



AGENDA STAYTON CITY COUNCIL MEETING

Monday, April 15, 2013

Stayton Community Center
400 W. Virginia Street
Stayton, Oregon 97383

CALL TO ORDER

7:00 PM

Mayor Vigil

FLAG SALUTE

ROLL CALL/STAFF INTRODUCTIONS

PRESENTATIONS/COMMENTS FROM THE PUBLIC

Request for Recognition: If you wish to address the Council, please fill out a green “Request for Recognition” form. Forms are on the table at the back of the room.

Recommended time for presentation is 10 minutes.

Recommended time for comments from the public is 3 minutes.

ANNOUNCEMENTS – PLEASE READ CAREFULLY

Items not on the agenda but relevant to City business may be discussed at this meeting. Citizens are encouraged to attend all meetings of the City Council to insure that they stay informed. Agenda items may be moved forward if a Public Hearing is scheduled.

- a. Additions to the agenda
- b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.

CONSENT AGENDA

- a. April 1, 2013 City Council Meeting Minutes
- b. OLCC Change of Ownership – Stayton Market & Deli
- c. Intergovernmental Agreement with Marion County Building Inspection

Purpose of the Consent Agenda:

In order to make more efficient use of meeting time, resolutions, minutes, bills, and other items which are routine in nature and for which no debate is anticipated, shall be placed on the Consent Agenda. Any item placed on the Consent Agenda may be removed at the request of any council member prior to the time a vote is taken. All remaining items of the Consent Agenda are then disposed of in a single motion to adopt the Consent Agenda. This motion is not debatable. The Recorder to the Council will then poll the council members individually by a roll call vote. If there are any dissenting votes, each item on the consent Agenda is then voted on individually by roll call vote. Copies of the Council packets include more detailed staff reports, letters, resolutions, and other supporting materials. A citizen wishing to review these materials may do so at Stayton City Hall, 362 N. Third Avenue, Stayton, or the Stayton Public Library, 515 N. First Avenue, Stayton.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. If you require special accommodations, please contact Alissa Angelo, Deputy City Recorder at (503) 769-3425.

PUBLIC HEARING – None

UNFINISHED BUSINESS

Ordinance No. 953, Natural Resource Overlay District

Action

- a. Staff Report – Dan Fleishman
- b. Council Deliberation
- c. Council Decision

NEW BUSINESS – None

STAFF/COMMISSION REPORTS

Finance Director’s Report – Christine Shaffer

Informational

- a. March 2013 Monthly Finance Department Report

Police Chief’s Report – Rich Sebens

Informational

- a. March 2013 Statistical Report

Public Works Director’s Report – Dave Kinney

Informational

- a. March 2013 Operating Report
- b. Public Works Project Update (verbal)

Pool Report

Informational

- a. March 2013 Monthly Operating Report

Library Director’s Report – Louise Meyers

Informational

- a. March 2013 Activities/Statistics

PRESENTATIONS/COMMENTS FROM THE PUBLIC

Recommended time for presentations is 10 minutes.

Recommended time for comments from the public is 3 minutes.

BUSINESS FROM THE CITY ADMINISTRATOR

- a. Meetings with Boards & Commissions
- b. Town Hall Meetings

BUSINESS FROM THE MAYOR

- a. Appointment of Alan Kingsley to the Budget Committee

BUSINESS FROM THE COUNCIL

FUTURE AGENDA ITEMS

- c. Revisions to Stayton Municipal Code Title 13

ADJOURN

CALENDAR OF EVENTS

APRIL 2013

Monday	April 15	City Council	7:00 p.m.	Community Center (north end)
Wednesday	April 17	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	April 29	Planning Commission	7:00 p.m.	Community Center (north end)

MAY 2013

Monday	May 6	City Council	7:00 p.m.	Community Center (north end)
Tuesday	May 7	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	May 7	Budget Committee	7:00 p.m.	Community Center (north end)
Thursday	May 9	Budget Committee	7:00 p.m.	Community Center (north end)
Friday	May 10	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Monday	May 13	Budget Committee	7:00 p.m.	Community Center (north end)
Tuesday	May 14	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Wednesday	May 15	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	May 20	City Council	7:00 p.m.	Community Center (north end)
Tuesday	May 28	Planning Commission	7:00 p.m.	Community Center (north end)

JUNE 2013

Monday	June 3	City Council	7:00 p.m.	Community Center (north end)
Tuesday	June 4	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	June 11	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	June 14	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Monday	June 17	City Council	7:00 p.m.	Community Center (north end)
Wednesday	June 19	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	June 24	Planning Commission	7:00 p.m.	Community Center (north end)

**STAYTON CITY COUNCIL
MEETING MINUTES
April 1, 2013**

CALL TO ORDER

7:00 p.m.

Mayor Vigil

FLAG SALUTE

ROLL CALL

Mayor Scott Vigil
Councilor Henry Porter
Councilor Brian Quigley

Councilor Jennifer Niegel
Councilor Catherine Hemshorn
Councilor Emily Gooch

STAFF

Don Eubank, City Administrator
Christine Shaffer, Finance Director
Rich Sebens, Police Chief, excused
Dan Fleishman, Director of Planning and Development
Louise Meyers, Library Director, excused
David Kinney, Public Works Director, excused
David A. Rhoten, City Attorney, excused
Alissa Angelo, Deputy City Recorder

PRESENTATIONS/COMMENTS FROM THE PUBLIC

- a. **Mayor Vigil's Recognition of the Stayton Highlights Dance Team and Regis High School Girls Basketball Team:** Mayor Vigil read letters written to both the Stayton Highlights and Regis High School Girls Basketball teams, congratulating each on their recent state championships. This was the 11th consecutive championship for the Highlights and the 4th consecutive championship for the Regis Girls Basketball team.

ANNOUNCEMENTS

- a. **Additions to the Agenda:** None.
- b. **Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.:** Councilor Niegel declared a conflict of interest for the ORS190 Agreement, stating she had a part in putting the agreement together. Councilor Gooch declared a potential ex parte contact because she recently visited the 911 center to get a better idea of the situation.

CONSENT AGENDA

- a. **March 18, 2013 City Council Meeting Minutes:**

MOTION: From Councilor Gooch, seconded by Councilor Niegel, to adopt the Consent Agenda. **Motion passed 5:0.**

PUBLIC HEARING – None

UNFINISHED BUSINESS

Ordinance No. 953, Natural Resource Overlay District

- a. **Staff Report:** Mr. Fleishman briefly reviewed his staff report and changes made to the draft Ordinance since the last meeting.

Councilor Quigley asked how the 100 foot Natural Resource Overlay District (NROD) for Mill Creek was determined. Mr. Fleishman explained the background for implementation of this, stating the current 100 foot wide NROD covers natural water bodies and the 50 foot wide NROD applies to man-made water bodies. Councilor Quigley then asked how this affects property not currently within city limits. Mr. Fleishman explained the zoning does not affect properties outside of city limits. However, when land that is adjacent to one of these water bodies is annexed into the city limits, then the zoning will apply at that time.

Councilor Porter clarified the revised widths. The revisions to the NROD will reduce the width along the Salem and Stayton ditches from 50 feet to 25 feet. Also, the area along the Salem Ditch that is north of Shaff Road and outside city limits, is currently at a 100 foot width and south of Shaff Road is a 50 foot widths. The Comprehensive Plan Committee felt this widths should be uniform and recommended all be changed to 25 feet along man-made water bodies.

b. **Council Deliberation:** None.

c. **Council Decision:**

MOTION: From Councilor Porter, seconded by Councilor Gooch, to approve the first consideration of Ordinance No.953 as presented.

UPON ROLL CALL VOTE, THE MOTION PASSED 4:1 (Quigley)

Ordinance No. 953 will be brought back on April 15, 2013 for a second consideration.

NEW BUSINESS

ORS190 Agreement between the City of Stayton and METCOM

a. **Staff Report:** Mr. Eubank provided background on the ORS190 Agreement before the City Council this evening.

Councilor Porter asked if testing is done regularly on the equipment located at the back-up center in Stayton. Mr. Eubank stated he assumes there is a schedule to test the equipment on a somewhat regular basis. He will have Chief Sebens look into this and confirm.

Councilor Hemshorn asked if the City of Stayton is the only entity left to join in this new agreement. Mr. Eubank stated yes, that everyone listed in the document has already agreed to move forward with the agreement.

Councilor Quigley asked if the Sherriff has to sign off on each City that will be part of the ORS190 Agreement. Mr. Eubank stated this was correct. Councilor Quigley then asked how this ORS190 compares to other entities agreements, such as Bend, Oregon. Mr. Eubank stated he was unsure how this agreement compares to Bend's. He did know that this agreement is stricter in how changes are made. If an update to the agreement is made, it requires a certain number of the agencies to sign off on the change.

Another benefit of the agreement is the ability to continually upgrade the equipment in the 911 center because funds are put aside for that purpose.

b. **Council Deliberation:** None.

c. **Council Decision:**

MOTION: From Councilor Quigley, seconded by Councilor Hemshorn, to authorize the Chief of Police to sign ORS190 between the City of Stayton and METCOM.
Motion passed 4:0 (Niegel abstained).

2013-2014 City Council Goals

a. **Staff Report:** Mr. Eubank reviewed his staff report included in the Council packet regarding the 2013-2014 City Council Goals.

Councilor Gooch asked if staff had received any comments from the public regarding the Council's goals. Mr. Eubank stated they had not. Councilor Gooch asked who is held accountable for meeting the goals chosen by the Council. Mr. Eubank stated City staff is accountable to the Council to be continually working toward meeting these goals. A project status report is included in the Council packet to update the Council on staff's progress.

b. **Council Deliberation:** Mayor Vigil congratulated the Council on successfully making it through another Goal Setting Meeting. He felt it was a productive day by the Council.

c. **Council Decision:**

MOTION: From Councilor Hemshorn, seconded by Councilor Gooch, to approve the City of Stayton 2013-2014 Council Goals and Minutes as presented. **Motion passed 5:0.**

STAFF / COMMISSION REPORTS – None

PRESENTATIONS/COMMENTS FROM THE PUBLIC – None

BUSINESS FROM THE CITY ADMINISTRATOR

Mr. Eubank informed the Council they had been provided with the Budget Calendar for the upcoming Budget process.

BUSINESS FROM THE MAYOR

a. Mayor Vigil asked the Council to ratify the reappointment Jennifer Godfrey to the Budget Committee.

MOTION: From Councilor Niegel, seconded by Councilor Quigley, to ratify the reappointment of Jennifer Godfrey to the Budget Committee. **Motion passed 5:0.**

b. Mayor Vigil stated a Stayton and Sublimity Clean-Up Our Town Day will be held on May 11 from 10:00 a.m. to 2:00 p.m. with a luncheon celebration following. The event is being organized by Peggy Wolf and as more information is available, he will pass it on.

BUSINESS FROM THE COUNCIL

Councilor Porter asked for support from the Council to direct staff to address an ongoing issue with a vehicle he mentioned at the last Council meeting.

After some discussion regarding this issue, the Mayor and Council reached a consensus to direct staff to draft a revision of the current code to address this and other code violation issues.

ADJOURN

There being no further business, the meeting was adjourned at 7:41 p.m.

APPROVED BY THE STAYTON CITY COUNCIL THIS 15TH DAY OF APRIL 2013, BY A _____ VOTE OF THE STAYTON CITY COUNCIL.

CITY OF STAYTON

Date: _____

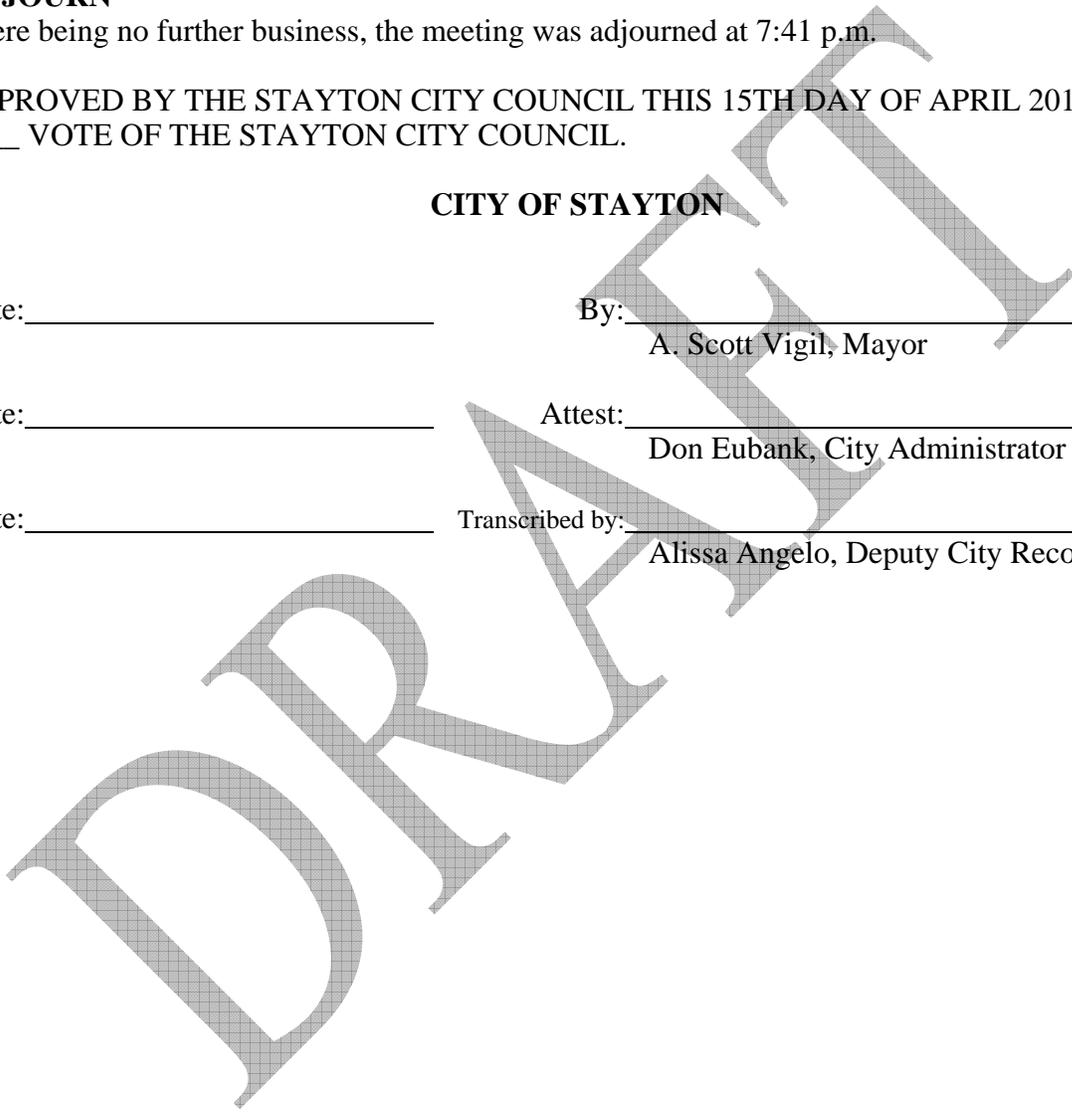
By: _____
A. Scott Vigil, Mayor

Date: _____

Attest: _____
Don Eubank, City Administrator

Date: _____

Transcribed by: _____
Alissa Angelo, Deputy City Recorder





MEMORANDUM

TO: Mayor Vigil and the Stayton City Council

FROM: Rich Sebens, Chief of Police

SUBJECT: Change of Ownership Liquor License Application-“Off-Premise Sales”

DATE: April 15, 2013

BUSINESS NAME: Stayton Market & Deli
990 N 1st Ave
Stayton, Oregon 97383
(503) 991-1624

NEW OWNER: Mr. Dhiraj Shiber
6165 NW 208th Ave
Portland, Oregon
(503) 690-3652

PREVIOUS OWNER: Mr. Sarbjit S Johal
2810 Fisher Rd
Salem, Oregon 97305
(503) 991-1624

ISSUE:

Mr. Dhiraj Shiber has requested approval for an application for an OLCC “Off Premises Sales” Liquor License. This is a change of ownership license for the “Stayton Market and Deli” convenience store, located at 990 N. 1st Avenue in Stayton.

STAFF RECOMMENDATION:

It is the recommendation of the Stayton Police Department to forward this application to the Oregon Liquor Control Commission (OLCC) with a recommendation for approval.

BACKGROUND INFORMATION:

Mr. Dhiraj Shiber is in the process of purchasing the store located at 990 N. 1st Avenue in Stayton, from the previous owner, Mr. Sarbjit S Johal. The name of the business will continue to be “Stayton Market and Deli.” Mr. Dhiraj Shiber plans to continue the business in its current form.

FACTS AND FINDINGS:

Detective Justin Witherell has conducted a background investigation of the business and applicants. He found nothing out of the ordinary and no reason or legal authority to recommend denial of the application.

Based on the application and background investigation, I find no legal authority to recommend denial of this application.

OPTIONS:

1. Recommend approval of the application to the Oregon Liquor Control Commission.
2. Recommend denial of this application to the Oregon Liquor Control Commission.

MOTION(S):

1. Motion to forward a recommendation approval to the Oregon Liquor Control Commission regarding the application of Stayton Market & Deli.
2. Motion to forward a recommendation denial to the Oregon Liquor Control Commission regarding the application of Stayton Market & Deli.

FISCAL IMPACT: N/A



City of Stayton

Mailing address: 362 N. Third Avenue· Stayton, OR 97383

Office location: 311 N. Third Avenue

Phone: (503) 769-2998 · FAX: (503) 767-2134

www.staytonoregon.gov

MEMORANDUM

TO: Mayor Scott Vigil and City Council Members

FROM: Dan Fleishman, Planning and Development Director
David W. Kinney, Public Works Director

DATE: April 15, 2013

SUBJECT: Intergovernmental Agreement with Marion County regarding Building Codes Administration

ISSUE

The issue before the City Council is the execution of an intergovernmental agreement (IGA) between the City of Stayton and Marion County regarding the roles and responsibilities for administration of the state building codes.

BACKGROUND

The City contracts with Marion County Building Inspection for plans review and inspection services for the administration of the state building, plumbing, electrical and other codes. We are currently operating under a 1998 IGA. As the County is moving to an online system, they have requested a new intergovernmental agreement with the City relative the various roles and responsibilities of City and County personnel.

The draft IGA before the City Council reflects a number of changes requested by City staff from the original presented by the County.

RECOMMENDATION

Staff recommends authorizing execution of the IGA with Marion County.

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF STAYTON AND MARION
COUNTY FOR THE COORDINATION OF PERMIT ISSUANCE AND INSPECTIONS
REGULATED BY THE STATE OF OREGON BUILDING CODES**

This Permit Coordination Intergovernmental Agreement for coordination of the issuance of permits and inspections regulated by the State of Oregon Building Codes and Onsite Septic Permits regulated by OAR chapter 340, divisions 71 and 73 ("Permit Coordination IGA") is effective upon the date of the last signature below, and is by and between the City of Stayton ("City") and Marion County ("County").

RECITALS:

A. ORS chapter 190 authorizes governmental entities such as County and City to enter into written agreements for the performance of any or all functions and activities that either entity has the authority to perform on its own.

B. The State of Oregon has promulgated uniform state building codes, hereafter referred to as "building codes", which include the Oregon Structural Specialty Code; the Oregon Electrical Specialty Code; the Oregon Energy Efficiency Specialty Code; Oregon Mechanical Specialty Code; the Oregon Plumbing Specialty Code; the Oregon Solar Installation Specialty Code; the Oregon Residential Specialty Code; The Oregon Manufactured Dwelling and Park Specialty Code; Oregon Administrative Rules for recreational parks and organizational camps; and Onsite Sewage Disposal Rules and Regulations

C. Building codes administration within the City has been delegated to the County by the Oregon Department of Consumer and Business Services as authorized by ORS 455.148

AGREEMENT:

Now therefore it is mutually agreed to as follows:

(1) Applications and Permits

- a) The City agrees that the County will provide building codes review and inspections within the incorporated boundaries of the City. It shall be the responsibility of the County to perform all required building code inspections and building codes plan reviews and other duties as outlined in this agreement. The City agrees that it will issue no permits nor cause any inspections to be made that are required by the building codes except through this agreement.
- b) The City agrees to provide the County with approved street names and address assignments.
- c) The City shall determine the completeness of an application before accepting. To be considered complete, an application must include that information listed in the Marion County Policy / Procedure manual for the type of application being submitted.

- d) The City agrees to designate an agent, to review applications and plans for compliance with zoning and other City ordinances. The County will inspect for required zoning setbacks.
 - e) The City agrees to review building codes permit applications to determine whether a structure will be located in a flood hazard zone. In those cases where a structure will be located in a flood hazard zone the City will ensure the flood hazard zone is indicated on the site plan and indicated as appropriate within the permitting software program. In addition the City shall administer the provisions of the City's floodplain management program before forwarding a permit application in the flood hazard zone to the County.
 - f) Permit applications and supporting documents shall be processed pursuant to the procedures set forth in Exhibit B.
- (2) Fee Collection and Disbursement. The City and County agree that fees shall be paid and distributed according to the following:
- a) Fees charged in the City and due to the County shall be the same as those charged by the County for work in the unincorporated areas of the County.
 - b) The City will collect a zoning surcharge in an amount determined by the City to cover zoning ordinance review of applications, and the enforcement of city ordinances, performed by city staff. This zoning surcharge currently is equal to fifteen percent (15%) of the permit fee for each structural, one and two family dwelling and manufactured dwelling permit issued that requires zoning ordinance review. The City shall notify the County 60 days prior to any change in the zoning surcharge fee. The total zoning surcharge fee collected by the City shall be retained by the City.
 - c) The County agrees that the City will receive ten percent (10%) of the adopted permit fees collected for structural, one and two family dwelling, manufactured dwelling, demolition, electrical, plumbing, and mechanical permits, for the purpose of off-setting the cost of providing administrative services, and to be reserved as a sinking fund, to establish, maintain, and appropriately upgrade necessary equipment for computerized tracking, processing, and record keeping of all permits. This ten percent (10%) shall be payable to the City for those permits processed by the City.
 - d) The City agrees that the County shall be paid for said services by remitting to the County, ninety percent (90%) of the adopted permit fees collected by the City on behalf of the County for state building codes administration.
 - e) The remaining permit inspection fees, plan review fees, and the state surcharge fees shall be forwarded to the County. School construction excise tax shall be distributed, if applicable, in accordance with the terms of the IGA between the City or County and the school district.
 - f) The County shall be responsible for providing the City, on a monthly basis, with detailed and summary reports accounting for all fees collected for permits and/or permit applications for work within the City. If monies are due to the City the County

shall submit payment to the City within thirty (30) days. If monies are due to the County, the City shall submit payment to the County within thirty (30) days.

- g) The County shall be responsible for completion and submittal of all reports to the State Building Codes Division, including the monthly surcharge reports. The County shall submit surcharge reports to the State Department of Environmental Quality. The City shall be responsible for completion and submittal of census reports.

(3) Land Use Regulations

- a) The County agrees that it will not issue any permit having a potential to affect land use as described in "Exhibit A", unless the application has been approved by authorized City personnel attesting that the proposed work will be in compliance with the City's zoning and other land use and development ordinances. The County will not be responsible for enforcement of the City's land use regulations, except to verify compliance with setback regulations at the time of construction.
- b) The County shall inspect setbacks to property lines and/or other features that are noted on the site plans and face of the permit application as part of the normal inspection process.
- c) The County will not issue a temporary certificate of occupancy unless the City's authorized personnel also agree to the issuance of the temporary certificate of occupancy.
- d) The County will not issue a certificate of occupancy unless the City's authorized personnel also agree to the issuance of the certificate of occupancy.

(4) Enforcement

- a) With the exception of verifying setback regulations at the time of construction, the City shall be responsible for enforcement of the City's zoning and/or land use, or other city ordinances.
- b) The County shall be responsible for enforcement of building codes, including any required legal action.
- c) The County and the City agree to coordinate enforcement efforts when both building codes and city regulations are involved.
- d) The County will provide certified staff, at no additional fee, to inspect suspected dangerous buildings on behalf of the City, and provide a report of the findings. Any necessary legal action or defenses resulting from the enforcement of land use regulations or dangerous building code is the responsibility of the City.

(5) Termination

In accordance with the requirements of ORS 455.148, this agreement may be terminated beginning July 1 of any calendar year. In the event of such termination, the County shall receive and retain all permit/inspection fees for applications received and permits issued up to the time of termination. The City may request that the County complete inspection

services on all such applications and permits, even though such services may be requested after the termination. The term of this agreement is indefinite and shall continue until terminated by either of the parties.

(6) Repeal

All prior agreements between the City and the County relating to building codes are null and void.

(7) Compliance with Statutes and Rules

The County and the City agree to comply with the provisions of this agreement and all applicable federal, state, and local statutes and rules.

(8) Modification of Agreement

Any alterations, variations, modifications or waivers of provisions of this agreement shall be valid only when they have been submitted in writing and approved by the County and the City.

(9) Civil Rights, Rehabilitation Act, Americans with Disabilities Act, and Title VI of the Civil Rights Act.

Both the City and County agree to comply with the Civil Rights Act of 1964, and 1991, Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973, and Title VI as implemented by 45 CFR 80 and 84 which states in part, No qualified person shall on the basis of disability, race, color, or national origin be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which received or benefits from federal financial assistance.

(10) Indemnification and Insurance

a) The City shall agree to defend, indemnify and hold harmless the County, its officers, agents, and employees from damages arising out of the tortuous acts of the City, its officers, agents, and employees acting within the scope of their employment and duties in performance of this agreement subject to the limitations and conditions of the Oregon Tort Claims Act, ORS 30.260 through 30.300, and the Oregon Constitution, Article XI, Section 7. Likewise, the County shall agree to defend, indemnify and hold harmless the City, its officers, agents, and employees from damages arising out of the tortuous acts of the County, its officers, agents, and employees acting within the scope of their employment and duties in performance of this agreement subject to the limitations and conditions of the Oregon Tort Claims Act, ORS 30.260 through 30.300, and the Oregon Constitution, Article XI, Section 7.

b) The County, pursuant to applicable provisions of ORS 30.260 to 30.300, maintains a self-insurance program which provides property damage and personal injury coverage.

c) The City shall obtain and maintain at all times during the term of this contract, workers' compensation insurance with statutory limits and employers' liability insurance. The City shall provide the County with evidence that it is a carrier-insured or self-insured employer in full compliance with the requirements of ORS Chapter

656, or that it employs no person subject to the requirements of ORS 656, Workers' Compensation Coverage.

- d) The City and the County agree that there is no relationship under this Agreement except as specified herein. The County exercises no control over, is not responsible for the act of, and assumes no specific responsibilities to or for officers, employees or agents of the City, or the public in general, except as specified in this Agreement. The City exercises no control over, is not responsible for the act of, and assumes no specific responsibilities to or for officers, employees or agents of the County, or the public in general, except as specified in this agreement.

(11) Wages

Neither the City nor the County shall employ any person performing work under this Agreement for more than ten hours in any one day, or forty (40) hours in any one week, except in cases of necessity, emergency, or where the public policy absolutely requires it. The City and the County shall pay all individuals performing work for the City and the County under this contract, at least time-and-a half pay:

- a) For all overtime in excess of eight (8) hours a day or forty (40) hours in any one week when the work week is five (5) consecutive days, Monday through Friday; and
- b) For all overtime in excess of ten (10) hours a day or forty (40) hours in any one week when the work week is four (4) consecutive days, Monday through Friday; and
- c) For all work performed on Saturday or Sunday and on any legal holiday specified in ORS 279.334.

The City and County must give notice to employees who work on public contract in writing, either at the time of hire or before commencement of work on the contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the employees may be required to work.

If this contract is for personal services as defined in ORS 279.051, the City and County shall pay all individuals performing personal services under this contract at least time-and-a-half for all overtime worked in excess of 40 hours in any one week, except for individuals who are excluded under ORS 653.010 to 653.261 or under 29 USC sections 201-209, from receiving overtime. If this contract is for a public work subject to ORS 279.348 to 279.262 or the Davis-Bacon Act (40USC 276a), the CITY and County agree to abide by the provisions of ORS 279.350 or 40 USC 276a, whichever is applicable.

(12) Savings Clause

Should any section or portion thereof of this Agreement be held unlawful and unenforceable by any court of competent jurisdiction or upon mutual agreement of the parties, such decision shall apply only to the specific section or portion thereof, directly specified in the decision. Upon issuance of such a decision, the parties agree immediately to negotiate a substitute, if possible, for the invalidated section or portion thereof.

EXHIBIT A

LAND USE GOAL COMPLIANCE AND COMPREHENSIVE PLAN COMPATIBILITY PROCEDURES

The County and the City identify the following activities as having a potential to "affect land use" as defined in OAR 660-30-005(2). This list is not exclusive:

- A. The issuance of structural permits for new buildings, additions and changes of building use;
- B. The issuance of manufactured dwelling placement permits;
- C. The issuance of a permit for construction or addition to a manufactured dwelling park, recreational vehicle park or organizational camp;

The County has adopted these policy/procedures which require verification that the construction activities involved in (A) through (C) comply with land use planning goals and are compatible with the comprehensive plan and regulations of the City. Sections (1) through (4) of this policy implement the procedures.

Section 1: Before a permit is issued for any activity mentioned in (A) through (C), or other activity affecting land use (except for electrical, plumbing, mechanical, or structural repairs and alterations not impacting land use), the County requires acknowledgment by the designated agent of the City that the project has land use approval.

Section 2: An electrical (other than for temporary power), plumbing, or mechanical utility service permit will not be issued for construction involving a new building, an addition to a building or change in the use of a building, unless the project already has, or is granted at the same time, a related structural, occupancy change, park construction or manufactured dwelling permit. Exceptions may be made when both the City and the County agree to authorize the issuance of such permit prior to the issuance of the required structural, occupancy change, park construction or manufactured dwelling permit.

Section 3: Any permit, including an electrical permit, may be denied by the County, if the County has knowledge that any other related permit under the jurisdiction of the County was denied, that the project has not received land use approval, or the project is not otherwise permitted under the City's comprehensive plan.

Section 4: Revocation of Permits: Any permit or inspection approval issued under this policy may be revoked by the County or the City if the permit was issued in error, or based on false, erroneous or misleading information.

EXHIBIT B

PROCEDURES FOR PROCESSING OF PERMITS AND REFUNDS

I. PURPOSE:

The purpose of this Exhibit B, as amended from time to time, is to further define the responsibilities of Marion County ("County") and the City of Stayton ("City") related to addressing, the processing of permits and refunds.

II. AGREEMENT:

A. ADDRESSING

The City is responsible for assignment of all addressees within its Urban Growth Boundary. The County shall not accept any applications for permits without an address approved by the City. The City shall be responsible for notification to affected parties of any required street name or address change.

B. ONSITE WASTEWATER PERMIT APPLICATIONS

All applications for onsite wastewater (septic) permits must be submitted to the County.

1. The City will not accept any application for an onsite wastewater permit.
2. The County will not approve an application for an onsite wastewater permit without first receiving an approved Land Use Compatibility Statement (LUCS) that has been signed by the City's staff.

C. BUILDING PERMIT APPLICATIONS

Except for onsite wastewater permits, all permit applications, including: structural, one and two family dwelling, manufactured dwelling, demolition, electrical, mechanical, and plumbing may be applied for at the City or online. Permits not requiring land use approval may be applied for at the City, County, or online.

The City shall review all structural, one and two family dwelling, manufactured dwelling and pre-fabricated structures for land use compatibility and setback requirements under the City zoning ordinance, prior to issuance of permits. Any other permit application determined by the City or County staff, at the time of application, to have a potential to affect land use as defined in Exhibit A shall also require City review and approval.

1. The City shall determine the completeness of an application before accepting. To be considered complete, an application must include that information listed in the Marion County Policy / Procedure manual for the type of application being submitted. (A current copy is provided)
2. The designated agent for the City shall enter the required zoning setbacks and conditions in the County's computer database. Each paper copy of the site plan shall also show the required setbacks and pertinent information and be signed indicating approval by the City.

3. The City shall forward the file and plans to the County for those applications requiring plan review.
4. The County shall review construction plans for building codes requirements, make appropriate computer entries and return to the City for issuance.
5. The County shall receive all applications for onsite sewage disposal systems, receive City land use approval for their installation, and issue permits.
6. The County, for those plumbing, mechanical, and electrical permits requested at the County, shall issue permits provided they are found to be in compliance with the Permit Processing IGA.
7. The County shall make available to the City a report summarizing each issued permit.

D. INSPECTIONS

The County shall inspect construction to assure compliance with the State Building Code and the approved plans.

E. CERTIFICATES OF OCCUPANCY

Upon final inspection and satisfactory compliance with Building Codes, the County shall complete a Certificate of Occupancy and forward the Certificate to the City for issuance. Upon issuance, the City shall forward a copy of the issued Certificate to the County.

F. REFUNDS

1. The County will be responsible for processing all requests for refunds of permit and/or permit application fees.
2. The City will be responsible for processing all requests for refunds of the zoning review fee.

III. Effective Date

The terms of this Exhibit B, as amended from time to time, are effective upon the County's go-live date for the Accela online permitting program.



City of Stayton

Planning and Development Department

Mailing address: 362 N. Third Avenue· Stayton, OR 97383

Office location: 311 N. Third Avenue

Phone: (503) 769-2998 · FAX: (503) 767-2134

Email: dfleishman@ci.stayton.or.us

www.staytonoregon.gov

MEMORANDUM

TO: Mayor Scott Vigil and City Council Members

FROM: Dan Fleishman, Planning and Development Director

DATE: April 15, 2013

SUBJECT: Comprehensive Plan and Land Use Code Amendments, Enactment of Ordinance 953

120 DAYS ENDS: not applicable

ISSUE

The issue before the City Council is the enactment of Ordinance 953 to amend the Stayton Comprehensive Plan, the Official Zoning Map, and legislative text amendments to the Land Use and Development Code relative to the Natural Resource Overlay District.

BACKGROUND

The City Council approved the first consideration of Ordinance 953 at the April 1 meeting. Because the vote was not unanimous, the ordinance must be considered a second time.

OPTIONS AND MOTIONS

The City Council has the following options from which to choose. Staff recommends the first option.

1. Adopt the revised draft Ordinance as presented.

I move the City Council approve the second consideration of the revised Ordinance 953 as presented.

The City Recorder shall call the roll and the names of each Councilor present and their vote shall be recorded in the meeting minutes. If a vote a majority of the Council votes in the affirmative, Ordinance No. 953 is enacted and will be presented to the Mayor for his approval.

2. Adopt the revised draft Ordinance with changes.

I move the City Council approve the second consideration of Ordinance 953, requesting staff make the following changes (list changes).

The City Recorder shall call the roll and the names of each Councilor present and their vote shall be recorded in the meeting minutes. If a vote a majority of the Council votes in the affirmative, Ordinance No. 953 is enacted and will be presented to the Mayor for his approval.

3. Make no changes to the Comprehensive Plan, Official Zoning Map or Title 17 as adopted and amended by Ordinance 949.

I move the City Council leave the Comprehensive Plan, Official Zoning Map and narrative description of the Natural Resources Overlay District unchanged.

ORDINANCE NO. 953

**AN ORDINANCE AMENDING THE STAYTON COMPREHENSIVE PLAN, THE
APRIL 1, 2013 OFFICIAL ZONING MAP, AND AMENDING THE DESCRIPTION
OF THE NATURAL RESOURCES OVERLAY DISTRICT IN CHAPTER 17.16
ZONING OF THE STAYTON MUNICIPAL CODE (SMC) TITLE 17**

WHEREAS, Oregon statutes and administrative rules require every municipality to enact a Comprehensive Plan and land use regulations in conformance with Statewide Planning Goals and Guidelines, and coordinated with other affected units of government;

WHEREAS, in April 2010 the Stayton City Council appointed a 13-member committee to review and update the Comprehensive Plan. That Committee met on a monthly basis;

WHEREAS, drafts of each chapter of the Plan were sent to the Department of Land Conservation and Development and to Marion County Planning Division as each chapter was written. Review comments from Marion County were incorporated as appropriate;

WHEREAS, upon completing a draft of an updated Comprehensive Plan, the Committee held a public informational session on April 25, 2012;

WHEREAS, there were a number of objections raised to the existing width of the Natural Resources Overlay District and the Committee made changes to the draft plan and the draft official zoning map in response to comments received at the informational session;

WHEREAS, the draft Comprehensive Plan was sent to the Oregon Department of Land Conservation and Development (DLCD), which sent review comments and suggestions on July 13, 2012;

WHEREAS, the Draft Comprehensive Plan submitted to the DLCD proposed a reduction in the width of the Natural Resources Overlay zone around the Salem Ditch and the Stayton Ditch;

WHEREAS, the DLCD raised concern about the proposed reduction in the width of the Natural Resources Overlay zone;

WHEREAS, upon more explanation of the changes being inserted into the Draft Comprehensive Plan, on July 27, 2012 the DLCD responded that the Draft Plan appeared to comply with Statewide Planning Goal 6;

WHEREAS, the Stayton Planning Commission held a public hearing on August 27 and September 24, 2012 and made changes to the draft plan and the draft amendments to the Stayton Municipal Code in response to the comments received at the public hearing and in response to the comments and suggestions received from the DLCD and from the Santiam Water Control District (SWCD);

WHEREAS, the Stayton City Council held a public hearing on October 15, 2012;

WHEREAS, following the public hearing the Santiam Water Control District submitted written testimony on February 19, 2013 objecting to the amendment to the Stayton Municipal Code reducing the width of the Natural Resources Overlay District, but did not object to the inclusion of implementation actions in the Comprehensive Plan calling for a reduction in the width of the Natural Resources Overlay District;

WHEREAS, on February 19, 2013 the Stayton City Council decided to adopt the changes in the Comprehensive Plan, in the Official Zoning Map and the Stayton Municipal Code relative to the reduction in width of the Natural Resources Overlay District in an ordinance separate from the overall update of the Comprehensive Plan, the adoption of a new Official Zoning Map and implementing amendments to the Stayton Municipal Code;

WHEREAS, on March 18, 2013 the Stayton City Council did enact Ordinance 949, adopting an updated Comprehensive Plan, a new Official Zoning Map and text amendments to Title 17 of the Stayton Municipal Code, but left the boundaries of the Natural Resources Overlay District unchanged;

WHEREAS, SWCD makes reference to a “NROD setback” distance, the City Council finds that the NROD does not establish, *per se* a setback requirement from the protected water body. Instead the NROD regulates use and establishes development standards to minimize impacts on water quality. Structures are permitted in the NROD.

WHEREAS, SWCD makes reference to the “City’s own determination of the scientific consensus” in the adoption of the widths of the NROD, the City Council finds that the record from 2006 and the January 31, 2007 adoption of the NROD does not contain any findings relative to appropriate widths of buffer areas. In 2006, the City undertook a total review and rewrite of Title 17. At that time, there was a Public Natural Resources Overlay District described in the Code, but the Code did not indicate where the Overlay District was located and the Official Zoning Map did not show it. The City chose to describe where it applies and changed the name. There was no research at that time; instead the City developed what seemed like “good numbers” that would work. The 2006 Comp Plan contained a policy very much like proposed NR-5 that states that vegetation along streams and rivers should be maintained in a natural state and that a strip of riparian vegetation should be retained along the River and Mill Creek. There is no width specified in the Comprehensive Plan. In 2007 the Code was changed, in compliance with the Comprehensive Plan to create the 50- and 100-foot NROD by a code text amendment that inserted the narrative description of the location of the NROD and the Map was amended to show the NROD as described in the Code. There was no Comprehensive Plan amendment at that time.

WHEREAS, SWCD states that “nothing in the new draft of the Comprehensive Plan justifies reducing the NROD,” the City Council finds that Policy NR-5 and its associated implementation actions specify the width of the NROD. The SWCD comments are focused exclusively on the Code amendments. They do not address the Comprehensive Plan update. The October 15, 2012 draft of the Comprehensive Plan contains an implementation action that calls for the City to apply standards for maintenance of vegetation and limiting uses within 100 feet of the N Santiam River and Mill Creek and a similar implementation action 25 feet along the Salem Ditch and Stayton Ditch. As adopted Ordinance 949 changed those implementation actions to maintain the current 50-foot NROD around the ditches and this ordinance amends the Comprehensive Plan by restoring the language from the October 15 draft.

WHEREAS, SWCD asserts that the “primary purpose” of the NROD is to protect the environmental quality of adjacent water bodies, the City Council finds that Section 17.16.060.14 states that the purpose of the NROD is to protect aquifers, the natural riparian area adjacent to the named water bodies. There is no other purpose stated in the Code. The City Council finds that the reduction in width of the NROD will continue to provide that protection. The City’s TMDL Implementation Plan was drafted to address three pollutants: temperature, mercury, and bacteria. Temperature increases can be limited by maintaining shade on water bodies. A 25-foot wide

vegetated buffer will be equally effective in shading the ditches as will a 50-foot buffer, as trees more than 25 feet from the water body are not likely to provide effective shading. In addition to the provisions of the NROD, Section 17.20.080 also specifically protects trees and other vegetation in riparian corridors and remains unaffected by the proposed amendments. Mercury is a natural soil component and will be controlled by limiting sedimentation of water bodies. *Managing Streamside Areas with Buffers (Washington Co (OR) Soil and Water Conservation District)* suggests a 50-foot buffer in agricultural settings and notes that buffer width may be adjusted down. The USDA Natural Resources Conservation Service in its *NRCS Planning and Design Manual* recommends a minimum width of 25 feet.

WHEREAS, SWCD asserts that the City must consider the effect on fish habitats. The City Council finds that the reduction in the width of the NROD will continue to provide shade to the affected water bodies and protect water bodies from sedimentation and runoff.

WHEREAS, SWCD asserts that the reduction in the width of the NROD would undermine the City's TMDL Implementation plan, because that document cites the 50-foot buffer requirement and relies on it in part to maintain and improve water quality. The City Council finds that the TMDL plan erroneously cites only a 50-foot buffer, when the City had in place at the time the TMDL plan was drafted both a 50-foot and 100-foot buffer. The TMDL plan does not specify the desired width of a buffer, but merely makes reference to the buffer that the City had in place, and therefore TMDL plan and the Comprehensive Plan will continue to be consistent. The proposed reduction in the width of the NROD has been reviewed by the DEQ who has not raised an objection to the change.

WHEREAS, SWCD states that reducing the width of the NROD will diminish park and recreation facility potential, the City Council finds that Section 17.16.060.14 states that the purpose of the NROD is to protect aquifers, the natural riparian area adjacent to the named water bodies. It is not the purpose of the NROD to establish park and recreation facilities or to set aside land for them.

WHEREAS, SWCD claims that reducing the width of the NROD does not comply with statewide planning goals, specifically citing Goal 3 (agricultural lands), Goal 5 (natural resources, scenic and historic area and open spaces), Goal 6 (air, water and land resources), Goal 8 (recreational needs), Goal 11 (public facilities and services), and Goal 12 (transportation), the City Council makes the following findings:

- The Comprehensive Plan is exempted from Goal 3. Once an area has been identified as being within an urban growth boundary, OAR 660-033-0020(1)(c) states that it is not "agricultural land" for purposes of Goal 3. The Comprehensive Plan (page 3) states that it is exempted from Goal 3 because it only affects an urban growth area.
- While the discussion of the NROD and vegetative buffers is in Chapter 3 of the Comprehensive Plan with the types of natural and cultural resources that are addressed by Goal 5, the ditches have not been identified as "Goal 5 resources." The LCDC Administrative Rule regarding the establishment of riparian corridors (660-023-0090) specifically excludes the ditches from the definition of a stream and does not require the City to establish a riparian buffer around them.
- Goal 6 is the statewide planning goal that applies to this issue and the Goal that the DLCD reviewed in making its comments on the draft plan. Upon review of the information regarding the current conditions in the area in which the NROD is being reduced, the DLCD found compliance with Goal 6. The City Council's finding of compliance with Goal 6 is

based on the current conditions found within the area between 25 feet and 50 feet from the ditches. With 60% of the lineal frontage of the area to be impacted by this change, within the urban growth boundary already paved, lawns or buildings, 23% in City parks, and only 17% woods or other vegetation, there is little water quality protection being provided by the existing conditions or by the current width of the NROD. The City Council finds that the reduction in the width will not impact on the ability of the NROD to protect water quality.

- Goal 8 is addressed in the Comprehensive Plan in Chapter 5 and through the adoption of the Parks and Recreation Master Plan. It is not the purpose of the NROD to establish park and recreation facilities or to set aside land for them. The purpose of the NROD is to establish vegetative buffers to maintain water quality. The NROD does not require property owners to create easements or dedicate land to the public for access and the reduction in the width of the NROD will not impact on the City's ability to establish park and recreation facilities.
- Goal 11 is addressed in the Comprehensive Plan in Chapter 5 and through the adoption of the Water, Waste Water, and Storm Water Master Plans. It is not the purpose of the NROD to assist in public facility creation or to set aside land for them. The purpose of the NROD is to establish vegetative buffers to maintain water quality. The NROD does not require property owners to create easements or dedicate land to the public for access and the reduction in the width of the NROD will not impact on the City's ability to provide public facilities or services.
- Goal 12 is addressed in the Comprehensive Plan in Chapter 4 and through the adoption of the Transportation System Plan. It is not the purpose of the NROD to establish pedestrian trails or to set aside land for them. The purpose of the NROD is to establish vegetative buffers to maintain water quality. The NROD does not require property owners to create easements or dedicate land to the public for access and the reduction in the width of the NROD will not impact on the City's ability to provide an adequate transportation system.

WHEREAS, SWCD states that there is not a demonstrated need to reduce the width of the NROD, citing the approval criterion found in SMC Section 17.12.170.6.b, the City Council finds this criterion not applicable. The proposed amendment is part of a legislative amendment that is the result of a city-wide review and update of the entire comprehensive plan, not an application to amend the Zone Map to permit a proposed use that would not have been permitted in a specific location. The City Council finds there is no "proposed use" to which to apply this criterion.

WHEREAS, SWCD submitted additional testimony on March 13, 2013, the City Council finds that the width of the NROD must balance the competing needs of urban development with the City with the protection of water quality. The SWCD testimony makes numerous references to limiting or prohibiting urbanization along the ditches. The City Council finds with the exception of the areas designated as parks, urbanized development is the purpose of all land within the City and that within the context of an urban setting a 25-foot buffer can provide riparian protection considering the extent of existing development within the corridor.

WHEREAS, based on the record before it, the Stayton City Council makes the following additional findings:

1. At the April 25, 2012 public information session of the Comprehensive Plan Update Committee, there were a number of objections raised to the existing width of the Natural Resources Overlay District.

2. The Comprehensive Plan Update Committee recommended reducing the width of the NROD to a uniform 25 feet along the Salem Ditch and Stayton Ditch.
3. An analysis of the area between 25 feet from the ditches to 50 feet from the ditches revealed that 60% of the lineal frontage within the urban growth boundary is paved, lawns or buildings, 23% is in City parks, and only 17% is woods or other vegetation.
4. During review of the draft Comprehensive Plan neither the Department of Land Conservation and Development nor the Department of Environmental Protection maintained objections to reducing the width to 25 feet, determining that the City would continue to comply with Statewide Planning Goal 6.
5. Proposals for the amendment of the Official Zoning Map must meet the following criteria for approval.
 - a. *The proposed amendment is compatible with the existing provisions of the Comprehensive Plan as measured by:*
 - 1) *If a map amendment:*
 - a) *The land area affected by the change*
 - b) *Current use(s) in that area*
 - c) *The proposed use(s).*

Finding: The proposed map amendment is being enacted concurrently with an amendment to the Comprehensive Plan. The Comprehensive Plan amendment is part of a City-wide review and update of the previous Comprehensive Plan, last amended in 2009. The change to the NROD was removed and made a separate amendment in order to simplify a possible appeal. The Comprehensive Plan, as updated and amended, specifically calls for the NROD to be 25 feet wide along the Salem Ditch and Stayton Ditch.

There are approximately 18,235 lineal feet of stream bank along the Salem Ditch within the city limits. The reduction of the NROD from 50 feet to 25 feet along the Salem Ditch would impact approximately 10.5 acres of land. There is approximately 15,325 feet of stream bank along the Stayton Ditch within the city limits. The reduction of the NROD from 50 feet to 25 feet along the Stayton Ditch would impact approximately 8.8 acres of land.

City staff has documented that within the area between 25 feet and 50 from the ditches, the existing uses in the area to be affected are:

- 16% of the lineal frontage is buildings
- 39% of the lineal frontage is lawn
- 15% of the lineal frontage is paved
- 19% of the lineal frontage is park land
- 7% of the lineal frontage is wooded
- 4% of the lineal frontage is other vegetation

- 2) *Impact of the proposed amendment on land use and development patterns within the City as measured by:*

* * *

f) Protection and use of natural resources

Finding: The proposed map amendment will decrease the width of the buffer along the ditches from 50 feet to 25 feet. As documented by City Staff only 30% of the lineal frontage along the ditches within the city limits is not already developed as building, lawn or pavement. Of this 30%, 19% is park land and will not be developed. The 7% of the lineal frontage that is wooded is part of a large parcel owned by Norpac, Inc. that is used for agriculture and their wastewater disposal facility and it unlikely that this parcel would be developed into urban uses.

b. A demonstrated need exists for the amendment based on the lack of available land in the district where the proposed use(s) is allowed

Finding: This criterion is not applicable. The proposed amendment is part of a legislative amendment that is the result of a city-wide review and update of the entire comprehensive plan, not an application to amend the Zone Map to permit a proposed use that would not have been permitted in a specific location. The City Council finds there is no “proposed use” to which to apply this criterion. Further, the purpose of the NROD is to establish riparian buffers. The only location for a riparian buffer is adjacent to water bodies. There is no other location for a riparian buffer; therefore the demonstrated need would exist if this criterion were to be determined to be applicable.

c. The proposed amendment complies with all applicable Statewide Planning Goals and Oregon Administrative Rule requirements, including compliance with Goal 14 and the Urban Growth Policies of the City of Stayton (Section 17.08.030) if a change in the urban growth boundary is requested.

Finding: A change in the urban growth boundary is not proposed. The proposed map amendment will continue to comply with Statewide Goal 6 on the protection of water quality. The overwhelming majority of the area to be impacted by the change is already developed as buildings, paving, or lawn or is in park. Only 11% of the impacted area is woods or other vegetation.

d. The proposed amendment is possible within the existing framework of the Comprehensive Plan (e.g. no new land use designation categories, policy categories, or plan elements are necessary to accommodate the amendment).

Finding: The proposed amendment only moves the boundary of an existing overlay district.

e. The amendment is appropriate as measured by at least one of the following criteria:

- 1) It corrects identified error(s) in the provisions of the Plan.*
- 2) It represents a logical implementation of the Plan*
- 3) It is mandated by changes in federal, state, or local law.*
- 4) It is otherwise deemed by the City Council to be desirable, appropriate, and proper.*

Finding: The Map amendment is a logical implementation to the implementation actions in the Comprehensive Plan under Policy NR-5 as amended. One portion of the amendment does correct an identified error in the Code, in that when the Downtown Commercial Mixed Use Zone was created the area in that zone was not exempted from the NROD. The DCMU Zone was created out of an area previously zoned Downtown Residential Mixed Use. The NROD does not apply within the DRMU and should not apply within the DCMU.

WHEREAS, based on the above findings, the Stayton City Council concludes that adoption of revised Actions to reduce the width of the Natural Resources Overlay District to 25 feet from the Salem Ditch and Stayton Ditch will continue to comply with Statewide Planning Goal 6 and will continue to implement Policy NR-5 to maintain vegetation along streams and rivers as a buffer between urban development and fish habitat and protect water quality;

WHEREAS, based on the above findings, the Stayton City Council concludes that the April 1, 2013 Official Zoning Map should be amended to comply with the revised Actions under Policy NR-5; and

WHEREAS, based on the above findings the Stayton City Council concludes that the proposed text amendments to Title 17, described below, implement proposed amendments to the Stayton Comprehensive Plan.

NOW, THEREFORE, the Stayton City Council does ordain as follows:

Section 1. The City of Stayton Comprehensive Plan, as adopted by Ordinance 949 is hereby amended as follows:

Additions are underlined; Deletions are ~~crossed-out~~

In Chapter 3, amend the Actions under Policy NR-5 as follows:

ACTION The City will continue to apply regulations for maintenance of vegetation and limiting uses within 100 feet of the North Santiam River, Mill Creek, ~~and that portion of Salem Ditch north of Shaff Road.~~

ACTION The City will continue to apply regulations for maintenance of vegetation and limiting uses within 50-25 feet of the Salem Ditch, ~~south of Shaff Road,~~ and the Stayton Ditch.

Section 2. The April 1, 2013 Official Zoning Map, as adopted by Ordinance 949 shall be amended to reduce the width of the Natural Resources Overlay District to 25 feet along the Salem Ditch and Stayton Ditch.

Section 3. Stayton Municipal Code Title 17, Section 17.16.090.1 is hereby amended and restated to revise the boundaries of the Natural Resources Overlay District as follows:

Additions are underlined, Deletions are ~~crossed-out~~

1. **BOUNDARIES OF THE NR DISTRICT.** The NR Overlay district shall include lands that are:
 - a. 100 feet from the normal high water line of the North Santiam River, Mill Creek, Lucas Ditch, ~~Salem Ditch north of Shaff Road,~~ except for areas within the HD, CR, CG, ~~CCMU,~~ ~~DRMU,~~ and ID zones.
 - b. 50-25 feet from the normal high water line of the Salem Ditch and the Stayton Ditch, except for areas within the CR, CG, CCMU, DCMU, and DRMU zones.

The provisions, requirements, and restrictions found herein shall be in addition to those found in the underlying primary zone. Where there are conflicts between the requirements of the NR Overlay zone and the requirements of the underlying primary zone, the more restrictive requirements shall apply.

Section 4. Effective Date. This ordinance shall become effective 30 days after adoption by the Stayton City Council and the Mayor's signing.

Section 5. Notification to State. A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

ADOPTED BY THE STAYTON CITY COUNCIL this 15th day of April, 2013.

CITY OF STAYTON

Signed: _____, 2013

BY: _____
A. Scott Vigil, Mayor

Signed: _____, 2013

ATTEST: _____
Don Eubank, City Administrator

APPROVED AS TO FORM:

David A. Rhoten, City Attorney



MEMORANDUM

TO: Mayor Scott Vigil and the Stayton City Council
FROM: Christine Shaffer, Finance Director
DATE: April 15, 2013
SUBJECT: Monthly Finance Department Report

Attached are the month-end reports for the major operating funds of the City. I have identified the following funds as the major operating funds: General Fund, Public Works Administration Fund, Library Fund, Water Fund, Sewer Fund, Street Fund and Swimming Pool Fund. If you have any questions, please let me know.

Departmental activity:

Utility Billing:	February 2013	March 2013
Number of Bills sent out	2,625	2,596
Delinquent Notices sent out	510	518
Courtesy Delinquent Notices sent to Landlords	235	228
Notified of Impending Shut off & Penalty	120	135
Customers with Interrupted Services Non-Payment	16	14
Services still Disconnected	0	0

Accounts Payable:	February 2013	March 2013
Number of Checks Issued	155	154
Total Amount of Checks	\$554,171.07	\$303,534.32

Accounts Receivable:	February 2013	March 2013
Number of Invoices Sent Out	2	2
Total Amount of Invoices	\$1,200.00	\$1,645.00

CITY OF STAYTON
 FUND SUMMARY
 FOR THE 9 MONTHS ENDING MARCH 31, 2013

GENERAL FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
PROPERTY TAXES	1,616,060.06	1,708,922.00	92,861.94	94.6
CHARGES FOR SERVICES	3,924.73	7,200.00	3,275.27	54.5
GRANTS & CONTRIBUTIONS	787.00	1,500.00	713.00	52.5
FRANCHISE FEES	490,488.83	626,000.00	135,511.17	78.4
LICENSES, PERMITS & FEES	26,673.33	16,000.00	(10,673.33)	166.7
FINES & FORFEITURES	33,526.95	20,500.00	(13,026.95)	163.6
INTERGOVERNMENTAL	133,677.30	163,200.00	29,522.70	81.9
INTEREST	(4,463.79)	1,000.00	5,463.79	(446.4)
MISCELLANEOUS/TRANSFERS	291,227.72	385,425.00	94,197.28	75.6
	<u>2,591,902.13</u>	<u>2,929,747.00</u>	<u>337,844.87</u>	<u>88.5</u>
<u>EXPENDITURES</u>				
NON-DEPARTMENTAL	250,761.93	411,000.00	160,238.07	61.0
ADMINISTRATION	324,405.65	461,973.00	137,567.35	70.2
POLICE	1,308,834.07	1,866,232.00	557,397.93	70.1
PLANNING	72,159.51	138,224.00	66,064.49	52.2
COMMUNITY CENTER	35,544.99	56,798.00	21,253.01	62.6
PARKS	96,328.90	141,576.00	45,247.10	68.0
STREET LIGHTING	69,469.86	103,915.00	34,445.14	66.9
	<u>2,157,504.91</u>	<u>3,179,718.00</u>	<u>1,022,213.09</u>	<u>67.9</u>

CITY OF STAYTON
 FUND SUMMARY
 FOR THE 9 MONTHS ENDING MARCH 31, 2013

PUBLIC WORKS ADMINISTRATION

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
INTEREST	111.29	100.00	(11.29)	111.3
MISCELLANEOUS/TRANSFERS	309,787.65	415,000.00	105,212.35	74.7
	<u>309,898.94</u>	<u>415,100.00</u>	<u>105,201.06</u>	<u>74.7</u>
<u>EXPENDITURES</u>				
DEPARTMENT 80	287,644.72	438,423.00	150,778.28	65.6
	<u>287,644.72</u>	<u>438,423.00</u>	<u>150,778.28</u>	<u>65.6</u>

CITY OF STAYTON
 FUND SUMMARY
 FOR THE 9 MONTHS ENDING MARCH 31, 2013

LIBRARY FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
PROPERTY TAXES	130,794.55	134,700.00	3,905.45	97.1
CHARGES FOR SERVICES	57,083.25	80,450.00	23,366.75	71.0
GRANTS & CONTRIBUTIONS	25,150.00	30,000.00	4,850.00	83.8
LICENSES, PERMITS & FEES	10,100.75	12,300.00	2,199.25	82.1
FINES & FORFEITURES	11,161.23	15,000.00	3,838.77	74.4
INTERGOVERNMENTAL	1,118.00	1,100.00	(18.00)	101.6
INTEREST	264.12	200.00	(64.12)	132.1
MISCELLANEOUS/TRANSFERS	97,125.00	131,100.00	33,975.00	74.1
	<u>332,796.90</u>	<u>404,850.00</u>	<u>72,053.10</u>	<u>82.2</u>
<u>EXPENDITURES</u>				
DEPARTMENT 80	<u>314,458.65</u>	<u>444,912.00</u>	<u>130,453.35</u>	<u>70.7</u>
	<u>314,458.65</u>	<u>444,912.00</u>	<u>130,453.35</u>	<u>70.7</u>

CITY OF STAYTON
 FUND SUMMARY
 FOR THE 9 MONTHS ENDING MARCH 31, 2013

WATER ENTERPRISE FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
CHARGES FOR SERVICES	1,387,705.12	1,745,000.00	357,294.88	79.5
LICENSES, PERMITS & FEES	24,977.50	29,000.00	4,022.50	86.1
INTEREST	3,555.06	3,500.00	(55.06)	101.6
MISCELLANEOUS/TRANSFERS	424.66	11,000.00	10,575.34	3.9
	<u>1,416,662.34</u>	<u>1,788,500.00</u>	<u>371,837.66</u>	<u>79.2</u>
<u>EXPENDITURES</u>				
DEPARTMENT 86	<u>1,878,700.13</u>	<u>2,324,761.00</u>	<u>446,060.87</u>	<u>80.8</u>
	<u>1,878,700.13</u>	<u>2,324,761.00</u>	<u>446,060.87</u>	<u>80.8</u>

CITY OF STAYTON
 FUND SUMMARY
 FOR THE 9 MONTHS ENDING MARCH 31, 2013

SEWER ENTERPRISE FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
CHARGES FOR SERVICES	2,044,054.99	2,626,680.00	582,625.01	77.8
INTEREST	8,803.30	9,000.00	196.70	97.8
MISCELLANEOUS/TRANSFERS	47,482.04	2,500.00	(44,982.04)	1899.3
	<u>2,100,340.33</u>	<u>2,638,180.00</u>	<u>537,839.67</u>	<u>79.6</u>
<u>EXPENDITURES</u>				
DEPARTMENT 86	<u>1,611,680.87</u>	<u>3,405,469.00</u>	<u>1,793,788.13</u>	<u>47.3</u>
	<u>1,611,680.87</u>	<u>3,405,469.00</u>	<u>1,793,788.13</u>	<u>47.3</u>

CITY OF STAYTON
 FUND SUMMARY
 FOR THE 9 MONTHS ENDING MARCH 31, 2013

STREET FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
CHARGES FOR SERVICES	64,399.08	84,000.00	19,600.92	76.7
LICENSES, PERMITS & FEES	3.61	.00	(3.61)	.0
INTERGOVERNMENTAL	666,354.60	861,119.00	194,764.40	77.4
INTEREST	305.44	250.00	(55.44)	122.2
MISCELLANEOUS/TRANSFERS	13.65	250.00	236.35	5.5
	731,076.38	945,619.00	214,542.62	77.3
<u>EXPENDITURES</u>				
DEPARTMENT 80	579,182.75	977,462.00	398,279.25	59.3
	579,182.75	977,462.00	398,279.25	59.3

CITY OF STAYTON
 FUND SUMMARY
 FOR THE 9 MONTHS ENDING MARCH 31, 2013

SWIMMING POOL FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
PROPERTY TAXES	150,087.06	153,400.00	3,312.94	97.8
CHARGES FOR SERVICES	76,373.04	105,000.00	28,626.96	72.7
GRANTS & CONTRIBUTIONS	16.00	20,000.00	19,984.00	.1
INTEREST	213.63	300.00	86.37	71.2
MISCELLANEOUS/TRANSFERS	56,912.06	79,000.00	22,087.94	72.0
	<u>283,601.79</u>	<u>357,700.00</u>	<u>74,098.21</u>	<u>79.3</u>
 <u>EXPENDITURES</u>				
DEPARTMENT 86	<u>252,631.96</u>	<u>408,958.00</u>	<u>156,326.04</u>	<u>61.8</u>
	<u>252,631.96</u>	<u>408,958.00</u>	<u>156,326.04</u>	<u>61.8</u>



MEMORANDUM

TO: Mayor Vigil and the Stayton City Council
FROM: Rich Sebens, Chief of Police
SUBJECT: Monthly Crime Rate Comparison Statistical Sheets
DATE: April 15, 2013

Below you will see the stats for the Police Department for the month of March.

	March 2013	Year to Date 2013	March 2012	Year to Date 2012
Police Activity	825	2425	707	2359
Investigated Incidents	371	1012	334	948
Citations/Warning	219	820	193	840
Traffic Accidents	6	21	9	33
Arrests	70	173	51	146
Reserve Volunteer Hours	327	1100	281.5	846
Citizen Volunteer Hours	69.75	208.25	N/A	N/A
Peer Court Referrals:	0	3	3	13

STAYTON POLICE DEPARTMENT CONSOLIDATED MONTHLY CATEGORIZED REPORT-NIBRS

3/1/2013 - 3/31/2013

PERSON	CRIMES				CRIMES CLEARED BY ARREST & EXCEPTION				PERCENT CLEARED				PERSONS ARRESTED						
	3/1/13	1/1/13	1/1/12	Percent Change	3/1/13	1/1/13	1/1/12	3/1/13	1/1/13	1/1/12	3/1/13	1/1/13	1/1/12	Juv	Adult	Total	1/1/13	1/1/12	
	to	to	to		to	to	to	to	to	to	to	to	to				to	to	
NON-CRIMINAL																			
ACCIDENT-INJURY	1	2	4	-50.0%															
ACCIDENT-PROPERTY	1	5	23	-78.3%															
ALL OTHER NON-CRIMINAL	258	672	653	2.9%															
NON CRIMINAL DOMESTIC DISTURBANCE	12	27	24	12.5%															
	272	706	704	0.3%															
PERSON																			
AGGRAVATED ASSAULT	5	5	1	400.0%	5	5	0	100.0%	100.0%	0.0%	1	2	3	1	0	1	7	1	0
KIDNAPPING	1	1	1	0.0%	1	1	1	100.0%	100.0%	100.0%	0	0	1	0	0	1	1	1	1
OFFENSE AGAINST FAMILY	1	1	1	0.0%	1	1	1	100.0%	100.0%	100.0%	0	0	1	0	0	1	1	1	3
OTHER ASSAULTS	5	21	16	31.3%	3	17	14	60.0%	81.0%	87.5%	1	4	5	1	0	5	16	16	10
RAPE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0	0	0	0
RESTRAINING ORDER VIOLATION	2	3	1	200.0%	2	2	1	100.0%	66.7%	100.0%	0	0	2	0	2	2	2	2	1
SEX OFFENSES	1	3	8	-62.5%	0	0	7	0.0%	0.0%	87.5%	0	0	0	0	0	0	0	3	8
	15	34	28	21.4%	12	26	24	80.0%	76.5%	85.7%	2	10	12	2	10	12	30	30	22
PROPERTY																			
ARSON	1	1	0	0.0%	1	1	0	100.0%	100.0%	0.0%	1	0	1	1	0	1	1	1	1
BURGLARY - BUSINESS	0	2	7	-71.4%	0	1	1	0.0%	50.0%	14.3%	0	0	0	0	0	0	1	1	1
BURGLARY - OTHER STRUCTURE	1	3	1	200.0%	0	1	0	0.0%	33.3%	0.0%	0	0	0	0	0	0	1	1	0
BURGLARY - RESIDENCE	1	7	17	-58.8%	0	2	1	0.0%	28.6%	5.9%	0	0	0	0	0	0	2	2	2
COUNTERFEITING/FORGERY	2	6	3	100.0%	1	1	2	50.0%	16.7%	66.7%	0	1	1	1	1	1	1	1	6
FRAUD	4	14	14	0.0%	2	6	8	50.0%	42.9%	57.1%	1	1	2	1	1	2	5	5	11
LARCENY	24	103	58	77.6%	9	27	17	37.5%	26.2%	29.3%	3	5	9	0	5	9	26	26	17
MOTOR VEHICLE THEFT	3	4	6	-33.3%	1	1	0	33.3%	25.0%	0.0%	0	0	1	0	0	1	1	1	1
ROBBERY	0	1	1	0.0%	0	1	0	0.0%	100.0%	0.0%	0	0	0	0	0	0	0	2	0
STOLEN PROPERTY	2	2	1	100.0%	2	2	1	100.0%	100.0%	100.0%	0	0	2	0	2	2	2	2	1
VANDALISM	6	28	37	-24.3%	0	7	8	0.0%	25.0%	21.6%	1	1	1	1	0	1	6	6	5
	44	171	145	17.9%	16	50	38	36.4%	29.2%	26.2%	6	10	17	6	10	17	48	48	44
SOCIETY																			
ALL OTHER	22	58	50	16.0%	14	37	37	63.6%	63.8%	74.0%	0	3	3	0	3	3	16	16	16
ANIMAL	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0	0	0	0
CURFEW	1	8	6	33.3%	1	8	6	100.0%	100.0%	100.0%	4	0	4	4	0	4	10	10	9
CUSTODY-MATERIAL WITNESS	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0	0	0	0
CUSTODY-MENTAL	0	2	3	-33.3%	0	2	3	0.0%	100.0%	100.0%	0	0	0	0	0	0	2	2	3
DISORDERLY CONDUCT	6	7	21	-66.7%	7	8	21	116.7%	114.3%	100.0%	1	7	8	1	7	8	9	9	21

CRIMES	3/1/13 to 3/31/13		1/1/13 to 3/31/13		1/1/12 to 3/31/12		Percent Change	CRIMES CLEARED BY ARREST & EXCEPTION		PERCENT CLEARED		PERSONS ARRESTED				
	3/1/13	1/1/13 to 3/31/13	1/1/13	3/31/13	1/1/12	3/31/12		3/1/13 to 3/31/13	1/1/13 to 3/31/13	1/1/12 to 3/31/12	3/1/13 to 3/31/13	1/1/13 to 3/31/13	Juv	Adult	Total	1/1/13 to 3/31/13
DR WHILE SUSP	3	7	3	7	3	7	133.3%	3	7	3	7	0	3	3	7	3
DRIVING UNDER INFLUENCE	4	12	4	12	4	12	-36.8%	4	12	4	12	0	4	4	12	19
ELUDING	1	3	2	4	2	4	50.0%	2	4	2	4	0	2	2	4	1
ESCAPE	0	0	0	0	0	0	0.0%	0	0	0	0	0	0	0	0	0
FAIL TO DISPLAY DL	1	1	1	1	1	1	0.0%	1	1	0	1	0	1	1	1	0
FUGITIVE	17	35	17	38	17	38	118.8%	17	38	17	38	0	17	17	14	13
HIT & RUN	4	14	1	2	1	1	133.3%	1	2	1	1	0	1	1	2	1
LIQUOR LAWS	1	2	1	2	1	2	-71.4%	1	2	1	2	0	0	1	3	7
MIP TOBACCO	6	13	6	13	6	13	160.0%	6	13	5	13	0	5	5	12	6
NARCOTICS/DRUGS	7	20	7	17	7	17	17.6%	7	17	17	17	1	7	8	18	14
PROP RECOVERED - FOR OTHER AGENCY	1	2	1	1	1	1	-60.0%	1	1	1	1	0	0	0	0	0
RECKLESS DRIVING	0	0	0	0	0	0	-100.0%	0	0	2	2	0	0	0	0	2
RUNAWAY	5	14	3	12	6	6	133.3%	3	12	6	6	3	0	3	11	6
SEX OFFENSES	0	0	0	0	0	0	0.0%	0	0	0	0	0	0	0	0	0
TRESPASS	4	18	2	14	7	7	125.0%	2	14	7	7	0	2	2	10	2
VEH RECOVERED - FOR OTHER AGENCY	1	2	0	1	1	1	100.0%	0	1	1	1	0	0	0	0	0
WARRANT	2	6	2	6	16	16	-62.5%	2	6	16	16	1	17	18	39	20
WEAPONS	0	5	0	4	3	3	66.7%	0	4	3	3	0	0	0	3	3
GRAND TOTALS	417	1,140	417	1,140	1,073	1,073	6.2%	72	189	174	174	17	53	70	173	146



CITY OF STAYTON

MONTHLY OPERATING REPORT

TO: Mayor A. Scott Vigil and the Stayton City Council
FROM: Jennifer Russell, Administrative Assistant
THRU: Dave Kinney, Public Works Director
DATE: April 15, 2013
SUBJECT: March Monthly Operating Report

KEY ACTIVITIES **STATUS**

- **WWTP Facility** Effluent flows: 46.44 million gallons were treated during March. The highest flow was 1.71 million gallons on March 4th, and the lowest flow was 1.30 million gallons on March 19th and 31st. The average flow was 1.62 million gallons. Total rainfall for March was 1.51 inches. 20.32 tons of dewatered biosolids were produced.
- **WTP** Highest production day was 3,120,000 on the March 7th.
- **Water System** City crews installed 3 new meters. Installed 2 new radios and replaced 10 meters. Replaced a water service at 1881 N. Evergreen. Water line project on E Jefferson between 10th and 15th is completed. This includes transferring the water services from the old line to the new water line the first week in April. Some work to abandon the old line will be completed in April.
- **Streets** Swept 133 curb miles and removed approximately 39 cubic yards of material.
- **Parks** Volunteer High School Life Skills: 25.5 hours
- **Building Permits**

<u>Permit Type</u>	<u>Issued</u>	<u>SDC's Paid</u>
New Single Family Dwelling	1	\$11,065.00
Residential Building Addition/Alteration/Other	1	0
Commercial Building Addition/Alteration/Other	2	0
Electrical	2	0
Mechanical	1	0
Plumbing	0	0
TOTAL	7	\$11,065.00

One (1) Residential SDC = \$11,065



CITY OF STAYTON

MONTHLY OPERATING REPORT

TO: Mayor Scott Vigil and the Stayton City Council

FROM: Alissa Angelo, Deputy City Recorder

THRU: Don Eubank, City Administrator

DATE: April 15, 2013

SUBJECT: March Pool Monthly Operating Report

SALES

	March 2013 SALES	2012-2013 YTD	March 2012 SALES	2011-2012 YTD
Swim Lessons	\$ 2,730.00	\$ 12,142.25	\$ 817.50	\$ 9,011.55
Daily Receipts	\$ 2,308.68	\$ 18,488.10	\$ 3,794.25	\$ 26,001.08
Pool Rentals	\$ 595.00	\$ 11,152.50	\$ 3,024.60	\$ 10,508.60
Pool Vending	\$ 251.50	\$ 1,235.41	\$ 172.90	\$ 1,691.60
Memberships	\$ 4,427.00	\$ 34,590.19	\$ 4,723.75	\$ 24,728.39
Lifeguard Training	\$ 110.00	\$ 555.00	\$ 0.00	\$ 0.00
Other	\$ 0.00	\$ 5.00	\$ 0.00	\$ 456.50
TOTAL	\$10,422.18	\$78,168.45	\$12,533.00	\$72,397.72

Target revenue above general fund and levy subsidies is **\$108,500**. YTD sales represent approximately **72%** of that target.



MEMORANDUM

TO: Mayor Scott Vigil and Stayton City Councilors

FROM: Louise Meyers

DATE: April 15, 2013

SUBJECT: Library Director's Report, March Activities

Updates:

The Library Foundation planning for the Santiam Canyon Father Daughter Ball is going well, with a lot of sponsors and excited fathers and daughters. It will occur on April 13th at the Community Center.

Free tax help ends April 11. They have helped over 100 people prepare tax returns this year.

We are partnering with Friends of the Family to plan an event called Grow into Reading, a family literacy night.

2012 - 2013 Monthly Library Statistics

	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	2011-12	2012-13 YTD	% Change
CHECKOUTS	13,918	11,223	10,448	12,667	11,707	9,573	13,050	10,935	11,798				113,256	105,319	-7%
INCOME Received															
Non-resident cards	\$1,046.00	\$692.00	\$307.00	\$705.00	\$1,647.00	\$325.00	\$655.00	\$689.00	\$652.00				\$8,968.00	\$6,718.00	-25%
Fines: overdue books	\$866.00	\$1,011.00	\$1,903.00	\$1,129.00	\$1,535.00	\$696.20	\$921.70	\$714.57	\$802.00				\$10,619.00	\$9,578.47	-10%
Room fees	\$109.00	0	\$526.25	\$49.50	\$538.25	\$648.00	\$566.00	\$245.00	413				\$784.00	\$3,095.00	295%
Fees-cards and lost books	\$776.00	\$140.00	\$299.00	\$127.00	\$171.00	\$283.00	\$84.20	\$52.00	91				\$2,640.00	\$2,023.20	-23%
REFERENCE QUESTIONS												Total	\$23,011.00	\$21,414.67	-7%
Reference questions	559	528	461	543	561	376	506	415	491				4,214	4,440	5%
Telephone	302	346	290	327	292	246	328	286	232				2,766	2,649	-4%
Total													6,980	7,089	2%
INTERNET USE	1,916	1,837	1,482	1,580	1,507	1,526	1,640	1,721	1,595				16,301	14,804	-9%
PROGRAM ATTENDANCE															
Children/teens	827	224	199	341	252	183	356	398	308				3,580	3,088	-14%
Adults	350	79	100	185	134	101	193	216	131				3,120	1,489	-52%
Outreach	75	57	212	828	675	499	739	850	537				3,726	4,472	20%
Total													10,426	9,049	-13%
MEETING ROOM ATTENDANCE	1,217	341	617	1,126	532	284	865	908	873				8,048	6,763	-16%
PATRON VISITS	9,383	8,069	6,721	8,194	7,441	6,355	8,194	7,043	7,637				71,021	69,037	-3%