditions of approval were required.
- II. **FINDINGS OF FACT:** The Planning Commission provided an opportunity for testimony at the July 6, 2020 public hearing. The Planning Commission considered the information in the record, testimony at the public hearing, and the Findings of Fact listed in the Staff Report presented to the Planning Commission prior to the July 6, 2020 public hearing. The Planning Commission adopted the Findings of Fact listed in Section III of the Staff Report, and those are included as Exhibit A to this Order
- III. **DECISION: Approved** the motion to recommend the application to City Council on June 6, 2020. Based on the findings referenced in Exhibit A of this order, the Planning Commission found that the proposal described in AX20-01 & ZC20-01 complies with the applicable sections of the Sweet Home Municipal Code. The Sweet Home Planning

Commission hereby approves application AX20-01 & ZC20-01 and recommends approval by the City Council.

**PLANNING COMMISSION DECISION:** July 6, 2020  
**APPEAL DEADLINE:** July 24, 2020 at 5:00 PM  
**CITY COUNCIL MEETING:** July 28, 2020 at 6:30 PM

  
\_\_\_\_\_  
Jeffery Parker, Planning Commission Chair

7/13/2020  
Date

  
\_\_\_\_\_  
Blair Larsen, Community and Economic Development Director

7/13/2020  
Date

**APPEAL:** This decision can be appealed. The decision made by the Planning Commission is final unless written appeal from an aggrieved party is received by the City of Sweet Home no later than the appeal deadline listed above (12 days from the mailing of this decision). All appeals must be filed with the appropriate fee and documentation and submitted to: City of Sweet Home Community and Economic Development Department, 3225 Main Street, Sweet Home, OR 97386. The City Council will hold a public hearing on the request upon appeal. If you would like any information concerning filing of an appeal, please contact the Planning Office at (541) 367-8113.

Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and a copy will be provided at reasonable cost. A copy of the Staff Report and all documentation included in the record for the file are available for inspection at no cost and a copy will be provided at reasonable cost at the City of Sweet Home Community and Economic Development Department, 3225 Main Street, Sweet Home, OR 97386; (541) 367-8113.

## Exhibit A to Order of Approval for AX20-01 & ZC20-01

The review and decision criteria for a conditional use permit are listed below in bold. Staff findings and analysis are provided under each review and decision criterion.

### Criteria for Annexation Request: AX 20-01

- A. Upon receiving any petition for annexation of territory to the city, or before initiating any such action on its own motion, the Council shall refer the proposal for annexation to the Planning Commission for its consideration and recommendation. [SHMC 17.104.010(A)]**

Staff Findings: The subject property is located within the City's UGB, and annexation would bring the subject property into the City limits. The Planning Commission will consider this matter on July 6, 2020.

- B. The Planning Commission shall review the proposal for annexation, hold such hearings as it deems proper, make such finding of facts as it deems proper and make recommendations to the Council. [SHMC 17.104.010(B)]**
- C. ORS 222.120. Procedure for annexation without election; hearing; ordinance subject to referendum. [Relevant Sections]**
- a. Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection. [ORS 222.120(1)]**
  - b. When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation. [ORS 222.120(2)]**
  - c. The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period. [ORS 222.120(3)]**
  - d. After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question: [ORS 222.120(4)]**
    - i. Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; [ORS 222.120(4)(b)]**

Staff Findings: The provisions of SHMC 17.104.010 do not require that this annexation proposal be submitted to the electors of the City for their approval or rejection. The Planning Commission will hold a public hearing on July 6, 2020 and will make a recommendation to the City Council. The City Council will hold a hearing on this matter on July 28, 2020 at 6:30 PM.

Notice of both public hearings will be published in the New Era Newspaper on June 17, 2020 and June 24, 2020. Notice of the public hearing was posted in four city locations: City Hall, City Library, Post Office, and the community bulletin board at the northeast corner of 18<sup>th</sup> Ave and Long Street.

If this annexation is approved, the City will follow the procedures for adopting an ordinance and providing notification to affected parties as describes in the SHMC and ORS 222.

- D. In the event that the Council finds that immediate action is necessary to initiate proceedings for annexation, either before the proposal is referred to the Planning Commission, or before recommendations are received from the Planning**

**Commission, the Council may proceed, but the Planning Commission shall be promptly advised, so that it may have an opportunity to make recommendations to the Council during the Council proceedings. [SHMC 17.104.010(C)]**

Staff Findings: The Planning Commission will review this application and make a recommendation to City Council. The applicant did not request that immediate action be taken under this section. Staff recommends that the Planning Commission make a recommendation on this matter at their July 6, 2020 meeting so that the City Council may consider the recommendation at their July 28, 2020 hearing.

- E. When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies. [ORS 222.111(1)]**
- F. A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed. [ORS 222.111(2)]**
- G. A city annexation made in compliance with a comprehensive plan acknowledged pursuant to ORS 197.251(1) or 197.625 shall be considered by the commission to have been made in accordance with the goals unless the acknowledged comprehensive plan and implementing ordinances do not control the annexation. [OAR 660-014-0060]**

Staff Findings: The subject property is contiguous to the city limits of Sweet Home to the east and the property to the south. The north property line borders Alder street, which is within the jurisdiction of Linn County; however, the property across the right-of-way is located within city limits. This is considered contiguous under ORS 222.111(1).

The SHMC does not provide specific criteria for annexations; however, as discussed below, the City of Sweet Home Comprehensive Plan requires that upon annexation that the zoning of the subject property be changed to a City zoning classification that is consistent with the Sweet Home Comprehensive Plan Map. This application for an annexation is therefore linked to the application for a zone change. For this reason, staff recommends that these applications be either both approved or both denied. This annexation proceeding was initiated at the request of the property owner.

The Engineering Department provided comments to this application, which are included in Section II of this Staff Report. Engineering comments bring attention to the issue of the jurisdiction of Alder Street. The applicant's property does not include Alder Street; however, the extension of City sewer services would most efficiently be provided by extending the existing sewer line in Alder street that is currently located to the east of the property. The sewer line would need to be extended along the full length of the subject property's frontage along Alder Street (SHMC 13.08.070). As the annexation is proposed, sewer extension would require work within the Linn County portion of Alder Street, and the applicant would need to obtain a work in the right-of-way permit from Linn County. The Engineering Department recommends annexing the portion of Alder Street that would be affected by the extension.

This annexation decision will be made in conformance with the City's acknowledged comprehensive plan; and therefore, would comply with the Oregon Statewide Planning Goals pursuant to OAR 660-014-0060.

**Criteria for Zone Change Request: ZC 20-01**

**H. An amendment to the official zoning or comprehensive plan map may be authorized provided that the proposal satisfied all relevant requirements of this title and also provided that the applicant demonstrates the following:**

**a. The proposed amendment is consistent with the goals and policies of the comprehensive plan; [SHMC 17.12.025(A)]**

- i. Upon annexation, all lands shall be zoned consistently with the Comprehensive Plan and its designations and should be based on public need, special studies or other information which will serve as the factual basis to support the change. [SHCP Chapter 2; Land Use Element, Policy 16]**
- ii. Table 1. Summary of Comprehensive Plan Land Use Designations**

<b>Land Use Designation</b>	<b>Purpose</b>
<b>Low Density Residential</b>	<b>To provide appropriate lands for low density, single-family homes. This category has the lowest density of the residential designations, providing larger lots for single-family homes.</b>

**The Zoning Code implements the Comprehensive Plan by providing specific development guidelines for each Land Use Designation. The general nature of each Comprehensive Plan Land Use Designation will guide the uses and standards for the corresponding zone in the Zoning Code. [SHCP Chapter 2; Land Use Element, Portion of Table 1: Summary of Comprehensive Plan Land Use Designations]**

Staff Findings: The Comprehensive Plan Map Designation of the subject property is Low Density Residential. See Attachment B. The goals and polices of the Comprehensive Plan are implemented through the application of zoning that implements the Comprehensive Plan Map designation of the property. The Low Density Residential (R-1) Zone implements the Low Density Residential Comprehensive Plan Map designation.

Based on a review of the Sweet Home Local Wetlands Inventory Map and the National Wetlands Inventory Map, the subject property does not contained inventoried wetlands. As a result, it would not be appropriate to apply the Natural Resources Zone to the property. The subject property is located outside of the 100-year floodplain.

Based on the above findings, the application of the R-1 Zone to the subject property would be consistent with the goals and policies of the Comprehensive Plan. The application complies with this criterion.

**b. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment; [SHMC 17.12.025(B)]**

Staff Findings: The subject property is located within the City's Urban Growth Boundary, which has been identified as the planned location for urban development in the City. Tax Lots 400 and 500, to the east, were annexed to the City in 2010 and Tax Lot 700 was annexed to the City in 2017 under similar circumstances: they sought connection to the City's sewer system. The subject property is contiguous to the Sweet Home City Limits. For these reasons, staff finds that the application complies with this criterion.

- c. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district; and [SHMC 17.12.025(C)]**

Staff Findings: The Engineering Department provided comments to this annexation and zone change proposal which are included in Section II of this Staff Report. The subject property is currently served by City water. The applicant is seeking connection to City sewer. If the applicant seeks connection to the sewer service on Alder Street, they would need to obtain a work in the right-of-way permit from Linn County; until such time as the portion of connecting right-of-way is annexed into the City. Costs associated with the extension of sewer and other services would be the responsibility of the property owner.

The subject property contains approximately 0.71-acre; and if approved, it would be possible to divide the property into lots as small as 8,000 square feet through a future subdivision or partition application process. The applicant has not requested a subdivision or partition at this time. If the applicant seeks to divide the property in the future, approval of those applications may require sidewalk or road improvements as required under the Sweet Home Municipal Code. A host of other development permits may also be required upon future development of the property; however, no specific development has been proposed at this time.

The subject property contains one single-family dwelling; and based on the comments submitted by the Engineering Division; utilities and services could be efficiently provided to the subject property.

- d. The proposed amendment to the comprehensive plan map is consistent with Oregon's statewide planning goals. [SHMC 17.12.025(D)]**

Staff Findings: This criterion does not apply to a zone change, because the proposal does not require an amendment to the City's Comprehensive Plan Map. The Comprehensive Plan Map designates the subject property as Low Density Residential, and the applicant is proposing to apply the corresponding Low Density Residential (R-1) zone. The proposed zoning is consistent with the City's Comprehensive Plan; which has been acknowledged to be consistent with the Statewide Planning Goals.

ORDINANCE BILL NO. 10 FOR 2020

ORDINANCE NO. \_\_\_\_

AN ORDINANCE ANNEXING AND AMENDING THE OFFICIAL ZONING MAP

WHEREAS, the applicant, Cindy Sieg, applied for Annexation and Zone Change, application AX 20-01 and ZC 20-01, and requested a zone map change for an area consisting of 0.71 acres located at 789 Alder Street, Sweet Home, OR 97386. The Sweet Home Zoning Map is proposed to change from Linn County's Urban Growth Area-Rural Residential-1 Acre Minimum (UGA-RR-1) Zone to the City of Sweet Home's Low Density Residential (R-1) Zone. The subject property is identified on the Linn County Assessor's Map as 14S01E06B Tax Lot 00800; and

WHEREAS, the Planning Commission of the City of Sweet Home held a public hearing on July 6, 2020 with due notice of such public hearing having been given and provided an opportunity for public comments and testimony. The Planning Commission deliberated at their July 6, 2020 meeting, and recommended that the City Council approve this application; and

WHEREAS, the City Council held a public hearing on this matter on July 28, 2020, with due notice of such public hearing having been given and provided an opportunity for public comments and testimony. The City Council approved this application by motion at their July 28, 2020 meeting; and

WHEREAS, the proposed annexation and R-1 zoning is needed to connect to City water and sewer services;

Now, Therefore,

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1: The City of Sweet Home adopts the findings of fact in support of annexation and zone change application AX 20-01 and ZC 20-01 included as Exhibit A.

Section 2: The City of Sweet Home amends the Official Zoning Map, identified in SHMC 17.20.020 as the City Zoning Map including all subsequent amendments, for the an area consisting of 0.71 acres located at 789 Alder Street, Sweet Home, OR 97386.; and identified on the Linn County Assessor's Map as 14S01E06B Tax Lot 00800. The Official Zoning Map shall be amended from Linn County's Urban Growth Area-Rural Residential-1 Acre Minimum (UGA-RR-1) Zone to the City of Sweet Home's Low Density Residential (R-1) Zone for the subject property as shown on Exhibit B.

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

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Manager - Ex Officio City Recorder

Exhibit A

Findings of Fact in Support of Annexation and Zone Change Application AX20-01 and ZC20-01

**Exhibit A to Order of Approval for AX20-01 & ZC20-01**

The review and decision criteria for a conditional use permit are listed below in bold. Staff findings and analysis are provided under each review and decision criterion.

**Criteria for Annexation Request: AX 20-01**

- A. Upon receiving any petition for annexation of territory to the city, or before initiating any such action on its own motion, the Council shall refer the proposal for annexation to the Planning Commission for its consideration and recommendation. [SHMC 17.104.010(A)]**

Staff Findings: The subject property is located with the City's UGB, and annexation would bring the subject property into the City limits. The Planning Commission will consider this matter on July 6, 2020.

- B. The Planning Commission shall review the proposal for annexation, hold such hearings as it deems proper, make such finding of facts as it deems proper and make recommendations to the Council. [SHMC 17.104.010(B)]**
- C. ORS 222.120. Procedure for annexation without election; hearing; ordinance subject to referendum. [Relevant Sections]**
- a. Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection. [ORS 222.120(1)]**
  - b. When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation. [ORS 222.120(2)]**
  - c. The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period. [ORS 222.120(3)]**
  - d. After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question: [ORS 222.120(4)]**
    - i. Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; [ORS 222.120(4)(b)]**

Staff Findings: The provisions of SHMC 17.104.010 do not require that this annexation proposal be submitted to the electors of the City for their approval or rejection. The Planning Commission will hold a public hearing on July 6, 2020 and will make a recommendation to the City Council. The City Council will hold a hearing on this matter on July 28, 2020 at 6:30 PM.

Notice of both public hearings will be published in the New Era Newspaper on June 17, 2020 and June 24, 2020. Notice of the public hearing was posted in four city locations: City Hall, City Library, Post Office, and the community bulletin board at the northeast corner of 18<sup>th</sup> Ave and Long Street.

If this annexation is approved, the City will follow the procedures for adopting an ordinance and providing notification to affected parties as describes in the SHMC and ORS 222.

- D. In the event that the Council finds that immediate action is necessary to initiate proceedings for annexation, either before the proposal is referred to the Planning Commission, or before recommendations are received from the Planning Commission, the Council may proceed, but the Planning Commission shall be promptly advised, so that it may have an opportunity to make recommendations to the Council during the Council proceedings. [SHMC 17.104.010(C)]**

Staff Findings: The Planning Commission will review this application and make a recommendation to City Council. The applicant did not request that immediate action be taken under this section. Staff recommends that the Planning Commission make a recommendation on this matter at their July 6, 2020 meeting so that the City Council may consider the recommendation at their July 28, 2020 hearing.

- E. When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies. [ORS 222.111(1)]**
- F. A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed. [ORS 222.111(2)]**
- G. A city annexation made in compliance with a comprehensive plan acknowledged pursuant to ORS 197.251(1) or 197.625 shall be considered by the commission to have been made in accordance with the goals unless the acknowledged comprehensive plan and implementing ordinances do not control the annexation. [OAR 660-014-0060]**

Staff Findings: The subject property is contiguous to the city limits of Sweet Home to the east and the property to the south. The north property line borders Alder street, which is within the jurisdiction of Linn County; however, the property across the right-of-way is located within city limits. This is considered contiguous under ORS 222.111(1).

The SHMC does not provide specific criteria for annexations; however, as discussed below, the City of Sweet Home Comprehensive Plan requires that upon annexation that the zoning of the subject property be changed to a City zoning classification that is consistent with the Sweet Home Comprehensive Plan Map. This application for an annexation is therefore linked to the application for a zone change. For this reason, staff recommends that these applications be either both approved or both denied. This annexation proceeding was initiated at the request of the property owner.

The Engineering Department provided comments to this application, which are included in Section II of this Staff Report. Engineering comments bring attention to the issue of the jurisdiction of Alder Street. The applicant's property does not include Alder Street; however, the extension of City sewer services would most efficiently be provided by extending the existing sewer line in Alder street that is currently located to the east of the property. The sewer line would need to be extended along the full length of the subject property's frontage along Alder Street (SHMC 13.08.070). As the annexation is proposed, sewer extension would require work within the Linn County portion of Alder Street, and the applicant would need to obtain a work in the right-of-way permit from Linn County. The Engineering Department recommends annexing the portion of Alder Street that would be affected by the extension.

This annexation decision will be made in conformance with the City's acknowledged comprehensive plan; and therefore, would comply with the Oregon Statewide Planning Goals pursuant to OAR 660-014-0060.

#### **Criteria for Zone Change Request: ZC 20-01**

- H. An amendment to the official zoning or comprehensive plan map may be authorized provided that the proposal satisfied all relevant requirements of this title and also provided that the applicant demonstrates the following:**
  - a. The proposed amendment is consistent with the goals and policies of the comprehensive plan; [SHMC 17.12.025(A)]**
    - i. Upon annexation, all lands shall be zoned consistently with the Comprehensive Plan and its designations and should be based on public need, special studies or other information which will serve as the factual basis to support the change. [SHCP Chapter 2; Land Use Element, Policy 16]**
    - ii. Table 1. Summary of Comprehensive Plan Land Use Designations**

Land Use Designation	Purpose
Low Density Residential	To provide appropriate lands for low density, single-family homes. This category has the lowest density of the residential designations, providing larger lots for single-family homes.

**The Zoning Code implements the Comprehensive Plan by providing specific development guidelines for each Land Use Designation. The general nature of each Comprehensive Plan Land Use Designation will guide the uses and standards for the corresponding zone in the Zoning Code.** [SHCP Chapter 2; Land Use Element, Portion of Table 1: Summary of Comprehensive Plan Land Use Designations]

Staff Findings: The Comprehensive Plan Map Designation of the subject property is Low Density Residential. See Attachment B. The goals and polices of the Comprehensive Plan are implemented through the application of zoning that implements the Comprehensive Plan Map designation of the property. The Low Density Residential (R-1) Zone implements the Low Density Residential Comprehensive Plan Map designation.

Based on a review of the Sweet Home Local Wetlands Inventory Map and the National Wetlands Inventory Map, the subject property does not contained inventoried wetlands. As a result, it would not be appropriate to apply the Natural Resources Zone to the property. The subject property is located outside of the 100-year floodplain.

Based on the above findings, the application of the R-1 Zone to the subject property would be consistent with the goals and policies of the Comprehensive Plan. The application complies with this criterion.

- b. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;** [SHMC 17.12.025(B)]

Staff Findings: The subject property is located within the City’s Urban Growth Boundary, which has been identified as the planned location for urban development in the City. Tax Lots 400 and 500, to the east, were annexed to the City in 2010 and Tax Lot 700 was annexed to the City in 2017 under similar circumstances: they sought connection to the City’s sewer system. The subject property is contiguous to the Sweet Home City Limits. For these reasons, staff finds that the application complies with this criterion.

- c. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district; and** [SHMC 17.12.025(C)]

Staff Findings: The Engineering Department provided comments to this annexation and zone change proposal which are included in Section II of this Staff Report. The subject property is currently served by City water. The applicant is seeking connection to City sewer. If the applicant seeks connection to the sewer service on Alder Street, they would need to obtain a work in the right-of-way permit from Linn County; until such time as the portion of connecting right-of-way is annexed into the City. Costs associated with the extension of sewer and other services would be the responsibility of the property owner.

The subject property contains approximately 0.71-acre; and if approved, it would be possible to divide the property into lots as small as 8,000 square feet through a future subdivision or partition application process. The applicant has not requested a subdivision or partition at this time. If the applicant seeks to divide the property in the future, approval of those applications may require sidewalk or road improvements as required under the Sweet Home Municipal Code. A host of other development

permits may also be required upon future development of the property; however, no specific development has been proposed at this time.

The subject property contains one single-family dwelling; and based on the comments submitted by the Engineering Division; utilities and services could be efficiently provided to the subject property.

**d. The proposed amendment to the comprehensive plan map is consistent with Oregon's statewide planning goals. [SHMC 17.12.025(D)]**

Staff Findings: This criterion does not apply to a zone change, because the proposal does not require an amendment to the City's Comprehensive Plan Map. The Comprehensive Plan Map designates the subject property as Low Density Residential, and the applicant is proposing to apply the corresponding Low Density Residential (R-1) zone. The proposed zoning is consistent with the City's Comprehensive Plan; which has been acknowledged to be consistent with the Statewide Planning Goals.



Application for an Amendment to the
Comprehensive Plan or Zoning
Maps or Text

Date Received: 06.12.20

Date Complete:

File Number: AX 2020-01

Map/Text Amendment Application Fee \$: \$1,030.00 \$1,545.00

Zoning Application Fee \$: \$1,030.00

Receipt #: 3954

Planning Commission Hearing Date: 07.06.20

City Council Hearing Date: 07.28.20

Within 30 days following the filing of this
application, the City Planner will make a
determination of completeness regarding
the application. If deemed complete, the
application will be processed.

Applicant's Name:

Cindy Sieg

Applicant's Address:

PO Box 464, Sweet Home, OR 97386

Applicant's Phone and e-mail:

(541) 409-0113 csieg97386@yahoo.com

Property Owner:

Cindy Sieg

Owner's Address:

PO Box 464, Sweet Home, OR 97386

Owner's Phone and email:

(541) 409-0113 csieg97386@yahoo.com

Comprehensive Plan Map or Zoning Map Amendment

Subject Property Address:

789 Alder, Sweet Home, OR 97386

Subject Property Assessor's Map and Tax Lot:

14S01E06B0 00800

Subject Property Size:

0.71 ACRES

Current Zoning Classification

in Linn County

Current Comprehensive Plan Classification:

in Linn County

Purpose of Request

Annex into City of Sweet Home zone R1

Zoning or Comprehensive Plan Text Amendment

Sections proposed to be changed:

Proposed language for change.

Attach proposed text to this form.

Purpose of Request

Submittal Requirements

The checklist on the other side of this application lists the required items must be submitted with this
application and the Criteria the request must meet. Please address all items that apply to this request.

I certify that the statements contained on this application, along with the submitted materials, are in
all respects true and are correct to the best of my knowledge and belief.

Applicant's Signature:

Date:

6/11/20

Property Owner's Signature:

Date:

6/11/20



**City of Sweet Home**  
Community and Economic Development Department- Planning Program  
3225 Main Street, Sweet Home, OR 97386 541-367-8113

**PETITION FOR ANNEXATION TO THE CITY OF SWEET HOME, OREGON**

To the City Council of the City of Sweet Home:

We, the undersigned owners and/or electors, petition and consent to be annexed to the City of Sweet Home. A map is attached, marked Exhibit A, showing the affected territory and its relationship to the present City boundary.

Signature	Printed Name	I Am A* (check both if applicable)		Owner's/Elector's Mailing Address (street, city, zip code)	Property Description	Date**
		PO	RV			
<i>Cindy Sieg</i>	Cindy Sieg	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	PO Box 464, Sweet Home OR 97386	14S01E06B 00800	6/9/20

\*PO = Property Owner      RV = Registered Voter      \*\*Within 1 year from the date of filing the petition with the City



1 inch = 98 feet

### 789 Alder Annexation Petition

2020-08-11 City Council Packet 87/2018



**City of Sweet Home**  
 Sweet Home Public Library  
 1101 – 13<sup>th</sup> Avenue  
 Sweet Home, OR 97386  
 541-367-5007

Sweet Home Public Library

*Statistics*

	June, 2020	July, 2020	2020 YTD	2019	3 YR AVG
<b>Patron Activity</b>					
OPAC Logins*	123	139	815	3229	2808
SIP2 Logins**	633	633	3123	5069	4703
<b>Circulation and Renewals</b>					
Checkouts	1347	2213	6727	41328	41687
Renewals by Staff	15	315	560	5581	7469
Renewals by OPAC	14	81	214	2973	2824
<b>Holds Requested</b>					
Holds by Staff	85	98	397	1629	1546
Holds by OPAC	89	60	670	1720	1547
<b>Monthly Active Patrons</b>					
	2170	2128	2217	2375	2431
<b>New Patrons</b>					
Resident	5	7	19	409	465
Nonresident	1	1	1	71	54
<b>Item Counts</b>					
	35753	35928	35735	35973	35348
<b>Public Access Computers</b>					
Logins	130	208	1432	5425	5256
Pages Printed	200	423	2986	10636	5075
<b>Resource Sharing Savings</b>					
	\$0.00	\$16.00	\$2462.31	\$35213.57	Not available

Statistics for “Monthly Active Patrons” and “Item Counts” for 2020 and 2019 year to date statics are calculated on averages. All other year to date statistics are cumulative.

## *Events*

Our second summer reading books, for preschoolers and elementary school aged children, was mailed to families; altogether we mailed out 76 books. Included in this mailing, was a note from staff, encouraging parents and children to come to the library and pick up the activity kit that was developed by staff to go along with the books.

The Library received a \$1,750 grant from the Confederated Tribes of the Siletz Indians to support One Book, One Community and the Storybook Walk. The book, "*The Guernsey Literary and Potato Peel Society*" book was chosen for the all community reads.

Rose attended the Friends of the Sweet Home Library meeting. The Friends agreed to assist in purchasing new books for the library to keep the library current and relevant.

The Linn Libraries Consortium met via zoom and discussed resource sharing and the operation of the courier. We will meet again in mid-August to follow up on these discussions.

The Library "popped up" at the "Movies in the Parking Lot" and gave away free books to children.

To celebrate "National Coloring Day", the library distributed coloring sheets to businesses in town to handout to children. When children bring the coloring sheets back to the library, they will receive a prize and their sheets will be displayed throughout the Library.

The Ready to Read grant for summer reading programs in 2021 was submitted.

# MEMORANDUM



TO: City Council  
Ray Towry, City Manager  
Interested Parties

FROM: Blair Larsen, Community and Economic Dev. Director

DATE: August 11, 2020

SUBJECT: Community and Economic Development Department Report for July, 2020

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>, 2020.

## 1. BUILDING

- Summary of Building Program Permits Issued.

Permit Category	July, 2020	June, 2020	2020 YTD	2019 Total	2015-2019 Annual Average
Residential 1 and 2 Family Dwellings	1	3	12	31	33.2
Residential Demolition	0	1	5	8	7.2
Residential Manufactured Dwellings	0	0	5	17	13.6
Residential Mechanical Permits	15	10	60	116	100.8
Residential Plumbing	2	3	11	38	35
Residential Site Development	0	0	0	1	1.6
Residential Structural	2	6	30	54	41.8
Commercial Alarm or Suppression Systems	0	0	1	2	1.0
Commercial Demolition	0	0	1	3	2.4
Commercial Mechanical	2	3	10	18	14.6
Commercial Plumbing	0	1	5	15	11.6
Commercial Site Development	0	0	1	0	2.8
Commercial Structural	2	1	12	50	44.0
<b>Total Permits</b>	<b>24</b>	<b>28</b>	<b>153</b>	<b>353</b>	<b>309.6</b>
<b>Value Estimate of All Permits</b>	<b>\$682,691.91</b>	<b>\$974,078.05</b>	<b>\$5,139,600.59</b>	<b>\$24,458,766.87</b>	<b>\$14,266,780.27</b>
<b>Fees Collected</b>	<b>\$9,065.73</b>	<b>\$15,822.27</b>	<b>\$79,432.66</b>	<b>\$298,099.90</b>	<b>\$201,486.98</b>

## 2. PLANNING

- Summary of Planning Division Applications Approved:

Application Type	July, 2020	June, 2020	2020 YTD	2019 Total	2015-2019 Annual Average
Code Amendments	0	0	1	1	0.2
Conditional Use	0	0	2	7	5.2
Partition	1	1	6	10	4.2
Planned Development/Subdivision	0	0	0	1	0.6
Property Line Adjustments	5	1	10	7	3.4
Vacation	0	0	0	0	0.4
Variance	0	1	1	6	4.0
Zoning Map Amendment	0	1	3	0	0.6

- 1 land use application was submitted in July.
- 7 Land Use Applications are pending final approval.
- 3 Fence Permits were issued in July, 2020.
- The overhaul of development code portions of the Sweet Home Municipal Code (SHMC) is progressing as planned. Staff has reviewed early drafts, and is working with our consultants on the next draft.
- Staff has submitted a grant application to the State to update our Transportation System Plan. An RCA requesting adoption of a resolution and support letter in favor of the application was passed by the Council on July 14<sup>th</sup>. We are now waiting for a response from the State.
- The next planning commission meeting is scheduled for September 21, 2020. Planning Commission training sessions will not be held until normal, in-person meetings can resume.

## 3. ECONOMIC DEVELOPMENT

- Staff are working to support our local businesses during the Coronavirus Pandemic. Efforts have focused on making sure that businesses know of state and federal programs that can help them and researching how we can fill in the gaps. Staff have applied for grants with the State of Oregon and Federal Government for additional small business assistance grants. We have received three grants: One is \$25,000 from the State (matched by \$25,000 from the City Economic Development Fund; We originally applied for \$50,000) for small business grants within the City of Sweet Home. We have begun advertising this grant opportunity. The second grant is \$150,000 in CDBG funds for a County-wide (excluding the City of Albany) business assistance grant program that will be administered by Community Lending Works. The third grant will be \$50,000 for emergency childcare to be provided by the Boys & Girls Clubs of the Greater Santiam. The first grant has been received and is operating. The second and third grants have been approved, but we have not yet received the funds.
- Work on a property partition and right-of-way width change for 24<sup>th</sup> Ave is progressing. This is part of a comprehensive 24<sup>th</sup> Avenue Corridor Improvement Project. Staff is now finalizing the agreement with the adjacent property owners and working on a Request for Council Action to approve the partition application and adopt a resolution to swap the land, however, the project has been stalled due to the other party's concerns about liability for any additional environmental cleanup. Staff has contacted Weyerhaeuser about the issue, and

they are now back on track working toward a No Further Action designation for the property. Weyerhaeuser has provided a timeline for the remaining work, and we expect to have a No Further Action designation by early Fall. At that point, the adjacent property owners will conduct their own legal review, and agree to move forward with the swap.

- Staff are preparing an application to ODOT for a Rail Crossing at 24<sup>th</sup> Avenue. Meetings with Albany & Eastern Railroad have been positive, and they have provided a letter of support that Staff will include with the application. The application will require additional planned right-of-way north of the tracks. Linn County has provided a letter of support committing to the ROW dedication and agreeing to the crossing.
- Linn County has expressed an interest in transferring the old Weyerhaeuser mill site to the City, with payment delayed until development begins. Staff believe that this transfer can be completed without the City taking on any liability, however Linn County has not officially outlined what this property transfer would look like. The remaining cleanup looks positive, and it is possible that it could be completed by the end of the Summer. Communications from DEQ seem to support the possibility of a No Further Action designation for at least some of the property in the near future. Staff is working on a Master Plan of the site that will detail property divisions, zoning designations, and roadway accesses. Linn County has changed course on their plan to hire a consultant to plan out the road network and is now “pioneering” a north-south road (the extension of 24<sup>th</sup> Avenue) according to the City’s proposed plan. No recent progress has been made on this project, but Staff is continuing to seek action from the County and market the property to potential business developers.

#### 4. CODE ENFORCEMENT

- Summary of Actions.
  - CE currently has 31 open cases.

<b>Case Status</b>	<b>July, 2020</b>	<b>June, 2020</b>	<b>2020 YTD</b>	<b>2019 Total</b>	<b>2018-2019 Annual Average</b>
New Complaints	2	3	2	0	0
In Progress—Investigating	6	2	11	0	0
Notice Issued	8	5	12	1	1
Pending Citation	0	0	3	0	0
Citations	0	0	1	0	0
Pending Abatement	0	0	0	2	2
Complaints Noted with No Violation Found	0	1	3	37	29
Violations Resolved	13	17	236	481	392
<b>Enforcement Type</b>	<b>July, 2020</b>	<b>June, 2020</b>	<b>2020 YTD</b>	<b>2019 Total</b>	<b>2018-2019 Annual Average</b>
Abandoned Vehicle	0	0	2	5	4
Animal	2	3	17	63	51
Blight	0	0	1	2	1
Public Right-of-way	0	0	13	36	18
Graffiti	0	0	1	1	1
Illegal Burn	0	0	0	1	3
Illegal Dumping	0	0	0	0	1
Illegal Parking	4	0	18	4	2
Illegal Sign	0	0	0	2	2
Junk Vehicle	0	0	1	11	8
Minimum Housing	0	0	0	8	4.5
Occupying an RV	1	1	30	59	46
Open Storage	0	0	28	91	77
Other	1	1	3	18	32.5
Public Nuisance	4	3	41	56	37
Tall Grass & Weeds	17	20	112	161	132.5
Vacant Lot	0	0	0	0	0.5

The City's Code Enforcement Officer responds to complaints submitted through the City's website, and actively patrols the City and works to resolve identified code violations.

Our Code Enforcement Officer, Tommy Mull, has resigned his position effective August 15<sup>th</sup>. Staff has interviewed possible replacements and extended an offer to one of the candidates. We hope to bring the new staff member on board soon enough to shadow Mr. Mull for a couple of days.

## 5. PARKS

- The Park and Tree Committee held its first meeting since the start of COVID-19 on July 15, and will meet next on August 19<sup>th</sup>, 2020. Park & Tree Committee members are continuing to work with the Beautification Committee on median planting and cleaning.
- Construction of Sankey Park Improvements is continuing. Excavating for the path base, and water, power and control lines has begun. Construction on the play structures has been completed. A contract for concrete surfacing has been approved, and a contract for asphalt surfacing will be finalized soon. Lighting units have been received.
- Harvest Festival planning meetings have resumed. The next meeting is scheduled on August 12<sup>th</sup>.
- Movies in the Park has become Movies in the Parking Lot (behind City Hall). Dates and movies for this summer:
  - July 28<sup>th</sup>, *Toy Story 4*. We had a fair turnout, despite COVID-19 regulations.
  - August 14<sup>th</sup>, *The Lion King* (2019 live-action version)

## 6. OTHER PROJECTS

- Preliminary work on the 18<sup>th</sup> Ave & Willow St Neighborhood Water LID (Proposed) is making progress. Staff is working with City Attorney Robert Snyder on the LID scope, costs, and allocation to individual lots for the water system, and is working on estimates for street improvements. Staff is also researching the possibility and effect of adding adjacent county-owned land to the LID in order to spread out the costs over a larger area, and Staff is attempting to begin negotiations with the County on this issue.
- Now that the Council has authorized ownership of the sculpture in the ODOT right-of-way near the East Linn Museum, we are still waiting on a proposed Intergovernmental Agreement from ODOT, which will come before you when it is ready.
- Consultation with ODOT improvements at 22<sup>nd</sup> Ave & Main St. is ongoing, multiple options are on the table, including lighting, location, median refuge, RRFB pedestrian lights, etc. Staff is working with ODOT to generate affordable options, however, no recent progress has been made.
- The 9<sup>th</sup> Avenue Property Line Adjustment (next to the former water treatment plan) has been completed.
- The property line adjustment for the east property line at the NCH is still pending. The Council has approved an agreement with the adjacent owner, a survey has been completed, and recording of the transaction is pending. Once the adjustment is recoded with the County, all that remains is approval by the adjacent property owner's mortgage holder.
- The ODOT Foster Lake Sidewalk Project: City Staff has met with ODOT recently, and budgetary constraints have required that the project be limited to one side (the north) of US 20. The new scope also removes the section underneath the railroad bridge, and calls for a soft-surface path in that location to be constructed by the City. Construction has been delayed until 2022.
- All CEDD Divisions have begun a systems analysis, in which they will "map" out all department processes so that efficiencies can be identified, delays can be removed, and things can be made easier for both customers and staff. These process maps will be documented for staff continuity and to share with other departments.

# MEMORANDUM



TO: Ray Towry, City Manager  
 FROM: Greg Springman, Public Works Director  
 DATE: August 4, 2020  
 SUBJECT: Public Works Activities Report July, 2020

This memorandum provides a brief periodic update of specific projects, WTP/WWTP O&M and Compliance status, and activities performed by the Public Works Department.

This table section summarizes work done on key maintenance activities.

Work Type	July, 2020	June, 2020	2020 YTD	2019	2 Yr Ave*
Bathrooms/Garbage	50	88	362	742	524
Catch Basin Inspection/cleaning	0	0	4	31	268
Leaf Collection	0	0	0	223	202
Hydrant Flushing	35	35	108	303	236
Locates	47	54	340	448	281
Meter Re-Read	95	68	426	441	317
Mowing	23	16	67	129	114
Playground EQ Inspection	0	0	19	98	73
Pothole Repair	11	88	503	609	406
Sewer CCTV Miles	0	0.00	5.43	1.59	0.99
Street Sweeping Miles	2	230	1468	4142	3540
Water Main Repair	0	0	2	15	17
Water Service Repair	1	0	13	31	22
Water Turn Ons/Offs	55	47	622	1040	779
Total Completed Word Orders	522	735	4276	8571	6242

\* Not full 2 year average as 2018 is partial year

Work Type	May, 2020	April, 2020	2020 YTD	2019	2018*	2 Yr Ave**
Bathrooms/Garbage	60	11	224	742	305	524
Catch Basin Inspection/cleaning	1	2	4	31	505	268
Leaf Collection	0	0	0	223	181	202
Hydrant Flushing	0	1	38	303	168	236
Locates	57	59	239	448	114	281
Meter Re-Read	53	66	263	441	192	317
Mowing	7	16	28	129	99	114
Playground EQ Inspection	1	5	19	98	48	73
Pothole Repair	14	10	404	609	202	406
Sewer CCTV Miles	2.91	1.63	5.43	1.59	0.39	0.99
Street Sweeping Miles	0	311	1236	4142	2938	3540
Water Main Repair	0	2	2	15	19	17
Water Service Repair	2	3	12	31	13	22
Water Turn Ons/Offs	50	48	520	1040	517	779
<b>Total Completed Word Orders</b>	<b>156</b>	<b>589</b>	<b>2461</b>	<b>8571</b>	<b>3913</b>	<b>6242</b>

\* 2018 is a partial year new system in May2018

\*\* Not full 2 year average as 2018 is partial year

### **WWTP and WTP Key Performance Indicators (KPIs)**

	June, 2020	May, 2020	2020 YTD	2019	5 Yr Ave
<b>Potable</b>					
MG Treated	25.07	24.45	180.28	444.48	434.89
Backwash Water in MG	0.84	1.10	7.23	22.90	13.50
Ave daily demand in MG	0.84	0.79	1.00	1.21	1.17
<b>Sanitary</b>					
MG Treated	40.82	45.44	357.23	547.14	559.36
Max Daily Flow in MG	2.02	2.05	5.11	7.30	6.02
Average Flow in MG	1.36	1.47	1.96	1.50	1.53
Solids Inventory lbs	16205	21882	25643	ND	ND

\* MG is Million Gallons

\*\* ND is No Data

Notes: No violations for June 2020

## Current & Upcoming Projects

### Treatment Facilities Request for Proposal for Contract Operations

**Scope:** City staff prepared a formal request for proposal for contract operation services for the water and wastewater treatment facilities. This RFP has been published, responses have been graded and notice of evaluation of results published August 3, 2020. Staff commenced negotiations on August 4, 2020.

**Status:** Moving forward with negotiations with Inframark

### Engineer of Record

**Scope:** City staff prepared a formal request for proposal for an Engineer of Record. This RFP was published and closed on Friday, June 26, 2020. Staff received 5 responses, with evaluations completed by staff in July, 2020, and is currently in negotiations.

**Status:** Moving forward with negotiations with West Yost

### Wastewater Treatment Plant Improvement Project

**Scope:** Upgrades to equipment & processes for DEQ Compliance

**Status:** Project on schedule. WWTP Final design commenced in August, 2019. In September 2019, staff met with Architect designing the WWTP Admin building to discuss building layout, vision for the structure and project schedule. WWTP Improvement Project is at the 60% design completion. Council Workshop proposed for August 25, 2020.

### Water Loss

**Scope:** Staff will continue to identify water leaks throughout the 54 miles of water distribution system.

**Status:** PW staff has completed a large repair on 9<sup>th</sup> Avenue, north of Nadina Street. The leak was estimated at approximately 343,000 gallons per day. Staff compared production numbers from the WTP as a comparison and determined the average savings to be approximately 350,000 gallons.

### Radar Speed Signs

**Scope:** Purchase 6 radar speed signs throughout the community.

**Status:** Staff ordered 6 radar speed signs. Installed two signs, one on 1<sup>st</sup> Avenue, second on Airport Road. Permits applications has been submitted to ODOT for multiple location along State Highway 20 and Highway 228. Currently waiting on ODOT.

### Sankey Park Improvements

**Scope:** Install new paths, lighting, and playground equipment.

**Status:** Staff specified all materials for project and set budget, project to commence February 2020. Playground equipment installation was completed week of June 29, 2020. Concrete sidewalks/paths will commence in August 2020.

## 2020 Overlay Project

**Scope:** 2" pavement overlay on Juniper St., 32<sup>nd</sup> Ct., 45<sup>th</sup> Ave., and 46<sup>th</sup> Ave. at Main St.

**Status:** Project on hold until FY 20/21. Funds carried over to 20/21 FY Budget.

## Water Distribution System Evaluation – Murraysmith

**Scope:** Murraysmith will perform a hydraulic water model of the water distribution system to pinpoint operations deficiencies and develop a plan to mitigate water system deficiencies.

**Status:** City staff purchased water modeling software, which Murraysmith to hydraulically model the water distribution system. Project currently in progress awaiting results.

## System Development Charges (SDCs) – Murraysmith

**Scope:** Provide an update to the current water and sewer system development charges (SDCs) and establish new transportation, parks, and stormwater SDCs based on current capital improvement plans. Council Workshop presentation took place on July 28, 2020.

**Status:** Actively in progress. Council requested comparisons SDCs rates from other Cities.

## Backwash Pump Evaluation – Murraysmith

**Scope:** Evaluate feasibility of adding a backwash pump and using clearwell for filter backwashes and the corresponding effects on the distribution system and treatment.

**Status:** Waiting on Water Distribution System Evaluation

## Finished Water Pump Evaluation – Murraysmith

**Scope:** Evaluate feasibility to add a Variable Frequency Drive (VFD) to the current finish water pumps to maintain a constant level in clearwell to help facilitate Backwash Pump.

**Status:** Waiting on new Engineer of record to design project

## WTP Disinfection Evaluation – Murraysmith

**Scope:** Murraysmith will perform a hydraulic water model of the water distribution system to pinpoint operations deficiencies and develop a plan to mitigate water system deficiencies.

**Status:** Staff procured equipment, Public Works staff to complete installation.