



## AGENDA STAYTON CITY COUNCIL

Monday, January 6, 2020

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

### OATH OF OFFICE

- a. Oath of Office for Councilor Ben McDonald

### CALL TO ORDER

7:00 PM

Mayor Porter

### FLAG SALUTE

### ANNOUNCEMENTS

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

### APPOINTMENTS

- a. Planning Commission Reappointments
  - Dixie Ellard
  - Richard Lewis
- b. Parks and Recreation Board Reappointment
  - Andrew Westlund
- c. Budget Committee Reappointments
  - Ralph Lewis
  - Connie Dominguez

### PUBLIC COMMENTS

*If you wish to address the Council, please fill out a "Request for Recognition" form on the table near the door. Speakers are limited to 3 minutes and must state their name and residence.*

### CONSENT AGENDA

- a. December 2, 2019 City Council Minutes
- b. Liquor License: "Limited On-Premises Commercial and Off-Premises" Application – North Third LLC

### PUBLIC HEARING

#### **Ordinance No. 1041, Amending Land Use Code to Establish the N. First Avenue Design Overlay District**

- a. Commencement of Public Hearing and Opening Statement
- b. Staff summary
- c. Questions from the Council
- d. Persons in favor

- e. Persons opposed
- f. Other interested persons
- g. Questions from the Council
- h. Staff summary
- i. Close of hearing
- j. Council deliberation
- k. Council Decision on Ordinance No. 1041

**GENERAL BUSINESS**

**Audit 2018-19 Fiscal Year**

**INFORMATIONAL**

- a. Staff Report – Susannah Sbragia
- b. Public Comment
- c. Council Discussion

**Award of Contract for Television Inspection, Cleaning, and Repair of the Sanitary Sewer and Stormwater Systems**

**ACTION**

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

**COMMUNICATIONS FROM MAYOR AND COUNCILORS**

**COMMUNICATION FROM CITY STAFF**

**ADJOURN**

**FUTURE AGENDA ITEMS**

- a. 2019/20 Fiscal Year Half-Year Update
- b. Public Hearing – Alley Vacation
- c. Emergency Management Equipment Update
- d. Marion County Intergovernmental Agreement for Paving

*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 Administrative Services Manager Alissa Angelo at (503) 769-3425.*

# CALENDAR OF EVENTS

## JANUARY 2020

Wednesday	January 1	<b>CITY OFFICES CLOSED IN OBSERVANCE OF NEW YEARS DAY HOLIDAY</b>		
Monday	January 6	City Council	7:00 p.m.	Community Center (north end)
Tuesday	January 7	Parks & Recreation Board	6:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	January 14	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Wednesday	January 15	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	January 20	<b>CITY OFFICES CLOSED IN OBSERVANCE OF MARTIN LUTHER KING JR. HOLIDAY</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 2020

Monday	February 3	City Council	7:00 p.m.	Community Center (north end)
Tuesday	February 4	Parks & Recreation Board	6:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	February 11	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Monday	February 17	<b>CITY OFFICES CLOSED IN OBSERVANCE OF PRESIDENTS DAY HOLIDAY</b>		
Tuesday	February 18	City Council	7:00 p.m.	Community Center (north end)
Wednesday	February 19	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	February 24	Planning Commission	7:00 p.m.	Community Center (north end)

## MARCH 2020

Monday	March 2	City Council	7:00 p.m.	Community Center (north end)
Tuesday	March 3	Parks & Recreation Board	6:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	March 10	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Monday	March 16	City Council	7:00 p.m.	Community Center (north end)
Wednesday	March 18	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	March 30	Planning Commission	7:00 p.m.	Community Center (north end)

## APRIL 2020

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

## MAY 2020

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



# CITY OF STAYTON

## APPLICATION FOR COMMISSION/COMMITTEE

CITY OF STAYTON  
NOV - 6 2019  
RECEIVED

**NAME OF COMMISSION/COMMITTEE:**

Planning Commission \_\_\_\_\_

**PLEASE CHECK ONE:**

New Applicant  
 Application for reappointment

Years resided in Stayton: 10

PLEASE PRINT

Name Dixie Ellard

Address 330 W Water St Home Ph# 503 910 1975

Email Address simpapu@wvi.com Cell Ph# 503 910 1975

Occupation retired

Place of Employment \_\_\_\_\_

Business Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.)  
I have all ready served 2 years on the planning commission

2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make?  
I hope to contribute by coming to every meeting, and participating as I have been for the past while.

**PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION**

3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed.  
I would like to see work done to improve the homeless situation, and make proposals for economic housing for as many as we can.

4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.)  
I work with meals on wheels as regular volunteer.

5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones?  
Just the planning Commission

6. How did you learn about this vacancy?

Our Website     Word of mouth     Other

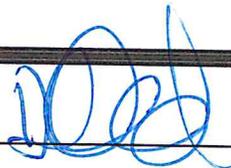
7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

No

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Signature of Applicant



Date

11/04/2019

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PLEASE RETURN TO:    City of Stayton  
362 N. Third Avenue  
Stayton, OR 97383

*It is the policy of the City to comply with all federal and state statutes on equal employment opportunity. This policy shall be applied without regard to any individual employee or job applicant's sex, race, color, religion, national origin, ancestry, age, marital status, political affiliation, genetic information, veteran status or any other legally protected status per state and federal law.*

**PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION**



# CITY OF STAYTON

## APPLICATION FOR COMMISSION/COMMITTEE

NAME OF COMMISSION/COMMITTEE:

Planning Commission

PLEASE CHECK ONE:

New Applicant

Application for reappointment

Years resided in Stayton 10

PLEASE PRINT

Name Richard Lewis

Address 1890 Westminster Pl. Home Ph# \_\_\_\_\_

Email Address richllewis@gmail.com Cell Ph# 208-762-5086

Occupation Retired

Place of Employment N/A

Business Address N/A

Phone \_\_\_\_\_ Email \_\_\_\_\_

1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.)

I have been on the Planning Commission for a year and have a background in the application of rules, regulations, and laws to a given situation.

2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make?

Our goal, as a commission, is to see our City's goals for growth and enhancement are met through unbiased reviews of applications subject to our Land Use and Development Code.

PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION

3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed.

Stayton is a vibrant community with a diverse population. We have much to offer visitors and residents alike. Proper planning and development are integral to our success as a community.

4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.)

I have served, and am currently serving on our Parks and Recreation Board having been appointed by Mayor Aboud 9 or 10 years ago.

5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones?

Stayton Parks and Recreation Board

6. How did you learn about this vacancy?

\_\_\_\_ Our Website    \_\_\_\_ Word of mouth     Other

7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

No

Signature of Applicant

*Richard Lee*

Date Nov. 4, 2019

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PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION



# CITY OF STAYTON

## APPLICATION FOR COMMISSION/COMMITTEE

NAME OF COMMISSION/COMMITTEE:

Parks and Rec

PLEASE CHECK ONE:

New Applicant  
 Application for reappointment

Years resided in Stayton: 1

PLEASE PRINT

Name Andrew Westlund

Address 772 Rabbit Run St. Home Ph# 503 910 0221

Email Address Andrewjwestlund@gmail.com Cell Ph# n/a

Occupation Worm Farmer

Place of Employment Ground Up Soil

Business Address 41154 Ridge Dr. Scio, Oregon 97374

Phone 5039100221 Email info@GroundupSoil.com

1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.)

I have worked with the committee for several months now. I am capable of showing up on time, listening to others and sharing my thoughts and points of view.

2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make?

I would like to better our Parks. I enjoy them very much and would like to help keep them up and help decide how to manage them.

3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed.

I would like to see the community garden become a place where people can grow healthy food.

4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.)

I have been involved with The parks and rec group for several months now. I am planning to help make some videos that we can use on social media and the city website

5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones?

Parks and Rec

6. How did you learn about this vacancy?

\_\_\_\_\_ Our Website    \_\_\_\_\_ Word of mouth      X   Other

7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

no

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Signature of Applicant



Date

11/5/19

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**PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION**



# CITY OF STAYTON

## APPLICATION FOR COMMISSION/COMMITTEE

NAME OF COMMISSION/COMMITTEE:

Budget Committee

PLEASE CHECK ONE:

- New Applicant  
 Application for reappointment

Years resided in Stayton: 26

PLEASE PRINT

Name Ralph Lewis

Address 443 W. Burnett St. Home Ph# 503-769-1951

Email Address \_\_\_\_\_ Cell Ph# \_\_\_\_\_

Occupation Retired

Place of Employment \_\_\_\_\_

Business Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

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1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.)  
Current Budget Committee member...

2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make?  
I enjoy working with others for the betterment of our community.

3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed.

Making sure the City stays within it's budget

4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.)

Current Chairperson of the City's planning Commision, former City Counselor, former Parks Board Member...

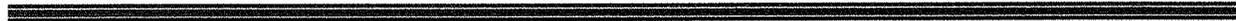
5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones? listed above...

6. How did you learn about this vacancy?

\_\_\_\_\_ Our Website \_\_\_\_\_ Word of mouth  Other

7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

No



Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_



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**PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION**



# CITY OF STAYTON

## APPLICATION FOR COMMISSION/COMMITTEE

NAME OF COMMISSION/COMMITTEE:

\_\_\_\_\_

PLEASE CHECK ONE:

\_\_\_\_\_ New Applicant

\_\_\_\_\_ Application for reappointment

Years resided in Stayton: \_\_\_\_\_

PLEASE PRINT

Name \_\_\_\_\_

Address \_\_\_\_\_ Home Ph# \_\_\_\_\_

Email Address \_\_\_\_\_ Cell Ph# \_\_\_\_\_

Occupation \_\_\_\_\_

Place of Employment \_\_\_\_\_

Business Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

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1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.)

2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make?

**PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION**

3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed.

4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.)

5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones?

6. How did you learn about this vacancy?

\_\_\_\_\_ Our Website    \_\_\_\_\_ Word of mouth    \_\_\_\_\_ Other

7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

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Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

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   Stayton, OR 97383

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**PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION**



<p>c. Sabrina Wagar</p> <p>d. Janet Ruetters</p> <p>e. Wendy Stone</p> <p>f. Russ Strohmeyer</p> <p>g. Cari Sessums</p>	<p>Ms. Wagar expressed concern regarding cottonwood trees in the wetland area behind the Sylvan Springs subdivision.</p> <p>Ms. Ruetters shared concern about sidewalks in the downtown area after she tripped and fell this past week.</p> <p>Ms. Stone requested a donation from the Council for the Brown House Event Center.</p> <p>Mr. Strohmeyer spoke about the Sidewalk Maintenance Program.</p> <p>Ms. Sessums thanked the City of Stayton and the Stayton Police Department for their help with the Community Dinner hosted by the Covered Bridge Café.</p>
<p><b>Consent Agenda</b></p> <p>a. November 4, 2019 City Council Minutes</p> <p>b. Collective Bargaining Agreement with the Stayton Police Officers' Association</p> <p>c. Annual TMDL Report</p>	<p>Motion from Councilor Ohrt, seconded by Councilor Patty, to approve the Consent Agenda as presented. <b>Motion passed 4:0.</b></p>
<p><b>Public Hearing</b></p>	<p>None.</p>
<p><b>General Business</b></p> <p><b>Award of Contract for 2019 Jordan Bridge Maintenance Project</b></p> <p>a. Staff Report – Lance Ludwick</p> <p>b. Public Comment</p> <p>c. Council Discussion</p> <p>d. Council Decision</p>	<p>Mr. Ludwick provided a presentation and reviewed the staff report.</p> <p>Council discussion on the Bridge project.</p> <p><u>Ben McDonald</u> inquired about preventative maintenance in the future. Mr. Campbell responded yes, there is a plan for preventative maintenance.</p> <p><u>Russ Strohmeyer</u> inquired about the bridge plank spacing. Mr. Ludwick responded.</p> <p>Council discussion of ADA access, the difference between this request for bids and the prior request.</p> <p>Motion from Councilor Hook, seconded by Councilor Molin, to award the 2019 Jordan Bridge Maintenance Project to Oregon Woods, Inc. in the amount of \$129,000.</p> <p><u>Council Discussion</u>: Councilor Patty thanked staff for their work on this project. Additional discussion regarding the budget amount for the project.</p> <p><b>Motion passed 4:0.</b></p>

<p><b>Potential Surplus of City-Owned Property</b></p> <p>a. Staff Report – Dan Fleishman</p> <p>b. Public Comment</p> <p>c. Council Discussion</p> <p>d. Council Decision</p>	<p>Mr. Fleishman reviewed the staff report.</p> <p><u>Wendy Stone</u> suggested contacting property owners near the proposed properties prior to declaring them surplus.</p> <p><u>James Taylor</u> inquired about the history of the City’s purchase of the property on Birch Avenue.</p> <p>None.</p> <p>Motion from Councilor Molin, seconded by Councilor Patty, to direct staff to initiate the process to declare both properties as a surplus.</p> <p><u>Council Discussion</u>: Potential uses of property.</p> <p><b>Motion passed 4:0.</b></p>
<p><b>Communications from Mayor and Councilors</b></p>	<p>Councilor Ohrt thanked Ms. Sessums for the Community Dinner. The next Chat with a Councilor will be held Saturday, December 7<sup>th</sup> from 12:00 p.m. to 2:00 p.m. Councilor Ohrt also briefly spoke about the Sidewalk Maintenance Program.</p> <p>Councilor Hook thanked those in attendance for attending the meeting. She also acknowledged concerns shared regarding the fallen trees and sidewalks.</p>
<p><b>Communication from City Staff</b></p>	<p>None.</p>
<p><b>Future Agenda Items</b></p> <p>a. Audit Report</p> <p>b. Public Hearing – Land Use Code Amendments</p> <p>c. Emergency Management Equipment Update</p> <p>d. Facilities RFP Update</p> <p>e. Sewer Maintenance Contract</p>	

APPROVED BY THE STAYTON CITY COUNCIL THIS 6<sup>TH</sup> DAY OF JANUARY 2020, 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, Administrative Services Manager



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

**TO:** Mayor Henry Porter and the Stayton City Council  
**FROM:** Police Chief David Frisendahl *DFrisendahl*  
**DATE:** January 6<sup>th</sup>, 2020  
**SUBJECT:** Liquor License: “Limited On-Premises Commercial and Off-Premises” Application – North Third LLC

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**REQUEST:**

“North Star LLC” owned and operated by Ryan Gengler and Ben Rash, located at 282 N. Third Avenue, Stayton Oregon, has applied to the City of Stayton and OLCC for a liquor license for the sale of alcohol for limited to on-premises commercial and off-premises sales. The primary contact persons for the application are Ryan Gengler and Ben Rash. Per the City of Stayton zoning, the location is a “Central Core Mixed Use (CCMU)” zone. Under the zoning code, the business would be allowed the sale of alcohol on the premises for commercial sales and off-premises.

The Stayton Police Department has conducted a background investigation of the business and persons of contact for North Star LLC. The Stayton Police Department investigation found no information that would deny the applicant's request.

**STAFF RECOMMENDATION:**

Forward the application to the Oregon Liquor Control Commission (OLCC) with the recommendation for approval.

**MOTION(S):**

No Motions are needed as this is a consent agenda item.

**FISCAL IMPACT:**

Not applicable.



**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: January 6, 2020**  
**SUBJECT: Ordinance 1041 Amending Land Use Code to establish the N First Ave Design Overlay District**

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**ISSUE**

The issue before the City Council is a public hearing on legislative amendments to the Land Use and Development Code to establish an overlay district along a portion of N First Ave to include design standards similar to those that apply in the Downtown zones. Following the public hearing, the Council will be requested to consider Ordinance 1041 to amend the Code.

**BACKGROUND INFORMATION**

In accordance with the 2007 Downtown Transportation and Revitalization Plan, the City established a number of Downtown zones along N Second Ave, N Third Ave, and N Fourth Ave, between the Stayton Power Canal and E Washington St. There are design standards that apply in these zones that do not apply in the remainder of the City.

The Downtown Transportation and Revitalization Plan called for N First Ave to be in the Commercial Retail zone rather than any of the Downtown zones. However, the Plan does call for "design standards [to] be developed ... that will improve the overall visual character of the street while accommodating traffic and highway uses."

**PROPOSED AMENDMENT**

At their July and September meetings, the Planning Commission discussed possible amendments to establish an Overlay District along a portion of N First Ave. The Planning Commission held a public hearing on the proposed amendments at their October 28 meeting.

The proposed amendments to the Land Use and Development Code are attached on the following pages. The proposed amendments establish a new overlay zone which would not affect the uses permitted or the dimensional requirements for development. The design standards included in the amendment would only apply to changes to property after the effective date of their adoption. The proposed N First Ave standards are based on the downtown standards and would apply similar standards for landscaping and exterior materials and colors. The overlay zone would apply along the east side of N First Ave between E Washington St and E Water St and include those properties with frontage on N First Ave.

## **RECOMMENDATION**

Following their October public hearing, the Planning Commission has recommended adoption of the amendments. Staff recommends adoption of Ordinance 1041 as presented.

## **OPTIONS AND MOTIONS**

The City Council is presented with the following options.

### **1. Continue the hearing**

Move to continue the public hearing until January 21, 2020.

### **2. Close the hearing and approve the first consideration of Ordinance 1041**

Move to approve Ordinance No 1041 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. 1041 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 1041 will be brought before the Council for a second consideration at the January 21, 2020 meeting.

### **3. Close the hearing and approve the Ordinance with modifications**

Move to approve Ordinance No. 1041 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. 1041 will be brought before the Council for a second consideration at its January 21, 2020 meeting.

### **4. Close the hearing and retain the Code unchanged**

No motion is necessary.

## ORDINANCE NO. 1041

### AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE TITLE 17, ESTABLISHING THE N FIRST AVE DESIGN OVERLAY DISTRICT

WHEREAS, Oregon Revised Statutes, Chapter 197 requires municipalities to adopt and implement a comprehensive land use planning program in accordance with statewide planning goals established by the Legislature and the Oregon Land Conservation and Development Commission;

WHEREAS, the City of Stayton has adopted the Downtown Transportation and Revitalization Plan as an area refinement plan as part of the City's Comprehensive Plan;

WHEREAS, the City of Stayton has adopted Title 17 of the Stayton Municipal Code (SMC) as the Land Use and Development Code;

WHEREAS, the Downtown Transportation and Revitalization Plan calls for design standards to be developed that will improve the overall visual character of N First Ave;

WHEREAS, SMC Title 17, Chapter 20 of the Land Use and Development Code, includes Development and Improvements Standards for development within the City;

WHEREAS, the Planning Commission has initiated the amendment of the Code;

WHEREAS, notice of the proposed amendment was sent to the Department of Land Conservation and Development more than 35 days in advance of the Planning Commission's public hearing;

WHEREAS, following a public hearing, the Planning Commission has recommended that the City Council enact the amendments; and

WHEREAS, the Stayton City Council, following a public hearing, does find that the amendments proposed by the Planning Commission are appropriate and are consistent with the Comprehensive Plan.

NOW, THEREFORE, the City of Stayton ordains:

**Section 1. First Avenue Design Overlay District Established.** Stayton Municipal Code, Title 17, Chapter 16, Section 17.16.020 is hereby amended to add the First Avenue Design Overlay District, to be designated as FAD, to the list of Overlay Districts.

**Section 2. First Avenue Design Overlay District Standards Adopted.** Stayton Municipal Code, Title 17, Chapter 16 is hereby amended to add a new Section 17.16.120 as shown on Exhibit A attached hereto and incorporated herein.

**Section 3. Official Zoning Map Amended.** The Official Zoning Map, referred to in Section 17.16.020.3 is hereby amended to include the First Avenue Design Overlay District on those properties on the east side of N First Ave, between E Water St and E Washington and as shown on Exhibit B attached hereto and incorporated herein.

**Section 4. Effective Date.** This Ordinance shall not become effective until the 30<sup>th</sup> day after adoption by the Stayton City Council and execution by the Mayor, or a representative of the Mayor. In the event of a timely appeal to LUBA, this Ordinance shall not become effective until the LUBA appeal is finally resolved, including any appeals from the decision of LUBA.

**Section 5.** A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development, as required by OAR 660-018-0040.

ADOPTED BY THE STAYTON CITY COUNCIL this 6<sup>th</sup> day of January, 2020.

CITY OF STAYTON

Signed: \_\_\_\_\_, 2020

BY: \_\_\_\_\_  
Henry A. Porter, Mayor

Signed: \_\_\_\_\_, 2020

ATTEST: \_\_\_\_\_  
Keith D. Campbell,  
City Administrator

DRAFT

## EXHIBIT A

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

### **17.16.120 FIRST AVENUE DESIGN OVERLAY DISTRICT**

1. PURPOSE. The purpose of the First Avenue Design Overlay District is to implement the policies of the Downtown Transportation and Revitalization Plan which called for design standards to improve the overall visual character of the street while accommodating traffic and highway uses. The Overlay District establishes design standards for development and redevelopment of properties in the First Avenue Corridor, but does not impact uses permitted. Uses permitted in the Overlay District shall be those permitted by the underlying zone.
2. DESIGN STANDARDS. In addition to the restrictions contained in Section 17.20.200, the following additional restrictions apply with the First Avenue Design Overlay District.
  - a. Building placement and the street. All street-facing elevations must meet one of the following options. Structures built to the front lot line are exempt from the requirements of this subsection. Where there is more than one front lot line, only those frontages where the structure is built to the front lot line are exempt from the requirements of this paragraph.
    - 1) Foundation landscaping option. All street-facing elevations must have landscaping along their foundation. This landscaping requirement does not apply to portions of the building facade that provide access for pedestrians or vehicles to the building. The foundation landscaping must meet all of the following standards:
      - a) The landscaped area must be at least 3 feet wide.
      - b) There must be at least one shrub, meeting the plant material requirements of Section 17.20.090.8, for every 3 lineal feet of foundation.
      - c) Ground cover plants must cover the remainder of the landscaped area in accordance with Section 17.20.090.8.
    - 2) Hard-surface sidewalk extension option. The area between the building and the front lot line must be hard-surfaced for use by pedestrians as an extension of the sidewalk.
      - a) The building walls may be set back no more than 6 feet from the street lot line, unless the hard-surfaced area is designated as a public plaza.
      - b) For each 150 square feet of hard-surface area between the building and the street lot line at least one of the following amenities must be provided. Structures built within 2 feet of the street lot line are exempt from the requirements of this paragraph.
        - i. A bench or other seating;
        - ii. A tree;
        - iii. A landscape planter;
        - iv. A drinking fountain;
        - v. A kiosk.
  - b. Exterior finish materials.
    - 1) Where there is an exterior alteration to an existing building, the exterior finish materials on the portion of the building being altered or added must visually match the appearance of

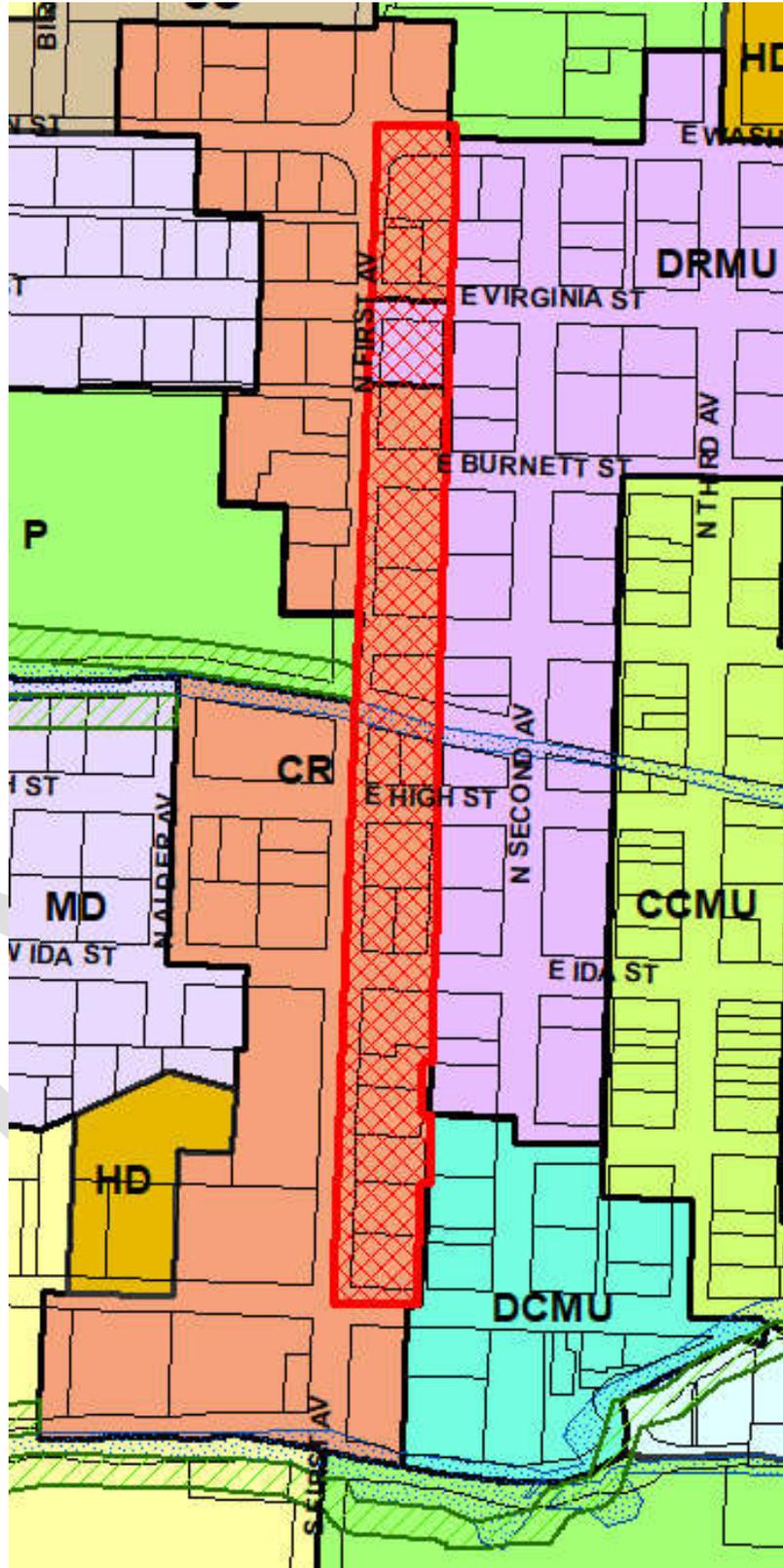
those on the existing building. However, if the exterior finishes and materials on the existing building do not meet the standards of Section 17.20.220.3.g.1, any material that meets the standards of Section 17.20.220.3.g.1 may be used.

- 2) Predominant colors shall be earth tones, defined as shades of green, red, gray, brown and yellow with a light reflecting value of no less than 15 or no more than 50%. A palette of approved colors shall be maintained in the office of the Planning and Development Department for reference.
  - a) Contrasting colors shall be used to accentuate and highlight trim, windows, and other building features, and are exempt from the color palette and light reflecting values required for the body of the building.
  - b) Buildings on the National Register of Historic Places shall be exempt from these requirements.

DRAFT

EXHIBIT B

Portion of the Official Zoning Map showing location of First Avenue Design Overlay District





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

**TO: Mayor Henry A. Porter and the Stayton City Council**  
**FROM: Susannah Sbragia, Finance Director**  
**DATE: January 6, 2020**  
**SUBJECT: Audit 2018-19 Fiscal Year – Informational**

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**INFORMATIONAL UPDATE**

This is a report is to provide information on the audit conducted for the fiscal year 2018-19. The audit was conducted by independent auditors at Boldt Carlisle and Smith.

**INDEPENDENT AUDITOR’S REPORT**

Annually, the auditors conduct a review of the City’s financials according to Government Auditing Standards. They are required to present their opinions on the City’s financial statements. Their responsibility is to:

1. To express opinion on the financial statements based on their audit
2. The audit is in accordance with Government Auditing Standards
  - a. Those standards require they plan and perform the audit to obtain reasonable assurance that the financial statements are free from material misstatement.

Attached is the letter from Brad Bingenheimer dated December 11, 2019 which states their opinion is the financial statements, combined statements and individual funds schedules are fairly stated in all material respects in relation to the basic financial statements as a whole.

**COMPLIANCE SECTION**

The compliance section of the Audit report is required by State of Oregon Regulations to obtain reasonable assurance the City’s financial statements are free of material misstatements.

There are three areas of the budget which they listed where the City did not meet the minimum standard.

**Budgets Legally Required**

1. Expenditures in excess of appropriations
  - a. Water Fund-Personnel Services over by \$7,850
  - b. Public Works Administration – Materials and Services over by \$780

2. Use of operating contingency in non-operating funds in 18-19yr and 19-20yr budgets
3. Budget committee meeting notification

***Finance Director's plans for addressing these issues:***

- a. Schedule a meeting with the Budget Committee to review the 2018-19 budget issues in detail.
- b. The Budget Committee will also review corrections and updated needs for expenditures in the current 2019-20 fiscal year budget.
- c. The Council will then be presented with a resolution to make the corrections to the 2019-20 fiscal year budget

**Internal controls**

The second section of compliance is reviewing internal controls over financial reporting. In this area, the auditors list any findings and response in relationship to internal controls.

The auditors identified a Significant Deficiency in our internal controls. This level of finding is less severe than a Material Weakness, yet is important to merit attention to these areas.

1. This area reported a finding on the oversight is needed for day-to-day accounting and year-end closing to ensure transactions posted to the general ledger are accurate and year-end is reconciled or adjusted to actual.

The size of our department naturally adds challenges to keeping proper internal controls with limited staff members. When an employee leaves, this challenge increases. During the 2018-19 fiscal year the Finance department was down two staff members most of the year. The City did hire consultants to assist with the staffing shortage.

***Finance Director's Plans for Correction of this Deficiency:***

- a. Restructured job assignments to increase cross-training and segregation of duties.
- b. Increased training of Finance Department staff on accounting software and internal controls.
- c. Adding an additional part-time position to assist with segregation of duties.
- d. Created a monthly review and reconciliation process and updating the City's fiscal policies.

**SUMMARY**

The City understands the value of an annual audit and views audit findings as an opportunity to always be improving in different areas of our Finance Department. The Finance Department will be working through the year with the each department head and the City Council to improve in these areas.

The goal of the City is to become a benchmark for other City's our size to look to for transparency and comprehensive financial reporting.

**MOTION(S)**

Informational no approval.



# City of Stayton

Administration • Finance

362 N. Third Avenue • Stayton, OR 97383  
Phone: (503) 769-3425 • Fax (503) 769-1456

January 2, 2020

Jessica Luther-Haynes  
Brad Bingenheimer  
Boldt Carlisle and Smith, CPA's  
408 N. Third Avenue  
Stayton, Oregon 97383

**Re: Fiscal Year Ended June 30, 2019 audit findings**

Via: email [jluther@bscllc.com](mailto:jluther@bscllc.com); [bradb@bscllc.com](mailto:bradb@bscllc.com)

Ms. Luther-Haynes and Mr. Bingenheimer,

We appreciate your efforts to complete the City's audit, discuss your findings with the new Finance Director in the areas of compliance with Budgets Legally Required (ORS Chapter 294). Additional findings in Internal Controls over Financial Reporting finding Significant Deficiency in the areas of oversight of day-to-day accounting and year-end closing to ensure transactions are posted to the general ledger have been reconciled or adjusted to actual.

The City agrees with the findings and has taken corrective actions, starting with hiring a full-time Finance Director in June 2019.

I have listed below corrective action plans that the Finance Director has begun putting into place and will continue throughout the 2019-20 fiscal year.

## **Corrective Action Plan for Compliance with Budgets Legally Required (ORS Chapter 294)**

### **1. Expenditures in excess of appropriations**

The City's budget historically has been a budget that did not allow much room for unexpected expenditures. Along with having an offsite consultant performing the role as the Finance Director, which added challenges when it came to closely monitoring the budget.

The City has begun addressing this issue by filling our Finance Director position. This position serving on-site will assist department heads in forecasting their budgets.

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To begin correcting this deficiency, the new Finance Director has taken the following steps:

- a) Budget to actual reports will be available to each department head on a monthly basis.
- b) The Finance Director will meet on a regular basis to review budget reports with each department to address any possibilities of budget compliance issues early.

**2. Use of Operating Contingency in Non-Operating Funds**

- a) The Finance Director will be presenting the audit findings to the Budget Committee and a corrected 2019-20 fiscal year budget. The corrected 2019-20 fiscal year budget will then be presented to the Council for approval.
- b) In addition, department heads will be informed of findings on their budget.

**3. Budget Committee Meeting Notifications**

The City missed having proper documentation of the actual date the meeting notice was posted on our website.

- a) Staff has been informed of what proper documentation is needed to meet date requirements when information is posted on the City's website.
- b) The publication requirements will be added to future budget calendars.

**Corrective Action Plan for Internal Controls Over Financial Reporting**

**1. Significant Deficiency in Oversight of Day-to-Day Accounting**

The size of our department naturally adds challenges to keeping proper internal controls with limited staff members. When an employee leaves this challenge is increased. During the 2018-19 fiscal year, the Finance Department was down two staff members for most of the year. The City did hire consultants to assist with the staffing shortage.

To begin the correcting this deficiency, our new Finance Director has taken the following steps:

- a) Restructured job assignments to increase cross-training and segregation of duties.
- b) Increased training of Finance Department staff on accounting software and internal controls.
- c) Adding an additional part-time position to assist with segregation of duties.
- d) Created a monthly review and reconciliation process along with updating the city fiscal policies

**SUMMARY**

The City understands the value of an annual audit and views audit findings as an opportunity to always be improving in different areas of our Finance Department. The Finance Department will be working through the year with the each department head and the City Council to improve in these areas.

The goal of the City is to become a benchmark for other City's our size to look to for transparency and comprehensive financial reporting.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith D. Campbell". The signature is stylized with a large initial "K" and a long horizontal stroke extending to the right.

Keith D. Campbell  
City Manager



**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:** January 6, 2020  
**SUBJECT:** Award of Contract for Television Inspection, Cleaning and Repair of the Sanitary Sewer and Stormwater Systems

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**ISSUE**

*Acceptance of bid and award contract to Spartan Environmental Services LLC in the amount of \$404,900.00 for all work related to the Television Inspection, Cleaning and Repair of the Sanitary Sewer and Stormwater Systems.*

**ENCLOSURES**

1. Minutes from Bid Opening- December 12, 2019 @ 2:00 p.m.
2. Bid Tabulation Sheet

**BACKGROUND INFORMATION**

As part of a watershed approach to water quality problems, the State of Oregon has developed a Total Maximum Daily Load (TMDL) and Water Quality Management Plan (WQMP) for each water body that does not meet specific water quality standards. The Willamette River is among these water quality impaired bodies of water for parameters of *temperature, mercury, and bacteria*.

At the November Council meeting staff presented the 2018-2019 TMDL report to the City Council for their review and approval. To meet the requirements of the TMDL the City needs to perform annual cleaning and television inspection (CCTV) of up to 7.5 miles of the City's sanitary sewer collection systems and 2.0 miles of the City's stormwater collection system.

This contract for Sanitary Sewer and Storm Sewer Maintenance includes, but is not limited to, all labor, materials, and equipment necessary to perform annual cleaning and television inspection (CCTV) of up to 7.5 miles of the City's sanitary sewer collection systems and 2.0 miles of the City's stormwater collection system. Work will include sewer line grouting, cured in place pipe (CIPP), manhole repair and sealing as directed and all labor, materials, and equipment necessary to

perform annual cleaning. Work will include television inspection (CCTV) as directed, line grouting and other repairs as directed.

The contract for up to a three year period, 2020 to 2022.

Public Works Director Lance S. Ludwick developed a bid packet including specifications for the project work.

The project was advertised competitively in the Daily Journal of Commerce and sealed bids were opened on December 12, 2019, at 2:00 p.m.

### **BIDS RECEIVED**

The City received bids from the following firms:

	<b>Contractor</b>	<b>Total</b>
1	Michels Corporation	\$ 604,160.00
2	Spartan Environmental Services LLC	\$404,900.00

The low bid of \$404,900.00 is 43% more than the bid the City received for the 2016-2019 Sewer maintenance contract. Staff will be looking into ways to save money and perform more work in house.

### **STAFF REVIEW OF BIDS:**

City Staff reviewed the low bid and recommends the City award a contract to Spartan Environmental Services LLC.

### **OPTIONS**

1. Award of Contract to the lowest responsible bidder in the full contract amount.
2. Reject all bids.

### **RECOMMENDATION**

Award of Contract to Spartan Environmental Services LLC in the amount of \$ 404,900.00.

### **MOTION**

Move to award the Television Inspection, Cleaning and Repair of the Sanitary Sewer and Stormwater Systems in the amount of \$404,900.00.

**City of Stayton Television Inspection, Cleaning and Repair of Sanitary Sewer and Stormwater Systems  
Bid Tabulation**

**Bid Date: 12/12/2019 2:00 PM**

				<b>Michels Corporation CCB# 114278</b>		<b>Spartan Environmental Services LLC CCB# 212953</b>	
<b>Bid Item Name</b>		<b>Est. Qty</b>	<b>Unit</b>	<b>Bid Unit Price</b>	<b>Extended Bid Unit Price</b>	<b>Bid Unit Price</b>	<b>Extended Bid Unit Price</b>
1	Mobilization/Demobilization Equipment	8	EA	\$ 1,635.00	\$ 13,080.00	\$ 1,000.00	\$ 8,000.00
2	Clean gravity pipe	50,000	LF	\$ 2.25	\$ 112,500.00	\$ 1.15	\$ 57,500.00
3	CCTV gravity pipe with crawler camera	50,000	LF	\$ 2.00	\$ 100,000.00	\$ 1.55	\$ 77,500.00
4	CCTV gravity pipe with push camera	500	LF	\$ 18.00	\$ 9,000.00	\$ 6.00	\$ 3,000.00
5	Chemical grout service lateral	100	EA	\$ 1,245.00	\$ 124,500.00	\$ 475.00	\$ 47,500.00
6	Chemical grout pipe defects	100	EA	\$ 1,050.00	\$ 105,000.00	\$ 450.00	\$ 45,000.00
7	Trim lateral protrusions	10	LS	\$ 1,030.00	\$ 10,300.00	\$ 900.00	\$ 9,000.00
8	Install CIPP 8-inch pipe patch	60	LF	\$ 699.00	\$ 41,940.00	\$ 835.00	\$ 50,100.00
9	Install CIPP 12-inch pipe patch	20	LF	\$ 852.00	\$ 17,040.00	\$ 925.00	\$ 18,500.00
	Clean and repair manhole	240	VF	\$ 149.00	\$ 35,760.00	\$ 200.00	\$ 48,000.00
10	Clean, repair and seal manhole	160	VF	\$ 219.00	\$ 35,040.00	\$ 255.00	\$ 40,800.00
				<b>Total Bid Price</b>	<b>\$ 604,160.00</b>	<b>Total Bid Price</b>	<b>\$ 404,900.00</b>
<b>Bid Bond Circular 570</b>				✓		✓	
<b>BOLI Exclusion List</b>				✓		✓	
<b>CCB Verification</b>				✓		✓	
<b>Employee Drug Testing Program</b>				RECEIVED		RECEIVED	
<b>First Tier Subcontractor Disclosure Form</b>				RECEIVED		RECEIVED	
<b>Certificate of Non-Discrimination</b>				RECEIVED		RECEIVED	
<b>Affidavit of Noncollusion</b>				RECEIVED		RECEIVED	
<b>Resident/Non-resident Bidder Status</b>				RESIDENT		RESIDENT	



# City of Stayton

**Department of Public Works**  
362 N. Third Avenue • Stayton, OR 97383  
Phone: (503) 769-2919 • Fax (503) 769-2134

## **BID OPENING: Television Inspection, Cleaning and Repair of Sanitary Sewer and Stormwater Systems December 12, 2019, Closed at 2:00 PM**

**Description:** The project includes, but is not limited to, all labor, materials, and equipment necessary to perform annual cleaning and television inspection (CCTV) of up to 7.5 miles of the City’s sanitary sewer collection systems and 2.0 miles of the City’s stormwater collection system. Work will include sewer line grouting, cured in place pipe (CIPP), manhole repair and sealing as directed and all labor, materials, and equipment necessary to perform annual cleaning. Work will include television inspection (CCTV) as directed, line grouting and other repairs as directed.

The contract will be for a three year period, January 15, 2020 to December 31, 2022. Bids will be evaluated on an annual cost basis.

<b>CONTRACTOR</b>	<b>BID AMOUNT</b>
Michels Corporation	\$ 604,160.00
Spartan Environmental Services LLC	\$ 404,900.00
	\$
	\$
	\$

Prepared by:

Lisa Meyer, City of Stayton

**THE CITY OF STAYTON IS AN EQUAL OPPORTUNITY EMPLOYER AND SERVICE PROVIDER**

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

Good evening, my name is Henry Porter, as Mayor 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 #13-09/19 concerning legislative amendments to the Land Use Development Code to establish a design overlay district along a portion of N First Avenue.

This hearing is now open.

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, copies of the proposed amendments, the City'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 for this hearing. 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).

When it is your turn to speak please state your name and address for the record. As a participant in the hearing, the City is required to notify you of the final results of the process.

We are now ready for the staff report.

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### **CLOSING STATEMENT**

The City Council's decision may be appealed to the Land Use Board of Appeals within 21 days in accordance with ORS 197.830.



# REQUEST FOR RECOGNITION

If you wish to speak before the City Council, please fill out this form and hand it to the City Recorder prior to the opening of the meeting. This document is a public record. **Comments are limited to 3 minutes for all options below.**

Name (please print): Wendy Stone

Address: 525 N. Myrtle Ave. Stayton OR 97383  
Street City State Zip

I wish to speak during:

<input checked="" type="checkbox"/>	<b>CITIZEN COMMENTS</b> (Speak on a subject <b>not</b> on the Council agenda.)
<input type="checkbox"/>	<b>GENERAL BUSINESS:</b> (Speak on an item on the current Council agenda.)
<input type="checkbox"/>	Agenda Item: _____
<input type="checkbox"/>	<b>PUBLIC HEARING – TOPIC:</b> _____

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

*Comments are limited to 3 minutes or less.*



# REQUEST FOR RECOGNITION

If you wish to speak before the City Council, please fill out this form and hand it to the City Recorder prior to the opening of the meeting. This document is a public record. **Comments are limited to 3 minutes for all options below.**

Name (please print): Breeze Peterson

Address: 712 N. FIRST AVE STAYTON ORE.  
Street City State Zip

I wish to speak during:

<input type="checkbox"/>	<b>CITIZEN COMMENTS</b> (Speak on a subject <b>not</b> on the Council agenda.)
<input type="checkbox"/>	<b>GENERAL BUSINESS:</b> (Speak on an item on the current Council agenda.)
<input type="checkbox"/>	Agenda Item:
<input type="checkbox"/>	<b>PUBLIC HEARING – TOPIC:</b>

Comments: OPPOSED TO CHANGES ON ORDINANCES FOR EAST SIDE OF FIRST AVE.

**Comments are limited to 3 minutes or less.**

**Santiam Heritage Foundation  
Brown House Event Center  
Presentation to Stayton City Council  
January 6, 2020**

Good evening. My name is Wendy Stone. I live at 525 N. Myrtle Avenue in Stayton. I'm the President of the Santiam Heritage Foundation (SHF) & I'm here this evening to follow up on my December 2019 request for the city council's help. SHF is a 501(c)(3) non-profit organization.

When we (SHF) met with the City of Stayton officials in April 2018, to begin the change of use process to convert the Brown House Event Center from a single family residence to a community event center, it was suggested that rather than ask for a waiver of the fees necessary to complete the process, we instead ask the City Council for the money needed to process our change of use application. If I recall correctly, this suggestion came from the City Manager, Keith Campbell.

On June 4, 2018, I came before this body to request help for, among other things, the money necessary to complete the change of use process we are going through with the City of Stayton and Marion County. At that time, the council asked me to return when we had a clearer picture of what exactly we need.

On December 2, 2019, I came before this body and requested the City help us by funding \$400 for the change of use process, which is Dan Fleishman's estimate of our fee.

The change of use process will fulfill SHF original founder's vision to make the house & grounds available to the public, so people can make new memories there. The current SHF Board believes in the vision of the original Board of Trustees.

Support for the Brown House is in line with the Council's identified goal of supporting economic revitalization in the downtown area.

I'm back this evening because the council took no action on my December request and I'm not certain what more to do.