



AGENDA STAYTON CITY COUNCIL MEETING

Monday, April 16, 2018
Stayton Community Center
400 W. Virginia Street
Stayton, Oregon 97383

CALL TO ORDER

7:00 PM

Mayor Porter

FLAG SALUTE

ROLL CALL/STAFF INTRODUCTIONS

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.

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.*

- a. Presentation of the Best Surface Water of the Year Award by the Oregon Association of Water Utilities
- b. Stayton Family Memorial Pool Update – Billie Hight-Maurer

CONSENT AGENDA

- a. April 2, 2018 City Council 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 other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. If you require special accommodations contact Deputy City Recorder Alissa Angelo at (503) 769-3425.

PUBLIC HEARING – NONE

UNFINISHED BUSINESS

Ordinance No. 1018, Establishing Licensing Requirements and Standards for Mobile Food Units and Resolution No. 975, Establishing Fees for Mobile Food Unit License **Action**

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

NEW BUSINESS

Award of Contract for 2018 Virginia Street Improvement Project **Action**

- a. Staff Report – Lance Ludwick
- b. Council Deliberation
- c. Council Decision

Ordinance No. 1019, Amending Title 6, 8, and 15 of the Stayton Municipal Code Promoting Maintenance of Buildings and Public Spaces **Action**

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

Appointment of Transportation System Update Citizen Advisory Committee **Action**

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

STAFF/COMMISSION REPORTS

Finance Department Report – Cindy Chauran & Elizabeth Baldwin **Informational**

- a. March 2018 Monthly Finance Department Report

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

- a. March 2018 Statistical Report

Public Works Director’s Report – Lance Ludwick **Informational**

- a. March 2018 Operating Report
- b. Award of 2018 Parks Maintenance Program
- c. Water Management and Conservation Plan Update

Planning & Development Director’s Report – Dan Fleishman **Informational**

- a. March 2018 Activities Report

Library Director’s Report – Janna Moser **Informational**

- a. March 2018 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 MANAGER

BUSINESS FROM THE MAYOR

BUSINESS FROM THE COUNCIL

FUTURE AGENDA ITEMS – May 7, 2018

- a. Budget Committee Meeting

ADJOURN

CALENDAR OF EVENTS

APRIL 2018

Monday	April 16	City Council	7:00 p.m.	Community Center (north end)
Wednesday	April 18	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	April 30	Planning Commission	7:00 p.m.	Community Center (north end)

MAY 2018

Tuesday	May 1	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Monday	May 7	Budget Committee	6:00 p.m.	Community Center (north end)
Monday	May 7	City Council	<i>Cancelled</i>	
Tuesday	May 8	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	May 11	Community Leaders	7:30 a.m.	Covered Bridge Café
Monday	May 14	Budget Committee	6:00 p.m.	Community Center (north end)
Tuesday	May 15	Budget Committee	6:00 p.m.	Community Center (north end)
Wednesday	May 16	Budget Committee	6:00 p.m.	Community Center (north end)
Wednesday	May 16	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	May 21	City Council	7:00 p.m.	Community Center (north end)
Monday	May 31	CITY OFFICES CLOSED IN OBSERVANCE OF MEMORIAL DAY HOLIDAY		
Tuesday	May 29	Planning Commission	7:00 p.m.	Community Center (north end)

JUNE 2018

Monday	June 4	City Council	7:00 p.m.	Community Center (north end)
Tuesday	June 5	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Friday	June 8	Community Leaders	7:30 a.m.	Covered Bridge Café
Tuesday	June 12	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Monday	June 18	City Council	7:00 p.m.	Community Center (north end)
Wednesday	June 20	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	June 25	Planning Commission	7:00 p.m.	Community Center (north end)

JULY 2018

Monday	July 2	City Council	7:00 p.m.	Community Center (north end)
Tuesday	July 3	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Wednesday	July 4	CITY OFFICES CLOSED IN OBSERVANCE OF FOURTH OF JULY HOLIDAY		
Tuesday	July 10	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	July 13	Community Leaders	7:30 a.m.	Covered Bridge Café
Monday	July 16	City Council	7:00 p.m.	Community Center (north end)
Wednesday	July 18	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	July 30	Planning Commission	7:00 p.m.	Community Center (north end)

AUGUST 2018

Monday	August 6	City Council	7:00 p.m.	Community Center (north end)
Tuesday	August 7	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Tuesday	August 7	National Night Out	6:00 p.m.	Various City Parks
Friday	August 10	Community Leaders	7:30 a.m.	Covered Bridge Café
Tuesday	August 14	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Wednesday	August 15	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	August 20	City Council	7:00 p.m.	Community Center (north end)
Monday	August 27	Planning Commission	7:00 p.m.	Community Center (north end)

**City of Stayton
City Council Meeting Action Minutes
April 2, 2018**

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

Time Start: 7:00 P.M.

Time End: 8:46 P.M.

COUNCIL MEETING ATTENDANCE LOG

COUNCIL	STAYTON STAFF
Mayor Henry Porter	Alissa Angelo, Deputy City Recorder
Councilor Priscilla Glidewell at 7:02 p.m.	Keith Campbell, City Manager
Councilor Mark Kronquist	Dan Fleishman, Director of Planning & Development
Councilor Christopher Molin	Lance Ludwick, Public Works Director
Councilor Brian Quigley	Janna Moser, Library Director
Councilor Joe Usselman	Rich Sebens, Chief of Police

AGENDA	ACTIONS
REGULAR MEETING	
Announcements a. Additions to the Agenda b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	None. Councilor Kronquist and Councilor Glidewell both declared ex parte contact in regard to the Teen Center.
Presentations / Comments from the Public a. Shawn Hazel b. Sandra Fixsen c. Veronica Rodriguez-Teel d. Heidi Fosmark	Mr. Hazel expressed his support for the Teen Center lease agreement. Ms. Fixsen spoke in support of the Teen Center lease agreement. Ms. Rodriguez-Teel spoke in support of the Teen Center lease agreement. Ms. Fosmark spoke in support of the Teen Center lease agreement.
Consent Agenda a. March 19, 2018 City Council Minutes	Motion from Councilor Kronquist, seconded by Councilor Molin, to approve the consent agenda. Motion passed 5:0.
Business from the Mayor a. Child Abuse Prevention Proclamation b. Presentation from the Marion County Child Abuse Prevention Team	Mayor Porter read the proclamation. Julie Hilty of Family Building Blocks, Kelley Parosa of Liberty House, and Gillian Fisher from the Marion County District Attorney's Office, provided a presentation on Child Abuse Prevention.
Public Hearing	None.
Unfinished Business	None.

New Business

Proposed Lease for Teen Center Located at Mill Creek Park

a. Staff Report – Keith Campbell

b. Council Deliberation

c. Council Decision

Ordinance No. 1018, Establishing Licensing Requirements and Standards for Mobile Food Units

a. Staff Report – Dan Fleishman

b. Council Deliberation

c. Council Decision

Mr. Campbell reviewed the staff report.

Council discussion of the recently completed ADA evaluation, the future of the park development, and work the community has done to see the teen center come to fruition. Additionally, volunteer training and a “code of conduct” for teens using the center was addressed.

Councilor Quigley inquired about comments received from community member David Nielson regarding the Termination portion of the proposed lease agreement.

Motion from Councilor Kronquist, seconded by Councilor Quigley, to replace the current language of Article 7 with language proposed in a letter received from David Neilson. Councilor Quigley withdrew the second to this motion.

Mr. Hazel expressed concern over the proposed language change.

Motion from Councilor Kronquist, seconded by Councilor Molin, to amend Article 7, “Termination” of the proposed lease agreement to add, “It is understood that any termination of this agreement by the **CITY** is free of any obligation or expectation of the City providing any alternative building, location, or resources to the lessee.”

Motion passed 5:0.

Motion from Councilor Kronquist, seconded by Councilor Molin, to approve the lease agreement with amendments. **Motion passed 5:0.**

Mr. Fleishman reviewed the staff report. Staff recommended an additional requirement that food trucks park at least five feet from a sidewalk to avoid patrons blocking it while waiting in line.

Council discussion of adding “at least five feet from a sidewalk” language. Further conversation of staff contact with local food truck and potential fees.

Motion from Councilor Kronquist to table the

<p>Report on Current Housing Inventory</p> <p>a. Staff Report – Dan Fleishman and Isaac Kort-Meade</p>	<p>Ordinance until there is more information and the fee is addressed. Motion died for lack of a second</p> <p>Motion from Councilor Kronquist, seconded by Councilor Quigley, to direct staff to return with a fee and address sidewalk issues. Motion passed 5:0.</p> <p>Mr. Kort-Meade reviewed his report on Stayton’s current housing inventory.</p> <p>Discussion of rental housing and the levels of rentals in Stayton and the next steps now that the initial Housing Study is complete.</p> <p>Motion from Councilor Kronquist to direct staff to return with recommendations. Motion died due to lack of a second.</p> <p>Council discussion regarding future annexed property being zoned as Medium Density.</p> <p>Staff will return at a future meeting with a list of issues and recommendations.</p>
Staff / Commission Reports	None.
Presentations / Comments from the Public	None.
Business from the City Manager	None.
Business from the Mayor	None.
Business from the Council	Councilor Glidewell will be absent from the next Council meeting.
<p>Future Agenda Items – Monday, April 16, 2018</p> <p>a. Water Management and Conservation Plan</p> <p>b. Economic Development Study</p> <p>c. Drug Take-Back</p> <p>d. Stayton Family Memorial Pool Update</p> <p>e. Award of Bid – Paving</p> <p>f. Proposed Downtown Code Amendments</p> <p>g. Transportation System Plan Citizen Advisory Committee</p>	

APPROVED BY THE STAYTON CITY COUNCIL THIS 16TH DAY OF APRIL 2018, BY A ____ VOTE OF THE STAYTON CITY COUNCIL.

Date: _____

By: _____

Henry A. Porter, Mayor

Date: _____

Attest: _____

Keith D. Campbell, City Manager

Date: _____

Transcribed by: _____

Alissa Angelo, Deputy City Recorder



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

TO: Mayor Henry Porter and the Stayton City Council

FROM: Dan Fleishman, Director of Planning and Development
Rich Sebens, Police Chief
Keith D Campbell, City Administrator

DATE: April 16, 2018

SUBJECT: Ordinance 1018 Establishing Licensing Requirements and Standards for Mobile Food Units
Resolution 975 Establishing Fees for Mobile Food Unit License

ISSUE

The issue before the City Council is consideration of enactment of amendments to the Business Licenses, Permits, and Regulations Code regarding mobile food units.

BACKGROUND INFORMATION

Staff presented Ordinance 1018 to the City Council at the April 2 meeting but had a recommended change to the ordinance. The Council asked for staff to conduct additional outreach to the affected businesses about the recommended change. Copies of a March 27 email and an April 9 email are attached. On Friday, April 6, staff visited with the one food truck present on W Washington St.

PROPOSED REGULATIONS

In summary, the proposed rules would require a license for any mobile food unit. Prior to issuing the license, the operator would need to demonstrate they have the necessary health and sanitary license from Marion County. Mobile food units would be permitted only in the zones of the city where eating and drinking establishments are permitted or at manufacturing sites when the customers are primarily employees of the industry. Mobile food units would not be permitted in a street right of way unless part of an event with a street closure. The location of a mobile food unit must not block a sidewalk, drivers' vision, or required off-street parking spaces for other uses on the property. The proposed rules clarify that any unit that is in place for more than 72 hours must receive the necessary approval under the City's Land Use and Development Code.

The Ordinance has been amended to include a provision that the order/service window must be at least five feet from a public sidewalk, to avoid queuing customers from blocking the

sidewalk. There was concern raised at the April 2 Council meeting regarding the impact of this change on the W Washington food truck location. There is a landscaped area adjacent to the sidewalk, so food trucks cannot park within five feet of the sidewalk.

The Council also requested that staff return with a resolution establishing the fee for a mobile food unit license. Resolution 975 is presented to the Council for consideration. The proposed resolution establishes the cost of an annual license as \$40.

RECOMMENDATIONS

Staff recommends enactment of Ordinance 1018 as presented. Staff recommends enactment of Resolution 975 as presented

OPTIONS AND MOTIONS

The City Council is presented with the following options.

Ordinance 1018

1. Approve the first consideration of Ordinance 1018

Move to approve Ordinance No 1018 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. 1018 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 1018 will be brought before the Council for a second consideration at the April 16, 2018 meeting.

2. Approve the Ordinance with modifications

Move to approve Ordinance No. 1018 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. 1018 will be brought before the Council for a second consideration at its April 16, 2018 meeting.

3. Retain the Code unchanged

No motion is necessary.

Resolution 975, if Ordinance 1018 is enacted...

1. Approve Resolution 975

Move to approve Resolution 975 as presented.

2. Approve Resolution 975 with modifications

Move to approve Resolution 975 with the following changes ...

3. Return Resolution 975 to staff to be modified

Move to request staff make the following changes to Resolution 975 and return the ordinance to the June 21 meeting.

ORDINANCE NO. 1018

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE TITLE 5, ESTABLISHING LICENSING REQUIREMENTS FOR MOBILE FOOD UNITS

WHEREAS, the City of Stayton has adopted Title 5 of the Stayton Municipal Code (SMC) Regarding Business Licenses, Permits and Regulations;

WHEREAS, mobile food units, also known as food trucks are recent and welcome addition to the mix of businesses in the City of Stayton;

WHEREAS, the location of mobile food units has the potential to create pedestrian and vehicular traffic safety concerns;

WHEREAS, the City is interested in promoting the location of mobile food units but to assure that they are in compliance with all provisions of the City's Code and do not present a safety hazard; and

WHEREAS, the Stayton City Council, does find that the amendments in this Ordinance are reasonable regulations to promote the public health, safety and welfare.

NOW, THEREFORE, the City of Stayton ordains:

Section 1. Mobile Food Unit Defined. Stayton Municipal Code Title 5, Chapter 5.04, Section 5.04.020 is hereby amended by adding the following definition:

18. MOBILE FOOD UNIT: Any motor vehicle, trailer, or wagon that is used for the purpose preparing, processing, or converting food for immediate consumption as a drive-in, drive-through, curb or walk-up service. A mobile food unit does not include a street vendor's cart or a motor vehicle, trailer or wagon used exclusively for selling prepackaged food items that are not altered by the vendor (e.g. an ice cream truck) or the delivery of preordered food such as pizza or carryout.

Section 2. License Required. Stayton Municipal Code Title 5, Chapter 5.08, Section 5.08.010.1 is hereby amended by adding the following Mobile Food Unit as a category of business that requires a license or permit:

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:
 - a. Carnival, amusement park, amusement concessionaire;
 - b. Junk dealer;
 - c. Secondhand Dealer;
 - d. Pawn Broker;
 - e. Promotional event;
 - f. Solicitor; ~~or~~
 - g. Marijuana Dispensary; or
 - h. Mobile Food Unit.

Section 3. Mobile Food Unit Regulations. Stayton Municipal Code Title 5, Chapter 5.48 is hereby enacted, establishing regulations for the operation of Mobile Food Units:

CHAPTER 5.48
MOBILE FOOD UNITS

5.48.010 REGULATIONS

1. In addition to the information required by Section 5.08.020, an application for a mobile food unit license shall contain documentation that the applicant has obtained all required health and sanitary licenses from the State of Oregon and Marion County.
2. Any mobile food unit that is in place for more than 72 hours without being moved shall be considered a land use and require approval under the appropriate provisions of Chapter 17.12.
3. Location.
 - (a) Mobile food units may only operate in zones where eating and drinking establishments are allowed as a permitted use or use permitted after site plan review in Section 17.16.070 or in the parking area of a manufacturing business for the purpose of primarily serving the employees of that manufacturing business.
 - (b) Mobile food units shall not operate or be located in a public right-of-way. Mobile food units may operate on city-owned property provided the licensee is granted a site specific permit which shall be displayed conspicuously on-site.
 - (c) A mobile food unit may only operate in an approved parking lot, or other hard surface area, where the off-street parking requirements for all uses or activities served by the off-street parking area are met. The unit shall be located such that the ordering or serving window is a minimum of five feet from a sidewalk, to minimize customers blocking the public sidewalk.
 - (d) The location standards of this section do not apply to mobile food units which operate as a vendor within an approved community event or where a street closure permit is granted under Chapter 10.36.
4. Standards.
 - (a) A mobile food unit, including all items associated with the operation, shall not obstruct pedestrian pathways, driveways or drive aisles of any off-street parking area and shall not be located in the sight distance triangle as defined in Section 17.04.100 or so as to create a traffic or safety hazard.
 - (c) All mobile food units which are parked in a stationary location for a period of 24 hours or longer shall provide screening for all conduit, tanks, and storage areas from all public areas and streets by sight-obscuring fencing and/or temporary landscaping and skirting shall be provided along the perimeter of the mobile food unit.
 - (d) Mobile food units may not be permanent structures and must remain capable of being moved, with wheels attached.
 - (e) When a mobile food unit is conducting business, the operators shall pick up any paper, cardboard, wood, or plastic containers, wrappers, or any litter which is deposited by any person within 50 feet of the mobile food unit.

Section 4. Effective Date. This Ordinance shall become effective on the 30th day after adoption by the Stayton City Council and execution by the Mayor, or a representative of the Mayor.

ADOPTED BY THE STAYTON CITY COUNCIL this 2nd day of April, 2018.

CITY OF STAYTON

Signed: _____, 2018

BY: _____
Henry A. Porter, Mayor

Signed: _____, 2018

ATTEST: _____
Keith D. Campbell,
City Administrator

DRAFT

RESOLUTION NO. 975

A RESOLUTION ADOPTING FEES FOR MOBILE FOOD UNITS.

WHEREAS, Resolution 965 adopted fees and charges for various City services;

WHEREAS, Ordinance 1018 enacts a requirement for operators of mobile food units to obtain a City-issued license and requires the fee for such a license to be established by resolution; and

WHEREAS, It is appropriate that the fee for a mobile food unit license be reflective of the City's costs for administration and enforcement of the licensing requirements.

NOW THEREFORE,

BE IT RESOLVED that;

Mobile Food Unit License Fee Established. The annual fee for a mobile food unit shall be \$40.00.

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

ADOPTED BY THE STAYTON CITY COUNCIL this 16th day of April, 2018.

CITY OF STAYTON

Date: _____, 2018

By: _____
Henry A Porter, Mayor

Date: _____, 2018

Attest: _____
Keith D Campbell, City Administrator

Dan Fleishman

From: Dan Fleishman
Sent: Tuesday, March 27, 2018 12:06 PM
To: 'Quonna Bender'; 'littlefoodgypsy@gmail.com'; 'bnlpotatoes@gmail.com'; 'foodologymk@gmail.com'; 'jetautoandrepair@gmail.com'; 'armando perez'; 'Shantel Sanchez'
Cc: Keith Campbell; Rich Sebens
Subject: Stayton Proposed Food Truck Regulations
Attachments: Draft Ordinance 1018.pdf

Last week, I sent out to most of you a draft of proposed regulations for food trucks being considered by the City of Stayton. The Police Chief and I reviewed the proposed regulations and have made few changes from the draft that was sent out last week. Also, the proposal has been put into ordinance format for presentation to the City Council.

The changes from the previous draft include:

- Clarifying that pizza delivery is not mobile food unit
- Allowing Mobile Food Units at industries, primarily serving employees of the industry (the previous draft allowed them only in zones where restaurants are permitted)
- Allowing a MFU to be stationary for 72 hours without requiring a land use permit (the previous draft was 36 hours)
- Referencing the “sight distance triangle” at a street intersection where a Mobile Food Unit is not permitted
- Increasing the distance for which litter needs to be picked up from 20 feet to 50 feet.

City staff envisions that the ordinance will be presented to the City Council at the April 2, 2018 meeting. Though no public hearing is planned, there will be the opportunity at the beginning of the meeting to present any comments to the City Council.

If you have any questions or concerns, please feel free to contact me or Chief Sebens. If we hear back from you before noon on Wednesday we will have the opportunity to incorporate your concerns into the draft ordinance before it is sent to the City Council.

Dan Fleishman
Planning and Development Director
City of Stayton
362 N Third Avenue
Stayton, OR 97383

Ph 503-769-2998

www.staytonoregon.gov

Dan Fleishman

From: Dan Fleishman
Sent: Monday, April 9, 2018 8:37 AM
To: 'Quonna Bender'; 'littlefoodgypsy@gmail.com'; 'bnlpotatoes@gmail.com'; 'foodologymk@gmail.com'; 'jetautoandrepair@gmail.com'; 'armando perez'; 'Shantel Sanchez'
Cc: Keith Campbell; Rich Sebens
Subject: RE: Stayton Proposed Food Truck Regulations
Attachments: License Fee Resolution.pdf; Draft Ordinance 1018.pdf

I want to bring you up to date on the latest in regards the City's enactment of regulations on food trucks.

On March 27 I sent you the ordinance that staff was presenting to the City Council. On April 2, the City Council discussed the proposed ordinance. Staff suggested one change to the regulations that had not been shared with you in advance. The Council wanted to make sure that you were aware of that change. The Council also wanted to know what staff would be recommending as a license fee. Therefore Council postponed taking any action on Ordinance 1018 until the April 16 meeting.

I have attached a revised version of Ordinance 1018, with the change that staff recommended. That change is an additional regulation regarding the placement of the food truck. In addition to the placement restrictions previously in the ordinance we have suggested that food trucks be placed such that the service/ordering window is at least five feet from a sidewalk, so that customers waiting in line don't block the sidewalk. See Section 5.48.010.3(c) on page 2 of the draft ordinance.

Staff will be recommending that the fee for an annual license be set at \$40. A draft resolution setting the fee is attached.

Both of these documents will be on the City Council agenda for April 16. You are welcome to attend the meeting and comment on them.

Let me know if you have any questions.

Dan Fleishman
Planning and Development Director
City of Stayton
362 N Third Avenue
Stayton, OR 97383

Ph 503-769-2998

www.staytonoregon.gov



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

TO: Mayor Henry Porter and the Stayton City Council
FROM: Lance S. Ludwick, P.E., Public Works Director
DATE: April 16, 2018
SUBJECT: Award of Contract for 2018 Virginia Street Improvement Project

ISSUE

Acceptance of bid and award of contract for overlay work on Virginia Street from N. Evergreen Ave. to N. Fourth Ave. to D & I Excavating in the amount of \$401,316.50.

ENCLOSURE(S)

1. Minutes from Bid Opening & Bid Tabulation Sheet - April 12, 2018 at 2:00 p.m.

BACKGROUND INFORMATION

The project includes, but is not limited to, all labor, materials, and equipment necessary to construct approximately 1,670 square yards of new roadway, 7,540 square yards of cold plane pavement removal, 1,300 tons of Level 2, ½" Dense ACP and 200 tons of ACP pre-level, 2,070 square feet of sidewalk, 615 lineal feet of standard curb, 12 ADA compliant access ramps, 6 catch basins, 1 storm pollution manhole, and performance of additional and incidental work as called for in the plans and specifications. The project must be completed no later than June 15, 2018.

Public Works Director Lance S. Ludwick and Senior Engineering Technician Michael Schmidt developed a bid packet including specifications for the overlay project work.

The project was advertised competitively in the Daily Journal of Commerce and sealed bids were opened on April 12, 2018, at 2:00 PM.

BIDS RECEIVED

The City received bids from the following firms:

	Contractor	Total
1	Knife River	\$442,540.50
2	North Santiam Paving	\$420,960.00
3	D & I Excavating	\$401,316.50

STAFF RECOMENDATION

City Staff reviewed the low bid and recommends the City award the contract to **D & I Excavating** at this time.

OPTIONS

- 1) Award of Contract to the lowest responsible bidder in the full contract amount.

- 2) Reject all bids.

MOTION

Move to award the 2018 Virginia Street Improvement Project to D & I Excavating in the amount of \$401,316.50.

City of Stayton Virginia Street Improvement Project
Bid Tabulation
Bid Date: 4/12/2018 at 2:00 p.m.

				D & I Excavating		North Santiam Paving		Knife River	
Bid Item Name		Est. Qty	Unit	Bid Unit Price	Extended Bid Unit Price	Bid Unit Price	Extended Bid Unit Price	Bid Unit Price	Extended Bid Unit Price
100	Mobilization	1	LS	\$ 39,586.00	\$ 39,586.00	\$ 37,800.00	\$ 37,800.00	\$ 45,000.00	\$ 45,000.00
101	Traffic Control	1	LS	\$ 4,950.00	\$ 4,950.00	\$ 4,000.00	\$ 4,000.00	\$ 14,000.00	\$ 14,000.00
102	Erosion & Sedimentation Control	1	LS	\$ 900.00	\$ 900.00	\$ 1,000.00	\$ 1,000.00	\$ 800.00	\$ 800.00
103	General Excavation	740	CY	\$ 23.00	\$ 17,020.00	\$ 23.00	\$ 17,020.00	\$ 20.25	\$ 14,985.00
104	¾" – 0" Crushed Aggregate Base	695	TON	\$ 25.00	\$ 17,375.00	\$ 22.00	\$ 15,290.00	\$ 28.00	\$ 19,460.00
105	Unsuitable Material Excavation, Haul-off and Disposal	70	CY	\$ 20.00	\$ 1,400.00	\$ 24.00	\$ 1,680.00	\$ 30.00	\$ 2,100.00
106	Subgrade Stabilization Rock	70	CY	\$ 26.00	\$ 1,820.00	\$ 35.00	\$ 2,450.00	\$ 47.00	\$ 3,290.00
107	Subgrade Geotextile Fabric	1670	SY	\$ 1.00	\$ 1,670.00	\$ 0.60	\$ 1,002.00	\$ 1.35	\$ 2,254.50
108	Cold Plane Pavement Removal 1" to 2" depth	7540	SY	\$ 2.10	\$ 15,834.00	\$ 2.70	\$ 20,358.00	\$ 2.25	\$ 16,965.00
109	Level 2, ½ Inch ACP Pre-level – 1" depth	200	TON	\$ 88.00	\$ 17,600.00	\$ 74.00	\$ 14,800.00	\$ 84.00	\$ 16,800.00
110	Pavement Overlay Geotextile	9210	SY	\$ 2.05	\$ 18,880.50	\$ 2.00	\$ 18,420.00	\$ 1.60	\$ 14,736.00
111	Level 2, ½ Inch ACP – 2" depth	1300	TON	\$ 72.50	\$ 94,250.00	\$ 78.00	\$ 101,400.00	\$ 84.00	\$ 109,200.00
112	PCC Straight Curb; excavation, haul-off, and construct new	615	LF	\$ 33.00	\$ 20,295.00	\$ 36.00	\$ 22,140.00	\$ 42.00	\$ 25,830.00
113	PCC Sidewalk – 4 Inch; excavation, haul-off, and construct new	1680	SF	\$ 11.00	\$ 18,480.00	\$ 12.50	\$ 21,000.00	\$ 13.50	\$ 22,680.00
114	PCC Sidewalk/Driveway – 6 Inch; excavation, haul-off, and construct new	390	SF	\$ 13.00	\$ 5,070.00	\$ 23.00	\$ 8,970.00	\$ 14.50	\$ 5,655.00
115	Adjust Manhole Structure to Grade	5	EA	\$ 400.00	\$ 2,000.00	\$ 1,500.00	\$ 7,500.00	\$ 180.00	\$ 900.00
116	Adjust Catch Basin Structure to Grade	1	EA	\$ 350.00	\$ 350.00	\$ 1,200.00	\$ 1,200.00	\$ 1,725.00	\$ 1,725.00
117	Adjust Water & Gas Valve Box to Grade	5	EA	\$ 140.00	\$ 700.00	\$ 150.00	\$ 750.00	\$ 75.00	\$ 375.00
118	Adjust Sanitary Sewer Cleanout to Grade	1	EA	\$ 100.00	\$ 100.00	\$ 240.00	\$ 240.00	\$ 90.00	\$ 90.00
119	Adjust Phone Vault Structure to Grade	1	EA	\$ 650.00	\$ 650.00	\$ 1,500.00	\$ 1,500.00	\$ 480.00	\$ 480.00
120	Concrete Handicap Ramps w/Truncated Domes; excavation, haul-off, and construct new per detail	12	EA	\$ 5,278.00	\$ 63,336.00	\$ 4,600.00	\$ 55,200.00	\$ 3,500.00	\$ 42,000.00
121	Handicap Parking Pavement Marking	1	EA	\$ 380.00	\$ 380.00	\$ 300.00	\$ 300.00	\$ 230.00	\$ 230.00
122	4 Inch White Pavement Markings - Paint	60	LF	\$ 7.00	\$ 420.00	\$ 6.00	\$ 360.00	\$ 6.00	\$ 360.00
123	12 Inch White Pavement Markings – Paint	20	LF	\$ 15.00	\$ 300.00	\$ 11.00	\$ 220.00	\$ 29.00	\$ 580.00
124	Relocate Street Sign	4	EA	\$ 50.00	\$ 200.00	\$ 200.00	\$ 800.00	\$ 60.00	\$ 240.00
125	Removal of Catch Basin; excavate, haul-off, and backfill	4	EA	\$ 375.00	\$ 1,500.00	\$ 200.00	\$ 800.00	\$ 520.00	\$ 2,080.00
126	Type CG-2 Catch Basin complete in place	6	EA	\$ 2,245.00	\$ 13,470.00	\$ 1,600.00	\$ 9,600.00	\$ 2,990.00	\$ 17,940.00
127	60 Inch Pollution Control Manhole - 6' depth; complete in place	1	EA	\$ 8,584.00	\$ 8,584.00	\$ 14,000.00	\$ 14,000.00	\$ 21,000.00	\$ 21,000.00
128	Storm Pipe; 8 Inch, CL 52, D.I.P.; complete in place	50	LF	\$ 98.00	\$ 4,900.00	\$ 130.00	\$ 6,500.00	\$ 175.00	\$ 8,750.00
129	Solid Lid for Existing Catch Basin	1	EA	\$ 120.00	\$ 120.00	\$ 250.00	\$ 250.00	\$ 560.00	\$ 560.00
130	Removal of Tree	4	EA	\$ 150.00	\$ 600.00	\$ 1,200.00	\$ 4,800.00	\$ 525.00	\$ 2,100.00
131	Street Tree	47	EA	\$ 608.00	\$ 28,576.00	\$ 630.00	\$ 29,610.00	\$ 625.00	\$ 29,375.00
				Total Bid Price	\$ 401,316.50	Total Bid Price	\$ 420,960.00	Total Bid Price	\$ 442,540.50



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

TO: Mayor Henry Porter and the Stayton City Council
FROM: Dan Fleishman, Director of Planning and Development
DATE: April 16, 2018
SUBJECT: Ordinance 1019 Amending Title 6, 8 and 15 of the Stayton Municipal Code Promoting Maintenance of Buildings and Public Spaces

ISSUE

The issue before the City Council is consideration of an ordinance enacting amendments to the Stayton Municipal Code to promote maintenance of properties in the downtown area. Whereas these are not amendments to the Land Use and Development Code, no public hearing is required. However, the Council may wish to hold a hearing prior to enactment of the ordinance.

BACKGROUND INFORMATION

At the March 19 City Council meeting, representatives of the Friends of Old Town Stayton (now known as Revitalize Downtown Stayton) presented to the City Council a set of proposed amendments to the Municipal Code to address the conditions of property, primarily in the downtown area. At that time, the Council indicated its willingness to consider these amendments and requested that staff convert the proposal into proper format of an ordinance.

PROPOSED AMENDMENTS

The proposed amendments would affect three different topic areas and make changes to three different titles of the Municipal Code.

Title 6 – Animals

The Ordinance would enact a new section in Chapter 6.04 Animal Control that would require that pet droppings be removed from any sidewalk or within any public right of way. This requirement would apply throughout the City.

Title 8 – Health and Safety

The Ordinance would expand the current prohibition on smoking and vaping in the City's parks in Chapter 8.12 to include the sidewalk in front of any front street façade of any building in the downtown area. State law already prohibits smoking or vaping within 10 feet of the doorway to any business. This prohibition is enforced by the Oregon Health Authority upon complaint.

The proposed ordinance would expand the prohibition to the entire frontage of buildings in the downtown area and give the Police Department enforcement authority.

Title 15 – Buildings and Construction

The Ordinance would create a new chapter within this title regarding maintenance of non-residential properties. The chapter would control the use of property and public places only with the downtown area. The new regulations would require:

- The exterior of non-residential properties to be kept free of debris and trash;
- Weeds and other plants not in landscape planter to be removed;
- Awnings to be kept in good repair and free of moss or algae; and
- Awnings to provide illumination of the sidewalk between dusk and midnight.

The Proposal submitted to the Council included an enforcement procedure for proposed Chapter 15.12 that required two notices of violation and orders of abatement. Staff has modified the enforcement procedure to require a written determination of violation and then a notice of violation and order of abatement.

RECOMMENDATION

Staff recommends adoption of Ordinance 1019 as presented.

OPTIONS AND MOTIONS

The City Council is presented with the following options.

1. Approve the first consideration of Ordinance 1019

Move to approve Ordinance No 1019 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. 1019 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 1019 will be brought before the Council for a second consideration at the May 7, 2018 meeting.

2. Approve the Ordinance with modifications

Move to approve Ordinance No. 1019 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. 1019 will be brought before the Council for a second consideration at its May 7, 2018 meeting.

3. Return the Ordinance to Staff for modification prior to consideration

Move to request that staff incorporate the following changes into Ordinance No. 1019 before the Ordinance is presented to the City Council for consideration...

4. Hold a Public Hearing prior to consideration

Move that the City Council schedule a public hearing on Ordinance No. 1019 on May 7, 2018.

5. Retain the Code unchanged.

No motion is necessary.

ORDINANCE NO. 1019

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE TITLES 6, 8, AND 15, PROMOTING THE MAINTENANCE OF BUILDINGS AND PUBLIC SPACES

WHEREAS, the City of Stayton has adopted Title 6 of the Stayton Municipal Code (SMC) regarding animal control;

WHEREAS, there is currently no requirement in the SMC regarding owners of animals picking up their animals' waste;

WHEREAS, the City of Stayton has adopted Title 8, Chapter 8.12 regarding the use of public parks, public property and waterways;

WHEREAS, the SMC prohibits the use of tobacco products in public parks;

WHEREAS, Oregon law prohibits smoking within 10 feet of the entrance, exits, open windows and ventilators of public places or places of employment.

WHEREAS, the City has adopted a Downtown Transportation and Revitalization Plan that envisions that downtown streets are designed for pedestrians and promote safety and comfort.

WHEREAS, the City is interested in promoting the downtown area and maintaining the appearance of buildings and spaces around buildings to increase the attractiveness of the downtown area; and

WHEREAS, the Stayton City Council, does find that the provisions of this Ordinance are reasonable regulations to promote the public health, safety and welfare.

NOW, THEREFORE, the City of Stayton ordains:

Section 1. Removal of Animal Waste Required. Stayton Municipal Code Title 6, Chapter 6.04, Section 6.04.220 is hereby enacted.

6.04.2200 REMOVAL OF ANIMAL WASTE

The owner of every animal shall be responsible for the removal of any solid waste deposited by the owner's animal on public walks or within any public right of way, or in a park or other public place, or on private property not owned by the animal's owner.

Section 2. Smoking Prohibited. Stayton Municipal Code Title 8, Chapter 8.12, Section 8.12.040.5 is hereby amended, to prohibit smoking or vaping on sidewalks in the downtown area:

5. Smoking of tobacco, marijuana, or any other substances including E-Cigarettes and use of smokeless tobacco is prohibited at any City-owned property, park and facilities. Smoking or vaping is prohibited outside the front street facade of any building in the area designated as Downtown in the Comprehensive Plan Map. Smoking is defined as inhaling, exhaling, breathing, or carrying any lighted cigar, cigarette, E-cigarette, vape pen, or other tobacco product in any manner or in any form.

Section 3. Commercial Property Maintenance Required. Stayton Municipal Code Title 15, Chapter 15.12 is hereby enacted, establishing regulations for the maintenance of non-residential properties in the downtown area:

CHAPTER 15.12

NON-RESIDENTIAL PROPERTY MAINTENANCE

15.12.010 PURPOSE

This Chapter is intended to protect the Downtown Core from blight, deterioration, and decay as a result of properties in a condition or state that potentially would have an adverse effect on the value, utility, and habitability of property within the City. Such properties may:

1. Pose hazards to the public health, safety, and welfare.
2. Cause potential damage to adjoining and nearby properties. A property which is merely unkempt or vacant for long periods may reduce the value of adjoining and nearby property, and the habitability and economic well-being of the City may be materially and adversely affected.
3. Be a cause and source of blight in both residential and non-residential neighborhoods, especially when the person in charge of the building fails to actively maintain and manage the building to ensure that it does not become a liability to the neighborhood.
4. Discourage economic development and retard appreciation of property values.
5. Serve as a potential fire hazards and can jeopardize the ability of owners of neighboring property from securing or maintaining affordable fire insurance.
6. Potentially cause increased need for police protection due to misuse of the property by persons not having permission or right to use the property.
7. Be the core and cause of spreading blight

It is the responsibility of property ownership to prevent owned property from becoming a burden to the neighborhood and community and a threat to the public health, safety, or welfare. It is also in the community's best interest not to lose unique buildings, and in the best interest of the owner to maintain their investment.

15.12.020 SCOPE OF REGULATIONS

The regulations included in this Chapter shall be in effect and control the use of property and public places only within the Downtown Core of the City. The Downtown Core is defined as that area designated Downtown on the Stayton Comprehensive Plan Map.

15.12.030 PROPERTY TO BE KEPT FREE FROM DEBRIS

The exterior of any non-residential property shall be kept free of debris, trash, building materials, or the storage of other goods. The building exterior and/or property shall be kept free of any accumulation of newspapers, circulars or flyers, graffiti, discarded items including but not limited to cigarette butts, scrap paper, food or beverage containers, furniture, clothing, and appliances.

15.12.040 WEEDS AND PLANTS TO BE CONTROLLED

Plant material shall be cut down or destroyed between the building facade and the street unless planted in a container or tree well by the building owner, occupant, or city. Plant material shall be removed between buildings, and in alleyways. Planted materials in landscape planters shall be maintained to keep them healthy and attractive.

15.12.050 ILLUMINATION AND MAINTENANCE OF AWNINGS

1. Awnings shall be in good repair and free of moss or algae.

2. Awnings shall not be internally illuminated. However, lighting which provides illumination to the sidewalk and signage is required from dusk to midnight.

15.12.060 ENFORCEMENT

The Ordinance Enforcement Officer shall enforce the standards of this Chapter, with or without a complaint being filed, when apparent violations are visible from a public street or property with public access.

1. Investigations.

Once a violation has been identified, the Ordinance Enforcement Officer will issue a written determination of violation.

2. Determination of Violation.

- a. When the Ordinance Enforcement Officer has determined that a violation of this Chapter exists, the Ordinance Enforcement Officer shall issue a written determination of violation to the property owner with an order to abate the violation. The written determination shall be mailed by first class mail to the owner at the address of record in the Marion County Assessor's records and shall include the following:

- 1) Street address.
- 2) A statement that the Ordinance Enforcement Officer has found the building or premises to be in violation of this Chapter.
- 3) A thorough description of the violation.
- 4) Statements advising the owner that if the required repairs or corrective actions are not completed within thirty days, the Ordinance Enforcement Officer will issue a Notice of Violation and Order of Abatement.
- 5) Statements that issuance of a Notice of Violation and Order of Abatement may result in:
 - a) Recording of the Notice and Order against the property.
 - b) Issuance of a citation to the owner to appear in Stayton Municipal Court.
 - c) Initiation of action to recover all City costs associated with the processing of the complaint, investigation and the resolution of the matter.
- 6) The date by which the repairs or corrective actions must be completed and a reinspection scheduled.

3. Notice of Violation and Order of Abatement.

If there is not compliance with the determination of violation and order by the date specified in the written determination, the Ordinance Enforcement Officer shall issue a Notice of Violation and Order of Abatement to the property owner. The Notice and Order shall be served upon the owner by certified mail, at the address of record in the Marion County Assessor's records and shall include the following:

- a. Street address.

- b. A statement that the Ordinance Enforcement Officer has found the building or premises to be in violation of this Chapter.
- c. A thorough description of the violation.
- d. Statements advising the owner that if the required repairs or corrective actions are not completed within thirty days, plus three days for mailing from the date of the Notice and Order, the Ordinance Enforcement Officer shall:
 - 1) Record the Notice and Order against the property.
 - 2) Coordinate the issuance of a citation to the owner to appear in Stayton Municipal Court.
 - 3) Initiate action to recover all City costs associated with the processing of the complaint, investigation and the resolution of the matter.
- e. Statements that the owner may appeal the Notice and Order as specified in this Chapter.
- f. The date by which the repairs or corrective actions must be completed and a reinspection scheduled.

4. Failure to Comply.

If there is not compliance with the Notice of Violation and Order by the specified date, the Ordinance Enforcement Officer shall:

- a. Coordinate the issuance of a citation to the owner to appear in Stayton Municipal Court;
- b. Record the Notice and Order against the property with all recording costs to be the responsibility of the owner; and
- c. Initiate an accounting for all costs associated with the processing of the complaint, investigation and the resolution of the matter with the intent and purpose of recovering these costs from the owner. A lien shall be placed on the subject property.

5. Compliance.

- a. Upon compliance with the Order of Abatement, the Ordinance Enforcement Officer will issue a Notice of Compliance to the owner.
- b. If a Notice and Order was recorded against the property, the City Manager will record the Notice of Compliance against the property.
- c. If an accounting was initiated for all costs associated with the processing of the complaint, investigation and the resolution of the matter, the Finance Director will proceed with collecting these costs from the owner using adopted City procedures, including lien foreclosure.

- 6. Penalties. Any person violating any of the provisions of this Chapter shall, upon court conviction thereof, be punished by a fine as specified by Council Resolution. Each day that a violation remains unrectified after notification is a separate offense.

15.12.070 APPEALS

- 1. Appeal to City Administrator.

Any owner who has been issued a Notice of Violation by the Ordinance Enforcement Officer may file a written appeal to the City Manager within 10 business days of the date the Notice of Violation was mailed.

2. The City Manager shall consider the appeal within 15 business days from the date of the City's receipt of the appeal. The City Manager may, at the City Manager's sole discretion:
- a. Remand the matter back to the Ordinance Enforcement Officer for reconsideration;
 - b. Grant the request on appeal, with or without conditions; or
 - c. Deny the request on appeal.

The City Manager shall issue a written Notice of Decision regarding the appeal. The City Manager's decision is final.

Section 4. Effective Date. This Ordinance shall become effective on the 30th day after adoption by the Stayton City Council and execution by the Mayor, or a representative of the Mayor.

ADOPTED BY THE STAYTON CITY COUNCIL this 16th day of April, 2018.

CITY OF STAYTON

Signed: _____, 2018

BY: _____
Henry A. Porter, Mayor

Signed: _____, 2018

ATTEST: _____
Keith D. Campbell,
City Administrator



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

TO: Mayor Henry Porter and the Stayton City Council
FROM: Dan Fleishman, Director of Planning and Development
Lance Ludwick, Public Works Director
DATE: April 16, 2018
SUBJECT: Appointment of Transportation System Update Citizen Advisory Committee

ISSUE

The issue before the City Council is appointment of a Citizen Advisory Committee to provide guidance in the development of the Transportation System Plan Update. The Committee will meet three or four times in the course of writing the plan. Staff has solicited interest from various organizations and citizens within the City and developed the following committee for consideration by the City Council.

Name	Representation
Randy Bentz	Norpac - Director of Operational Improvement
Jon Mesa	FOTS
To be determined	Chamber of Commerce
Brian Cowan	Redbuilt
Brian Quigley	City Councilor
Jackie Carmichael	Planning Commission
Karen Odenthal	Citizen
Laura Wipper	North Santiam School District
Rich Sebens	Police Chief
Jack Carriger	Stayton Fire District

RECOMMENDATIONS

Staff recommends appointment of the Committee as presented, with a representative of the Chamber of Commerce to be designated by the Chamber

OPTIONS AND MOTIONS

The City Council is presented with the following options.

1. Appoint the Citizen Advisory Committee as recommended

Move to appoint the Citizen Advisory Committee as presented.

2. Appoint the Citizen Advisory Committee

Move to appoint the Citizen Advisory Committee with the following changes...



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

TO: Mayor Henry Porter and the Stayton City Council
FROM: Cindy Chauran, Associate Accountant
Elizabeth Baldwin, Utility Billing Clerk
DATE: April 16, 2018
SUBJECT: Monthly Finance Department Report

	March 2018	February 2018
Number of Bills Mailed	2,364	2,368
Number of Bills Emailed	339	325
Number of Bills on Auto-Pay	570	560
Delinquent Notices Sent Out	479	511
Courtesy Delinquent Notices Sent to Landlords	152	162
Notified of Impending Shut-Off & Penalty	135	144
Customers Issued Payment Extensions	12	30
Customers with Interrupted Services Non-Payment	22	24
Services Still Disconnected	1	0
Number of Checks Issued	174	144
Total Amount of Checks	\$293,409.70	\$210,817.39



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

TO: Mayor Henry Porter and the Stayton City Council
FROM: Rich Sebens, Chief of Police
DATE: April 16, 2018
SUBJECT: Staff Report

Below you will see the stats for the Police Department for the month of March 2018.

	March 2018	Year to Date 2018	March 2017	Year to Date 2017
Police Activity	688	2089	786	2279
Investigated Incidents	163	521	286	887
Citations/Warning	76/112	205/392	147/239	352 /688
Traffic Accidents	6	22	6	18
Juvenile Abuse	6	12	3	8
Arrests	39	116	48	120
Ordinance Complaints	30	99	25	93
Reserve Volunteer Hrs.	65.50	260.50	126.92	426.45
Citizen Volunteer Hrs.	0	0	17.75	74.32
Peer Court Referrals:	32	41	2	10

STAYTON POLICE DEPARTMENT CONSOLIDATED MONTHLY CATEGORIZED REPORT-NIBRS 3/1/2018 - 3/31/2018

PERSON	CRIMES				CRIMES CLEARED BY ARREST & EXCEPTION				PERCENT CLEARED				PERSONS ARRESTED			
	3/1/18 to 3/31/18	1/1/18 to 3/31/18	1/1/17 to 3/31/17	% Change Yr to Yr	3/1/18 to 3/31/18	1/1/18 to 3/31/18	1/1/17 to 3/31/17	3/1/18 to 3/31/18	1/1/18 to 3/31/18	1/1/17 to 3/31/17	3/1/18 to 3/31/18	1/1/18 to 3/31/18	1/1/17 to 3/31/17	Juv	Adult	Total
NON-CRIMINAL																
ACCIDENT-INJURY	1	4	2	100.0%	1	2	7	100.0%	100.0%	87.5%	1	0	0	0	0	4
ACCIDENT-PROPERTY	4	15	11	36.4%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	1
ALL OTHER NON-CRIMINAL	76	259	680	-61.9%	2	2	14	40.0%	20.0%	66.7%	1	1	2	0	0	26
NON CRIM DOMESTIC DISTURB	2	4	26	-84.6%	0	0	2	0.0%	0.0%	66.7%	0	0	0	0	0	0
NON-CRIMINAL TOTALS	83	282	719	-60.8%												
PERSON																
AGGRAVATED ASSAULT	1	2	8	-75.0%	1	2	7	100.0%	100.0%	87.5%	1	0	0	0	0	4
OFFENSE AGAINST FAMILY	1	3	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	1
OTHER ASSAULTS	5	10	21	-52.4%	2	2	14	40.0%	20.0%	66.7%	1	1	2	0	0	26
RAPE	0	0	2	-100.0%	0	0	1	0.0%	0.0%	50.0%	0	0	0	0	0	0
RESTRAINING ORDER VIOLATION	0	0	3	-100.0%	0	0	2	0.0%	0.0%	66.7%	0	0	0	0	0	1
ROBBERY	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	0	1
SEX OFFENSES	2	3	4	-25.0%	1	1	1	50.0%	33.3%	25.0%	0	0	0	0	0	1
PERSON TOTALS	9	18	39	-53.8%	4	5	26	44.4%	27.8%	66.7%	2	1	3	0	0	37
PROPERTY																
ARSON	0	1	0	0.0%	0	1	0	0.0%	100.0%	0.0%	0	0	0	0	0	1
BURGLARY - BUSINESS	0	1	1	0.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	0	1
BURGLARY - OTHER STRUCTURE	0	0	2	-100.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
BURGLARY - RESIDENCE	2	6	5	20.0%	0	0	2	0.0%	0.0%	40.0%	0	0	0	0	0	2
COUNTERFEITING/FORGERY	0	5	1	400.0%	0	2	1	0.0%	40.0%	100.0%	0	0	0	0	0	5
EXTORTION/BLACKMAIL	1	1	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
FRAUD	3	15	6	150.0%	1	6	3	33.3%	40.0%	50.0%	0	1	1	0	0	5
LARCENY																
<i>Shoplifting</i>	7	15	10	50.0%	4	8	6	57.1%	53.3%	60.0%	1	3	4	0	0	7
<i>Theft from a Motor Vehicle</i>	2	19	6	216.7%	0	1	1	0.0%	5.3%	16.7%	0	0	0	0	0	1
<i>Theft of MV Parts/Accessories</i>	1	1	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
<i>Theft of Bicycle</i>	1	4	3	33.3%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
<i>Theft from Building</i>	2	6	1	500.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0	0
<i>All Other Larceny</i>	6	22	12	83.3%	2	5	4	33.3%	22.7%	33.3%	1	0	1	0	0	7
LARCENY	19	67	32	109.4%	6	14	11	31.6%	20.9%	34.4%	2	3	5	0	0	14
MOTOR VEHICLE THEFT	6	6	3	100.0%	0	0	1	0.0%	0.0%	33.3%	0	0	0	0	0	0
STOLEN PROPERTY	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	0	1
VANDALISM	4	26	21	23.8%	0	3	2	0.0%	11.5%	9.5%	0	0	0	0	0	3

PROPERTY TOTALS	CRIMES				CRIMES CLEARED BY ARREST & EXCEPTION				PERCENT CLEARED				PERSONS ARRESTED					
	3/1/18 to 3/31/18	1/1/18 to 3/31/18	1/1/17 to 3/31/17	% Change Yr to Yr	3/1/18 to 3/31/18	1/1/18 to 3/31/18	1/1/17 to 3/31/17	3/1/18 to 3/31/18	1/1/18 to 3/31/18	1/1/17 to 3/31/17	3/1/18 to 3/31/18	1/1/18 to 3/31/18	1/1/17 to 3/31/17	Juv	Adult	Total	3/1/18 to 3/31/18	1/1/17 to 3/31/17
35	128	72	77.8%	7	26	22	20.0%	20.3%	30.6%	2	4	6	32	29				
SOCIETY																		
ALL OTHER	12	37	25	48.0%	1	4	8	8.3%	10.8%	32.0%	0	1	1	4	10			
ANIMAL	0	0	1	-100.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0			
CURFEW	3	5	5	0.0%	3	5	4	100.0%	100.0%	80.0%	6	0	6	8	5			
CUSTODY-MENTAL	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	1			
CUSTODY-PROTECTIVE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0			
DISORDERLY CONDUCT	1	4	13	-69.2%	1	3	10	100.0%	75.0%	76.9%	2	0	2	5	15			
DR WHILE SUSP	0	2	7	-71.4%	0	2	7	0.0%	100.0%	100.0%	0	0	0	2	8			
DRIVING UNDER INFLUENCE	3	15	18	-16.7%	3	15	18	100.0%	100.0%	100.0%	0	3	3	15	20			
ELUDING	0	0	3	-100.0%	0	0	3	0.0%	0.0%	100.0%	0	0	0	0	0			
ESCAPE	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	1			
FAIL TO DISPLAY DL	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0			
FUGITIVE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0			
HIT & RUN	5	12	13	-7.7%	0	0	2	0.0%	0.0%	15.4%	0	20	20	47	47			
LIQUOR LAWS	3	5	1	400.0%	3	5	1	100.0%	100.0%	100.0%	4	2	6	8	1			
MIP TOBACCO	1	4	1	300.0%	1	4	1	100.0%	100.0%	100.0%	1	0	1	6	1			
NARCOTICS/DRUGS	5	14	13	7.7%	5	12	12	100.0%	85.7%	92.3%	2	5	7	15	21			
PROP RECOV - FOR OTHER AGENCY	1	1	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0			
RECKLESS DRIVING	0	2	7	-71.4%	0	2	7	0.0%	100.0%	100.0%	0	0	0	2	7			
RUNAWAY	0	5	1	400.0%	0	4	1	0.0%	80.0%	100.0%	0	0	0	4	1			
TRESPASS	2	7	15	-53.3%	0	2	1	0.0%	28.6%	6.7%	0	0	0	3	1			
VEH RECOV - FOR OTHER AGENCY	0	1	3	-66.7%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0			
WARRANT	18	44	38	15.8%	17	43	37	94.4%	97.7%	97.4%	0	0	0	0	4			
WEAPONS	1	1	3	-66.7%	1	1	3	100.0%	100.0%	100.0%	1	0	1	1	4			
SOCIETY TOTALS	55	159	169	-5.9%	35	102	117	63.6%	64.2%	69.2%	16	31	47	120	151			
GRAND TOTALS	182	587	999	-41.2%														



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

TO: Mayor Henry Porter and the Stayton City Council
FROM: Lance S. Ludwick, P.E. Director of Public Works
DATE: April 16, 2018
SUBJECT: Award of 2018 Parks Maintenance Program

BACKGROUND INFORMATION

The City maintains 12.7 acres of neighborhood parks, and 7.65 acres of community parks. Throughout the spring, summer and early fall these parks need to be mowed once per week. Starting in 2015 the City started contracting out mowing services of the parks with great success.

This year the City requested bids from several local companies for the City's Park Maintenance Program.

The selected contractor will mow the City Parks one time per week, edge around the interior and exterior sidewalks and hardscape areas one time per month, and apply a commercial grade Weed and Feed fertilizer to all the Park grass one (1) time before May 18th, 2018. The mowing and edging services shall be performed between April 23, 2018 and October 22nd, 2018, (26 weeks) unless directed by the City to terminate services. The contractor shall use commercial grade equipment to mow City Parks.

The City received two (2) bids for the annual service and both companies have worked for the City in the past in the same capacity and have a good performance record.

Attached is the Bid Tabulation sheet for your reference. Green Acres Landscape, Inc. came in with the lowest cost of \$24,450.00 and was awarded the contract.

FISCAL IMPACT

The financial impact to the City is the cost of \$24,450.00

ENCLOSURE(S)- Bid Tabulation

CITY OF STAYTON - 2018 PARKS MAINTENANCE PROGRAM

Bid Tabulation

Bid Date: April 4, 2018 at 11:00 A.M.

		Green Acres Landscape, Inc (Bid Received March 28, 2018 via email)		Hal / Mark, Inc (Bid Received April 2, 2018)		
Bid Item Name	Est. Qty	Unit	Bid Unit Price	Extended Bid Unit Price	Bid Unit Price	Extended Bid Unit Price
1 Mowing Westown Park, Quail Run Park, Santiam Park, North Slope Park, Nettleing Addition to Pioneer Park, Pioneer Park, and the Community Center Park	1	All 26 weeks (to be mowed once per week	\$17,010.00	\$17,010.00	\$26,898.75	\$26,898.75
2 Edging Services in all City Parks	1	All 7 months (to be edged once per month)	\$1,848.00	\$1,848.00	\$700.00	\$700.00
3 Fertilizing (Weed and Feed) all City Parks (Weed and Feed brand to be approved by City of Stayton Public Works Department prior to application)	1	Once (weed and feed by May 18, 2018)	\$5,592.00	\$5,592.00	\$4,146.00	\$4,146.00
Bid Amount			Total Bid Price	\$24,450.00	Total Bid Price	\$31,744.75



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

TO: Mayor Henry Porter and the Stayton City Council
FROM: Lance S. Ludwick, P.E.; Director of Public Works
DATE: April 16, 2018
SUBJECT: Water Management Conservation Plan

BACKGROUND INFORMATION

The City of Stayton received a letter from the Oregon Water Resources Department (OWRD), dated November 14, 2017. This letter notified the City that the Water Management and Conservation Plan (WMCP) was past due and should be submitted to the OWRD as soon as possible, but no later than April 24, 2018.

A WMCP is a plan developed by a water supplier such as the City that describes the water system and its needs, identifies its sources of water, and explains how the water supplier will manage and conserve those supplies to meet present and future needs. As such, a WMCP is a long-term water management and conservation tool which includes evaluation of different conservation and management actions that suppliers can undertake. The requirement for preparing WMCPs is directly tied to the criteria for approval of municipal and quasi-municipal permit extension of time applications, as described under OAR Chapter 690, Division 315 (OAR 690-315). These rules require all suppliers serving over 1,000 people to complete a WMCP in association with water right permit extensions. For some water suppliers, submittal of a WMCP may be a condition resulting from the issuance of a new water use permit. OAR 690-086 details the requirements of WMCPs.

The City last submitted a WMCP in January 2006 which outlined benchmarks to be implemented to improve local management of water resources. Since that time, the City has made progress in meeting those benchmarks and is looking to coordinate this new plan with on-going efforts to comply with OAR 690-086 rules.

The City is submitting this WMCP in response to the final order approving a permit extension of time request on one of its water rights (Permit S-52447). Approval of the extension application triggered the need to prepare and submit a WMCP as directed under OAR Chapter 690 Division 086. The City recognizes diversion of any water under Permit S-52447 may only be authorized upon the issuance of a final order approving this updated WMCP.

The draft report was prepared by Keller Associates. The report was completed and provided to affected local governments on March 21st. along with a request for comments to consistency with the local governments' comprehensive land use plan. OWRD requires that you allow 30 days to receive comments before finalizing the report and submitting to OWRD. The only comment letter received to-date is a letter from the County stating it is consistent with the Marion County Comprehensive Plan. The report will be finalized and submitted to OWRD on Monday April 23rd.

Staff believes this WMCP outlines a plan to effectively manage its present water rights and provide a means for developing a comprehensive strategy for meeting its municipal water supply needs over the next 20 years. Moreover, the plan attempts to enhance management techniques of the State's water resources, including an increased effort to improve the efficiency of the water system, thereby meeting the intent of the regulations defined under Oregon Administrative Rule (OAR) 690-086.

This WMCP conforms with the City's 2006 Water Master Plan, and uses information developed during that planning effort and subsequent planning efforts.

FISCAL IMPACT

The cost to prepare this report is the only quantifiable financial impact to the City. The cost to prepare the report was \$27,900.00.

STAFF RECOMMENDATION

None, this is an informational memorandum.

ENCLOSURE(S)

None; A Draft of the Water Management and Conservation Plan can be viewed at the City of Stayton Public Works Administrative Office.



CITY OF STAYTON

M E M O R A N D U M

TO: Mayor Henry Porter and the Stayton City Council
FROM: Dan Fleishman, Director of Planning and Development
DATE: April 16, 2018
SUBJECT: Report of Activities for March, 2018

Attended regional tourism promotion meeting

Met with consultants to kick off update of the City's Transportation System Plan

Conducted Land Use basic training for Planning Commission and City Council members

Attended Friends of Old Town Stayton board meeting

Attended two preapplication meetings

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



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

TO: Mayor Porter and the Stayton City Council
FROM: Janna Moser - Library Director
DATE: April 16, 2018
SUBJECT: March Library report

The Library held Food for Fines the first week of March. Library fines were reduced by \$1 for each food item contributed. 342 pounds of food was collected. All food was given to the Stayton Community Food Bank.

The library celebrated Dr. Seuss' birthday on March 2. Guest readers included: Police Chief Sebens, Pam Pugsley, Susan Brandt, Dave Kinney and Caroll Brandt. Cat in the Hat birthday cake and a photo booth were enjoyed by all.

LaRee Johnson presented, "Hankies, History, and Her Accessories". LaRee is an author and an avid collector of vintage fashion. She spoke about handkerchiefs and their use by women for all of society's moments and brought examples from her collection to show the crowd. The presentation was sponsored by the Stayton Friends of the Library and the Abigail Scott Duniway Chapter of the Daughters of the American Revolution.

Upcoming events to mark on your calendars:

- Planning the Mid-Valley Vegetable Garden Workshop – April 21 at 9:00am
- Children & Teens: Bots – March 26 at 4:00pm
- Author: Marie Bostwick – April 26 at 7:00pm
- Local Author Fair – May 5 at 11:00am
- Adults & Teens: DIY Paper Flowers – May 10 at 5:30pm
- Author and Photographer: Greg Vaughn – May 17 at 7:00pm
- Father Daughter Ball – June 9 – 5:00pm

2017-2018 Monthly Library Statistics														
	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	2017-18 YTD	2016-17 YTD
TOTAL CHECKOUTS	12,761	12,616	11,204	11,545	11,029	10,705	11,983	10,829	12,802				105,474	126,579
OTHER CIRCULATION SERVICES														
Self check out	4,086	4,177	3,703	3,688	3,427	3,472	3,994	3,459	4,163				34,169	39,895
Library2Go (ebooks +)	910	972	947	970	1022	1,069	1,163	1,026	1,153				9,232	9,917
INCOME RECEIVED														
Non-resident cards	\$89.50	\$130.00	\$177.00	\$175.00	\$142.00	\$105.00	\$332.00	\$337.00	\$175.00				\$1,662.50	\$2,180.20
Fines: overdue & lost books	\$1,121.79	\$1,917.07	\$1,235.71	\$600.29	\$875.99	\$755.19	\$1,606.61	\$926.54	\$960.26				\$9,999.45	\$10,821.37
Room fees	-\$31.25	\$25.00	\$115.00	\$90.00	\$197.00	\$60.00	\$420.00	\$495.00	\$105.00				\$1,475.75	\$1,332.00
												TOTAL	\$13,137.70	\$14,333.57
REFERENCE QUESTIONS														
In-Person, by phone and computer help	584	364	352	356	360	404	508	496	544				3,968	6,035
NEW PATRON CARDS														
	65	89	58	48	43	57	84	68	70				582	796
INTERNET USE														
	938	1,122	1,066	1,116	880	907	957	824	907				8,717	11,398
PROGRAM ATTENDANCE														
Children & adults at Children's Programs	761	58	427	414	469	439	754	441	711				4,474	7,229
Teens	17	20	32	35	30	34	13	7	14				202	150
Adults	57	31	43	47	28	34	155	246	179				820	764
Outreach	0	0	0	0	0	0	166	558	451				1,175	4,054
												TOTAL	6,671	12,197
MEETING ROOM ATTENDANCE														
	33	54	91	158	155	110	166	104	193				1,064	1,621
PATRON VISITS														
	7,645	7,690	6,285	6,585	5,480	5,567	8,280	6,559	7,417				61,508	79,782
VOLUNTEER HOURS														
	254	210	170	211	200	187	219	169	227				1,845	2,392