



CITY OF SWEET HOME CITY COUNCIL AGENDA

September 24, 2024, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

WIFI Passcode: guestwifi

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

Mission Statement

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

Meeting Information

The City of Sweet Home is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. There will be opportunity for public input via the live stream. To view the meeting live, visit <http://live.sweethomeor.gov>. If you do not have access to the internet, you can call in to 541-367-5128, choose option #1, and enter the meeting ID to be logged in to the call. Meeting ID: 258 239 814 274

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

I. Call to Order & Pledge of Allegiance

II. Roll Call

III. Consent Agenda

- a) Approval of Minutes:
 - i) [2024-08-06 City Council Meeting Minutes](#)
 - ii) [2024-09-10 City Council Executive Session Minutes](#)
 - iii) [2024-09-10 City Council Meeting Minutes](#)

II. Recognition of Visitors & Hearing of Petitions

- a) Recognition of Public Service

III. Old Business

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

IV. New Business

- a) [Request for Council Action – Contract Approval for the Nandina Overlay Project \(9th Avenue to 12th Avenue\)](#)

V. Reports of Committees

Ad Hoc Committee on Arts & Culture - Councilor Gourley

Administration, Finance & Property Committee - President Pro Tem Mahler

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.

Community Health Committee - Mayor Coleman & Councilor Gourley

Library Advisory Board - President Pro Tem Mahler

Park & Tree Committee - Councilor Trask

Public & Traffic Safety Committee - Councilors Richards & Thorstad

Youth Advisory Council - Councilor Sanchez

VI. Department Director Reports

Library Services Director

i) [Library Services Director Report - August 2024](#)

Community & Economic Development Director

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

VII. Reports of City Officials

City Manager's Report

Mayor's Report

VIII. Council Business for Good of the Order

IX. Adjournment



CITY OF SWEET HOME CITY COUNCIL MINUTES

August 06, 2024, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

Call to Order & Pledge of Allegiance

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

Mayor Coleman prayed for guidance in the City Council's deliberations.

Roll Call

PRESENT

Mayor Susan Coleman
President Pro Tem Greg Mahler
Councilor Lisa Gourley
Councilor Dylan Richards
Councilor Josh Thorstad
Councilor Dave Trask

ABSENT

Councilor Angelita Sanchez

STAFF

Kelcey Young, City Manager
Matt Brown, Contract Finance Director
Blair Larsen, Community & Economic Development Director
Adam Leisinger, Special Projects Manager
Jason Ogden, Police Chief
Cecily Hope Pretty, Administrative Services Director
Robert Snyder, City Attorney
Greg Springman, Interim Public Works Assistant Director

GUESTS

Mary Bridge, 28232 Santiam Highway, Sweet Home, OR 97386
Ken Bronson, 6313 Lake Pointe Way, Foster, OR 97386
Jim Corley, 1408 45th Avenue, Sweet Home, OR 97386
Diane Gerson, 4949 Mimosa Circle, Sweet Home, OR 97386
Terry Martin, 2812 Fir Court, Sweet Home, OR 97386
Pegge McGuire, 250 Broadalbin Street SW, Albany, OR 97321

Mayor Coleman stated that Councilor Sanchez was called away to work and would be absent.

Councilor Richards moved to excuse the absence of Councilor Sanchez. Councilor Thorstad seconded the motion. The motion carried unanimously by those present.

Consent Agenda

- a) Request for Council Action – Contract Approval for Finance Director Services
- b) Request for Council Action – Digital Evidence Management System

Approval of Minutes:

- a) 2024-07-09 City Council Executive Session Minutes
- b) 2024-07-09 City Council Meeting Minutes

President Pro Tem Mahler moved to approve the Consent Agenda. Councilor Richards seconded the motion. The motion carried unanimously by those present.

Recognition of Visitors & Hearing of Petitions

Mary Bridge expressed concerns with safety during the Oregon Jamboree related to placement of vendors on streets and requested increased communication and enforcement in future years.

Diane Gerson read a letter to City Manager Young expressing gratitude for her accomplishments and service to the City of Sweet Home.

Ken Bronson expressed gratitude for City Manager Young's efforts to open the Family Assistance and Resource Center to improve the homelessness situation in Sweet Home.

Terry Martin expressed gratitude and support for City Manager Young's efforts and collaboration in the community and with the Sweet Home School District.

Jim Corley thanked City Council for hiring City Manager Young and expressed gratitude for her service to Sweet Home and highlighted many of her accomplishments during her tenure.

Pegge McGuire expressed her admiration for City Manager Young and her commitment to improving the Sweet Home community.

New Business

- a) Request for Council Action – Resolution No. 18 for 2024 – Stating the Intention to Appoint a City Manager & Appointing a City Manager Pro Tem

City Manager Young began by thanking everyone for their kind words. She recommended the appointment of Chief Ogden as interim City Manager (City Manager Pro Tem) to ensure stability during the transition following her departure and commended his experience and character.

President Pro Tem Mahler noted the support of staff present in Council Chambers.

President Pro Tem Mahler moved to approve Resolution No. 18 for 2024. Councilor Richards seconded the motion. The motion carried unanimously by those present.

- b) Request for Council Action – Resolution No. 19 for 2024 – Updating Non-Represented Management Salary Schedules

City Manager Young stated that the role of the proposed Assistant City Manager would be to oversee operations. She noted that the City Manager would have the discretion to keep that role or dissolve it in the future. She recommended that Director Pretty be moved into that position.

Councilor Gourley requested additional information regarding how wage increases were determined and expressed support for it to be a temporary position.

Mayor Coleman stated that the City Council was responsible for appointing a City Manager, City Attorney, and Municipal Judge.

City Manager Young stated that the wages were intended to be in parity with other cities and the City Manager would have the flexibility to change the position in the future.

Councilor Gourley moved to approve Resolution No. 19 for 2024 with the condition that the Assistant City Manager position would operate on a pro tem basis until a permanent City Manager was appointed and could reconsider the need for the position. President Pro Tem Mahler seconded the motion as amended. The motion carried unanimously by those present.

- c) Request for Council Action – Family Housing

City Manager Young stated that the City of Sweet Home had previously declared a State of Emergency regarding homelessness. She noted ongoing issues in Sweet Home regarding homeless families. She stated that the Linn County MAC Group would provide funding for transitional family housing with resources to assist them in securing permanent housing. She added that having a stable location for families to live would allow for better service by the Sweet Home School District and other local resource partners. She stated that Crossroads had submitted a proposal to manage the housing, with a contract to come before the City Council in the future.

Councilor Gourley expressed support for family housing in Sweet Home.

Councilor Thorstad asked of future maintenance costs. City Manager Young stated that it could be covered by future grant programs. Councilor Thorstad asked of the outcome if grants were not secured. City Manager Young stated that maintenance would need to be budgeted or the City could choose to close the housing.

Councilor Trask moved to approve the purchase of family housing as proposed. Councilor Gourley seconded the motion. The motion carried by the following vote:

AYE: Coleman, Gourley, Mahler, Trask

NAY: Richards, Thorstad

ABSENT: Sanchez

Mayor Coleman thanked City Manager Young and Community Services Consortium for their efforts to secure the grants. She thanked the School District for their efforts to support homeless families.

Reports of Committees

Mayor Coleman stated that the Sweet Home Health Fair would be held on August 17, 2024.

Reports of City Officials

City Manager's Report

City Manager Young thanked the City Council, staff, and community for her time in Sweet Home.

Mayor's Report

Mayor Coleman stated that in August 2022, the City Council unanimously decided to hire City Manager Young. She expressed her gratitude and support for City Manager Young's efforts to build relationships with external partners for the betterment of Sweet Home and to secure significant grant funding. She asked that the community make an effort to treat each other with respect and ensure that they come to Councilors with concerns and engage in public comment opportunities. She presented City Manager with an engraved vase with the City of Sweet Home logo.

City Manager Young was honored with a standing ovation.

Department Director Reports

Library Services Director

- a) Library Director's Report – July 2024

Police Chief

- a) Police Chief Report – July 2024

Chief Ogden thanked the City Council for their support of staff in their new roles. He stated that the Traffic Safety Officer position would be implemented before the end of the month.

Council Business for Good of the Order

Mayor Coleman asked that food truck policies be discussed at a future meeting. There was Council consensus to do same.

Councilor Gourley asked if the City had hired a new Code Enforcement Officer. City Manager Young stated that the program was undergoing a change to include neighborhood improvements in addition to code enforcement.

Councilor Trask highlighted several of City Manager Young's accomplishments during her tenure.

Councilor Gourley expressed her gratitude to City Manager Young for leaving Sweet Home better than she found it.

Mayor Coleman once again expressed her gratitude to City Manager Young.

Adjournment

There being no further discussion, the meeting was adjourned at 7:33 PM.

ATTEST:

Mayor

City Manager Pro Tem – Ex Officio City Recorder

DRAFT



CITY OF SWEET HOME CITY COUNCIL EXECUTIVE SESSION MINUTES

September 10, 2024, 5:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

Call to Order

The meeting was called to order at 5:30 PM.

Roll Call

PRESENT

Mayor Susan Coleman
Councilor Lisa Gourley
Councilor Dylan Richards
Councilor Josh Thorstad
Councilor Dave Trask

ABSENT

President Pro Tem Greg Mahler
Councilor Angelita Sanchez

STAFF

Jason Ogden, City Manager Pro Tem / Police Chief
Cecily Hope Pretty, Assistant City Manager Pro Tem

MEDIA

Sarah Brown, The New Era
Shayla Escudero, Albany Democrat-Herald

Mayor Coleman read the Executive Session announcement.

Executive Session

The Sweet Home City Council Executive Session is held pursuant to:

ORS 192.660(2)(a) to consider the employment of a public officer, employee, staff member, or individual agent.

Official representation of the news media and designated staff shall be allowed to attend the Executive Session. All other members of the audience are asked to remain outside the room during the Executive Session. Representatives of the news media are specifically directed not to report on any of the discussions during Executive Session, except to state the general subject of the session as previously announced. No formal actions may be taken in Executive Session.

Formal actions to be taken, if any, as a result of the Executive Session will be conducted during the Council's regular session.

Adjournment

There being no further discussion, the meeting was adjourned at 5:51 PM.

Mayor

ATTEST:

City Manager Pro Tem – Ex Officio City Recorder

DRAFT



CITY OF SWEET HOME CITY COUNCIL MINUTES

September 10, 2024, 6:30 PM
Sweet Home City Hall, 3225 Main Street
Sweet Home, OR 97386

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.

Call to Order & Pledge of Allegiance

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

Roll Call

PRESENT

Mayor Susan Coleman
Councilor Lisa Gourley
Councilor Dylan Richards
Councilor Angelita Sanchez
Councilor Josh Thorstad
Councilor Dave Trask

ABSENT

President Pro Tem Greg Mahler

STAFF

Jason Ogden, City Manager Pro Tem / Police Chief
Megan Dazey, Library Services Director
Blair Larsen, Community & Economic Development Director
Adam Leisinger, Special Projects Manager
Cecily Hope Pretty, Assistant City Manager Pro Tem
Robert Snyder, City Attorney

MEDIA

Sarah Brown, The New Era
Shayla Escudero, Albany Democrat-Herald

GUESTS

Ross Duncan, 1199 47th Avenue, Sweet Home, OR 97386
Hannah Enns 1232 46th Court, Sweet Home, OR 97386
Elaine Evans, 4623 Long Street, Sweet Home, OR 97386
Dave Holley, 607 7th Avenue, Sweet Home, OR 97386
Rob Lambert, 4615 Long Street, Sweet Home, OR 97386
Chad McDonald, 1224 46th Avenue, Sweet Home, OR 97386
Robert White, 210 8th Avenue, Sweet Home, OR 97386
Brandy Wysong-Frick, 4680 Long Street, Sweet Home, OR 97386

Mayor Coleman stated that President Pro Tem Mahler was away on business.

Consent Agenda

Approval of Minutes:

- a) 2024-08-27 City Council Meeting Minutes

Councilor Richards moved to approve the Consent Agenda. Councilor Trask seconded the motion. The motion carried unanimously by those present.

Recognition of Visitors & Hearing of Petitions

Mayor Coleman invited those registered to speak.

Ross Duncan expressed concern with additional noise and traffic safety due to the installation of new stop signs.

Rob Lambert expressed concern with additional noise and traffic safety due to the installation of new stop signs.

Brandy Wysong-Frick requested that the new stop signs at 47th and Long Street be removed. She asked that the City Council not grant perpetual hiring authority to City Manager Pro Tems.

Elaine Evans expressed concern with additional noise and traffic safety due to the installation of new stop signs and asked that they be removed.

Hannah Enns stated that she was a Community Market vendor and requested assistance identifying locations where the market and classes could continue year-round.

Robert White requested a space to sell artisan goods year-round.

Dave Holley expressed support for Councilors engaging in their community. He expressed concern with adding utility fees to support streets funding.

Chad McDonald stated that he represented Thriftway and requested additional time to discuss the proposed shopping cart ordinance with staff before Council consideration.

New Business

- a) Information Only – Food Truck Regulations

Director Larsen stated that staff researched current food truck regulations at City Council's request. He noted that City Code already allowed the City Manager to establish and maintain parking regulations in certain areas of the City. He reviewed incidents that occurred during the most recent Oregon Jamboree related to food trucks. He stated that the issues identified could be remedied administratively through revisions to the existing permitting process. He reviewed recommended exclusion zones and other proposed requirements, including required distances from other establishments and self-containment requirements.

Councilor Gourley suggested an exclusion zone for the entirety of Highway 20.

No action was required for this item.

- b) Request for Council Action – Resolution No. 22 for 2024 – Stop Signs at Long Street & 47th Avenue

City Manager Pro Tem Ogden reviewed the history of the placement of new stop signs at 47th Avenue and Long Street. He noted that staff had received numerous complaints regarding their placement and there were also multiple incidents of vandalism and damage. He recommended removal of the stop signs based on a reassessment of the site.

Councilor Sanchez requested that a new process be established for consideration of future traffic safety issues.

Councilor Gourley expressed concern with removal of the stop signs before additional investigation could be performed.

Mayor Coleman stated that the stop signs had been recommended by the Public & Traffic Safety Committee for approval by the City Council.

Councilor Richards moved to approve Resolution No. 22 for 2024. The motion died for lack of second.

Councilor Gourley moved that staff monitor the intersection and return to City Council with a recommendation after four months. The motion died for lack of second.

Councilor Sanchez moved to approve Resolution No. 22 for 2024 with the condition that staff revise future processes to include professional engineering reviews. Councilor Richards seconded the motion. The motion carried by the following vote:

AYE: Coleman, Richards, Sanchez, Trask

NAY: Gourley, Thorstad

ABSENT: Mahler

c) Request for Council Action – Granting the City Manager Pro Tem Hiring Authority

City Manager Pro Tem Ogden stated that the City Charter required a City Manager Pro Tem to seek authority from the City Council to fill vacancies. He reviewed seven vacant positions that he sought to fill. He noted that all the positions were approved in the current budget.

Mayor Coleman noted that the City Charter required the approval of five members of Council in order to move forward.

Councilor Sanchez expressed concern with filling vacant positions prior to the selection of a new City Manager.

Councilor Gourley expressed concern that a process had not been established to select a new City Manager.

Discussion ensued regarding City Manager recruitment and the current staff vacancies. There was consensus to hold a work session to discuss the City Manager recruitment.

Councilor Gourley moved to approve the hiring of the Administrative Services Manager, Plant Operator, Public Works Director, and Police Officer and to authorize the recruitment process of the remaining positions pending review of the proposed hires by the City Council. Councilor Richards seconded the motion. The motion carried unanimously by those present.

Ordinance Bills

Request for Council Action & First Reading of Ordinance Bills

a) Shopping Cart Ordinance

City Manager Pro Tem Ogden stated that the item would be postponed for staff to gather additional stakeholder feedback. There was consensus to reconsider the item in a month.

Reports of Committees

Mayor Coleman encouraged citizens to engage with City Committees.

Ad Hoc Committee on Arts & Culture – Councilor Gourley

Councilor Gourley stated that she was working with Sweet Home High School regarding their plans to fabricate and install metal fish in the medians on Highway 20.

Administration, Finance & Property Committee – President Pro Tem Mahler

Community Health Committee – Mayor Coleman & Councilor Gourley

Library Advisory Board – President Pro Tem Mahler

Park & Tree Committee – Councilor Trask

Public & Traffic Safety Committee – Councilors Richards & Thorstad

Youth Advisory Council – Councilor Sanchez

Reports of City Officials

City Manager's Report

City Manager Pro Tem Ogden stated that staff had reviewed costs to distribute mailers citywide and would continue to investigate options. He recommended that improved communication be included as a City Council goal for the following year to ensure appropriate allocation of resources. He noted that ODOT issued a speed zone order lowering speeds on various stretches of Long Street.

Mayor's Report

There was no report to be heard.

Department Director Reports

Director Larsen stated that a joint work session with the Planning Commission was needed to consider the Housing Production Strategy and that he would try to schedule it for October 8, 2024.

Police Chief

- a) Police Chief Report - August 2024

Council Business for Good of the Order

There was consensus to hold a work session regarding the City Manager Recruitment on September 24, 2024 at 5:30 PM.

Adjournment

There being no further discussion, the meeting was adjourned at 8:09 PM.

Mayor

ATTEST:

City Manager Pro Tem – Ex Officio City Recorder



REQUEST FOR COUNCIL ACTION

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

Preferred Agenda: September 24, 2024

Submitted By: Cecily Hope Pretty, Interim Assistant City Manager

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

Type of Action: Resolution Motion Roll Call Other

Relevant Code/Policy: City Charter

Towards Council Goal: Be an Effective and Efficient Government

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

Purpose of this RCA:

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

Background/Context:

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

The Challenge/Problem:

With the pending retirement of the City Attorney, the City Council must determine who will provide City Attorney services according to the City Charter. The City released two Requests for Proposal (RFPs) and two job postings for City Attorney services, which resulted in one response to the RFP and three responses to the job posting. City Council met in an Executive Session on July 9, 2024, to discuss the applications. After a review of the applicants and their proposed costs, their areas of expertise, their locales of experience, and their planned approaches to deliver City Attorney services, in addition to a review of attorney costs in several other Oregon cities, there was consensus to move forward in the process with W. Blair Larsen. Mr. Larsen was notified on September 19th that he successfully passed the bar exam and will be eligible to practice in the State of Oregon following his swearing in to the Oregon State Bar on October 10th. Until that date, he will continue in his current role as Community & Economic Development Department (CEDD) Director while shadowing City Attorney Snyder. Once he is in the City Attorney role, he is expected to work 30 hours weekly to support City Council, Municipal Court, and City staff.

Stakeholders:

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

Issues and Financial Impacts:

The fiscal year 2025 budget can absorb the proposed contract at \$125,000 annually with benefits. W. Blair Larsen will continue to be paid out of the CEDD fund until he is able to transition into the role.

Elements of a Stable Solution:

A fiscally responsible solution to maintain necessary City Attorney services.

Options:

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

Recommendation:

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

RESOLUTION NO. 20 FOR 2024

A RESOLUTION APPOINTING THE CITY ATTORNEY.

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

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

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

That the City Council of the City of Sweet Home hereby appoints W. Blair Larsen as City
Attorney with the effective date of employment in this role to be pending Mr. Larsen's
admittance to the Oregon State Bar on October 10, 2024.

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

PASSED by the Council and approved by the Mayor this 24th day of September, 2024.

Mayor

ATTEST:

City Manager Pro Tem - Ex Officio City Recorder

CITY ATTORNEY EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT ("AGREEMENT") is made and entered into this 24th day of September, 2024 by and between the City of Sweet Home, Oregon ("City"), and Whitney Blair Larsen (" Employee").

Recitals

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

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

Agreement

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

1. Employment

A. General.

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

B. Effective Date.

The effective date for commencement of employment is upon Employee's admission to the Oregon State Bar, anticipated on October 10, 2024.

2. Duties

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

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

- Research legal issues presented by the City Council and City Staff; and
- Be available to perform other functions and duties of a City Attorney as directed and/or needed.

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

3. Schedule and Location of Work

Employee shall perform 30 hours of work weekly, which shall include any evening meetings required within Employee's duties.

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

4. Term of Employment

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

5. Salary

Employee shall be paid a salary in installments at the same time as other employees are paid. Starting annual salary is \$125,000. After six months of performance, Employee shall receive a probationary performance review by the City Council. After 12 months of satisfactory performance, Employee shall be entitled to a 5% pay increase. "Satisfactory Performance" shall be determined by a performance review by the City Council, and any lack of a review within one month of the end of the initial 12 months of this contract shall result in Employee's performance being deemed satisfactory. Employee shall receive cost of living adjustments at the same amount and on the same basis as City's Non-Represented Management Employees. Any other salary changes or changes to benefits are subject to City Council approval.

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

6. Employment Benefits

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

7. Vacation, Holidays, and Sick Leave

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

8. Dues and Professional Development

City agrees to pay for the professional dues and participation of Employee in national, regional, state and local associations and organizations reasonably necessary and desirable for Employee's continued professional growth and development and for the good of the City, subject to City Council budget decisions. All costs associated with professional dues and participation in associations and organizations shall first be subject to Mayoral review and approval.

9. Performance Evaluation and Feedback

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

10. Other Employment

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

11. Termination of Employment

A. Termination Basis

i) At Will Employment

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

ii) For Cause Termination

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

B. Notice

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

C. Exceptions to Notice Requirements

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

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

D. Resignation or Retirement

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

12. Use and Return of City Property

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

13. Contact Information

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

Address: [REDACTED]
Sweet Home, OR 97386
Telephone: [REDACTED]
Email Address: [REDACTED]

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

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

14. Arbitration

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

ORS 36. 620(6) Acknowledgment:

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

s/Whitney Blair Larsen August 7, 2024
WHITNEY BLAIR LARSEN Date:

15. Personnel Policies

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

16. Modification or Amendment

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

17. Entire Agreement

This AGREEMENT constitutes the entire agreement between the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiation of previous agreements between the parties with respect to all or any part of the subject matter hereof.

18. Waiver

Failure of either party at any time to require performance of any provisions of this AGREEMENT shall not limit the parties' right to enforce the provision, nor shall any waiver of any breach of any provision be a waiver of any succeeding breach of the provision itself or of any other provision.

19. Severability

If any provision, or any portion thereof, contained in this AGREEMENT is held to be unenforceable, the remainder of this AGREEMENT or portion thereof shall be deemed severable and shall not be affected and shall remain in full force and effect.

CITY OF SWEET HOME, OREGON

BY: _____
Susan Coleman, Mayor

Date

Authorized by the City Council on: September 24, 2024

BY: _____
Whitney Blair Larsen

Date



REQUEST FOR COUNCIL ACTION

Title: Request for Council Action – Contract Approval for the Nandina Overlay Project (9th Avenue to 12th Avenue)

Preferred Agenda: September 24, 2024

Submitted By: Cecily Hope Pretty, Interim Assistant City Manager

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

Type of Action: Resolution Motion Roll Call Other

Relevant Code/Policy: Council Goals

Towards Council Goal: Infrastructure, Be an Effective & Efficient Government, Rejuvenate Essential Services, Image Building

Attachments: Nandina Overlay Quote
Project Exhibit

Purpose of this RCA:

To review and approve a contract to complete the overlay of Nandina Street from 9th Avenue to 12th Avenue.

Background/Context:

Maintenance on Nandina Street has been an ongoing challenge for many years. The City has typically pursued low-cost, interim solutions on Nandina such as addressing potholes and cracksealing, which currently costs an estimate of \$2,500 for materials and staff time. As part of the annual budget in past year, the City has also planned to chipseal roads citywide but the cost for this application has increased significantly in recent years. The estimated cost to chipseal Nandina within the project limits exceeds \$50,000 and the chipseal application is expected to degrade in less than two years. As a longer-term solution, the City is proposing a project in the total amount of \$77,740 to perform an overlay on Nandina Street from 9th Avenue to 12th Avenue.

The Challenge/Problem:

There is funding available through the Surface Transportation Block Grant (STBG) program that has been allocated to the City of Sweet Home through an Intergovernmental Agreement (IGA) with the Oregon Department of Transportation (ODOT). This funding is provided to states through federal allocation, who may then dedicate it to local streets projects. The City's potential allocations are set to expire in 2025 due to a restructuring of the fund, so the City needs to take action to take advantage of the remainder of the available funding. Previous STBG funding has already been requested and allocated to reimburse the City's Transportation Fund for streets projects that were already completed (paving on Ironwood and Juniper), but \$50,000 in STBG funding remains unallocated and is set to expire unless action is taken by the City to select an eligible streets project. The Nandina overlay project was identified as a high priority streets project by staff and based on complaints from area residents.

Stakeholders:

1. **Citizens:** Citizens deserve quality infrastructure.
2. **City Council:** City Council has prioritized the improvement of local infrastructure, particularly if funding is available outside of the General Fund.
3. **City Staff:** Staff can take advantage of existing fund structures to improve infrastructure and reduce maintenance requirements and costs in the near- and long-term.

Issues and Financial Impacts:

The total estimated project cost is \$77,740. \$50,000 of this project cost can come from the remainder of the STBG funding available to Sweet Home, with the remaining \$27,470 to come from the City's Transportation Fund. There is sufficient funding in the Transportation Fund to cover the City's portion.

The City of Sweet Home is facing decreasing revenues from gas taxes, which has led to less availability of funding dedicated to street maintenance. The STBG funding is being restructured at the state level and may be lost if the City of Sweet Home does not take action to allocate the funds by the end of 2025. Additionally, the City's IGA with ODOT for management of these funds expires September 30, 2024, so a new IGA would be required for the remainder of 2024 in order to identify a different project eligible for the funds.

The proposed overlay is anticipated to last a minimum of 8-10 years and potentially longer with minimal maintenance required, which will lead to significant savings to the City versus the typical methods of annual upkeep.

If approved, the project is anticipated to have minimal impact to the surrounding community. Area residents will receive City correspondence seven days prior to the beginning of work to inform them of the project details, which will include temporary parking restrictions, and signage will be placed two days prior to the beginning of work. No full street closure is anticipated and the contractor estimates that they can complete the entirety of the project in two business days or less.

Elements of a Stable Solution:

A maintenance solution that is both cost-effective and allows for long-term preservation of pavement quality without unnecessary additional negotiations with ODOT and the loss of available money.

Options:

1. **Do nothing:** The City Council could choose not to authorize the contract and the work will not be performed.
2. **Recommend an alternate solution:** The City Council could direct staff to investigate and/or perform alternate maintenance methods within the project footprint or ask to modify the terms of the contract, or the City Council could ask staff to identify other projects eligible for the funding.
3. **Approve the contract as proposed:** Staff will finalize the contract and perform the overlay within the project limits as proposed.

Recommendation:

Staff recommends Option 3: Approve the contract as proposed.

PAVCO Paving Company, LLC

5095 SW Nash Ave
Corvallis, OR 97333 US
541-221-7375
tom@pavcopavingcompany.com



Estimate

ADDRESS
City of Sweet Home
3225 Main St
Sweet Home, OR 97386

ESTIMATE 2497
DATE 09/11/2024

PROJECT NAME
Nadina St. Overlay

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	Mobilization	1	1,000.00	1,000.00
	Pave	1	77,740.00	77,740.00
	Apply tack coat over approx. 36,000 Sq Ft of existing asphalt roadway. Pave with 2.5" of asphalt in one lift (Ivl 3, "C" Mix).			

*Estimate based on prevailing wages.
*Compaction testing excluded.

TOTAL **\$78,740.00**

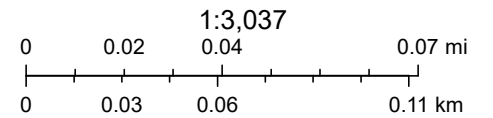
Accepted By

Accepted Date

Sweet Home Public Infrastructure Map Beta Test



9/18/2024



County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin,



City of Sweet Home
 Sweet Home Public Library
 1101 13th Avenue
 Sweet Home, OR 97386
 541-367-5007

Sweet Home Public Library

Statistics

August 2024	This month August 2024	Last month July 2024	Year to date 2024	Previous year 2023
Patron Activity				
Door Count	4332	3662	28,150	31,161
Program participants (all ages)	450	527	2659	2127
Total programs(all ages)	33	30	211	148
Circulation and Renewals				
Checkouts & renewals	6556	6000	47,182	62,060
E-audio & E-book checkouts	739	769	5980	6971
Total items checked out	7305	6769	53,172	69,031
Public Computers				
Logins	486	268	2002	2597
Resource Sharing Savings				
Cost savings	4637.45	4874.30	43,396.77	59,496.76
Items borrowed by consortium libraries	365	374	2866	4266
Items borrowed from consortium libraries	455	434	3467	3871
Volunteer Hours				
Hours worked by volunteers	33	48	329.50	671.75
New Library Patrons				
New patron cards issued	Not available this month	43	391 to July	623

Events this month: Our Summer Reading Program ended on August 31st. We had 555 participants of all ages. This is the highest number in at least 5 years.

Items of note: On October 7th we will be expanding our open hours. We are adding 2 additional open hours on Fridays and opening 1 hour on the 1st and 3rd Mondays for a “low sensory” hour. During this time we will not offer computer use, and will have low lights and noise levels.

MEMORANDUM



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

FROM: Blair Larsen, Community and Economic Dev. Director

DATE: September 24, 2024

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

The Community and Economic Development Department (CEDD) consists of the City's Building, Planning, Engineering, Economic Development, Code Enforcement, and Parks and Recreation programs. The following is a summary of activities and notes on current projects from August 1st to August 30th, 2024.

1. BUILDING

- Summary of Building Program Permits Issued.

Permit Category	August, 2024	July, 2024	2024 YTD	2023 Total	2019-2023 Annual Average
Residential 1 and 2 Family Dwellings	2	0	14	12	24.8
Residential Demolition	0	0	1	10	8.6
Residential Manufactured Dwellings	1	0	3	4	9.2
Residential Mechanical Permits	8	6	86	91	104
Residential Plumbing	2	2	9	24	30.8
Residential Site Development	0	0	0	0	0.4
Residential Structural	5	6	30	33	50.4
Commercial Alarm or Suppression Systems	1	0	2	2	3.6
Commercial Demolition	0	0	0	5	3.6
Commercial Mechanical	2	2	13	11	16.4
Commercial Plumbing	0	0	6	11	9.8
Commercial Site Development	0	0	1	1	2.2
Commercial Structural	6	3	21	26	36.6
Total Permits	27	19	186	230	300.4
Value Estimate of All Permits	\$1,016,435.38	\$4,034,552.33	\$10,490,796.13	\$10,728,408.94	\$19,600,417.90
Fees Collected	\$14,910.07	\$33,839.31	\$122,167.10	\$133,127.61	\$246,251.26

- Developments of note: For your reference, below are some developments of note that were previously reported. Changes are noted with **bold text**.
 - Duck Hollow Phase III Subdivision: 51-lot single-family home subdivision located adjacent to the existing Duck Hollow Subdivision (41st Avenue and Long Street). This subdivision received planning approval in 2020, however there was a long delay due to wetlands regulations administered by the Oregon Department of State Lands. State approval has been granted, however there is no timeline available on actual construction.
 - Live Oak Subdivision: 8-lot single-family home subdivision located between the two existing portions of Live Oak Street. The subdivision was approved in 2021, however the property changed hands, which delayed development. The new owner is planning on constructing 8 duplexes (16 housing units) on the lots. Development of the road and infrastructure is complete, and construction of the first buildings has begun.
 - Foothills Ridge Subdivision: A single-family home subdivision located at the west end of Foothills Drive was originally approved in 2021, **however the property has changed ownership, and the previous subdivision expired. The Planning Commission recently approved a new subdivision for the site consisting of 27 lots.**
 - Santiam River Development Phase 1 : 42-lot single-family home subdivision located at the north end of Clark Mill Road. Planning approval was granted at the beginning of this year, however some of the property is being sold to a different developer. It is unknown when construction will begin.
 - Clear Water Subdivision: 18-lot single-family home subdivision located on the west side of 45th Avenue, just north of Kalmia Street. Planning approval was granted in June. Road, sidewalk, and other infrastructure construction is complete. Construction on the first houses has begun.
 - Domino's Pizza is under construction at the northwest corner of Main Street and 22nd Avenue. The modular commercial building was placed on site, but construction is not yet complete.
 - Coulter Subdivision: The Sweet Home Planning Commission recently approved a 157-lot low-density residential subdivision located at 43rd Avenue and Coulter Lane. This subdivision will be built in four phases; however it is unclear when construction will start. The property includes wetlands, and development will require mitigation and permitting through the Department of State Lands, which will likely decrease the number of lots that are ultimately developed. The initial phase is unhindered by wetlands and will likely move forward as soon as market conditions warrant construction.

2. PLANNING

- Summary of Final Decisions of Planning Division Applications:

Application Type	August, 2024	July, 2024	2024 YTD	2023 Total	2019-2023 Annual Average
Adjustments	0	0	1	1	N/A
Annexations	0	0	0	0	0.4
Code Amendments	0	0	0	3	1.4
Conditional Use	0	0	1	3	7.4
Partition	1	0	3	4	11.8
Planned Development/ Subdivision	0	0	1	0	1.8
Property Line Adjustments	1	0	5	3	13.4
Vacation	0	0	0	1	0.2
Variance	0	0	1	4	3.0
Zoning Map Amendment	0	0	1	2	2.2

- 1 Land Use Application was submitted in August.
- 4 Land Use Applications are pending final approval.
- 0 Fence Permits were issued in August.
- 0 Temporary RV Permits were issued in August.
- The City received a grant from the State to update our Transportation System Plan and create an Area Plan for the undeveloped land on the north side of the City. The project is fully underway. Completion has been delayed and is now expected in the Spring of 2025.
- Work is now underway on the City's Housing Production Strategy. This project is grant funded and fulfills a State requirement.
- The Planning Commission last met on September 19th. The next meeting will be October 3rd.

3. ECONOMIC DEVELOPMENT

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

4. CODE COMPLIANCE

- Summary of Actions.

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

The City's Code Compliance Officer responds to complaints submitted through the City's website, and actively patrols the City and works to resolve identified code violations. This position is currently vacant, however some duties are being taken on by our Building Permit Technician.

5. PARKS

- The Park and Tree Committee last met on September 18th. Their next meeting will be October 16th, 2024.
- Work continues on updated the Parks System Master Plan. It was expected to be complete by June 30, 2024, however the project has been delayed. The final adoption process has begun, however, and is expected to be complete in October.
- Staff have applied for a grant from the Oregon Park and Recreation Department for Phase III of Sankey Park improvements, which will include a replacement structure for the now-demolished bandstand and trail connections to the upper portion of the park. The application has passed the first review, and Staff gave a presentation to the grant review committee on June 27th. Staff recently received an award letter for this grant. Staff and the Park & Tree Committee are continuing to solicit and gather donations. The engineering design work has begun, and is expected to be complete by January, after which the City will issue an RFP for construction.
- Design work is underway for a new park adjacent to City Hall. The Park will include a donated playground structure and dog park.

6. OTHER PROJECTS

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