



# AGENDA STAYTON CITY COUNCIL MEETING

Tuesday, January 21, 2014

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

<b>6:45 p.m.</b> City Council Work Session (Community Center – North End) – Municipal Judge Interview Questions
<b>7:00 p.m.</b> Regular Meeting (Community Center – North End)

**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. January 6, 2014 City Council Action Minutes

***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**

**City-initiated Annexation of Street Rights of Way, Property Currently Partially in the City and City-owned Property**

- a. Commencement of Public Hearing
- b. Staff Report – Dan Fleishman
- c. Questions from Council
- d. Proponents’ Testimony
- e. Opponents’ Testimony
- f. General Testimony
- g. Questions from Public
- h. Questions from Council
- i. Staff Summary
- j. Close of Hearing
- k. Council Deliberation
- l. Council Decision on Ordinance No. 965
- m. Council Decision on Resolution No. 909

**UNFINISHED BUSINESS – None**

**NEW BUSINESS**

**Resolution No. 910, City Administrator Evaluation Process** **Action**

- a. Staff Report – Christine Shaffer
- b. Council Deliberation
- c. Council Decision

**Ordinance No. 966, Amending SMC 5.08 and 5.12 to Regulate Controlled Substance Dispensaries within the City of Stayton** **Action**

- a. Staff Report – Christine Shaffer
- b. Council Deliberation
- c. Council Decision

**Appointment of a City Council Representative to the Adaptive Management Group** **Action**

- a. Staff Report – David Kinney
- b. Council Deliberation
- c. Council Decision

**STAFF/COMMISSION REPORTS**

**Finance Director’s Report – Christine Shaffer** **Informational**

- a. December 2013 Monthly Finance Department Report

**Police Chief’s Report – Rich Sebens** **Informational**

- a. December 2013 Statistical Report

**Public Works Director’s Report – Dave Kinney** **Informational**

- a. December 2013 Operating Report

**Planning & Development Director's Report – Dan Fleishman**

**Informational**

- a. December 2013 Activities Report

**Library Director's Report – Louise Meyers**

**Informational**

- a. December 2013 Activities

**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**

**BUSINESS FROM THE MAYOR**

**BUSINESS FROM THE COUNCIL**

**FUTURE AGENDA ITEMS**

- a. Review of City Charter
- b. Storm Water and Sanitary Sewer Utility Fee Public Hearing (February 3, 2014)

**ADJOURN**

# CALENDAR OF EVENTS

## JANUARY 2014

<b>Monday</b>	<b>January 20</b>	<b>CITY OFFICES CLOSED IN OBSERVANCE OF MARTIN LUTHER KING, JR. DAY</b>		
Tuesday	January 21	City Council	7:00 p.m.	Community Center (north end)
Monday	January 27	Planning Commission	7:00 p.m.	Community Center (north end)

## FEBRUARY 2014

Monday	February 3	City Council	7:00 p.m.	Community Center (north end)
Tuesday	February 4	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	February 11	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Tuesday	February 11	Public Safety Commission	6:00 p.m.	City Hall Conference Room
Thursday	February 13	Tour of Storm Drainage Facilities	2:30 p.m.	Santiam Water Control District (248 E. Water Street)
Thursday	February 13	Adaptive Management Group Meeting	3:30 p.m.	E.G. Siegmund Meeting Room
Friday	February 14	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Wednesday	February 19	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
<b>Monday</b>	<b>February 17</b>	<b>CITY OFFICES CLOSED IN OBSERVANCE OF PRESIDENTS' DAY</b>		
Tuesday	February 18	City Council	7:00 p.m.	Community Center (north end)
Monday	February 24	Planning Commission	7:00 p.m.	Community Center (north end)

## MARCH 2014

Monday	March 3	City Council	7:00 p.m.	Community Center (north end)
Tuesday	March 4	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	March 11	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	March 14	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Monday	March 17	City Council	7:00 p.m.	Community Center (north end)
Wednesday	March 19	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	March 31	Planning Commission	7:00 p.m.	Community Center (north end)

## APRIL 2014

Tuesday	April 1	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Monday	April 7	City Council	7:00 p.m.	Community Center (north end)
Tuesday	April 8	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	April 11	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Wednesday	April 16	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	April 21	City Council	7:00 p.m.	Community Center (north end)
Monday	April 28	Planning Commission	7:00 p.m.	Community Center (north end)

**City of Stayton  
City Council Meeting Action Minutes  
January 6, 2014**

**LOCATION:** STAYTON COMMUNITY CENTER, 400 W. VIRGINIA STREET, STAYTON

**Time Start:** 7:02 P.M.

**Time End:** 7:19 P.M.

**COUNCIL MEETING ATTENDANCE LOG**

COUNCIL	STAYTON STAFF
Mayor Scott Vigil	Alissa Angelo, Deputy City Recorder
Councilor Emily Gooch	Dan Fleishman, Director of Planning & Development
Councilor Catherine Hemshorn	David Kinney, Public Works Director
Councilor Jennifer Niegel	Louise Meyers, Library Director
Councilor Henry Porter	Rich Sebens, Police Chief
Councilor Brian Quigley	Christine Shaffer, Interim City Administrator
	David Rhoten, City Attorney

AGENDA	ACTIONS
<b>REGULAR MEETING</b>	
<b>Presentations / Comments from the Public</b>	
<b>Announcements</b>	
a. Additions to the Agenda	None
b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	None
<b>Consent Agenda</b>	
a. December 16, 2013 City Council Meeting Minutes	Motion from Councilor Gooch, seconded by Councilor Hemshorn, to approve the consent agenda. <b>Motion passed 5:0.</b>
<b>Public Hearing</b>	
None	
<b>Unfinished Business</b>	
a. Mayor's Appointment of the City Administrator	Motion from Councilor Niegel, seconded by Councilor Gooch, to authorize the Mayor to sign the employment agreement with Keith Campbell for the position of City Administrator. <b>Motion passed 4:1 (Quigley).</b>
<b>New Business</b>	
None	
<b>Staff / Commission Reports</b>	
<b>Public Works Director's Report – David Kinney</b>	
a. Public Works Update	Mr. Kinney reviewed the staff report included in the Council packet.
b. Storm Water Utility Fees – Adoption of Monthly Fees	No discussion.
<b>Presentations / Comments From the Public</b>	
None	
<b>Business from the City Administrator</b>	
a. Schedule Work Session for Review of the Municipal Court Judge Request for Proposals	6:30 p.m. Monday, January 13 at City Hall.

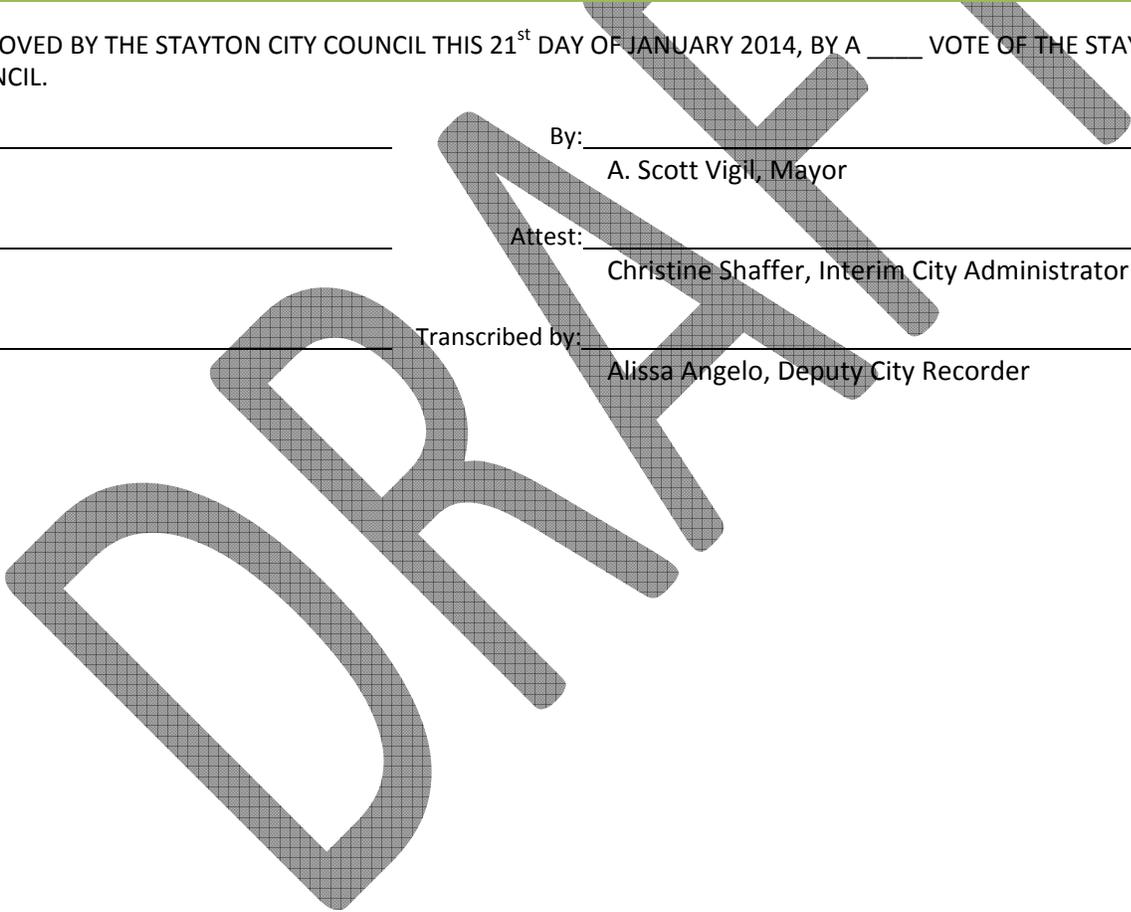
<p><b>Business from the Mayor</b></p> <p>a. Reappointment of Cari Sessums to the Police Advisory Board</p> <p>b. Reappointment of Ellen Nunez and Rich Hatfield to the Planning Commission</p>	<p>Motion from Councilor Niegel, seconded by Councilor Quigley, to ratify the Mayor's reappointment of Cari Sessums to the Police Advisory Board. <b>Motion passed 5:0.</b></p> <p>Motion from Councilor Gooch, seconded by Councilor Hemshorn, to ratify the Mayor's reappointment of Ellen Nunez and Rich Hatfield to the Planning Commission. <b>Motion passed 5:0.</b></p>
<p><b>Business from the Council</b></p>	<p>None</p>
<p><b>Future Agenda Items</b></p> <p>a. Review of City Charter</p> <p>b. Annexation Public Hearing (January 21, 2014)</p> <p>c. Storm Water and Sanitary Sewer Utility Fee Public Hearing (February 3, 2014)</p>	

APPROVED BY THE STAYTON CITY COUNCIL THIS 21<sup>st</sup> DAY OF JANUARY 2014, BY A \_\_\_\_ VOTE OF THE STAYTON CITY COUNCIL.

Date: \_\_\_\_\_ By: \_\_\_\_\_  
A. Scott Vigil, Mayor

Date: \_\_\_\_\_ Attest: \_\_\_\_\_  
Christine Shaffer, Interim City Administrator

Date: \_\_\_\_\_ Transcribed by: \_\_\_\_\_  
Alissa Angelo, Deputy City Recorder





# City of Stayton

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## *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](mailto:dfleishman@ci.stayton.or.us)

[www.staytonoregon.gov](http://www.staytonoregon.gov)

## MEMORANDUM

**TO:** Mayor Scott Vigil and City Council Members

**FROM:** Dan Fleishman, Planning and Development Director

**DATE:** January 21, 2014

**SUBJECT:** City-initiated Annexation of Street Rights of Way, Property Currently Partially in the City, and City-owned Property

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### ISSUE

The issue before the City Council is a public hearing on City-initiated annexations of various sections of street right of way, portions of two publicly-owned parcels that are currently partially in the City Limits, and one City-owned parcel that is not within the City. Following the public hearing will be consideration of Ordinance 965 annexing the territories that are smaller than one acre and Resolution 909, sending to the electors the annexations that are one acre or larger.

### BACKGROUND

Over time, as the City has annexed territory into the City Limits, the annexations have not always included the entirety of the street right of way. This results, for instance, in a vehicle traveling west on Shaff Road from Cascade Highway/First Ave starting outside of the City, entering the City, leaving the City, re-entering the City, and finally leaving the City a second time before the vehicle crosses Salem Ditch. This can present difficulty for the Stayton Police Department and Marion County Sherriff's Office in determining jurisdiction on traffic accidents or other public safety incidents. Therefore, based on a request from the Stayton Police Department, the City Council initiated the annexation of nine segments of street rights of way.

In previous presentations to the City Council regarding these annexations, it was thought that almost half of Wilco Rd and all of W Washington St/Stayton Rd west of Wilco Rd were not in the City, though the land on either side of the streets is in the City, based on the legal description in a 1976 City Council Resolution. Therefore the City Council's resolution initiating the annexations included these street rights of way. Since the adoption of Resolution 906 by the City Council, it has been determined that those areas, except for a 315-foot strip of the Stayton Road right of way have been properly annexed, in that the final decision of the now-defunct Marion-Polk Local Government Boundary Commission was retrieved from the State Archives.

In addition to the street rights of way, there are two properties partially within the City Limits, the Stayton Middle School campus and Wilderness Park, which the City Council had included in the annexation initiation resolution. Finally, the City's Pine Street water reservoir is not located in the City and this property is proposed for annexation as well. Continuity of police protection and certainty over the jurisdiction of the Police Department is the reason for annexation of these properties.

## **ANALYSIS**

### **Street Rights of Way**

There are nine segments of street rights of way that are proposed for annexation into the City Limits. These are:

- Shaff Road (3 separate segments between Salem Ditch and Cascade Highway)
- Kindle Way (the northern portion)
- Cascade Highway, between Shaff Road and Highway 22
- Fern Ridge Road (2 segments between Foot Hills Church and Highway 22)
- E Jefferson St, east of N 19<sup>th</sup> Ave
- Stayton Road, west of Rogue Ave

Five of the above segments are smaller than one acre and final annexation authority rests with the City Council. They are described in draft Ordinance 965. The other four segments are large enough that voter approval is required by the City Charter and they are described in draft Resolution 909.

### **Publicly Owned Parcels Partially within the City**

Both the Stayton Middle School property and Wilderness Park (owned by the Santiam Water Control District) are partially within the City and partially out of the City. While the City has executed an agreement with the Santiam Water Control District to allow the Police Department to exercise its jurisdiction outside of the City Limits, we have no such agreement with North Santiam School District. Whereas the portions of these parcels that are outside of the City are more than one acre, these annexations need to be sent to the voters for approval. The North Santiam School District board of directors has voted to grant consent for the annexation. The Santiam Water Control District Board granted consent for the annexation of the east end of Wilderness Park at their January 13 meeting. Both of these areas are larger than one acre and require voter approval.

### **Pine Street/Water Reservoir**

A portion of Pine St is not dedicated as street right of way and is part of the tax parcel on which the City's Pine St water reservoir is located. The entire parcel is located outside of the City. This parcel is larger than one acre and requires voter approval.

### **Review Criteria**

Stayton Municipal Code Section 17.12.210.4 contains six criteria of approval for annexation proposals. For each criterion staff has provided relevant information below.

- a. *Need exists in the community for the land proposed to be annexed.*

The territories to be annexed are all either public street rights of way or land owned by a governmental entity. The need for the annexation is to provide clear delineation of jurisdiction between the Stayton Police Department and other public safety agencies.

- b. *The site is or is capable of being serviced by adequate City public services, including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City.*

The territories to be annexed are all either public street rights of way or land owned by a governmental entity. City public services currently existing in the portions of Shaff Road east of Wilco Road, Kindle Way, Cascade Highway, Fern Ridge Road, Stayton Rd, and E Jefferson St. City public services currently exist in E Pine St adjacent to the City-owned parcel proposed for annexation. Wilderness Park is used as an undeveloped open space recreational area and does not require city public services. The Stayton Middle School property is developed with city public services available to the developed portion of the property. The North Santiam School District does not have long range plans for development activity north of Mill Creek.

- c. *The proposed annexation is property contiguous to existing City jurisdictional limits.*

The territories to be annexed are all contiguous with the existing City limits.

- d. *The proposed annexation is compatible with the character of the surrounding area and complies with the urban growth program and the policies of the City of Stayton.*

The territories to be annexed are all either public street rights of way or land owned by a governmental entity. The territories to be annexed that are not public street rights of way will all be zoned Public and no development is proposed in the foreseeable future.

- e. *The annexation request complies or can be made to comply with all applicable provisions of state and local law.*

The criteria of ORS 222 apply to the adoption of an annexation ordinance which is a City Council action. The Board of Directors of the North Santiam School District has consented to annexation of the Middle School campus. The Board of Directors of the Santiam Water Control District has not yet consented to annexation. If that Board does not grant consent prior to the City Council's public hearing and consideration of a resolution to refer the annexation to the voters, the Wilderness Park parcel will be deleted from that resolution.

- f. *If a proposed contract annexation, the terms and conditions, including the cost of City facility and service extensions to the annexed area shall be calculated by the Public Works Director.*

Finding: The annexations are not proposed as contract annexations.

I have included with the staff report a series of correspondence with Marion County Planning Division. The County, in its routine comments, noted that the portion of the Stayton Rd right of way proposed for annexation is outside of the City's Urban Growth Boundary. As such, the County's Comprehensive Plan policies prohibit its annexation. At the County's suggestion, the City requested that the County issue an interpretation of the County's Comprehensive Plan that would allow annexation of street right of way outside of the UGB, whereas that would have no impact on development patterns. Marion County Planning Division issued such an interpretation.

## **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission held a public hearing on the proposed annexations on December 30, 2013. There was no public testimony regarding the annexations at the hearing, though one member of the public asked questions. Following the public hearing the Planning Commission unanimously recommended that the City Council hold this public hearing and approve the annexations.

## **STAFF RECOMMENDATION**

Staff recommends that the City Council approve annexation of all of the territories. Draft Ordinance 965, if enacted by the City Council would finalize the annexation of the portions of street right of way smaller than one acre in area. Draft Resolution 909, has been prepared for consideration by the City Council to refer the major annexations to the electors at the May 20 election.

## **OPTIONS AND SUGGESTED MOTIONS:**

Action is required on both Ordinance 965 and Resolution 909. Staff has provided the City Council with several options, each with an appropriate motion. The Planning Department recommends options 1 and 4.

### **Ordinance 965**

#### **1. Approve the first consideration of Ordinance 965**

Move to approve Ordinance No 965 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 the vote is unanimous, Ordinance No. 965 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 965 will be brought before the Council for a second consideration at the February 3, 2014 meeting.

#### **2. Approve the Ordinance with modifications**

Move to approve Ordinance No. 965 with the following changes ... and direct staff to incorporate these changes into the Ordinance before the Ordinance is presented to the City Council for a second consideration.

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 the first consideration is approved, Ordinance No. 965 will be brought before the Council for a second consideration at its February 3, 2014 meeting.

#### **3. Take no action regarding the Annexations**

No motion is necessary.

### **Resolution 909**

#### **4. Approve Resolution 909**

Move to approve Resolution 909 as presented.

#### **5. Approve the Resolution with modifications**

Move to approve Resolution 909 with the following changes ...

**6. Take no action regarding the Annexations**

No motion is necessary.

**ORDINANCE NO. 965**

**AN ORDINANCE ANNEXING INTO THE CITY OF STAYTON CERTAIN REAL PROPERTY LOCATED IN VARIOUS STREET RIGHTS OF WAY AND AMENDING THE CITY OF STAYTON ZONING MAP FROM MARION COUNTY URBAN TRANSITIONAL (UT) TO CITY OF STAYTON LOW DENSITY RESIDENTIAL (LD), LIGHT INDUSTRIAL (IL) AND NATURAL RESOURCES OVERLAY (NROD).**

WHEREAS, it is within the City of Stayton's power under ORS 222.111(2) to initiate the annexation of territory into the City limits;

WHEREAS, on December 2, 2013 the Stayton City Council adopted Resolution 906 initiating annexation of the below described territories;

WHEREAS, the Territories to be annexed are all street rights of way dedicated for public use;

WHEREAS, there is the need to clarify the jurisdiction of the Stayton Police Department;

WHEREAS, the Territories are currently designated by Marion County as Urban Land and zoned Urban Transition (UT-20) except the Stayton Road right of way which is designated and zoned and Exclusive Farm Use (EFU), and when annexed the Territories are designated Residential and Industrial by the Stayton Comprehensive Plan Map;

WHEREAS, the property adjacent to Stayton Road is zoned Light Industrial and properties adjacent to all other areas to be annexed are zoned Low Density Residential by the Stayton Official Zoning Map;

WHEREAS, the Stayton Comprehensive Plan map designates land within 50 feet of Salem Ditch as Natural Resources Overlay;

WHEREAS, a public hearing on the proposed annexations was held before the Stayton Planning Commission on December 30, 2013;

WHEREAS, the Stayton Planning Commission has recommended to the Stayton City Council the Territories be annexed into the City;

WHEREAS, the City of Stayton City Council held a public hearing as required by law on January 21, 2014;

WHEREAS, the City of Stayton City Council makes findings of fact regarding the annexations as contained in Exhibit 6 attached hereto and incorporated herein; and

WHEREAS, the City of Stayton City Council concludes, based on the findings of fact contained in Exhibit 6, that the annexations meet the criteria for approval in SMC 17.12.210.5;

NOW THEREFORE, the City of Stayton ordains:

**Section 1.** Pursuant to ORS 222.125, the Stayton City Council hereby proclaims the annexation into the City of Stayton, Oregon, of the following Territories generally described below, the specific legal descriptions of which and maps showing their locations are included in Exhibits 1 through 5, which are attached hereto and by reference incorporated herein.

- A. The Stayton Road right of way, south of Marion County Assessor's Map 091W09C Lot 900, approximately 0.4 acres of land (Exhibit 1);

- B. A portion of the Shaff Road right of way west of Wilco Road and Golf Club Road to the center of Salem Ditch, approximately 0.9 acres of land (Exhibit 2);
- C. The northern portion of the Shaff Road right of way, west of the Stayton Middle School and east of Kindle Way, approximately 0.6 acres of land (Exhibit 3);
- D. The Kindle Way right of way, adjacent to the Phillips Estates Phase I subdivision, approximately 0.4 acres of land (Exhibit 4); and
- E. The northern portion of the Fern Ridge Road right of way, south of Marion County Assessor's Map 091W02 Lot 600, approximately 0.5 acres of land (Exhibit 5).

**Section 2.** Pursuant to ORS 222.005 the Stayton City Recorder shall provide by certified mail to all public utilities, telecommunication facilities, and franchise holders operating within the City a written notice of each site address to be annexed as recorded on the Marion County assessment and tax rolls, a legal description and map of the proposed boundary change, and a copy of this Ordinance. This notice shall be mailed within ten (10) working days of the passage of this Ordinance.

**Section 3.** Pursuant to ORS 222.010 the Stayton City Recorder shall, within ten (10) days of the passage of this Ordinance, provide to the Marion County Clerk and Marion County Assessor a report of the annexation including a detailed legal description of the new boundaries established by the City.

**Section 4.** Pursuant to ORS 222.177 the Stayton City Recorder shall provide to the Oregon Secretary of State a copy of this Ordinance.

**Section 5.** Pursuant to ORS 308.225(2) the Stayton City Recorder shall provide to the Oregon Department of Revenue a copy of this Ordinance containing the legal description and map of the territory being annexed.

**Section 6.** The Stayton Official Zoning Map is hereby amended to include the Stayton Road right of way as Light Industrial, the other annexed Territories as Low Density Residential, and that portion of the Shaff Road right of way within 50 feet of Salem Ditch as Natural Resource Overlay District.

**Section 7.** Upon adoption by the Stayton City Council and the Mayor's signing, this Ordinance shall become effective 30 days after the date of signing.

**Section 8.** A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

ADOPTED BY THE CITY COUNCIL this 21st day of January, 2014.

CITY OF STAYTON

Signed: \_\_\_\_\_, 2014

BY: \_\_\_\_\_  
A. Scott Vigil, Mayor

Signed: \_\_\_\_\_, 2014

ATTEST: \_\_\_\_\_  
Christine Shaffer, Interim City Administrator

APPROVED AS TO FORM:

\_\_\_\_\_  
David A. Rhoten, City Attorney

DRAFT

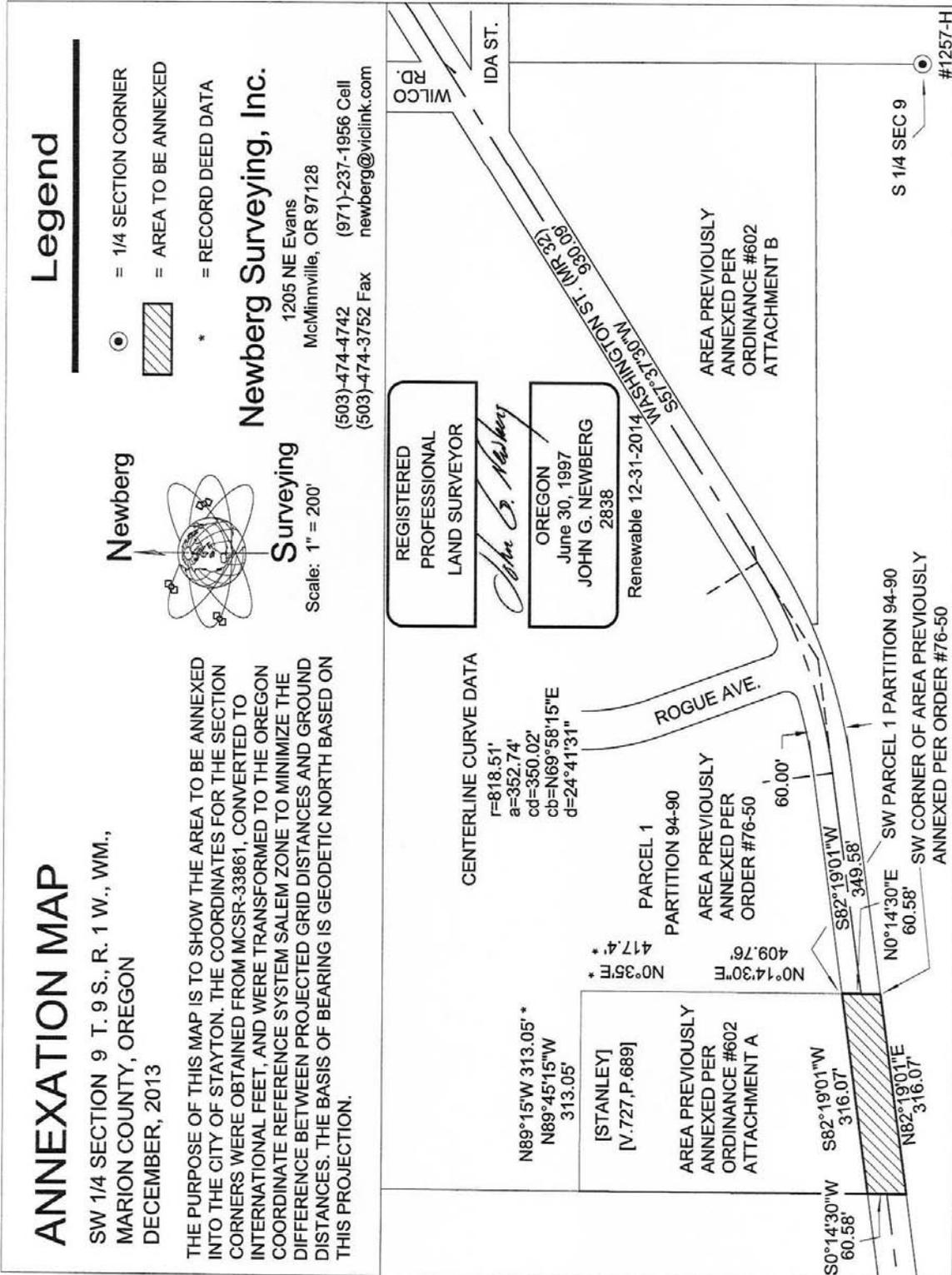
## EXHIBIT 1, Annexation Area, Stayton Road right of way west of Rogue Ave

### Legal Description

An area of land in the southwest quarter of the southwest quarter of Section 9, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon being a portion of the right of way of Marion County Market Road 32, known as Stayton Road, and more particularly described as follows:

Beginning at a point on the southeasterly margin of Market Road #32 (Washington Street), said point also being the most southerly southwest corner of that land referenced in "Exhibit A" of Final Order #76-50 of the Marion-Polk County Local Government Commission dated September 7, 1976. Said beginning point is also the intersection point of the southerly extension of the East line of that land conveyed to Harry B. Stanley by deed recorded in Volume 727, Page 689 Marion County Deed Records with the Southeasterly margin of said Market Road #32 and which point bears South 0° 14' 30" West 60.58 feet from the Southwest corner of Parcel 1 Partition 94-90; thence North 0° 14' 30" East along the southerly extension of the east line of land described in Volume 727, Page 689 a distance of 60.58 feet more or less to the intersection of said easterly line with the Northwesternly margin of Market Road #32; thence South 82° 19' 01" West along said northerly margin 30 feet from and parallel to the centerline of Market Road #32 a distance of 316.07 feet more or less to the Southwest corner of land described in said Volume 727, Page 689; thence southerly on the projection of the west line of Stanley's land South 0° 14' 30" West 60.58 feet to the intersection point with the southeast margin of Market Road #32; thence North 82° 19' 01" East along said southeast margin of Market Road #32 a distance of 316.07 feet more or less to the point of beginning, containing 0.44 Acres +/-.

# Map of Annexation Area



## EXHIBIT 2, Annexation Area, Shaff Road right of way west of Wilco Road

### Legal Description

An area of land in the south half of the southwest quarter of Section 4, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon being a portion of the right of way of Marion County Market Road 83, known as Shaff Road, and more particularly described as follows:

Beginning at the intersection point of the north line of Section 9, T9S, R1W, Willamette Meridian, Marion County Oregon and the west boundary of that tract of land previously annexed and described in Exhibit B of the City of Stayton Resolution No. 219 dated August 11, 1976, said point being 550 feet South 89° 27' 28" West from the quarter corner on the north line of said Section 9 and in the center of Shaff Road; thence South 89° 27' 28" West 881.37 feet, more or less, along said north line and the center of Shaff Road to the northeast corner of that tract of land conveyed to Ronald Meier, et ux by deed recorded in Volume 658, Page 463, Marion County Deed Records, said corner being on the north line of said Section 9 and bearing North 89° 27' 28" East 1228.00 feet from the northwest corner of said Section 9; thence South 00° 32' 32" East 25.00 feet along the east line of said Meier tract to the south margin of Shaff Road; thence South 89° 27' 28" West along the south margin of Shaff Road 376.52 feet, more or less, to a point in the center of the Salem Ditch; thence in a northerly direction along the center of the Salem Ditch to the north margin of Shaff Road (approximate chord bearing North 02° 19' 08" East 50.06 feet); thence North 89° 27' 28" East 1255.61 feet, more or less, along the north margin of Shaff Road to the northwest corner of said tract of land described in Exhibit B of Resolution No. 219; thence South 00° 02' 37" East 25.00 feet to the point of beginning.

**Map of Annexation Area**

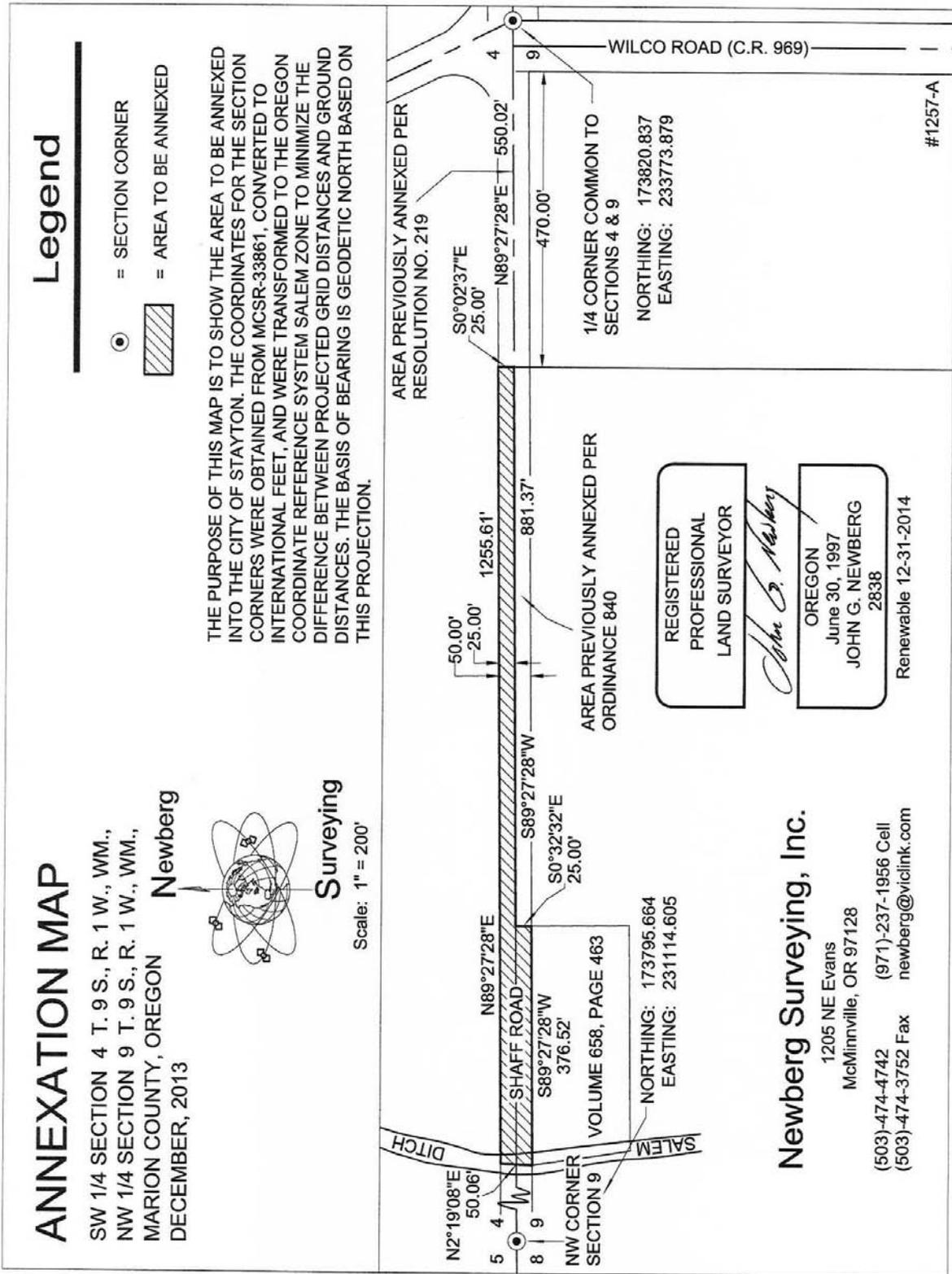


EXHIBIT 3, Annexation Area, Shaff Road right of way west of the Stayton  
Middle School and east of Kindle Way

**Legal Description**

An area of land in the south half of the southeast quarter of Section 4, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon being a portion of the right of way of Marion County Market Road 83, known as Shaff Road, and more particularly described as follows:

Beginning at a point on the south line of Section 4, T9S, R1W, Willamette Meridian, Marion County, Oregon, said point being on the west boundary of that tract of land previously annexed in the City of Stayton Ordinance No. 376, dated April 15, 1968, said point bearing South 89° 45' West 225.37 feet from the southeast corner of said Section 4; thence North 00° 18" West 40.00 feet along said west boundary to the north margin of Shaff Road; thence South 89° 45' West 665.62 feet more or less to the easterly margin of Kindle Way also being a point on the easterly boundary of land described in City of Stayton Ordinance No. 258 dated October 15, 1979; thence South 0° 20' 27" East along said easterly margin of Kindle Way a distance of 40.00 feet more or less to the south line of Section 4 of said township and range; thence North 89° 45' East along said section line 665.59 feet more or less to the point of beginning, containing 0.61 Acres.

DRAFT



EXHIBIT 4, Annexation Area, Kindle Way right of way, adjacent to the Phillips Estates Phase I subdivision

**Legal Description**

An area of land in the north half of the southeast quarter of Section 4, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon being a portion of the right of way of Kindle Way and more particularly described as follows:

Beginning at the southeast corner of PHILLIPS ESTATES PHASE 1 Subdivision; thence North 89° 45' 48" East 29.70 feet, more or less, to a point on the east boundary of that tract of land described in Reel 3029, Page 285, Marion County Deed Records; thence North 00° 15' 53" West 627.47 feet, more or less, to the northeast corner of said tract; thence South 89° 46' 07" West 29.70 feet to the northwest corner of said tract; thence South 00° 15' 53" East 30.46 feet, more or less, to the northeast corner of said PHILLIPS ESTATES PHASE 1; thence South 00° 15' 53" East 597.01 feet to the place of beginning.

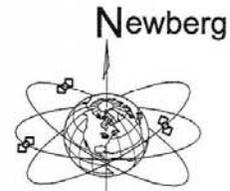
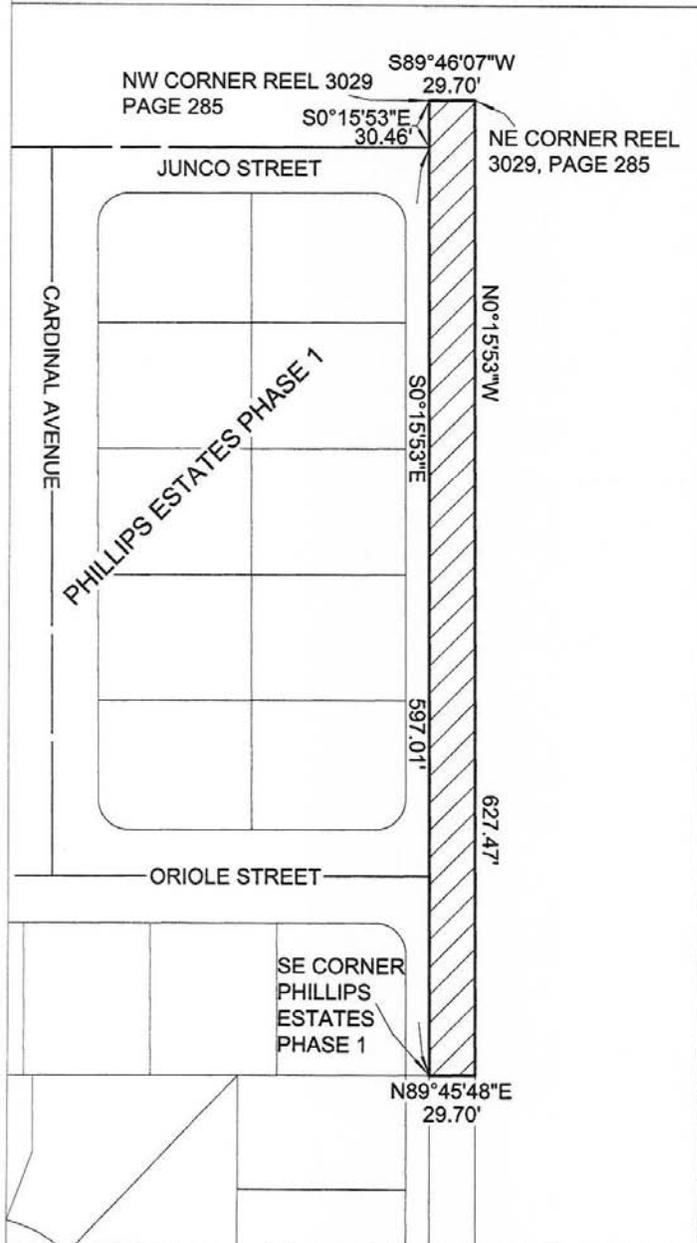
DRAFT

# Map of Annexation Area

## ANNEXATION MAP

SE 1/4 SECTION 4 T. 9 S., R. 1 W., WM.,  
MARION COUNTY, OREGON  
DECEMBER, 2013

THE PURPOSE OF THIS MAP IS TO SHOW THE AREA TO BE ANNEXED INTO THE CITY OF STAYTON. THE BASIS OF BEARING IS PER THE PLAT OF PHILLIPS ESTATES - PHASE 1. THE AREA TO BE ANNEXED IS A PORTION OF THAT TRACT OF LAND DESCRIBED IN REEL 3029, PAGE 285 THAT IS ADJACENT TO PHILLIPS ESTATES - PHASE 1.



Scale: 1" = 100'

### Legend

- = SECTION CORNER
- = AREA TO BE ANNEXED

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*John G. Newberg*

OREGON  
June 30, 1997  
JOHN G. NEWBERG  
2838

Renewable 12-31-2014

### Newberg Surveying, Inc.

1205 NE Evans  
McMinnville, OR 97128

(503)-474-4742 (971)-237-1956 Cell  
(503)-474-3752 Fax newberg@viclink.com

#1257-D

EXHIBIT 5, Annexation Area, Fern Ridge Road right of way

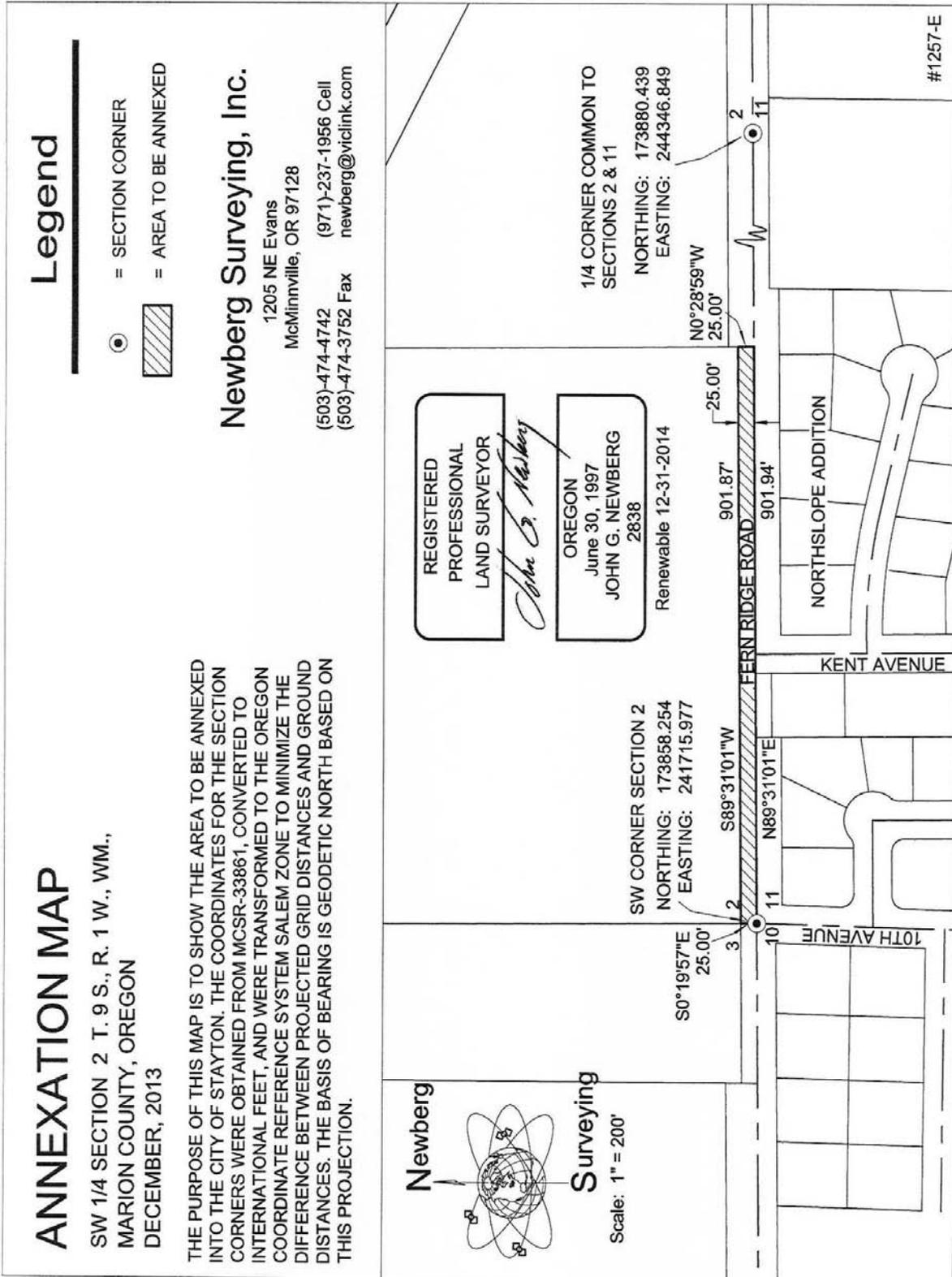
**Legal Description**

An area of land in the southwest quarter of the southwest quarter of Section 2, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon being a portion of the right of way of Fern Ridge Road and more particularly described as follows:

Beginning at the Southwest corner of Section 2, T9S, R1W, Willamette Meridian, Marion County Oregon; thence North 89° 31' 01" East 901.94 feet along the South line of said Section 2 to a point on the west line of the tract of land previously annexed in Resolution No. 497 adopted August 25, 1992; thence North 00° 28' 59" West 25.00 feet, more or less, along said west line of Resolution No. 497 to a point on the north margin of Fern Ridge Road; thence South 89° 31' 01" West 901.87 feet along the north margin of Fern Ridge Road to the intersection with the West line of said Section 2; thence South 00° 19' 57" East 25.00 feet to the place of beginning.

DRAFT

**Map of Annexation Area**



## EXHIBIT 6, CITY COUNCIL FINDINGS OF FACT

### LAND USE FILE #17-11/13

#### A. EXISTING CONDITIONS

The areas to be annexed are portions of street rights of way dedicated to the public or within public easements or parcels owned by a governmental agency.

#### B. PROPOSAL

The complete proposal is to annex a total of approximately 75 acres of land into the City. The areas to be annexed include nine portions of street rights of way, a portion of the Stayton Middle School campus, a portion of Wilderness Park, and the Pine St Water Reservoir property at 2365 E Pine Street. Each territory is described below.

**Minor Annexations.** The following territories constitute Minor Annexations as defined by the Stayton Municipal Code Section 17.12.210. The City Council has authority to final the annexation.

- A. The Stayton Road right of way, south of Marion County Assessor's Map 091W09C Lot 900, approximately 0.4 acres of land;
- B. A portion of the Shaff Road right of way west of Wilco Road and Golf Club Road to the center of Salem Ditch, approximately 0.9 acres of land;
- C. The northern portion of the Shaff Road right of way, west of the Stayton Middle School and east of Kindle Way, approximately 0.6 acres of land;
- D. The Kindle Way right of way, adjacent to the Phillips Estates Phase I subdivision, approximately 0.4 acres of land;
- E. The northern portion of the Fern Ridge Road right of way, south of Marion County Assessor's Map 091W02 Lot 600, approximately 0.5 acres of land;

The remainder of the proposed annexations are major annexations.

#### C. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, City of Stayton Police Department, Stayton Cooperative Telephone Company, Pacific Power, NW Natural Gas, Stayton Fire District, Marion County Public Works, Marion County Planning Division, Santiam Water Control District, Wave Broadband, and the North Santiam School District.

The following comments were received:

Marion Count Planning Division noted that the Stayton Road annexation is outside of the City's Urban Growth Boundary and the Marion County Comprehensive Plan policies prohibit annexation of territory by a city outside of that city's urban growth boundary. The City has requested that the County issue an interpretation of the comprehensive plan to allow the annexation of the Stayton Road right of way whereas it is only street right of way that is proposed for annexation and, as such, would not impact development location. On December 17, 2013 Marion County consented to the annexation of the portion of the Stayton Road outside of the UGB.

#### D. PUBLIC COMMENTS

The Planning Department notified all owners of property within 300 feet of the subject properties and had not received any public comment on this application prior to the public hearing. There was no public testimony offered at the Planning Commission's December 30, 2013 public hearing.

#### E. ANALYSIS

Annexation applications are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.210 ANNEXATIONS.

#### F. REVIEW CRITERIA

Pursuant to SMC 17.12.210.4 the following criteria must be demonstrated as being satisfied by the application:

*a. Need exists in the community for the land proposed to be annexed.*

Finding: The territories to be annexed are all either public street rights of way or land owned by a governmental entity. The need for the annexation is to provide clear delineation of jurisdiction between the Stayton Police Department and other public safety agencies.

*b. The site is or is capable of being serviced by adequate City public services, including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City.*

Finding: The territories to be annexed are all either public street rights of way or land owned by a governmental entity. City public services currently existing in the portions of Shaff Road east of Wilco Road, Kindle Way, Cascade Highway, Fern Ridge Road, Stayton Rd, and E Jefferson St. City public services currently exist in E Pine St adjacent to the City-owned parcel proposed for annexation. Wilderness Park is used as an undeveloped open space recreational area and does not require city public services. The Stayton Middle School property is developed with city public services available to the developed portion of the property.

*c. The proposed annexation is property contiguous to existing City jurisdictional limits.*

Finding: The territories to be annexed are contiguous with the existing City limits.

*d. The proposed annexation is compatible with the character of the surrounding area and complies with the urban growth program and the policies of the City of Stayton.*

Finding: The territories to be annexed are all either public street rights of way or land owned by a governmental entity. The territories to be annexed that are not public street rights of way will all be zoned Public and no development is proposed in the foreseeable future.

*e. The annexation request complies or can be made to comply with all applicable provisions of state and local law.*

Finding: The criteria of ORS 222 apply to the adoption of an annexation ordinance which is a City Council action. The owners of the territories to be annexed that are not street rights of way have consented to annexation.

*f. If a proposed contract annexation, the terms and conditions, including the cost of City facility and service extensions to the annexed area shall be calculated by the Public Works Director.*

Finding: The proposed annexations are not contract annexations.

## RESOLUTION NO. 909

### **A RESOLUTION REFERRING TO THE ELECTORS OF THE CITY OF STAYTON THE APPROVAL OF CITY-INITIATED ANNEXATIONS INTO THE CITY LIMITS OF TERRITORY OWNED BY THE CITY OF STAYTON AT 2635 E PINE ST, TERRITORY OWNED BY THE NORTH SANTIAM SCHOOL DISTRICT, TERRITORY OWNED BY THE SANTIAM WATER CONTROL DISTRICT, AND VARIOUS STREET RIGHTS OF WAY.**

WHEREAS, it is within the City of Stayton's power under ORS 222.111(2) to initiate the annexation of territory into the City limits; provided, however, that such annexation be submitted to the electors of the City of Stayton, pursuant to the Stayton City Charter;

WHEREAS, the Marion County Board of Commissioners has voted to close the East Marion Justice Court in July 2014, which has served as the City of Stayton municipal court,;

WHEREAS, the City of Stayton will need to establish starting in July its own municipal court 2014;

WHEREAS, the current city limits do not include portions of street rights of way that have been patrolled by the Stayton Police Department;

WHEREAS, the portion of the Stayton Middle School property north of Mill Creek is not within the current city limits;

WHEREAS, the Board of Directors of the North Santiam School District have voted to consent to annexation of the portion of the Stayton Middle School property north of Mill Creek;

WHEREAS, the City of Stayton leases its Wilderness Park from the Santiam Water Control District;

WHEREAS, that portion of Wilderness Park that is in Section 11 of Township 9 Range 1 West is not currently within the city limits;

WHEREAS, the Board of Directors of the Santiam Water Control District have voted to consent to annexation of the portion of Wilderness Park that is in Section 11 of Township 9 Range 1 West;

WHEREAS, the City of Stayton owns approximately 4.4 acres of land at 2635 E Pine St that is the location of a water storage reservoir that is not within the current city limits;

WHEREAS, the effective administration of public safety requires clear delineation of the jurisdiction of the Stayton Police Department;

WHEREAS, on December 2, 2013 the Stayton City Council adopted Resolution 906 initiating annexation of the Territories described above, all of which are larger than one acre in area;

WHEREAS, the Stayton City Charter requires that annexation of territory of one acre or more requires approval of the electors of the City;

WHEREAS, the Stayton Planning Commission held a public hearing on the proposed annexations on December 30, 2013 and recommended to the City Council that the Territory be annexed;

WHEREAS, the Stayton City Council held a public hearing on the proposed annexations on January 21, 2014;

WHEREAS, the following agencies were notified of the proposed annexation: City of Stayton Public Works, Stayton Cooperative Telephone Company, Pacific Power, NW Natural Gas, Stayton Fire District, Marion County Public Works, Marion County Planning Division, Santiam Water Control District and the North Santiam School District;

WHEREAS, the Planning Department notified all owners of property within 300 feet of the Territories and did not receive any public comment prior to the City Council's public hearing.

WHEREAS, annexations are required to satisfy approval criteria contained within SMC Title 17, Section 17.12.210.4. Pursuant to SMC 17.12.210.4 the following criteria must be demonstrated as being satisfied. The City Council makes these findings, based on the record before it, regarding each criterion as follows:

*a. Need exists in the community for the land proposed to be annexed.*

Finding: The territories to be annexed are all either public street rights of way or land owned by a governmental entity. The need for the annexation is to provide clear delineation of jurisdiction between the Stayton Police Department and other public safety agencies.

*b. The site is or is capable of being serviced by adequate City public services, including such services as may be provided subject to the terms of a contract annexation agreement between the applicant and the City.*

Finding: The territories to be annexed are all either public street rights of way or land owned by a governmental entity. City public services currently existing in the portions of Shaff Road east of Wilco Rd, Kindle Way, Cascade Highway, Fern Ridge Rd, Stayton Rd, and E Jefferson St. City public services currently exist in E Pine St adjacent to the City-owned parcel proposed for annexation. Wilderness Park is used as an undeveloped open space recreational area and does not require city public services. The Stayton Middle School property is developed with city public services available to the developed portion of the property.

*c. The proposed annexation is property contiguous to existing City jurisdictional limits.*

Finding: The territories to be annexed are contiguous with the existing City limits.

*d. The proposed annexation is compatible with the character of the surrounding area and complies with the urban growth program and the policies of the City of Stayton.*

Finding: The territories to be annexed are all either public street rights of way or land owned by a governmental entity. The territories to be annexed that are not public street rights of way will all be zoned Public and no development is proposed in the foreseeable future.

*e. The annexation request complies or can be made to comply with all applicable provisions of state and local law.*

Finding: The criteria of ORS 222 apply to the adoption of an annexation ordinance which is a City Council action. The owners of the territories to be annexed that are not street rights of way have consented to annexation.

*f. If a proposed contract annexation, the terms and conditions, including the cost of City facility and service extensions to the annexed area shall be calculated by the Public Works Director.*

Finding: The proposed annexations are not contract annexations;

WHEREAS, the Stayton City Council, following the above referenced public hearing, determined that the Territories should be annexed into the City of Stayton, and established the land use designations to be applied to the Territory upon annexation.

NOW THEREFORE, BE IT RESOLVED that:

**Section 1. Measures.** Measure elections (the "Measure Elections") are hereby called for the purpose of submitting to the electors of the City of Stayton measures for the annexation of the following Territories:

- A. The northern portion of the Shaff Road right of way, west of Cascade Highway to Marion County Assessor's Map 091W04D Lot 1200, approximately 1.3 acres of land (Exhibit 1);
- B. The Cascade Highway right of way, north of Shaff Road to the center of Mill Creek, approximately 3.0 acres of land (Exhibit 2);
- C. The Fern Ridge Road right of way, north of Marion County Assessor's Map 091W011A Lot 300 and Map 091W11BA Lot 100, east to the Highway 22 right of way, approximately 2.7 acres of land (Exhibit 3);
- D. The E Jefferson Street right of way, adjacent to the Jefferson Place subdivision, approximately 1.4 acres of land (Exhibit 4);
- E. That portion of the Stayton Middle School property north of Mill Creek, identified as a portion of Marion County Assessor's Map 091W04D Lot 100, approximately 37 acres of land (Exhibit 5);
- F. That portion of Wilderness Park that is in Township 9 Range 1 West, Section 11, identified as the eastern portion of Marion County Assessor's Map 091W11C Lot 1400, approximately 17 acres of land (Exhibit 6);
- G. The property at 2365 E Pine St, identified as Marion County Assessor's Map 091W11AC Lot 100, approximately 4.4 acres of land (Exhibit 7).

A legal description of each territory to be considered for annexation and a map showing the Territory is attached hereto as Exhibits 1 through 7 and incorporated herein by reference. A copy of each measure is attached hereto as part of Exhibits 1 through 7 and incorporated herein by reference.

**Section 2. Election Conducted by Mail.** The Measure Elections shall be held in the City on May 20, 2014. As required by ORS 254.465, the Measure Elections shall be conducted by mail by the County Clerk of Marion County, Oregon, according to procedures adopted by the Oregon Secretary of State pursuant to ORS 254.470.

**Section 3. Delegation.** The City authorizes the City Administrator, or the City Administrator's designee, (the "Authorized Representative") to act on behalf of the City and to take such further action as is necessary to carry out the intent and purposes set forth herein, in compliance with the applicable provisions of law.

**Section 4. Preparation of Ballot Title.** The City Attorney is hereby directed to prepare the ballot title for each measure, and deposit the ballot titles with the City Recorder ("City Administrator" or "City Election Officer").

**Section 5. Publication of Notice of Election.** The City Recorder (“City Administrator” or “City Election Officer”) shall publish in a newspaper of general distribution within the City, a legal advertisement describing the proposed annexations and pending elections.

**Section 6. Explanatory Statement.** The Explanatory Statement for each measure, which is attached hereto as parts of Exhibits 1 through 7 and incorporated herein by reference, are hereby approved.

**Section 7. Filing with County Elections Office.** Pursuant to ORS 254.095(2), the City Recorder (“City Administrator” or “City Election Officer”) shall deliver the Notices of Measure Election to the Elections Officer of Marion County, Oregon, on or before March 15, 2014, which is a date not later than sixty-one days prior to the May 20, 2014 election.

**Section 8. Action upon Approval.** If following the elections, the City Council finds that a majority of votes cast by the electors residing in the City of Stayton favor each annexation, the City Council shall, pursuant to ORS 222.160, adopt an ordinance proclaiming the Territory annexed to the City and apply the appropriate City of Stayton zoning to the property. The public street rights of way shall be zoned as the land adjacent to the right of way is zoned and the three other territories shall be zoned Public/Semi-Public.

This Resolution shall become effective upon adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL this 21<sup>st</sup> day of January, 2014

CITY OF STAYTON

Date: \_\_\_\_\_, 2014 By: \_\_\_\_\_  
A. Scott Vigil, Mayor

Date: \_\_\_\_\_, 2014 Attest: \_\_\_\_\_  
Christine Shaffer, Interim City Administrator

APPROVED AS TO FORM:

\_\_\_\_\_  
David A. Rhoten, City Attorney

# EXHIBIT 1

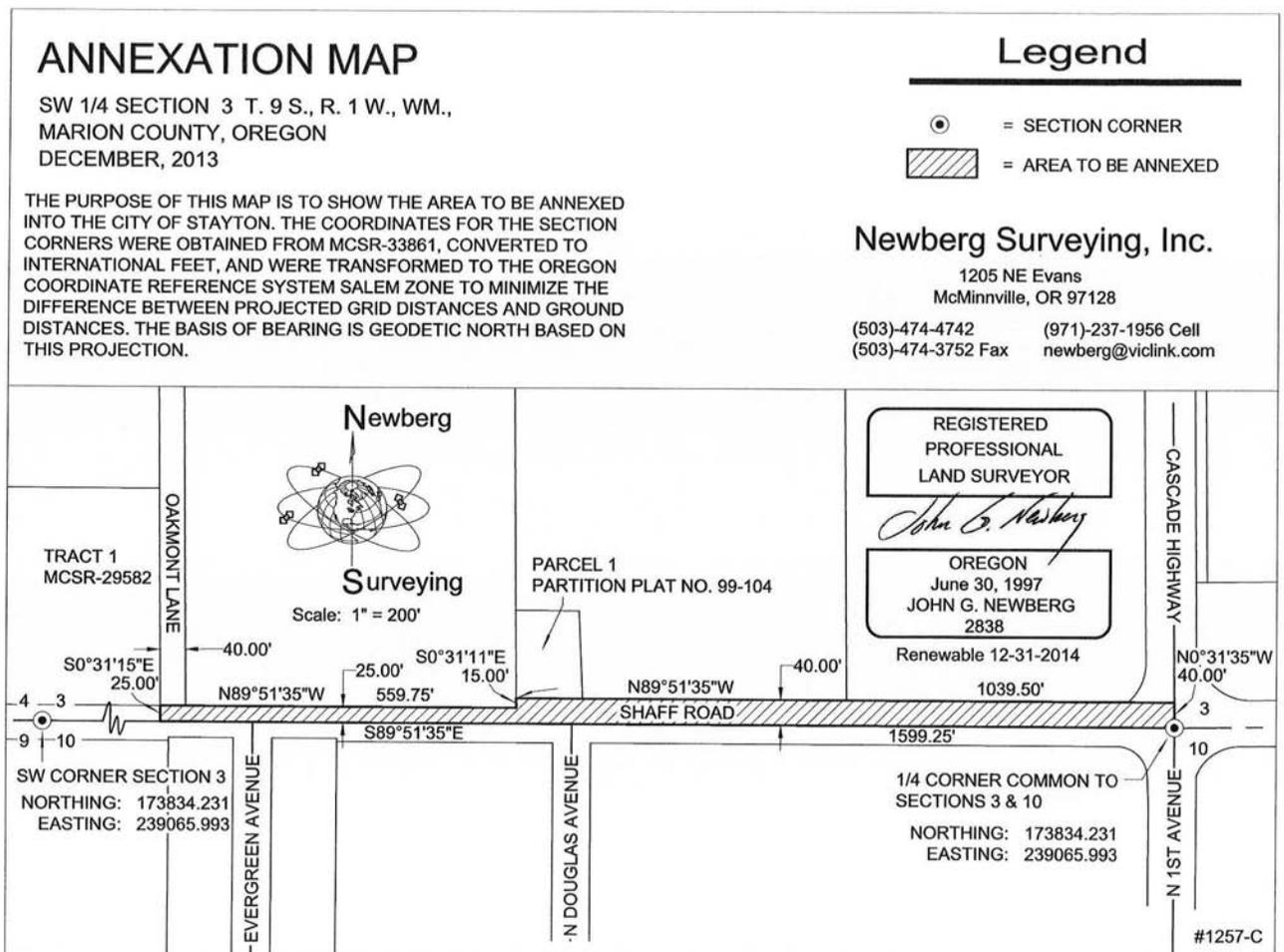
## Legal Description, Map of Territory, Measure, and Explanatory Statement for the area to be Annexed:

### Shaff Road Right of Way, West of Cascade Highway (1.3 acres)

#### Legal Description

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

Beginning at the quarter corner on the south line of Section 3, T9S, R1W, Willamette Meridian, Marion County, Oregon, thence North  $00^{\circ} 31' 35''$  West 40.00 feet along the centerline of the existing Cascade Highway to a point on the prolongation of the north margin of Shaff Road; thence North  $89^{\circ} 51' 35''$  West 1039.50 feet, more or less, along the north margin of Shaff Road to the Southwest corner of Parcel 1 of Partition Plat 99-104; thence South  $00^{\circ} 31' 11''$  East 15.00 feet; thence continuing along the north margin of Shaff Road North  $89^{\circ} 51' 35''$  West 559.75 feet, more or less, to the intersection with the east boundary of Tract 1 of MCSR-29582; thence South  $00^{\circ} 31' 15''$  East 25.00 feet to the south line of said Section 3; thence South  $89^{\circ} 51' 35''$  East 1599.25 feet, more or less, to the place of beginning.



**Measure**

City of Stayton Measure No. \_\_\_\_ \_

**A Measure Proposing Annexation of a Portion of the Shaff Road Right of Way into the City of Stayton**

Section 1: Measure Election Called. A measure election is hereby called to take place May 20, 2014, for the purpose of submitting the following question to the electors of the City:

Shall that certain real property (the "Territory"), located within the right of way Shaff Road, west of Cascade Highway and more particularly described as follows be annexed into the City of Stayton?

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

Beginning at the quarter corner on the south line of Section 3, T9S, R1W, Willamette Meridian, Marion County, Oregon, thence North 00° 31' 35" West 40.00 feet along the centerline of the existing Cascade Highway to a point on the prolongation of the north margin of Shaff Road; thence North 89° 51' 35" West 1039.50 feet, more or less, along the north margin of Shaff Road to the Southwest corner of Parcel 1 of Partition Plat 99-104; thence South 00° 31' 11" East 15.00 feet; thence continuing along the north margin of Shaff Road North 89° 51' 35" West 559.75 feet, more or less, to the intersection with the east boundary of Tract 1 of MCSR-29582; thence South 00° 31' 15" East 25.00 feet to the south line of said Section 3; thence South 89° 51' 35" East 1599.25 feet, more or less, to the place of beginning.

**Explanatory Statement:**

If approved, this measure would result in annexation of 1.3 acres of territory ("the Territory") to the City of Stayton.

The Territory is the northern portion of the Shaff Road right of way, west of Cascade Highway and designated in the Stayton Comprehensive Plan as Residential. Zoning of the Territory, if annexed, would be Low Density Residential.

The Stayton City Council has initiated annexation to facilitate the determination of the jurisdiction of the Stayton Police Department.

Additional information regarding the proposed annexation is available for public review at the Stayton Department of Planning and Development, 311 N 3<sup>rd</sup> Ave, Stayton, Oregon, and on the City's web site, [www.staytonoregon.gov](http://www.staytonoregon.gov).

Word Limit: 500

Word Count: 108

## EXHIBIT 2

### Legal Description, Map of Territory, Measure, and Explanatory Statement for the area to be Annexed: Cascade Highway Right of Way, North of Shaff Road to Mill Creek, 3 acres

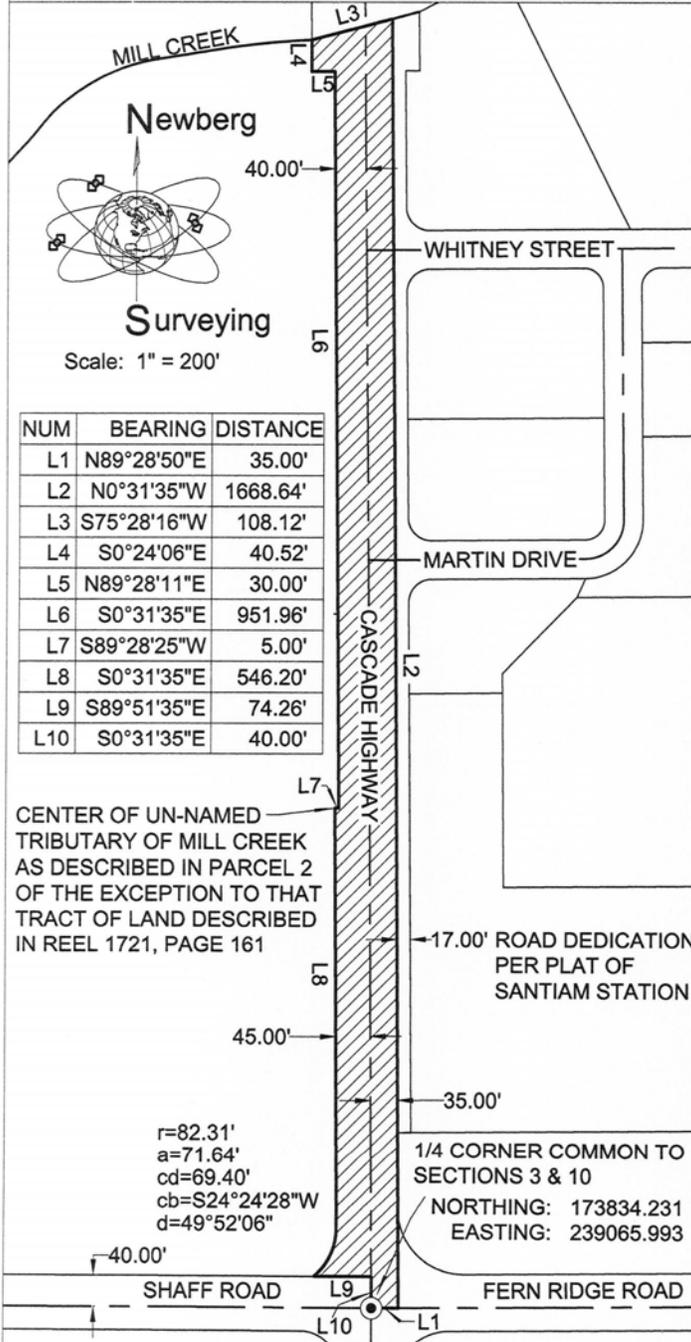
#### Legal Description

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

Beginning at the South quarter corner of Section 3, T. 9S. R. 1W., Willamette Meridian, Marion County, Oregon, said place of beginning being in the centerline of the Cascade Highway; thence North 89° 28' 50" East 35.00 feet along the south line of Said Section 3 to a point, said point being on the prolongation of the west boundary of the SANTIAM STATION Subdivision; thence North 00° 31' 35" West parallel to and 35.00 feet from said centerline and along the west boundary of said SANTIAM STATION Subdivision a distance of 1668.64, more or less, to a point in the center of Mill Creek; thence South 75° 28' 16" West 108.12 feet, more or less, along the center of Mill Creek to the intersection with the west boundary of the Cascade Highway; thence South 00° 24' 06" East 40.52 feet to an angle point in said west boundary; thence North 89° 28' 11" East 30.00 feet to an angle point in said west boundary, said point being 40.00 feet from centerline; thence South 00° 31' 35" East 951.96 feet, more or less, to the center of the unnamed tributary of Mill Creek as described in Parcel 2 of the exception to that tract of land described in Reel 1721, Page 161, Marion County Deed Records; thence South 89° 28' 25" West 5.00 feet along the center of said creek; thence South 00° 31' 35" East 546.20 feet, more or less, along the west boundary of said Parcel 2 to the intersection with the north margin of Shaff Road; thence 71.64 feet along a 82.31 foot radius curve, concave to the northwest, chord bearing South 24° 24' 28" West 69.40 feet along the north margin of Shaff Road; thence South 89° 51' 35" East 74.26 feet to the centerline of the Cascade Highway; thence South 00° 31' 35" East 40.00 feet to the place of beginning.

# ANNEXATION MAP

SW 1/4 & SE 1/4 SECTION 3 T. 9 S., R. 1 W., WM.,  
MARION COUNTY, OREGON  
JANUARY, 2014



THE PURPOSE OF THIS MAP IS TO SHOW THE AREA TO BE ANNEXED INTO THE CITY OF STAYTON. THE COORDINATES FOR THE SECTION CORNERS WERE OBTAINED FROM MCSR-33861, CONVERTED TO INTERNATIONAL FEET, AND WERE TRANSFORMED TO THE OREGON COORDINATE REFERENCE SYSTEM SALEM ZONE TO MINIMIZE THE DIFFERENCE BETWEEN PROJECTED GRID DISTANCES AND GROUND DISTANCES. THE BASIS OF BEARING IS GEODETIC NORTH BASED ON THIS PROJECTION. THE RIGHT-OF-WAY ANGLE POINTS SHOWN WERE CALCULATED FROM MCSR-37982 AND REEL 1721, PAGE 161.

## Legend

- = SECTION CORNER
- = AREA TO BE ANNEXED

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*John G. Newberg*

OREGON  
June 30, 1997  
JOHN G. NEWBERG  
2838

Renewable 12-31-2014

## Newberg Surveying, Inc.

1205 NE Evans  
McMinnville, OR 97128

(503)-474-4742 (971)-237-1956 Cell  
(503)-474-3752 Fax newberg@viclink.com

#1257-G

**Measure**

City of Stayton Measure No. \_\_\_\_ \_

**A Measure Proposing Annexation of a Portion of the Cascade Highway Right of Way into the City of Stayton**

Section 1: Measure Election Called. A measure election is hereby called to take place May 20, 2014, for the purpose of submitting the following question to the electors of the City:

Shall that certain real property (the "Territory"), located within the right of way of Cascade Highway, north of Shaff Road and south of Mill Creek and more particularly described as follows be annexed into the City of Stayton?

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

Beginning at the South quarter corner of Section 3, T. 9S. R. 1W., Willamette Meridian, Marion County, Oregon, said place of beginning being in the centerline of the Cascade Highway; thence North 89° 28' 50" East 35.00 feet along the south line of Said Section 3 to a point, said point being on the prolongation of the west boundary of the SANTIAM STATION Subdivision; thence North 00° 31' 35" West parallel to and 35.00 feet from said centerline and along the west boundary of said SANTIAM STATION Subdivision a distance of 1668.64, more or less, to a point in the center of Mill Creek; thence South 75° 28' 16" West 108.12 feet, more or less, along the center of Mill Creek to the intersection with the west boundary of the Cascade Highway; thence South 00° 24' 06" East 40.52 feet to an angle point in said west boundary; thence North 89° 28' 11" East 30.00 feet to an angle point in said west boundary, said point being 40.00 feet from centerline; thence South 00° 31' 35" East 951.96 feet, more or less, to the center of the un-named tributary of Mill Creek as described in Parcel 2 of the exception to that tract of land described in Reel 1721, Page 161, Marion County Deed Records; thence South 89° 28' 25" West 5.00 feet along the center of said creek; thence South 00° 31' 35" East 546.20 feet, more or less, along the west boundary of said Parcel 2 to the intersection with the north margin of Shaff Road; thence 71.64 feet along a 82.31 foot radius curve, concave to the northwest, chord bearing South 24° 24' 28" West 69.40 feet along the north margin of Shaff Road; thence South 89° 51' 35" East 74.26 feet to the centerline of the Cascade Highway; thence South 00° 31' 35" East 40.00 feet to the place of beginning.

**Explanatory Statement:**

If approved, this measure would result in annexation of 3.0 acres of territory ("the Territory") to the City of Stayton.

The Territory is the western portion of the Cascade Highway right of way, north of Shaff Road, to the center of Mill Creek and designated in the Stayton Comprehensive Plan as Residential and Commercial. Zoning of the Territory, if annexed, would be a mix of Low Density Residential, Commercial Retail, and Interchange Development.

The Stayton City Council has initiated annexation to facilitate the determination of the jurisdiction of the Stayton Police Department.

Additional information regarding the proposed annexation is available for public review at the Stayton Department of Planning and Development, 311 N 3<sup>rd</sup> Ave, Stayton, Oregon, and on the City's web site, [www.staytonoregon.gov](http://www.staytonoregon.gov).

Word Limit: 500      Word Count: 124

## EXHIBIT 3

### Legal Description, Map of Territory, Measure and Explanatory Statement for the area to be Annexed: Fern Ridge Road Right of Way, West of Route 22, 2.7 acres

#### Legal Description

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

Beginning at a point on the South line of Section 2, T9S, R1W, Willamette Meridian, Marion County Oregon, said point being North 89° 31' 01" East 1294.26 feet from the Southwest corner of said Section and being the northeast corner of that tract of land previously annexed in Ordinance No. 282 dated April 6, 1953; thence South 00° 27' 01" West 25.00 feet along the east line of said land described in Ordinance No. 282 to the south margin of Fern Ridge Road; thence North 89° 31' 01" East 525.98 feet along the south margin of Fern Ridge Road to an angle point; thence South 00° 28' 59" East 35.00 feet to an angle point; thence North 89° 31' 02" East 599.86 feet, more or less, to the southerly margin of the North Santiam Highway (OR 22), said point being 95 feet from centerline; thence North 63° 24' 45" West 477.96 feet, more or less, to a point that is 100 feet from centerline and at an iron rod at the southeast corner of that tract of land described in Resolution No. 497, dated August 25, 1992; thence following along the boundary of that tract of land described in Resolution No. 497 the following courses: South 27° 11' 10" West 64.94 feet to an iron rod; thence South 89° 31' 01" West 454.10 feet to an iron rod; thence South 00° 29' 10" East 100.00 feet, more or less, to an angle point on the South line of Section 2; thence South 89° 31' 01" West 215.58 feet to the point of beginning.



## Measure

City of Stayton Measure No. \_\_\_\_ \_

### **A Measure Proposing Annexation of a Portion of the Fern Ridge Road Right of Way into the City of Stayton**

Section 1: Measure Election Called. A measure election is hereby called to take place May 20, 2014, for the purpose of submitting the following question to the electors of the City:

Shall that certain real property (the "Territory"), located within the right of way Fern Ridge Road, west of Highway 22 and more particularly described as follows be annexed into the City of Stayton?

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

Beginning at a point on the South line of Section 2, T9S, R1W, Willamette Meridian, Marion County Oregon, said point being North 89° 31' 01" East 1294.26 feet from the Southwest corner of said Section and being the northeast corner of that tract of land previously annexed in Ordinance No. 282 dated April 6, 1953; thence South 00° 27' 01" West 25.00 feet along the east line of said land described in Ordinance No. 282 to the south margin of Fern Ridge Road; thence North 89° 31' 01" East 525.98 feet along the south margin of Fern Ridge Road to an angle point; thence South 00° 28' 59" East 35.00 feet to an angle point; thence North 89° 31' 02" East 599.86 feet, more or less, to the southerly margin of the North Santiam Highway (OR 22), said point being 95 feet from centerline; thence North 63° 24' 45" West 477.96 feet, more or less, to a point that is 100 feet from centerline and at an iron rod at the southeast corner of that tract of land described in Resolution No. 497, dated August 25, 1992; thence following along the boundary of that tract of land described in Resolution No. 497 the following courses: South 27° 11' 10" West 64.94 feet to an iron rod; thence South 89° 31' 01" West 454.10 feet to an iron rod; thence South 00° 29' 10" East 100.00 feet, more or less, to an angle point on the South line of Section 2; thence South 89° 31' 01" West 215.58 feet to the point of beginning.

#### **Explanatory Statement:**

If approved, this measure would result in annexation of 2.7 acres of territory ("the Territory") to the City of Stayton.

The Territory is a portion of the Fern Ridge Rd right of way, west of Highway 22, to the center of Mill Creek and designated in the Stayton Comprehensive Plan as Residential. Zoning of the Territory, if annexed, would be a mix of Low Density Residential and Medium Density Residential.

The Stayton City Council has initiated annexation to facilitate the determination of the jurisdiction of the Stayton Police Department.

Additional information regarding the proposed annexation is available for public review at the Stayton Department of Planning and Development, 311 N 3<sup>rd</sup> Ave, Stayton, Oregon, and on the City's web site, [www.staytonoregon.gov](http://www.staytonoregon.gov).

Word Limit: 500

Word Count: 121

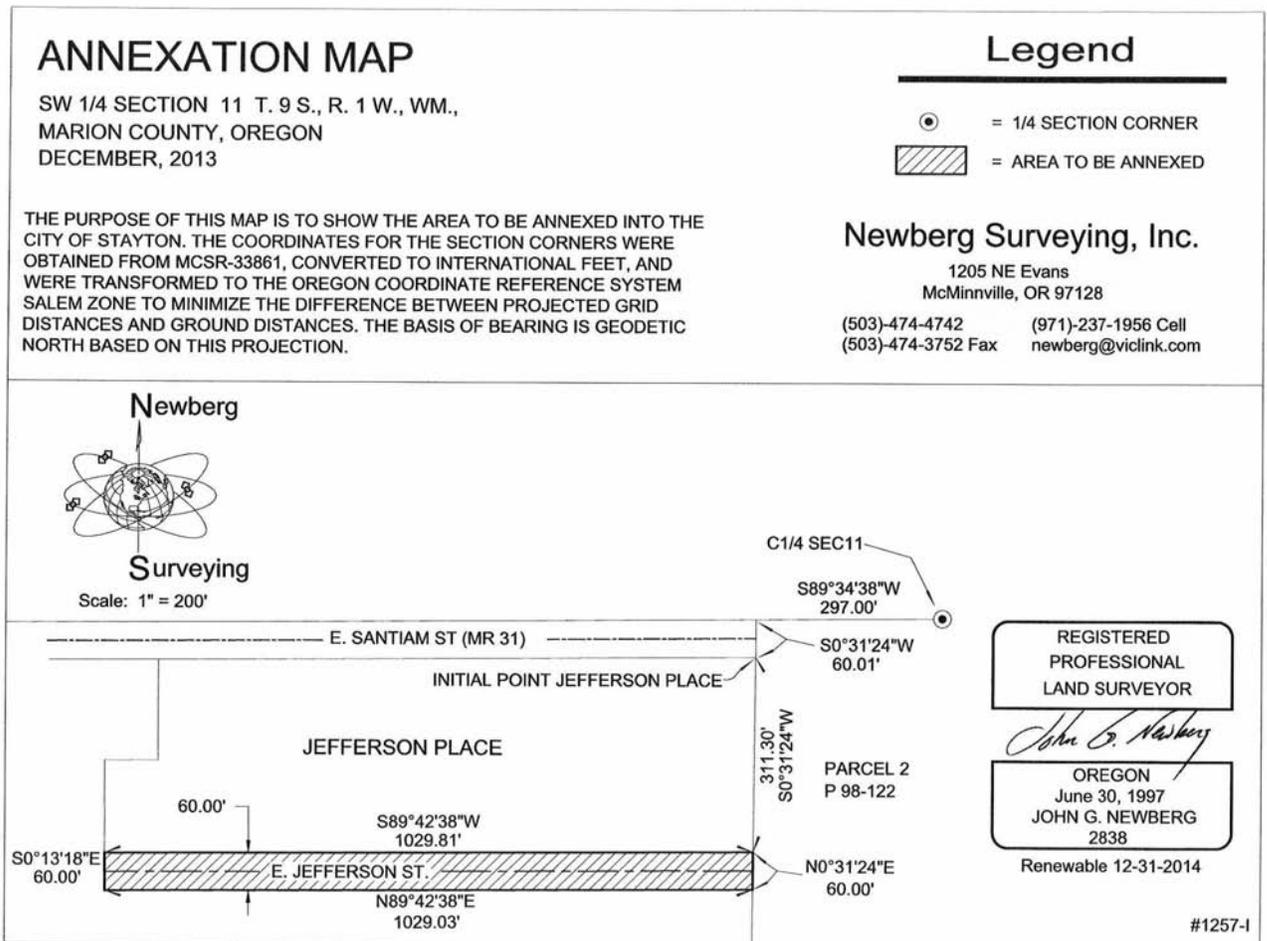
# EXHIBIT 4

## Legal Description, Map of Territory, Measure and Explanatory Statement for the area to be Annexed: E Jefferson St Right of Way, 1.4 acres

### Legal Description

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

Beginning at a point on the northerly right-of-way of East Jefferson Street which bears South 89° 34' 38" West 297.00 feet and South 0° 31' 24" West 371.31 feet from the Center 1/4 Corner of Section 11, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon; thence South 89° 42' 38" West along the Northerly right-of-way of East Jefferson Street 1029.81 feet to the Southwest corner of Lot 23 Jefferson Place Subdivision; thence South 0° 13' 18" East 60.00 feet to the Southerly right-of-way of East Jefferson Street; thence North 89° 42' 38" East 1029.03 feet to the Westerly boundary of Parcel 2 Partition 98-122; thence North 0° 31' 24" East 60.00 feet to the point of beginning, containing 1.4 Acres +/-.



## Measure

City of Stayton Measure No. \_\_\_\_ \_

### **A Measure Proposing Annexation of a Portion of the E Jefferson St Right of Way into the City of Stayton**

Section 1: Measure Election Called. A measure election is hereby called to take place May 20, 2014, for the purpose of submitting the following question to the electors of the City:

Shall that certain real property (the "Territory"), located within the right of way of E Jefferson St, south of the Jefferson Place subdivision and more particularly described as follows be annexed into the City of Stayton?

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

Beginning at a point on the northerly right-of-way of East Jefferson Street which bears South 89° 34' 38" West 297.00 feet and South 0° 31' 24" West 371.31 feet from the Center 1/4 Corner of Section 11, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon; thence South 89° 42' 38" West along the Northerly right-of-way of East Jefferson Street 1029.81 feet to the Southwest corner of Lot 23 Jefferson Place Subdivision; thence South 0° 13' 18" East 60.00 feet to the Southerly right-of-way of East Jefferson Street; thence North 89° 42' 38" East 1029.03 feet to the Westerly boundary of Parcel 2 Partition 98-122; thence North 0° 31' 24" East 60.00 feet to the point of beginning, containing 1.4 Acres +/-.

#### **Explanatory Statement:**

If approved, this measure would result in annexation of 1.4 acres of territory ("the Territory") to the City of Stayton.

The Territory is the eastern portion of the E Jefferson St right of way, adjacent to the Jefferson Place subdivision and designated in the Stayton Comprehensive Plan as Residential. Zoning of the Territory, if annexed, would be Low Density Residential.

The Stayton City Council has initiated annexation to facilitate the determination of the jurisdiction of the Stayton Police Department.

Additional information regarding the proposed annexation is available for public review at the Stayton Department of Planning and Development, 311 N 3<sup>rd</sup> Ave, Stayton, Oregon, and on the City's web site, [www.staytonoregon.gov](http://www.staytonoregon.gov).

Word Limit: 500

Word Count: 111

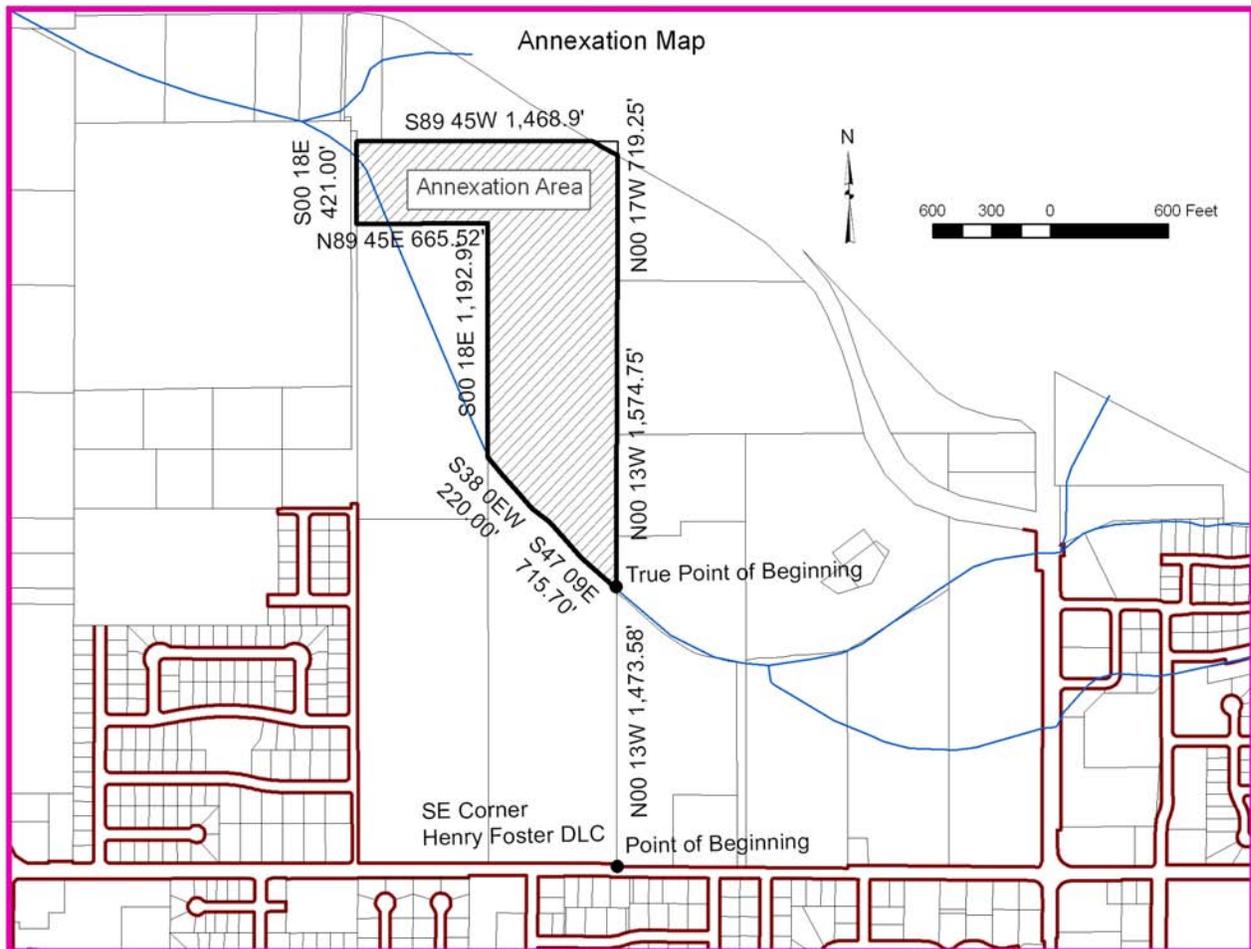
# EXHIBIT 5

## Legal Description, Map of Territory, Measure and Explanatory Statement for the area to be Annexed: Stayton Middle School property, north of Mill Creek, 37 acres

### Legal Description

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

Beginning at the Southeast corner of the Henry Foster Donation Land Claim and proceeding North  $00^{\circ}13'$  West 1,473.58 feet to the thread of Mill Creek and the true point of beginning of the territory to be annexed; then proceeding N  $00^{\circ}13'W$  1,574.75 feet; then proceeding N  $00^{\circ}17'W$  719.25; then S  $89^{\circ}45'W$  1,468.9 feet to appoint; then S  $00^{\circ}18'E$  421.00 feet to appoint; then N  $89^{\circ}45'E$  665.52 feet; then S  $00^{\circ}18'E$  1,192.9 feet to the thread of Mill Creek; then S  $38^{\circ}00'E$  220.00 feet; then S  $47^{\circ}09'E$  715.70 feet to the point of beginning, excepting that portion of the above described included in the right of way of Golf Lane.



## Measure

City of Stayton Measure No. \_\_\_\_ \_

### **A Measure Proposing Annexation of a Portion of the Stayton Middle School Campus into the City of Stayton**

Section 1: Measure Election Called. A measure election is hereby called to take place May 20, 2014, for the purpose of submitting the following question to the electors of the City:

Shall that certain real property (the "Territory"), located at 1021 Shaff Road, and further located north of Mill Creek, and more particularly described as follows be annexed into the City of Stayton?

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

Beginning at the Southeast corner of the Henry Foster Donation Land Claim and proceeding North  $00^{\circ}13'$  West 1,473.58 feet to the thread of Mill Creek and the true point of beginning of the territory to be annexed; then proceeding N  $00^{\circ} 13'W$  1,574.75 feet; then proceeding N  $00^{\circ} 17'W$  719.25; then S  $89^{\circ} 45'W$  1,468.9 feet to appoint; then S  $00^{\circ} 18'E$  421.00 feet to appoint; then N  $89^{\circ} 45'E$  665.52 feet; then S  $00^{\circ} 18'E$  1,192.9 feet to the thread of Mill Creek; then S  $38^{\circ} 00'E$  220.00 feet; then S  $47^{\circ} 09'E$  715.70 feet to the point of beginning, excepting that portion of the above described included in the right of way of Golf Lane.

#### **Explanatory Statement:**

If approved, this measure would result in annexation of 37 acres of territory ("the Territory") to the City of Stayton.

The Territory is located generally north of Shaff Road, more particularly north of Mill Creek. The Territory is a portion of the Stayton Middle School Campus and designated in the Stayton Comprehensive Plan as Public. Zoning of the Territory, if annexed, would be Public/Semi-Public (P). The P zone district generally allows governmental uses such as parks, schools, libraries, and non-profit uses such as museums, hospitals and cemeteries. This zoning designation does not allow residential development. A complete description of uses in the P zone is available in Stayton Municipal Code (SMC) Chapter 17.16.

The Territory is owned by the North Santiam School District. The School District Board of Directors has consented to the annexation. The Stayton City Council has initiated annexation to facilitate the determination of the jurisdiction of the Stayton Police Department.

Additional information regarding the proposed annexation and zoning is available for public review at the Stayton Department of Planning and Development, 311 N 3<sup>rd</sup> Ave, Stayton, Oregon, and on the City's web site, [www.staytonoregon.gov](http://www.staytonoregon.gov).

Word Limit: 500

Word Count: 187

# EXHIBIT 6

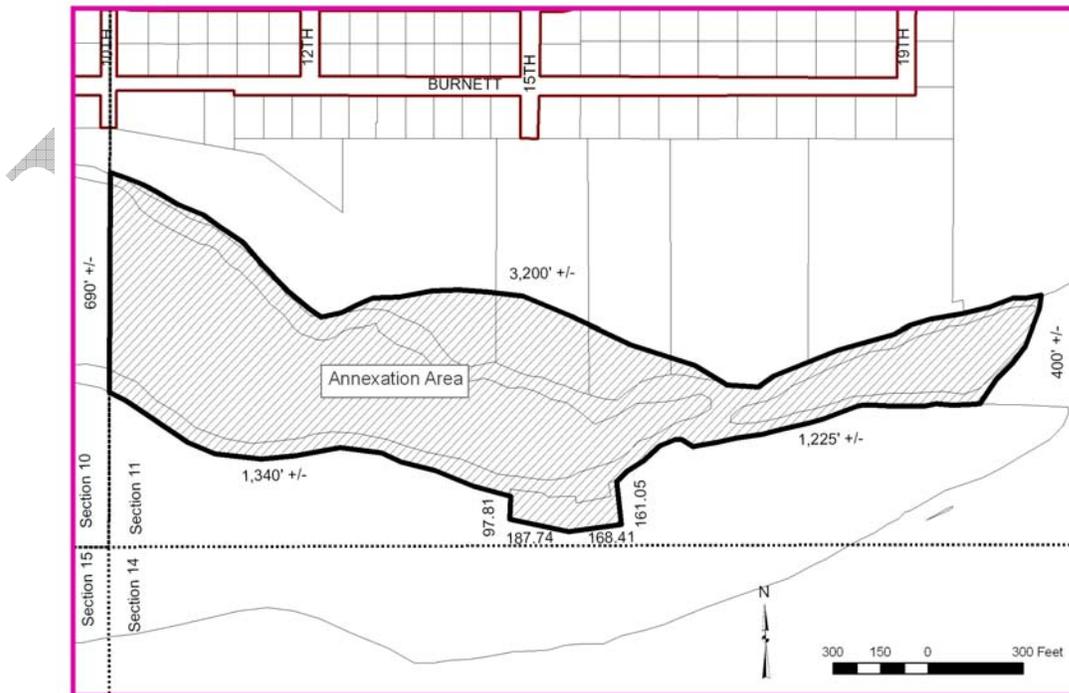
## Legal Description, Map of Territory, Measure and Explanatory Statement for the area to be Annexed: Portion of Wilderness Park in Section 11, 17 acres

### Legal Description

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

Beginning at a point on the line between Section 10 and Section 11, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon such point being on the south bank of the Stayton Power Canal (also known as the Reid Canal); then proceeding northerly 690 feet more or less along the section line to a point on the north bank of the Salem Ditch; then proceeding along the north bank of the Salem Ditch generally easterly and south easterly 3,200 feet more or less to the north bank of the North Channel of the North Santiam River; then generally southwestwesterly 400 feet more or less along the north bank of the North Channel of the North Santiam River to the south bank of the Stayton Power Canal; then generally westerly along the south bank of the Stayton Power Canal 1,225 feet more or less to the easterly line of that certain tract conveyed to the Santiam Water Control District per Reel 1233, Page 777, Marion County Records; then along said easterly line S 7°48'46"E 161.05 feet, more or less, to the southeast corner thereof; thence S 82°42'49"W 168.41 feet thence along the southerly line thereof; then N 77°06'00"W 187.74 feet to the southwest corner thereof; then N 0°04'41"E 97.81 feet along said westerly line thereof to the southerly bank of the Stayton Power Canal; then generally westerly along the Stayton Power Canal 1,340 feet more or less to the line between Section 10 and Section 11 and the point of beginning.

Annexation Map



## Measure

City of Stayton Measure No. \_\_\_\_ \_

### **A Measure Proposing Annexation of a Portion of Wilderness Park into the City of Stayton**

Section 1: Measure Election Called. A measure election is hereby called to take place May 20, 2014, for the purpose of submitting the following question to the electors of the City:

Shall that certain real property (the "Territory"), known as a portion of Wilderness Park and more particularly described as follows be annexed into the City of Stayton?

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

Beginning at a point on the line between Section 10 and Section 11, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon such point being on the south bank of the Stayton Power Canal (also known as the Reid Canal); then proceeding northerly 690 feet more or less along the section line to a point on the north bank of the Salem Ditch; then proceeding along the north bank of the Salem Ditch generally easterly and south easterly 3,200 feet more or less to the north bank of the North Channel of the North Santiam River; then generally southwesterly 400 feet more or less along the north bank of the North Channel of the North Santiam River to the south bank of the Stayton Power Canal; then generally westerly along the south bank of the Stayton Power Canal 1,225 feet more or less to the easterly line of that certain tract conveyed to the Santiam Water Control District per Reel 1233, Page 777, Marion County Records; then along said easterly line S 7°48'46"E 161.05 feet, more or less, to the southeast corner thereof; thence S 82°42'49"W 168.41 feet thence along the southerly line thereof; then N 77°06'00"W 187.74 feet to the southwest corner thereof; then N 0°04'41"E 97.81 feet along said westerly line thereof to the southerly bank of the Stayton Power Canal; then generally westerly along the Stayton Power Canal 1,340 feet more or less to the line between Section 10 and Section 11 and the point of beginning.

### **Explanatory Statement:**

If approved, this measure would result in annexation of 17 acres of territory ("the Territory") to the City of Stayton.

The Territory is located generally south of E Burnett St, between the Salem Ditch and the Stayton Ditch. The Territory also includes 0.79 acres on the south side of the Stayton Ditch. The Territory is designated in the Stayton Comprehensive Plan as Public. Zoning of the Territory, if annexed, would be Public/Semi-Public (P). The P zone district generally allows governmental uses such as parks, schools, libraries, and non-profit uses such as museums, hospitals and cemeteries. This zoning designation does not allow residential development. A complete description of uses in the P zone is available in Stayton Municipal Code (SMC) Chapter 17.16.

The Territory is owned by the Santiam Water Control District. The portion of the Territory between the Salem Ditch and the Stayton Ditch is leased to the City of Stayton as the City's Wilderness Park. The portion of the Territory south of the Stayton Ditch is used for control

structures for the Santiam Water Control District's canal system. The Water Control District Board of Directors has consented to the annexation. The Stayton City Council has initiated annexation to facilitate the determination of the jurisdiction of the Stayton Police Department.

Additional information regarding the proposed annexation and zoning is available for public review at the Stayton Department of Planning and Development, 311 N 3<sup>rd</sup> Ave, Stayton, Oregon, and on the City's web site, [www.staytonoregon.gov](http://www.staytonoregon.gov).

Word Limit: 500

Word Count: 244

DRAFT

# EXHIBIT 7

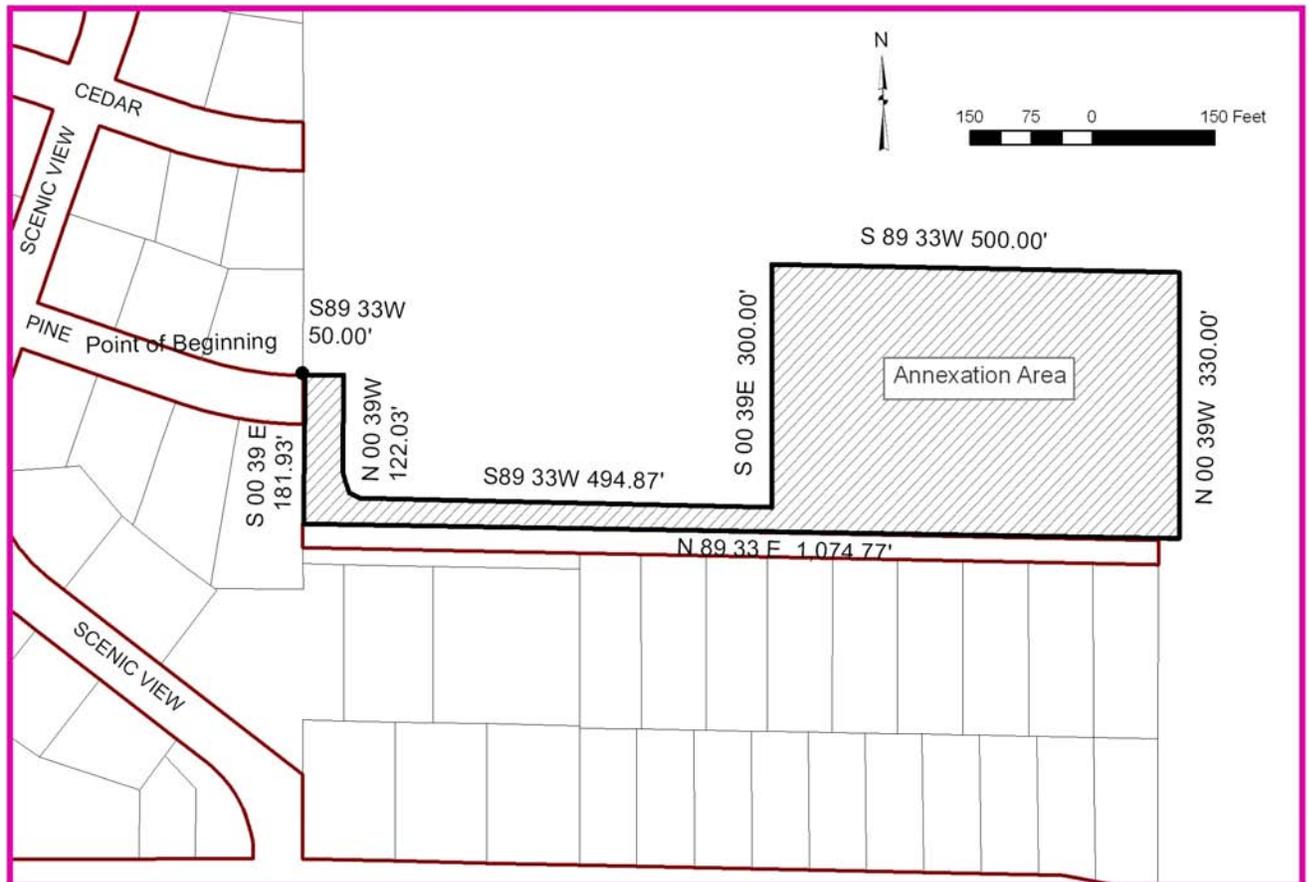
## Legal Description, Map of Territory, Measure and Explanatory Statement for the area to be Annexed: 2365 E Pine St, 4.4 acres

### Legal Description

That certain tract of land located in the southwest quarter of the northeast quarter of Section 11 Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon and which is legally described as follows:

Beginning at the southeast corner of Lot 6, Block 3 of Green Acres Park Subdivision, and proceeding along the east line of Green Acres Park Subdivision  $S00^{\circ} 39'E$  181.93 feet to a point on the north right of way line of E Pine St.; then  $N89^{\circ} 33'E$  1,074.77 feet; then  $N00^{\circ} 39W$  330.00 feet; then  $S89^{\circ} 33'W$  500.00 feet; then  $S00^{\circ} 39'E$  300.00 feet; then  $S89^{\circ} 33'W$  494.87 feet; then curving to the right on a 30 foot radius an arc of 47.02 feet; then  $N00^{\circ} 39'W$  122.03 feet; then  $S89^{\circ} 33'W$  50.00 feet to the point of beginning.

Annexation Map



## Measure

City of Stayton Measure No. \_\_\_\_ \_

### **A Measure Proposing Annexation of the City of Stayton's Pine St Water Reservoir into the City of Stayton**

Section 1: Measure Election Called. A measure election is hereby called to take place May 20, 2014, for the purpose of submitting the following question to the electors of the City:

Shall that certain real property (the "Territory"), located at 2635 E Pine St and more particularly described as follows be annexed into the City of Stayton?

That certain tract of land located in the southwest quarter of the northeast quarter of Section 11 Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon and which is legally described as follows:

Beginning at the southeast corner of Lot 6, Block 3 of Green Acres Park Subdivision, and proceeding along the east line of Green Acres Park Subdivision S00° 39'E 181.93 feet to a point on the north right of way line of E Pine St.; then N89° 33'E 1,074.77 feet to a point; then N00° 39'W 330.00 feet to a point; then S89° 33'W 500.00 feet; then S00° 39'E 300.00 feet; then S89° 33'W 494.87 feet; then curving to the right on a 30 foot radius an arc of 47.02 feet; then N00° 39'W 122.03 feet; then S89° 33'W 50.00 feet to the point of beginning.

#### **Explanatory Statement:**

If approved, this measure would result in annexation of 4.4 acres of territory ("the Territory") to the City of Stayton.

The Territory is located at 2365 E Pine St and designated in the Stayton Comprehensive Plan as Public. Zoning of the Territory, if annexed, would be Public/Semi-Public (P). The P zone district generally allows governmental uses such as parks, schools, libraries, and non-profit uses such as museums, hospitals and cemeteries. This zoning designation does not allow residential development. A complete description of uses in the P zone is available in Stayton Municipal Code (SMC) Chapter 17.16.

The Territory is owned by the City of Stayton and used for a water storage reservoir. The City's Water Master Plan calls for future construction of a second water storage reservoir at the site. The Stayton City Council has initiated annexation to facilitate the determination of the jurisdiction of the Stayton Police Department.

Additional information regarding the proposed annexation and zoning is available for public review at the Stayton Department of Planning and Development, 311 N 3<sup>rd</sup> Ave, Stayton, Oregon, and on the City's web site, [www.staytonoregon.gov](http://www.staytonoregon.gov).

Word Limit: 500

Word Count: 183



## MEMORANDUM

**TO:** A. Scott Vigil and Stayton City Councilors

**FROM:** Christine Shaffer, Finance Director

**DATE:** January 21, 2014

**SUBJECT:** Resolution No. 910, Establishing the Criteria and process of the annual evaluation of the City Administrator.

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**ISSUE:** Adoption of a Resolution outlining criteria and process to be utilized in annual performance evaluation of the City Administrator

**STAFF RECOMMENDATION:** Staff recommends adoption of Resolution No. 910, which clarifies certain elements of the established criteria and process to be utilized in the annual performance evaluation of the City Administrator and repeals Resolution No. 679, which implemented the previous criteria and process.

**FACTS AND FINDINGS:** The agreement entered into with Keith Campbell has an evaluation due on July 1, 2014 and then annually every February 1<sup>st</sup> thereafter. If adopted this would be the performance evaluation the Mayor and City Council would utilize in those reviews.

**OPTIONS:**

1. Adopt the resolution as presented.
2. Not adopt the resolution retaining the current criteria and process.

**MOTION(S):**

For Option 1: Offer a motion to adopt Resolution No. 910, establishing new criteria and process for the City Administrator annual evaluation.

For Option 2: No motion necessary.

**RESOLUTION NO. 910**

**A RESOLUTION ESTABLISHING THE CRITERIA AND PROCESS TO BE USED BY THE STAYTON CITY COUNCIL IN THEIR ANNUAL EVALUATION OF THE CITY ADMINISTRATOR.**

WHEREAS, the Stayton City Council wishes to establish criteria to evaluate the City Administrator.

NOW, THEREFORE,

BE IT RESOLVED that 1) the attached evaluation criteria and process is hereby adopted; and 2) Resolution No. 679 is hereby repealed.

This Resolution shall become effective upon its adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL this 21st day of January, 2014.

CITY OF STAYTON

Signed: \_\_\_\_\_, 2014

By: \_\_\_\_\_  
A. Scott Vigil, Mayor

Signed: \_\_\_\_\_, 2014

ATTEST: \_\_\_\_\_  
Christine Shaffer, Interim City Administrator

APPROVED AS TO FORM:

\_\_\_\_\_  
David A. Rhoten, City Attorney

Attachment A

City of Stayton  
City Administrator Evaluation

1. OBJECTIVES

- A. Qualitatively measure the Administrator's performance.
- B. Assist the Administrator by providing direction and by identifying the City Council's expectations.
- C. Identify and re-establish the City Council/Administrator roles.
- D. Identify and reinforce positive aspects of the Administrators performance.

2. EVALUATION PROCESS

- A. Blank Evaluation sheets provided to Mayor, City Council, and Administrator.
- B. Mayor, City Council, and Administrator complete evaluation sheets, including comments if desired.
- C. Mayor or Council President (if so directed by the Mayor), receives all worksheets, papers, and notes prepared by Mayor and individual City Council members and prepares a composite evaluation. These documents shall be available to City Council members upon request. Mayor shall collect all documents prior to everyone leaving the meeting at which the evaluation is reviewed.
- D. Within two (2) weeks, Administrator meets with Mayor and City Council to discuss evaluate and compare composite evaluation with the Administrator's self-evaluation. Composite evaluation may be modified based upon input from Administrator. Evaluation finalized: 1 copy for personnel file; 1 copy for Administrator. The mayor and City Council shall subsequently have free access to the personnel file copy.
- E. Follow-up scheduled within (90) days to review progress on areas identified as needing improvement.

# City Administrator Evaluation Form

Please complete all the fields below. If a "NI=Needs Improvement" response is given, then a general comment must also be provided to give the City Administrator feedback.

## I. LEADERSHIP

Rate the ability of the City Administrator to inspire, encourage, and facilitate the activities of subordinates and peers to achieve City goals. Consider the degree of ingenuity demonstrated in seeking proactive solutions and assuming responsibility for outcomes, as well as creativity, resourcefulness, and communicating in a manner that inspires confidence or builds support.

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Takes a Proactive approach to issues.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Offers new motivation, ideas, processes, and procedures to Council, staff, and the public.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Provides mentoring and coaching to key staff.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Understands his staff's strengths and shapes programs around those.				

General Comments:

## II. FISCAL MANAGEMENT AND BUDGETING

Rate the City Manager's ability to prepare an operating and a capital budget, be responsible for (or delegate) purchasing, ensure the collection of revenues, administer the financial affairs of the City, and prepare reports to Council to keep members abreast of the City's financial condition, per the City's Charter.

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Ensures purchasing policies are followed and informs Council when revisions are needed.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Prepares realistic and understandable budget documents.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Operates the City's finances in compliance with generally accepted accounting principals.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Maximizes all efforts to collect taxes and other revenues and seeks new revenue sources.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Manages the budget within the confines of what the Council adopted.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Makes the best use of available funds, conscious of the need to operate the City efficiently and effectively.				

General Comments:

### III. SERVICE DELIVERY AND ADMINISTRATION

Rate the ability of the City Manager to supervise the administrative affairs of the City to include staffing, the management of the departments, and the provision of City services. Basically, the ability to run the City.

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Ensures the public receives City services efficiently and effectively.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Enforces laws and policies adopted by the Council and the state.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Manages resources appropriately to assist staff in performing their duties.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Responds appropriately to citizen and employee suggestions and/or concerns.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Responsive in completion of duties.				

General Comments:

#### IV. CITIZEN AND COMMUNITY RELATIONS

Rate the effectiveness of the City Administrator in dealing with the citizens, the public, intergovernmental agencies, businesses and non-profits. Is fair, responsive, professional, polite, open, skillful with the media, cooperative, and listens.

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Gives attention to concerns and opinions of community groups and individuals.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Uses sensitivity, diplomacy, and empathy when dealing with the public.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Interacts effectively with federal, state, and other local government representatives to achieve potential benefit for the City.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Demonstrates openness, receptiveness, and approachability in both formal and informal situations.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Deals effectively with the media.				

General Comments:

## V. PERSONAL AND PROFESSIONAL QUALITIES

Evaluate the character of the City Administrator in dealing with employees, the Council, and the public. Also, evaluate his/her dedication to professional development, time management, problem solving, and decision making skills in relation to the ICMA Code of Ethics.

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Projects a positive personal and professional image.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Has a complete professional integrity and adheres by the ICMA Code of Ethics.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Demonstrates continuous professional development.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Works toward gaining and maintaining the respect and support of staff.				

General Comments:

## VI. CITY COUNCIL RELATIONS

Rate the effectiveness of the City Administrator in dealing with Council members including prompt, thorough and complete information provided equally to all Council members; the lack of surprises on behalf of Council members; availability; tact; responsiveness; and how well he/she successfully interprets the direction and intent of Council.

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Progress toward accomplishing established goals set by the City Administrator and the City Council.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Assists by facilitating decision making without overstepping authority.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Disseminates complete and accurate information equally to all members in a timely manner.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Appropriately responds to requests, advice, and constructive criticism.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Presents multiple options for Council to consider.				

General Comments:

	Needs Improvement	Fully Meets Expectations	Exceeds Expectations	No Observation or too early to tell
Keeps the Council informed of administrative developments.				

General Comments:

**VII. ADDITIONAL NARRATIVE - LOOKING AHEAD**

What would you identify as the manager's strength(s), expressed in terms of the principal results achieved during the rating period?

What performance area(s) would you identify as most critical for improvement?

What constructive suggestions or assistance can you offer the City Administrator to enhance performance?

What other comments do you have for the City Administrator (eg. Priorities, expectations, goals, or objectives for the new rating period)?

Please provide recommendations and comments on a possible change in compensations and / or a contract extension beyond the current expiration date.

Please enter your name:



## MEMORANDUM

**TO:** A. Scott Vigil and Stayton City Councilors

**FROM:** Christine Shaffer, Interim City Administrator

**DATE:** January 21, 2014

**SUBJECT:** Ordinance No. 966, Amending SMC 5.08 and 5.12 to regulate marijuana dispensaries within the City of Stayton.

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**ISSUE:** On August 14, 2013, Governor Kitzhaber signed House Bill 3460 into law, authorizing the Oregon Health Authority to establish procedures to license and regulate medical marijuana dispensaries. The Stayton Municipal Code, Chapter 5.12 does not currently address or regulate Marijuana Dispensaries.

**STAFF RECOMMENDATION:** Staff recommends adoption of Ordinance No. 966 which would not allow a license to be issued for a marijuana dispensary if it was a violation of local, state, or federal law. The adoption of this Ordinance would keep a dispensary from being located within the city limits until such time as federal law changes.

If it is the desire of the City Council to not have a marijuana dispensary within the city limits, than this code update would accomplish that goal.

**OPTIONS:**

1. Adopt the Ordinance as presented.
2. Adopt the Ordinance as amended.
3. Do nothing.

**MOTION(S):**

For Option 1: Offer a motion to adopt Ordinance No. 966, amending SMC 5.08 and 5.12 to regulate marijuana dispensaries within the City of Stayton.

For Option 2: Offer a motion to adopt Ordinance No. 966 as amended, updating SMC 5.08 and 5.12 to regulate marijuana substance dispensaries within the City of Stayton.

For Option 3: No Motion needed.

**ORDINANCE NO. 966**

**AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE CHAPTERS 5.08 AND 5.12 TO REGULATE MARIJUANA DISPENSARIES WITHIN THE CITY OF STAYTON**

WHEREAS, On August 14, 2013, Governor Kitzhaber signed House Bill 3460 into law, authorizing the Oregon Health Authority to establish procedures to license and regulate medical marijuana dispensaries; and

WHEREAS, the Stayton Municipal Code, Chapter 5.12 does not currently address or regulate Marijuana Dispensaries.

**NOW, THEREFORE, THE CITY OF STAYTON ORDAINS AS FOLLOWS:**

**Section 1. Chapter 5.08.110 amended.** Stayton Municipal Code, Title 5, Section 5.08.110 is hereby amended as follows: (additions are underlined, deletions are ~~crossed out~~)

**5.08.110 LICENSE/PERMIT REQUIRED**

1. No person shall engage in any of the following businesses or activities within the City limits without first obtaining a license or permit as provided in this Title, except as otherwise exempted herein: (Ord. 935, July 01, 2011)
  - a. Carnival, amusement park, amusement concessionaire;
  - b. Garage sale;
  - c. Junk dealer;
  - d. Promotional event; or
  - e. Solicitor.
  - f. Marijuana Dispensary**
2. The term of a license or permit shall be on a twelve (12) month cycle (commencing on the month of issuance) unless otherwise indicated. (Ord. 668, July 02, 1990)
- 3. No licenses will be issued to businesses that violate local, state, or federal law.**

**Section 2. Chapter 5.12 – Marijuana Dispensaries.** Stayton Municipal Code, Title 5, Section 5.12 is hereby amended as follows: (additions are underlined, deletions are ~~crossed out~~)

**CHAPTER 5.12**

**MARIJUANA DISPENSARIES**

**5.12.010 REGULATIONS**

Subject to local, state, and federal laws, rules, and regulations.

**Section 3. Effective Date.**

This Ordinance shall be effective from and after 30 days following its adoption by the Council and approval by the Mayor.

ADOPTED BY THE STAYTON CITY COUNCIL this \_\_ day of \_\_\_\_\_, 2014.

CITY OF STAYTON

Signed \_\_\_\_\_, 2014

By: \_\_\_\_\_  
Scott Vigil, Mayor

Signed \_\_\_\_\_, 2014

Attest: \_\_\_\_\_  
Christine Shaffer, Interim City Administrator

APPROVED AS TO FORM:

\_\_\_\_\_  
David A. Rhoten, City Attorney



**CITY OF STAYTON**  
**M E M O R A N D U M**

**TO:** Mayor Scott Vigil and the Stayton City Council

**THRU:** Interim City Administrator Christine Shaffer

**FROM:** David W. Kinney, Public Works Director

**DATE:** January 21, 2014

**SUBJECT:** Appointment of City Council Representative to the Adaptive Management Group w/ SWCD

---

**ISSUE**

The City's agreement with the Santiam Water Control District calls for the creation of an Adaptive Management Group (AMG) with representatives from the City of Stayton and the Santiam Water Control District. A City Council representative needs to be appointed by the Mayor and approved by the City Council.

**DISCUSSION**

Membership includes:

City of Stayton:	Public Works Director and a City Council representative
SWCD:	General Manager and SWCD Board representative

The purpose of the AMG is to work together to implement the terms of the storm drainage agreement between the City of Stayton and SWCD. The first meeting is scheduled for Thursday, February 13, 2014 at 2:30 p.m. (Tour of Drainage Facilities) followed by the initial organizational meeting. A copy of the agenda is attached. Meetings will be held quarterly for the first few years.

The staff requests the Mayor appoint a council representative who is available for the February 13<sup>th</sup> meeting and is committed to attending all AMG meetings.

**REQUESTED ACTION** Mayor appoint & Council ratify a representative to the AMG

# AGENDA

## ADAPTIVE MANAGEMENT GROUP

### A Joint Committee of the City of Stayton & the Santiam Water Control District

**February 13<sup>th</sup>, 2014**  
**2:30 p.m. -- 5:00 p.m.**

Stayton Public Library - E. G. Siegmund Meeting Room  
515 N. First Avenue  
Stayton, OR 97383

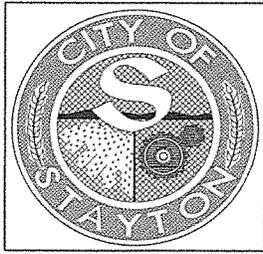
TOUR OF STORM DRAINAGE FACILITIES (2:30 PM)      Meet at SWCD Offices

CALL TO ORDER (at completion of tour – approx 3:30 PM)      Stayton Library

1. Introductions
2. Approval of Minutes (Attachment A – Future regular agenda item)
3. Organization of the Adaptive Management Group
  - a. SWCD Representatives:
    - Brent Stevenson, General Manager
    - \_\_\_\_\_, SWCD Board of Directors
    - Ex-officio members/consultants
  - b. City of Stayton Representatives:
    - David Kinney, Public Works Director
    - \_\_\_\_\_, Stayton City Council
    - Ex-officio members/consultants
  - c. Purpose of the AMG
    1. Share information
    2. Planning, Funding & Implementation of Phase 1 & Phase 2 projects
    3. Identify future storm drainage issues
  - d. Meetings
    1. Quarterly Meetings: 3<sup>rd</sup> Wednesday of Month (February, May, July/August)
    2. Annual Meeting: 3<sup>rd</sup> Wednesday of October
    3. Joint Board Meeting: (After Annual Meeting – November??)
    4. Location – Stayton Public Library Meeting Room unless changed.
    5. Meeting Host/Chair – Alternate between City & SWCD
    6. Agenda Prep – by Host w/ input
    7. Minutes – Alternate between City & SWCD based on Host. Create template.
    8. Compliance with Open Meetings Law (ORS 192)

- e. Quarterly Meeting Activities
  - 1. Planning, Funding and Implementation of Phase 1 & Phase 2 Projects
  - 2. Other agreed upon topics or issues re: Water Quantity and Water Quality
  
- f. Annual Meeting Activities (Fall)
  - 1. Review work completed in prior year and status of MOU projects.
  - 2. City report on storm drainage maintenance & improvement projects
  - 3. SWCD report on maintenance activities on District facilities inside UGB
  - 4. Proposed City projects for next calendar year.
  - 5. Proposed SWCD projects for next calendar year.
  - 6. Appoint subcommittees (as needed).
  - 7. Discuss administrative policies and procedures.
  
- 4. Overview of 2014 Projects
 

<ul style="list-style-type: none"> <li>a. City: Storm Drainage Utility Creation</li> <li>b. City: Monthly Storm Drainage Fee</li> <li>c. City: Water Quality Monitoring Protocol &amp; Results</li> <li>d. City: Storm Drainage SDC Proposal</li> <li>e. Public Works Design Standards Update</li> <li>f. Automation Design and Construction</li> <li>g. Spill Response Plan</li> <li>h. Salem Ditch Capacity Expansion</li> </ul>	<ul style="list-style-type: none"> <li>Adopted December 2014</li> <li>Adopt by April 1, 2014</li> <li>May AMG Meeting</li> <li>October 2014 or Feb 2015 AMG</li> <li>February &amp; May 2014 AMG start</li> <li>All AMG meetings until completed</li> <li>October 2014 or Feb 2015 AMG</li> <li>Start planning in 2014 or 2015</li> </ul>
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- 5. Funding Opportunities and Grant Status Reports
  - a. *Marion County Community Projects Fund* – Automation Design  
(\$50,000 application – submitted by City of Stayton -- Dec 2013, \$19,500 approved)
  - b. *DEQ 319 Program* – Stayton Industrial Park improvements  
(\$75,000 letter of interest, submitted by City of Stayton -- January 2014)
  - c. *OWEB* – Automation Construction  
(\$350,000?? – Due April 2014 – SWCD Applicant)
  - d. Potential Funding Sources – Other Applications
  
- 6. Public Works Design Standards
  - a. Outline of PWDS Changes
  - b. Triggers and Thresholds for small development projects.
  
- 7. Schedules and Assignments for Next AMG Meeting
  - a. Monthly Storm Drainage Fee Report – Dan Fleishman
  - b. Automation Design Report – Brent Stevenson
  - c. Grant / Funding Opportunities – Dan F., Dave K. & Brent S.
  
- 8. Next Meeting Agenda Items
  - a. Public Works Design Standards (Review DRAFT)
  - b. City & SWCD Water Quality Monitoring Programs
    - 1. City Program: Protocols, Testing Sites & 2013-2014 Results
    - 2. SWCD Program: Protocols, Testing Sites, & 2013-2014 Results
  
- 9. Adjourn



# MEMORANDUM

**TO:** Mayor Scott Vigil and the Stayton City Council  
**FROM:** Christine Shaffer, Finance Director  
**DATE:** January 21, 2014  
**SUBJECT:** Monthly Finance Department Report

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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:	November 2013	December 2013
Number of Bills sent out	2,599	2,573
Delinquent Notices sent out	439	498
Courtesy Delinquent Notices sent to Landlords	199	226
Notified of Impending Shut off & Penalty	152	134
Customers with Interrupted Services Non-Payment	27	3
Services still Disconnected	0	0

Accounts Payable:	November 2013	December 2013
Number of Checks Issued	146	137
Total Amount of Checks	\$743,264.92	\$319,140.63

CITY OF STAYTON  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

GENERAL FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
PROPERTY TAXES	1,598,592.72	1,671,970.00	73,377.28	95.6
CHARGES FOR SERVICES	2,903.25	7,200.00	4,296.75	40.3
GRANTS & CONTRIBUTIONS	382.00	1,500.00	1,118.00	25.5
FRANCHISE FEES	397,820.23	767,000.00	369,179.77	51.9
LICENSES, PERMITS & FEES	9,105.50	16,000.00	6,894.50	56.9
FINES & FORFEITURES	29,126.05	40,500.00	11,373.95	71.9
INTERGOVERNMENTAL	90,791.16	166,400.00	75,608.84	54.6
INTEREST	( 1,418.51)	500.00	1,918.51	(283.7)
MISCELLANEOUS/TRANSFERS	199,154.95	392,195.00	193,040.05	50.8
	<u>2,326,457.35</u>	<u>3,063,265.00</u>	<u>736,807.65</u>	<u>76.0</u>
<u>EXPENDITURES</u>				
NON-DEPARTMENTAL	160,789.46	404,000.00	243,210.54	39.8
ADMINISTRATION	156,615.89	429,356.00	272,740.11	36.5
POLICE	972,891.98	1,915,047.00	942,155.02	50.8
PLANNING	64,074.71	157,771.00	93,696.29	40.6
COMMUNITY CENTER	26,726.83	58,398.00	31,671.17	45.8
PARKS	70,017.42	152,706.00	82,688.58	45.9
STREET LIGHTING	42,030.83	116,685.00	74,654.17	36.0
	<u>1,493,147.12</u>	<u>3,233,963.00</u>	<u>1,740,815.88</u>	<u>46.2</u>

CITY OF STAYTON  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

PUBLIC WORKS ADMINISTRATION

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
INTEREST	60.95	100.00	39.05	61.0
MISCELLANEOUS/TRANSFERS	206,500.00	414,000.00	207,500.00	49.9
	<u>206,560.95</u>	<u>414,100.00</u>	<u>207,539.05</u>	<u>49.9</u>
<u>EXPENDITURES</u>				
DEPARTMENT 80	200,652.24	429,908.00	229,255.76	46.7
	<u>200,652.24</u>	<u>429,908.00</u>	<u>229,255.76</u>	<u>46.7</u>

CITY OF STAYTON  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

LIBRARY FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
PROPERTY TAXES	136,948.29	145,000.00	8,051.71	94.5
CHARGES FOR SERVICES	40,074.25	78,883.00	38,808.75	50.8
GRANTS & CONTRIBUTIONS	655.00	25,200.00	24,545.00	2.6
LICENSES, PERMITS & FEES	8,414.00	13,500.00	5,086.00	62.3
FINES & FORFEITURES	8,014.47	15,000.00	6,985.53	53.4
INTERGOVERNMENTAL	.00	1,339.00	1,339.00	.0
INTEREST	127.06	400.00	272.94	31.8
MISCELLANEOUS/TRANSFERS	59,750.00	120,500.00	60,750.00	49.6
	<u>253,983.07</u>	<u>399,822.00</u>	<u>145,838.93</u>	<u>63.5</u>
<u>EXPENDITURES</u>				
DEPARTMENT 80	<u>212,947.70</u>	<u>468,189.00</u>	<u>255,241.30</u>	<u>45.5</u>
	<u>212,947.70</u>	<u>468,189.00</u>	<u>255,241.30</u>	<u>45.5</u>

CITY OF STAYTON  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

WATER ENTERPRISE FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
CHARGES FOR SERVICES	1,083,975.23	1,745,000.00	661,024.77	62.1
LICENSES, PERMITS & FEES	18,053.25	29,000.00	10,946.75	62.3
INTEREST	1,892.31	3,500.00	1,607.69	54.1
MISCELLANEOUS/TRANSFERS	7,979.83	11,000.00	3,020.17	72.5
	<u>1,111,900.62</u>	<u>1,788,500.00</u>	<u>676,599.38</u>	<u>62.2</u>
<u>EXPENDITURES</u>				
DEPARTMENT 86	1,070,724.98	1,952,300.00	881,575.02	54.8
	<u>1,070,724.98</u>	<u>1,952,300.00</u>	<u>881,575.02</u>	<u>54.8</u>

CITY OF STAYTON  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

SEWER ENTERPRISE FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
CHARGES FOR SERVICES	1,443,028.41	2,866,680.00	1,423,651.59	50.3
INTEREST	5,658.32	9,000.00	3,341.68	62.9
MISCELLANEOUS/TRANSFERS	497.44	12,500.00	12,002.56	4.0
	<u>1,449,184.17</u>	<u>2,888,180.00</u>	<u>1,438,995.83</u>	<u>50.2</u>
<u>EXPENDITURES</u>				
DEPARTMENT 86	1,683,797.74	3,459,805.00	1,776,007.26	48.7
	<u>1,683,797.74</u>	<u>3,459,805.00</u>	<u>1,776,007.26</u>	<u>48.7</u>

CITY OF STAYTON  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

STREET FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
CHARGES FOR SERVICES	42,943.40	84,000.00	41,056.60	51.1
INTERGOVERNMENTAL	226,271.32	481,269.00	254,997.68	47.0
INTEREST	362.20	200.00	( 162.20)	181.1
MISCELLANEOUS/TRANSFERS	23,422.38	70,250.00	46,827.62	33.3
	<u>292,999.30</u>	<u>635,719.00</u>	<u>342,719.70</u>	<u>46.1</u>
<u>EXPENDITURES</u>				
DEPARTMENT 80	<u>322,337.18</u>	<u>659,063.00</u>	<u>336,725.82</u>	<u>48.9</u>
	<u>322,337.18</u>	<u>659,063.00</u>	<u>336,725.82</u>	<u>48.9</u>

CITY OF STAYTON  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

SWIMMING POOL FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
PROPERTY TAXES	141,302.19	149,000.00	7,697.81	94.8
CHARGES FOR SERVICES	290.00	.00	( 290.00)	.0
INTEREST	203.64	250.00	46.36	81.5
MISCELLANEOUS/TRANSFERS	7,500.00	15,000.00	7,500.00	50.0
	<u>149,295.83</u>	<u>164,250.00</u>	<u>14,954.17</u>	<u>90.9</u>
 <u>EXPENDITURES</u>				
DEPARTMENT 86	<u>116,824.44</u>	<u>233,057.00</u>	<u>116,232.56</u>	<u>50.1</u>
	<u>116,824.44</u>	<u>233,057.00</u>	<u>116,232.56</u>	<u>50.1</u>



# MEMORANDUM

**TO:** Mayor Vigil and the Stayton City Council  
**FROM:** Rich Sebens, Chief of Police  
**SUBJECT:** Monthly Crime Rate Comparison Statistical Sheets  
**DATE:** January 21, 2014

---

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

	<b>December 2013</b>	<b>Year to Date 2013</b>	<b>December 2012</b>	<b>Year to Date 2012</b>
<b>Police Activity</b>	<b>605</b>	<b>9693</b>		
<b>Investigated Incidents</b>	<b>278</b>	<b>4184</b>	<b>338</b>	<b>4317</b>
<b>Citations/Warning</b>	<b>126</b>	<b>2798</b>	<b>156</b>	<b>2856</b>
<b>Traffic Accidents</b>	<b>3</b>	<b>98</b>	<b>5</b>	<b>145</b>
<b>Arrests</b>	<b>44</b>	<b>871</b>	<b>66</b>	<b>865</b>
<b>Reserve Volunteer Hours</b>	<b>347.75</b>	<b>3906.25</b>	<b>177.8</b>	<b>1859.55</b>
<b>Citizen Volunteer Hours</b>	<b>10</b>	<b>361.75</b>	<b>N/A</b>	<b>N/A</b>
<b>Peer Court Referrals:</b>	<b>0</b>	<b>37</b>	<b>4</b>	<b>64</b>

# STAYTON POLICE DEPARTMENT CONSOLIDATED MONTHLY CATEGORIZED REPORT-NIBRS 12/1/2013 - 12/31/2013

	CRIMES			CRIMES CLEARED BY ARREST & EXCEPTION			PERCENT CLEARED			PERSONS ARRESTED		
	12/1/13 to 12/31/13	1/1/13 to 12/31/13	1/1/12 to 12/31/12	12/1/13 to 12/31/13	1/1/13 to 12/31/13	1/1/12 to 12/31/12	12/1/13 to 12/31/13	1/1/13 to 12/31/13	1/1/12 to 12/31/12	12/1/13 to 12/31/13 Juv Adult	1/1/13 to 12/31/13	1/1/12 to 12/31/12
		% Change Yr to Yr								Total		
<b>NON-CRIMINAL</b>												
ACCIDENT-INJURY	1	8	16									
ACCIDENT-PROPERTY	10	53	84									
ALL OTHER NON-CRIMINAL	187	2,856	2,844									
NON CRIM DOMESTIC DISTURB	10	121	126									
<b>NON-CRIMINAL TOTALS</b>	<b>208</b>	<b>3,038</b>	<b>3,070</b>									
<b>PERSON</b>												
AGGRAVATED ASSAULT	0	14	22									
KIDNAPPING	0	2	2									
OFFENSE AGAINST FAMILY	0	5	6									
OTHER ASSAULTS	1	66	87									
RAPE	0	3	3									
RESTRAINING ORDER VIOLATION	0	6	6									
ROBBERY	0	5	4									
SEX OFFENSES	2	15	17									
<b>PERSON TOTALS</b>	<b>3</b>	<b>116</b>	<b>147</b>									
<b>PROPERTY</b>												
ARSON	0	1	0									
BURGLARY - BUSINESS	0	5	15									
BURGLARY - OTHER STRUCTURE	1	11	15									
BURGLARY - RESIDENCE	3	26	50									
COUNTERFEITING/FORGERY	0	10	13									
FRAUD	3	53	43									
LARCENY												
Pickpocket	0	1	1									
Purse Snatching	0	2	3									
Shoplifting	6	77	47									
Theft from a Motor Vehicle	7	44	69									
Theft of MV Parts/Accessories	0	7	10									
Theft of Bicycle	2	19	48									
Theft from Building	1	15	22									
All Other Larceny	7	119	95									
<b>LARCENY TOTALS</b>	<b>23</b>	<b>284</b>	<b>295</b>									

	CRIMES			CRIMES CLEARED BY ARREST & EXCEPTION			PERCENT CLEARED			PERSONS ARRESTED					
	12/1/13 to 12/31/13	1/1/13 to 12/31/13	1/1/12 to 12/31/12 % Change Yr to Yr	12/1/13 to 12/31/13	1/1/13 to 12/31/13	1/1/12 to 12/31/12	12/1/13 to 12/31/13	1/1/13 to 12/31/13	1/1/12 to 12/31/12	12/1/13 to 12/31/13	1/1/13 to 12/31/13	1/1/12 to 12/31/12			
	Juv	Adult	Total	Juv	Adult	Total	Juv	Adult	Total	Juv	Adult	Total			
<b>PROPERTY TOTALS</b>	36	518	621	-16.6%	5	148	147	13.9%	28.6%	23.7%	0	5	8	165	163
<b>SOCIETY</b>															
ALL OTHER	15	222	231	-3.9%	5	121	129	33.3%	54.5%	55.8%	0	3	4	68	53
ANIMAL	0	3	2	50.0%	0	3	1	0.0%	100.0%	50.0%	0	0	0	2	0
CURFEW	1	20	35	-42.9%	1	19	35	100.0%	95.0%	100.0%	2	0	2	25	42
CUSTODY-MATERIAL WITNESS	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	1
CUSTODY-MENTAL	0	8	10	-20.0%	0	8	9	0.0%	100.0%	90.0%	0	0	0	8	9
CUSTODY-PROTECTIVE	0	1	0	0.0%	0	1	0	0.0%	100.0%	0.0%	0	0	0	0	0
DISORDERLY CONDUCT	5	52	65	-20.0%	3	48	60	60.0%	92.3%	92.3%	1	2	3	46	57
DR WHILE SUSP	1	28	11	154.5%	0	27	11	0.0%	96.4%	100.0%	0	0	0	27	11
DRIVING UNDER INFLUENCE	8	57	65	-12.3%	8	57	65	100.0%	100.0%	100.0%	0	8	8	57	65
ELUDING	0	6	3	100.0%	0	5	3	0.0%	83.3%	100.0%	0	0	0	6	2
ESCAPE	0	2	4	-50.0%	0	2	4	0.0%	100.0%	100.0%	0	0	0	2	4
FAIL TO DISPLAY DL	0	4	1	300.0%	0	4	1	0.0%	100.0%	100.0%	0	0	0	4	1
FUGITIVE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	7	7	40	38
HIT & RUN	2	41	43	-4.7%	0	7	9	0.0%	17.1%	20.9%	0	0	0	4	5
LIQUOR LAWS	2	20	27	-25.9%	2	20	27	100.0%	100.0%	100.0%	2	1	3	29	37
MIP TOBACCO	3	22	20	10.0%	3	22	20	100.0%	100.0%	100.0%	4	0	4	21	22
NARCOTICS/DRUGS	4	71	85	-16.5%	3	66	81	75.0%	93.0%	95.3%	0	5	5	81	92
PROP RECOV - FOR OTHER AGENCY	0	6	9	-33.3%	0	1	1	0.0%	16.7%	11.1%	0	0	0	0	0
RECKLESS DRIVING	1	2	4	-50.0%	0	0	4	0.0%	0.0%	100.0%	0	0	0	0	3
RUNAWAY	1	37	53	-30.2%	1	34	51	100.0%	91.9%	96.2%	1	0	1	30	45
SEX OFFENSES	0	1	1	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
TRESPASS	3	58	60	-3.3%	3	43	41	100.0%	74.1%	68.3%	0	0	0	34	23
VEH RECOV - FOR OTHER AGENCY	0	2	2	0.0%	0	1	2	0.0%	50.0%	100.0%	0	0	0	0	0
WARRANT	8	145	132	9.8%	7	144	131	87.5%	99.3%	99.2%	0	0	0	138	116
WEAPONS	0	13	8	62.5%	0	11	8	0.0%	84.6%	100.0%	0	0	0	10	8
<b>SOCIETY TOTALS</b>	54	821	871	-5.7%	36	644	693	66.7%	78.4%	79.6%	10	26	37	632	634
<b>GRAND TOTALS</b>	301	4,493	4,709	-4.6%											



# 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:** January 21, 2014

**SUBJECT:** December Monthly Operating Report

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**KEY ACTIVITIES**      **STATUS**

- **WWTP Facility**      Effluent flows: 33.19 million gallons were treated during December. The highest flow was 1.36 million gallons on December 2nd, and the lowest flow was 0.80 million gallons on December 1st. The average flow was 1.07 million gallons. Total rainfall for November was 2.89 inches. 18.87 tons of dewatered biosolids were produced.
- **WTP**      Highest production day was 2,047,000 on the December 12<sup>th</sup>.
- **Water System**      Replaced service line at 1339 Wilshire. Replaced and repaired Pine St sample station. Repair made to Heritage sample station. Responded to several calls on broken or frozen water lines December 6-15 during the snow and ice.
- **Streets**      Swept 121 curb miles and removed approximately 250 cubic yards of material. The annual fall clean-up day for yard debris was December 7. City residents could drop off the yard debris at the City shops. A food donation for the local food bank was suggested. The City collected 40 yards of yard debris and donated 127 pounds of food to the food bank from that day. During the snow and ice from December 6-15, 14 yards of sand was used on the City streets.
- **Parks**      Volunteers: SHS Life Skills – 0 Hours; Court Ordered – 0 hours.
- **Building Permits**

<b>Permit Type</b>	<b>Issued</b>	<b>SDC's Paid</b>
New Single Family Dwelling	0	0
Residential Building Addition/Alteration/Other	1	0
Commercial Building Addition/Alteration/Other	0	0
Electrical	0	0
Mechanical	0	0
Plumbing	0	0
<b>TOTAL</b>	<b>1</b>	<b>0</b>

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



# 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](mailto:dfleishman@ci.stayton.or.us)  
[www.staytonoregon.gov](http://www.staytonoregon.gov)

## MEMORANDUM

**TO:** Mayor Scott Vigil and City Council Members  
**FROM:** Dan Fleishman, Planning and Development Director  
**DATE:** January 21, 2014  
**SUBJECT:** Report of Activities for December, 2013

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### **Enforcement Activity Highlights**

Worked with property owner, Public Works Department, Police Department and volunteer tree feller to remove large fir tree that is causing portion of Westown wall on Gardner to collapse. Still working with property owner to have wall repaired/removed.

Worked with property owner to remove trash piles

### **Planning & Development Activity Summary**

Planning Commission meeting with two public hearings

Reviewed 1 building permit applications.

One preapplication meeting

Working with Public Works Department staff, improvements to the Geographic Information System continued.



## MEMORANDUM

**TO:** Mayor Scott Vigil and Stayton City Councilors

**FROM:** Louise Meyers, Library Director

**DATE:** January 21, 2014

**SUBJECT:** Library Director's Report, December Activities

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### Updates:

The Oregon Author Series continues, and is very successful. We will have 4 more authors in January and February. The Oregon Author series is funded by a grant from the Marion Cultural Development Corporation.

We held "Food for Fines" in December, inviting people to bring in 2 cans of food for each \$1 owed in fines. We coordinated with the Lions Club food drive which increases the collections for them. We did not have many people who participated but general contributions to the Food Drive were plentiful, nearly filling the bin.

Our annual Mitten Tree went well, with a tree donated by Jeanie and Francis Reiser. We collected a full bin of hats mittens and gloves, some of them handmade. The items were donated to the local Clothes Closet at the Cascade View Methodist Church, which has taken the place of the Community Action Agency for those in need.

I announced my retirement which will be on February 28th, and we are beginning the recruitment of my successor.

## 2013 - 2014 Monthly Library Statistics

	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	2012-13	2013-14 YTD	% Change	
<b>CHECKOUTS</b>	12,712	12,114	10,667	14,011	12,048	11,230							59,957	72,782	21%	
<b>INCOME Received</b>																
Non-resident cards	\$917.00	\$1,760.00	\$342.00	\$720.00	\$582.00	\$1,148.00							\$4,397.00	\$5,469.00	24%	
Fines: overdue books	\$888.54	\$2,337.97	\$909.43	\$857.00	\$834.00	\$2,301.66							\$7,332.00	\$8,128.60	11%	
Room fees	\$177.00	\$108.00	\$1,027.00	\$348.00	\$0.00	\$1,285.00							\$1,222.75	\$2,945.00	141%	
<b>REFERENCE QUESTIONS</b>													<b>Total</b>	<b>\$12,951.75</b>	<b>\$16,542.60</b>	28%
Reference questions	645	585	476	619	589	552							2,652	3,466	31%	
Telephone	356	393	374	384	276	305							1,557	2,088	34%	
<b>Total</b>													<b>4,209</b>	<b>5,554</b>	32%	
<b>INTERNET USE</b>	1,940	1,900	1,502	1,700	1,529	1,659							8,322	10,230	23%	
<b>PROGRAM ATTENDANCE</b>																
Children/teens	517	379	174	365	335	174							1,367	1,944	42%	
Adults	223	154	130	177	165	122							627	971	55%	
Outreach	80	0	195	887	829	451							1,115	2,442	119%	
<b>Total</b>													<b>3,109</b>	<b>5,357</b>	72%	
<b>MEETING ROOM ATTENDANCE</b>	1,195	1,033	571	907	824	452							3,833	4,982	30%	
<b>PATRON VISITS</b>	9,317	8,445	6,881	7,727	6,835	5,671							39,898	44,876	12%	

Date: 1-21-74

File No. \_\_\_\_\_

### CITY OF STAYTON REQUEST FOR RECOGNITION

The purpose of this form is to ensure that anyone wishing to address the Stayton City Council will have the opportunity to do so. This form is to be completed prior to the opening of the session whenever possible, and should be submitted to the staff bench. Please wait for recognition from the Council bench before addressing the Council.

Your name (please print): Steve Frank  
Address: 1515 Jefferson St Stayton OR 97267  
Street City State Zip

Topic (if this is an agenda item, please list the agenda number and topic): \_\_\_\_\_

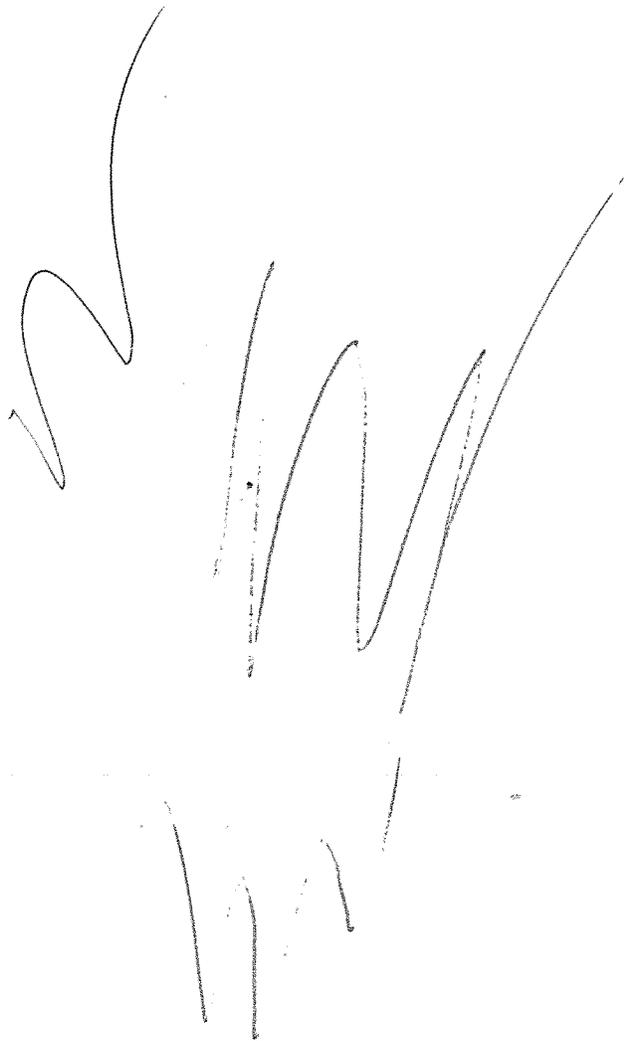
Speaking in support of \_\_\_\_\_; in opposition to \_\_\_\_\_; general testimony

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

*Please limit presentations to 10 minutes or less, and comments to 3 minutes or less.*

**If you wish to obtain a copy of a land use decision, please contact the Planning Department at 503-769-2998, or their office is located at 311 N. Third Avenue, Stayton, Oregon 97383.**

*Changes in city govt. Sewer utility fees / closure of court.*



Are there reactions what  
Steve Frank was concerned about?

## **SCRIPT TO BE READ AT COMMENCEMENT OF PUBLIC HEARING**

Good evening, I am Hank Porter and I will be presiding over this hearing. This is the time and place set for the public hearing in the matter of Land Use File #17-11/13, city-initiated annexation of nine segments of street rights of way and three publicly owned parcels.

This hearing is now open. Oregon land use law requires a statement be made to those in attendance that covers certain matters relative to this case. That Statement, with all the information required to be presented under ORS 197.763(5), is printed and available at the back counter. If you have not yet received one of these forms, you should go get one and review it prior to presenting your testimony. If anyone has any questions regarding anything on the Statement, or objects to it not being read out loud, please raise those questions when it comes to your turn to speak during the hearing.

Also at the back counter is the agenda for this evening's meeting, which lays out the order in which people will be called on to speak during the public hearing, the City Council's Rules of Procedure for Land Use Public Hearings, and a brochure written to facilitate your participation in the public hearing. You are encouraged to obtain and read a copy of these documents as well.

At this time I would ask the audience if there are any objections to the notice that was sent in this case. I hear none (if there are none). To the jurisdiction of this body to hear and consider this case? I hear none (if there are none). Are there any declarations of conflict of interest; ex parte contact or bias by any members of this body? I hear none (if there are none).

We are now ready for the staff introduction.

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### **CLOSING STATEMENT**

The Council's action may be appealed within 21 days of the mailing of the notice of decision to the Land Use Board of Appeals under ORS 197.805-855.