



AGENDA
STAYTON CITY COUNCIL
Monday, June 19, 2023
Stayton Community Center
400 W. Virginia Street
Stayton, Oregon 97383

HYBRID MEETING

The Stayton City Council will be holding a hybrid meeting utilizing Zoom video conferencing software. The meeting will be in-person but can also be live streamed on the City of Stayton’s YouTube account. Please use the following option to view the meeting:

- 7:00 p.m. – City Council Regular Session – <https://youtu.be/ljITNVuYLfc>

Public Comment and Public Hearing Testimony: Meetings allow for in-person, virtual, or written public comment. If a community member has a barrier which prevents them from participating via one of the methods below, they should contact City staff at citygovernment@staytonoregon.gov **no less than three hours prior to the meeting start time** to make arrangements to participate.

Comments and testimony are limited to three minutes. All parties interested in providing public comment or testifying as part of a public hearing shall participate using one of the following methods:

- **In-Person Comment:** Parties interested in providing in-person verbal public comment shall fill out a “Request for Recognition” form available at the meeting. Forms must be filled out and submitted to the Assistant City Manager or designee prior to the meeting start time.
- **Video or Audio Conference Call:** Parties interested in providing virtual public comment shall contact City staff at citygovernment@staytonoregon.gov **at least three hours prior to the meeting start time** with their request. Staff will collect their contact information and provide them with information on how to access the meeting to provide comment.
- **Written Comment:** Written comment submitted to citygovernment@staytonoregon.gov **at least three hours prior to the meeting start time** will be provided to the public body in advance of the meeting and added to the City Council’s webpage where agenda packets are posted.

-
- 1. CALL TO ORDER** **7:00 PM**
 - 2. FLAG SALUTE**
 - 3. ANNOUNCEMENTS**
 - a. Additions to the agenda
 - b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.

4. APPOINTMENTS**5. PUBLIC COMMENT****6. CONSENT AGENDA**

- a. June 5, 2023 City Council Regular Session Minutes
- b. Resolution No. 1063 Appointing Councilor Sims to Adaptive Management Group

7. PRESENTATIONS**8. PUBLIC HEARING****Resolution No. 1064 Electing to Receive State Revenue Sharing Funds ACTION**

- a. Staff Report – James Brand
- b. Open Public Hearing
- c. Public Hearing
- d. Close Public Hearing
- e. Council Deliberation
- f. Council Decision on Resolution No. 1064

Resolution No. 1065 Adopting the 2023-24 City Budget, Making Appropriations, and Imposing and Categorizing Property Taxes for the Fiscal Year ACTION

- a. Staff Report – James Brand
- b. Open Public Hearing
- c. Public Hearing
- d. Close Public Hearing
- e. Council Deliberation
- f. Council Decision on Resolution No. 1065

9. GENERAL BUSINESS**Ordinance No. 1063 Code Amendments to Respond to Homelessness ACTION**

- a. Staff Report – Julia Hajduk
- b. Public Comment
- c. Council Discussion
- d. Council Decision

Resolution No. 1066 Fiscal Year 2023-24 Fee Schedule ACTION

- a. Staff Report – Julia Hajduk
- b. Public Comment
- c. Council Discussion
- d. Council Decision

**Resolution No. 1067 Budget Appropriation Transfers for the
2022-23 Fiscal Year**

ACTION

- a. Staff Report – James Brand
- b. Public Comment
- c. Council Discussion
- d. Council Decision

10. COMMUNICATION FROM CITY STAFF

11. COMMUNICATION FROM MAYOR AND COUNCIL

12. ADJOURN

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 City Hall at (503) 769-3425.

CALENDAR OF EVENTS

JUNE 2023				
Monday	June 19	City Council Work Session	6:00 p.m.	Stayton Public Library
Monday	June 19	City Council	7:00 p.m.	https://youtu.be/IjITNVuYLfc
Monday	June 26	Planning Commission	7:00 p.m.	Stayton Community Center
Tuesday	June 27	City Council Executive Session	6:00 p.m.	City Hall Conference Room
JULY 2023				
Monday	July 3	City Council – Cancelled	7:00 p.m.	
Tuesday	July 4	CITY OFFICES CLOSED IN OBSERVANCE OF INDEPENDENCE DAY		
Monday	July 10	Homeless Task Force	6:00 p.m.	Stayton Community Center
Tuesday	July 11	Parks and Recreation Board	6:00 p.m.	Stayton Community Center
Monday	July 17	City Council	7:00 p.m.	https://youtu.be/WpRmQT6c8dA
Wednesday	July 19	Library Board	6:00 p.m.	Stayton Public Library
Monday	July 31	Planning Commission	7:00 p.m.	Stayton Community Center
AUGUST 2023				
Tuesday	August 1	Parks and Recreation Board	6:00 p.m.	Stayton Community Center
Monday	August 7	City Council	7:00 p.m.	https://youtu.be/Oq6BeCBrToo
Monday	August 14	Homeless Task Force	6:00 p.m.	Stayton Community Center
Monday	August 21	City Council	7:00 p.m.	https://youtu.be/-kcQELCRBsI
Wednesday	August 16	Library Board	6:00 p.m.	Stayton Public Library
Monday	August 28	Planning Commission	7:00 p.m.	Stayton Community Center

**City of Stayton
City Council Minutes
June 5, 2023**

LOCATION: STAYTON COMMUNITY CENTER, 400 W. VIRGINIA, STAYTON
Time Start: 7:00 P.M. **Time End:** 7:50 P.M.

COUNCIL MEETING ATTENDANCE LOG

COUNCIL	STAYTON STAFF
Mayor Brian Quigley	Julia Hajduk, City Manager
Councilor David Giglio	Alissa Angelo, Assistant City Manager (excused)
Councilor Ben McDonald	Lance Ludwick, Public Works Director (via Zoom)
Councilor Jordan Ohrt (arrived @7:02 p.m.)	Dan Fleishman, Director of Planning & Development
Councilor David Patty	Gwen Johns, Police Chief (arrived @ 7:05 p.m.)
Councilor Stephen Sims	Janna Moser, Library Director
	James Brand, Finance Director (excused)
	Tammy Bennett, Office Specialist

AGENDA	ACTIONS
REGULAR MEETING	
Announcements	
a. Additions to the agenda	None.
b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	None.
Appointments	None.
Public Comment	None.
Consent Agenda	
a. May 15, 2023 City Council Work Session Minutes	Motion from Councilor Patty, seconded by Councilor McDonald, to approve the consent agenda as presented. Motion Rescinded.
b. May 15, 2023 City Council Regular Session Minutes	
c. Resolution No. 1062 Chemeketa Cooperative Regional Library Service (CCRLS) Intergovernmental 5 Year Agreement	Motion from Councilor Patty, seconded by Councilor Giglio, to pull Resolution No. 1062 from the Consent Agenda. Motion passed 5:0. Motion from Councilor Patty, seconded by Councilor McDonald, to approve the consent agenda as amended. Motion passed 5:0. Council discussion and questions regarding the CCRLS intergovernmental agreement including contract review by the City Attorney and what authority the CCRLS has over our local library. City staff responded. Motion from Councilor Giglio, seconded by Councilor Patty, to approve Resolution No. 1062 as presented. Motion passed 5:0.

Presentations	None.
<p>Public Hearing Ordinance No. 1062 Comprehensive Plan and Zoning Map Amendment for Property Located at 320 W Washington St.</p> <p>a. Commencement of Public Hearing</p> <p>b. Staff Introduction</p> <p>c. Applicant Presentation</p> <p>d. Staff Report</p> <p>e. Questions from the Council</p> <p>f. Proponents' Testimony</p> <p>g. Opponents' Testimony</p> <p>h. Neutral/Other Testimony</p> <p>i. Questions from the Council</p> <p>j. Applicant Summary</p> <p>k. Staff Summary</p> <p>l. Close of Hearing</p> <p>m. Council Deliberation</p> <p>n. Council Decision on Ordinance No. 1061</p>	<p>Mayor Quigley read the opening statement and opened the hearing at 7:10 p.m. Declaration of ex parte were declared by Councilor Giglio and Councilor McDonald as they both live near the property.</p> <p>Mr. Fleishman provided a brief introduction.</p> <p>The applicant, Jason Jenniches, introduced himself and was available for questions.</p> <p>Mr. Fleishman reviewed the staff report and his recommendation.</p> <p>Council questions regarding previous zoning for the property. City staff responded.</p> <p>Russ Strohmeyer spoke in support of the Comprehensive Plan and Zoning Map Amendment.</p> <p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p> <p>Nothing further.</p> <p>Mayor Quigley closed the hearing at 7:20 p.m.</p> <p>None.</p> <p>Motion from Councilor Ohrt, seconded by Councilor Patty, to approve the application of Jason Jenniches (Land Use File #3-02/23) and Ordinance No. 1062 as presented. Motion passed 5:0.</p>
<p>General Business Appointment of Council Member to Serve as Representative to Adaptive Management Group</p> <p>a. Staff Report – Julia Hajduk</p> <p>b. Public Comment</p> <p>c. Council Discussion</p>	<p>Ms. Hajduk reviewed the staff report.</p> <p>None.</p> <p>Councilor Sims volunteered to serve as the Representative to Adaptive Management Group.</p>

<p>Discussion of Council Rules</p> <ul style="list-style-type: none"> a. Staff Report – Julia Hajduk b. Public Comment c. Council Discussion 	<p>Ms. Hajduk reviewed the staff report. None. City Council set a deadline of June 16, 2023 to submit proposed Council rule changes to Ms. Hajduk.</p>
<p>Communications from City Staff</p>	<p>Ms. Hajduk thanked Cub Scout Pack 7050 for planting the flower pots in front of City Hall, Public Works Administration and Planning, and the Police Department buildings.</p> <p>Ms. Hajduk requested the City Council submit suggestions for Community Partner presenters.</p> <p>The Homeless Task Force will be meeting on June 12, 2023 to review the draft of code changes. City Council has been invited to attend the meeting.</p> <p>Chief Johns gave an update on crime prevention efforts at the Police Department.</p>
<p>Communications from Mayor and Council</p>	<p>Mayor Quigley also acknowledged Cub Scout Pack 7050 for their community service.</p> <p>Mayor Quigley attended a townhall meeting with Congresswoman Chavez-DeRemer. It was an information session for Mayors within her district.</p>

APPROVED BY THE STAYTON CITY COUNCIL THIS 19th DAY OF JUNE 2023, BY A ____ VOTE OF THE STAYTON CITY COUNCIL.

Date: _____

By: _____
Brian Quigley, Mayor

Date: _____

Attest: _____
Julia Hajduk, City Manager

Date: _____

Transcribed by: _____
Tammy Bennett, Office Specialist



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

TO: Mayor Brian Quigley and the Stayton City Council

FROM: Julia Hajduk, City Manager

DATE: June 19, 2023

SUBJECT: Appointment of Councilor Sims to the Adaptive Management Group (AMG)

ISSUE

Shall the Council approve Resolution No. 1063, appointing Councilor Sims to the AMG?

ENCLOSURE(S)

- Resolution No. 1063

STAFF RECOMENDATION

Staff respectfully recommends that Council approve Resolution 1063 appointing Councilor Sims to the AMG

BACKGROUND INFORMATION

As part of the MOU with the Santiam Water Control District (SWCD), an Adaptive Management Group (AMG) was established to facilitate dialogue and collaboration between the City and the District. Per the MOU, the AMG membership is comprised of four members: the Manager of the District, a member of the Board of Directors of the District to be designated by the District, the City Public Works Director, and a member of the City Council to be designated by the City. At the June 5, 2023 Council meeting, the Council discussed a potential appointee from Council and selected Councilor Sims to serve. The attached resolution formalizes this selection.

FISCAL IMPACT

N/A

MOTION(S)

Consent agenda



**RESOLUTION NO. 1063
APPOINTING COUNCILOR SIMS TO ADAPTIVE MANAGEMENT GROUP**

WHEREAS, as part of the MOU with the Santiam Water Control District (SWCD), an Adaptive Management Group (AMG) was established to facilitate dialogue and collaboration between the City and the District;

WHEREAS, per the MOU, the AMG membership is comprised of four members: the Manager of the District, a member of the Board of Directors of the District to be designated by the District, the City Public Works Director, and a member of the City Council to be designated by the City; and

WHEREAS, at the June 5, 2023 Council meeting, the Council discussed a potential appointee from Council and selected Councilor Sims to serve.

NOW THEREFORE, BE IT RESOLVED THAT:

- 1. Councilor Sims is appointed to represent the Council on the Adaptive Management Group between the City and the Santiam Water Control District.

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

ADOPTED BY THE STAYTON CITY COUNCIL THIS 19th DAY OF JUNE 2023.

CITY OF STAYTON

Signed: _____, 2023

By: _____
Mayor Brian Quigley, Mayor

Signed: _____, 2023

ATTEST: _____
Julia Hajduk, City Manager



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

TO: Mayor Brian Quigley and the Stayton City Council

FROM: James Brand, Finance Director
Summer Sears, CPA/Consultant

DATE: June 19, 2023

SUBJECT: Resolution No. 1064, Electing to Receive State Revenue Sharing Funds

ISSUE

Compliance with Oregon Revised Statutes in order to receive State Shared Revenues.

STAFF RECOMMENDATION

Staff recommends that the Council approve Resolution No. 1064 electing to receive State Shared Revenue funds.

BACKGROUND INFORMATION

ORS 221.760 provides that cities located within a county having more than 100,000 inhabitants must provide four or more of the following municipal services to be eligible to receive state-shared revenues:

- Police protection
- Fire protection
- Street construction, maintenance, and lighting
- Sanitary sewers
- Storm sewers
- Planning, zoning, and subdivision control
- One or more utility services

ORS 221.770 requires cities to, after taking public comment before the Budget Committee and after holding a public hearing, annually pass a resolution requesting State Revenue Sharing funds. Resolution No. 1064 declares the City's election to receive these funds.

FACTS AND FINDINGS

On May 22, 2023, a public hearing was held at the Budget Committee meeting to receive citizen input on possible uses of State Revenue Sharing funds. Earlier this evening, a public hearing was held to receive citizen input on proposed uses of State Revenue Sharing funds.

Oregon Revised Statutes further require that the Council pass a resolution electing to receive these funds.

Once the resolution is approved, the Finance Director will complete a survey required by the Oregon Dept. of Administrative Services (DAS) that certifies the City's eligibility to receive State Shared Revenues in accordance with ORS 221.760. The survey also requires an upload of the City's resolution electing to receive these funds per ORS 221.770.

FISCAL IMPACT

Revenue	Fund	2023-24		Purposes
		Proposed Budget	% of Total Budget	
Cigarette tax	General	\$7,000	0.01%	Public safety, general
Liquor tax	General	140,000	0.39%	Public safety, general
State revenue sharing	General	100,000	0.28%	Public safety, general
State gas tax	Street	625,000	1.74%	Street maintenance
		\$872,000	2.43%	

OPTIONS

1. Approve the attached Resolution to comply with State Revenue Sharing Law and be eligible to receive these funds.
2. Do not approve the attached Resolution to comply with State Revenue Sharing Law and be ineligible to receive these funds.

MOTION(S)

For Option 1: Offer a motion to approve Resolution No. 1064, Declaring the City's Election to Receive State Revenues.

For Option 2: No motion necessary.



RESOLUTION NO. 1064

A RESOLUTION DECLARING THE CITY’S ELECTION TO RECEIVE STATE-SHARED REVENUES

WHEREAS Oregon Revised Statute (ORS) 221.770 requires that a city may not be included in apportionments or receive distributions of State Revenue Sharing unless it elects to receive distributions by enactment of an ordinance or resolution expressing that election.

WHEREAS public comment was taken before the Budget Committee was held on May 22, 2023, and a public hearing before the City Council was held on June 19, 2023, giving the citizens an opportunity to comment on use of State Revenue Sharing.

NOW THEREFORE, BE IT RESOLVED BY THE STAYTON CITY COUNCIL THAT THE CITY OF STAYTON HEREBY ELECTS TO RECEIVE STATE REVENUES FOR THE 2023-24 FISCAL YEAR.

APPROVED BY THE STAYTON CITY COUNCIL THIS 19TH DAY OF JUNE 2023.

Date: _____

By: _____
Brian Quigley, Mayor

Date: _____

Attest: _____
Julia Hajduk, City Manager



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

TO: Mayor Brian Quigley and the Stayton City Council

FROM: James Brand, Finance Director
Summer Sears, CPA/Consultant

DATE: June 19, 2023

SUBJECT: Resolution No. 1065, Adopting the 2023-24 City Budget, Making Appropriations, and Imposing and Categorizing Property Taxes for the Fiscal Year

ISSUE

Resolution No. 1065, a resolution adopting the 2023-24 budget, making appropriations, and imposing and categorizing ad valorem taxes for the 2023-24 fiscal year.

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 1065 as presented or as may be amended.

BACKGROUND INFORMATION

On May 24, 2023, the City of Stayton Budget Committee approved a City Budget for Fiscal Year 2023-24, approved levying the City's established permanent tax rate of \$3.328/\$1,000 of assessed value, and approved levying the City's two local option tax levies: \$0.4000/\$1,000 and \$0.5000/\$1,000 of assessed value for library and recreation, respectively.

Scheduled at the beginning of this meeting is a public hearing before the Stayton City Council, as required by Oregon Budget Law, to receive public input regarding the Budget as approved by the Budget Committee.

ORS 294.456 allows a governing body to make changes to the Approved Budget after the public hearing and prior to adoption. The following changes require additional notice and another public hearing:

- a. An increase in estimated expenditures for each fund by more than \$5,000 or 10 percent of the estimated expenditures, whichever is greater; and
- b. The amount or rate of the total ad valorem property taxes to be certified by the municipal corporation to the assessor may not exceed the amount approved by the budget committee.

FACTS AND FINDINGS

The fiscal year 2023-24 budget as presented in the attached resolution has been approved by the Stayton Budget Committee.

The Budget Committee approved levying the full amount of the City's general tax rate of \$3.328 per thousand dollars of assessed value, as well as the City's two voter-approved local option tax levies.

After the public hearing and prior to adoption, increases to expenditures each fund can be made by the City Council up to the greater of \$5,000 or 10% with no additional procedures. For General Fund, this amount is \$550,900. Increases above this amount require an additional public hearing prior to adoption.

The City's budget must be adopted, and appropriations made, prior to June 30th to avoid interruption of services.

FISCAL IMPACT

The total City Budget is \$31,130,898, including total appropriations of \$24,595,013, and a total General Fund appropriations of \$6,804,585.

OPTIONS

1. Adopt the 2023-24 Budget as presented.
2. Adopt the 2023-24 Budget with amendments not requiring additional notice and public hearing as limited by Oregon Budget Law.
3. Approve amendments to the 2023-24 Approved Budget that require additional notice and an additional public hearing to be held at a future meeting on/before June 30th.

MOTION

Offer a motion to approve Resolution No. 1065, adopting the 2023-24 fiscal year budget, making appropriations for the 2023-24 fiscal year, and levying and categorizing taxes for the fiscal year *(either as presented or as further specifically amended)*.



RESOLUTION NO. 1065

A RESOLUTION ADOPTING THE 2023-24 BUDGET, MAKING APPROPRIATIONS AND IMPOSING AND CATEGORIZING AD VALOREM TAXES FOR THE 2023-24 FISCAL YEAR

WHEREAS the City Budget Officer prepared the proposed budget for the City of Stayton for the 2023-24 fiscal year commencing July 1, 2023;

WHEREAS the proposed budget was approved by the Budget Committee on May 24, 2023;

WHEREAS the Stayton City Council held a public hearing for the approved budget to receive comments from citizens; and

WHEREAS the Stayton City Council has considered the public testimony received.

NOW, THEREFORE, BE IT RESOLVED THAT THAT THE STAYTON CITY COUNCIL HEREBY ADOPTS THE FOLLOWING RESOLUTIONS:

1. Adopting the budget and making appropriations. Adopts the budget for fiscal year 2023-24, beginning July 1, 2023, in the total amount of \$36,130,898* and makes the following appropriations:

<u>Fund/Program or Org. Unit/Object Classification</u>	<u>Appropriation</u>
General Fund	
Police	\$ 2,770,762
Planning	258,113
Community Center	92,960
Municipal Court	133,747
Administration	1,549,753
Mayor/City Council	56,250
General Operations	557,900
Street Lights	90,000
Not Allocated to Program/Org Unit.:	
Transfers Out	995,100
Contingency	300,000
Total	\$ 6,804,585
Library Fund	
Library	\$ 558,009
Not Allocated to Program/Org Unit.:	
Transfers Out	50,600
Contingency	30,000
Total	\$ 638,609

Fund/Program or Org. Unit/Object Classification	Appropriation
Pool Fund	
Pool	\$ 381,007
Not Allocated to Program/Org Unit.:	
Transfers Out	60,200
Contingency	19,000
Total	\$ 460,207
Public Works Administration Fund	
Public Works Administration	\$ 794,228
Not Allocated to Program/Org Unit.:	
Contingency	40,000
Total	\$ 834,228
Street Fund	
Streets	\$ 1,774,858
Not Allocated to Program/Org Unit.:	
Transfers Out	332,800
Contingency	90,000
Total	\$ 2,197,658
Parks Fund	
Parks	\$ 360,984
Not Allocated to Program/Org Unit.:	
Transfers Out	73,900
Contingency	50,000
Total	\$ 484,884
Water Fund	
Water	\$ 2,494,011
Not Allocated to Program/Org Unit.:	
Debt Service	329,700
Transfers Out	454,200
Contingency	225,000
Total	\$ 3,502,911
Wastewater Fund	
Wastewater	\$ 4,369,140
Not Allocated to Program/Org Unit.:	
Debt Service	817,000
Transfers Out	565,400
Contingency	1,990,421
Total	\$ 7,741,961

<u>Fund/Program or Org. Unit/Object Classification</u>	<u>Appropriation</u>
Stormwater System Development Charge (SDC) Fund	
Not Allocated to Program/Org Unit.:	
Transfers Out	350,000
Total	\$ 350,000
Parks System Development Charge (SDC) Fund	
	none
Street System Development Charge (SDC) Fund	
Not Allocated to Program/Org Unit.:	
Transfers Out	33,500
Total	\$ 33,500
Facilities Fund	
Facilities Development/Maint.	\$ 37,301
Total	\$ 37,301
Total appropriations, All Funds	\$ 24,595,013
Total unappropriated and reserve amounts, All Funds	11,535,885
Total Budget	\$ 36,130,898 *

2. Imposing and Categorizing Ad Valorem Property Taxes. The following ad valorem property taxes are hereby imposed and categorized upon the assessed value of all taxable property within the City for tax year 2023-24:

General Government Limitation

- a) At the rate of \$3.3280 per \$1,000 for permanent rate tax.
- b) At a rate of \$0.4000 per \$1,000 for library local option tax.
- c) At a rate of \$0.5000 per \$1,000 for recreation local option tax.

APPROVED BY THE STAYTON CITY COUNCIL THIS 19TH DAY OF JUNE 2023.

Date: _____ By: _____
Brian Quigley, Mayor

Date: _____ Attest: _____
Julia Hajduk, City Manager



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

TO: Mayor Brian Quigley and the Stayton City Council
FROM: Julia Hajduk, City Manager
DATE: June 19, 2023
SUBJECT: Amendments to Municipal Code related to camping and compliance with ORS 195.530

BACKGROUND INFORMATION

ORS 195.530 (HB 3115) was passed in 2021 and goes into effect on July 1, 2023. This state statute requires that any city or county law that regulates the acts of sitting, lying, sleeping, or keeping warm and dry outdoors on public property that is open to the public must be objectively reasonable as to time, place, and manner with regards to persons experiencing homelessness. Accordingly, the City formed a Task Force to review the City's code in light of the applicable law, seek public input, and provide guidance to the City Council on potential code amendments to ensure City compliance with ORS 195.530.

On June 12, 2023, there was general consensus among Task Force members present to forward the proposed changes to the Council to comply with state and federal law, with the understanding that significantly more outreach and finetuning of the regulations will follow over the course of the next several months. Specifically, Task Force members understood that more or fewer locations where camping is not prohibited may be needed. That will need to be monitored and modified, as needed, into the future. Regulations or policies may also be considered moving forward, regarding the amount of time an individual may camp in one location.

FISCAL IMPACT

There is no fiscal impact directly related to the proposed code amendments.

SUMMARY

The attached Ordinance (Attachment 1 to this staff report in track changes and Exhibit 1 to the Ordinance in final form) would amend the Municipal Code to define developed parks and public facilities and provide a process for regulating the use of and camping on or in developed parks and public facilities. By default, camping would be allowed on any other public property within City boundaries. Based on the definitions, staff has determined a number of places where camping would not be regulated in undeveloped parks, primarily in an area of Riverfront Park,

and the forested area of Mill Creek Park north of Mill Creek Park. There are also several areas of City owned land that are not within the definition of Public Facility or Developed Park. See Attachment 2 to this staff report which was presented at the May 8, 2023 Task Force meeting. Keep in mind that these proposed amendments represent the first phase of the Task Force's work. The Task Force will spend the remainder of the year conducting additional outreach and discussing how to refine recommended polices and the City's approach to complying with ORS 195.530.

The proposed amendments assume that other public entities have their own obligation and desire to adopt similar time, place, and manner criteria for their properties. We are not regulating or enforcing the camping or prohibition of camping on public property that the City does not own or regulate.

OPTIONS AND MOTIONS

The City Council is presented with the following options.

1. Approve the first consideration of Ordinance No. 1063

Move to approve Ordinance No. 1063as 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. 1063 is enacted and will be presented to the Mayor for his approval.

If the vote is not unanimous, Ordinance No. 1063 will be brought before the Council for a second consideration at the July 17, 2023 meeting.

2. Approve Ordinance No. 1063 with modifications.

Move to approve Ordinance No. 1063 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. 1063 will be brought before the Council for a second consideration at its July 17, 2023 meeting.

3. Not approve Ordinance No. 1063

No action is required if Council chooses to not approve the Ordinance and recommended changes.

Proposed changes. Proposed deletions are shown with ~~red strikethrough~~ and proposed additions are shown with blue underline.

~~CHAPTER 2.64~~

~~DISPOSITION OF UNCLAIMED PERSONAL PROPERTY~~

SECTIONS

~~2.64—Disposition of unclaimed personal property~~

~~2.64.1600—Personal property taken into the custody of any department by reason of seizure, abandonment, or for any other reason shall be disposed of per ORS 98.245. (Ordinance No. 976)~~

CHAPTER 8.12

USE OF PUBLIC PARKS, PUBLIC PROPERTY AND WATERWAYS

SECTIONS

8.12.010	Definitions
8.12.020	Camping Permit
8.12.030	Park Hours
8.12.040	Prohibited Behavior in Public Parks and Facilities
8.12.050	Prohibiting Consumption of Alcoholic Beverages on Public Property
8.12.060	Exclusion of Persons from Parks and Public Facilities
8.12.070	Emergency Closure of Parks and Public Facilities
8.12.080	Violation: Penalty

8.12.010 DEFINITIONS

As used in this Chapter, the following mean:

1. **CAMP:** To set up or to remain in or at a campsite.
2. **CAMPSITE:** Any place where any bedding, sleeping bag, or other material used for bedding purposes, or any stove or fire is placed, established, or maintained for the purpose of maintaining a temporary place to stay, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.
3. **CITY:** City of Stayton, Oregon
4. **DEVELOPED PARK:** The following areas are considered developed parks for the purposes of this chapter: Pioneer Park; Santiam Park; North Slope Park; Quail Run Park; Henry A. Porter Dog Park; Wildlife Meadows Park, Westtown Park; Community Garden; Community Center Park; the portion of Riverfront Park located within 200 feet of established trails and gravel roads; and that portion of Mill Creek Park southwest

of Mill Creek. See Exhibit A for illustration.

4.5. **PARK:** Real property owned, managed, or leased by the City of Stayton for recreational purposes, other than dedicated rights-of-way. (Ord. 936, July 05, 2011)

~~**PUBLIC PROPERTY:** A sidewalk, street, alley, public right of way, park, building, structure, any other publicly owned land, waterway, or facility. (Ord. 933, March 07, 2011)~~

5.6. **PUBLIC FACILITY:** Any publicly owned structure or infrastructure used for the operation and maintenance of City functions. Facilities include, but are not limited to, Water and Wastewater treatment plants, City buildings, waterways, and public right of way. See Exhibit A for illustration.

6.7. **RECREATION VEHICLE:** A vacation trailer or other vehicular or portable unit which is either self-propelled, carried, or towed by a motor vehicle and which is intended for human occupancy and is designed for vacation or recreational purposes but not a permanent residence. Recreational vehicles also include travel trailers, motorhomes, campers, boats, boat trailers, snowmobiles, all-terrain vehicles (ATVs), and trailers designed primarily to carry ATVs or snowmobiles. Recreational vehicles do not include utility trailers or canopies. (Ord. 933, March 07, 2011; Ord. 711, November, 1992)

8. **POWER CANAL a waterway (Reid Power Canal).** See Stayton Ditch. (Ord. 933, March 07, 2011)

7.9. **STAYTON DITCH a waterway, also known as POWER CANAL or REID POWER CANAL.** The Stayton Ditch is the waterway which flows west from the N. Santiam River dividing the Wilderness Area Park from the Riverfront Park in Stayton. The Stayton Ditch flows from the North Santiam River west to First Ave in Stayton, crossing First Ave flowing back into the N. Santiam River, as illustrated below in Exhibit B. (Ord. 933, March 07, 2011)

8.10. **SMOKING:** Any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, weed, plant or other tobacco or tobacco-like product or substance in any manner or any form. (Ord. 936, July 05, 2011)

9.11. **TOBACCO PRODUCT:** Any tobacco, cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, or any other means of ingestion. (Ord. 936, July 05, 2011)

10.12. **TOBACCO USE:** Smoking, chewing or other ingestion of any tobacco product. (Ord. 936, July 05, 2011)

8.12.020 CAMPING PERMIT

1. ~~No person shall camping is permitted in or upon any public facility.~~

1.2. No person shall camp in or upon any ~~developed park public property~~ or under any bridge unless a permit is obtained from the Chief of Police or designated representative or by declaration of the Mayor in emergency circumstances. An application shall be filed with the City for each RV, tent, or campsite. (Ord. 933, March 07, 2011)

2.3. The Chief of Police or designated representative may issue a permit to any person to park a recreational vehicle (RV) or to camp upon any ~~developed park public~~ property. A permit

issued under this section shall be issued when the Chief of Police or designated representative finds that the following criteria will be met. (Ord. 933, March 07, 2011)

- a. The applicant has made arrangements for appropriate sanitary facilities and drinking water; (Ord. 933, March 07, 2011)
- b. The proposed activity for which the permit is issued is not likely to disturb the peace and quiet of any person (Ord. 933, March 07, 2011)
- c. The proposed activity is unlikely to result in litter, trash, garbage, sewage, or other unsanitary material being placed or left on public property; and, (Ord. 933, March 07, 2011)
- d. A permit shall not be issued for camping in a ~~developed~~public park unless it is in conjunction with another City approved event, such as a festival in the park and does not interfere with the needs of the City such as normal city services. (Ord. 933, March 07, 2011)

~~3.4.~~ The permit may be granted for up to ten days. A permit shall not be issued to the same applicant more than once in any thirty-day period. (Ord. 933, March 07, 2011)

8.12.030 PARK HOURS

~~Developed~~Public parks of the City shall be closed to access and use by the public between the hours of 10:00 p.m. and 6:00 a.m. unless a permit has been issued by the Chief of Police or designee or a facility use permit has been issued by the City. (Ord. 933, March 07, 2011)

8.12.040 PROHIBITED BEHAVIOR IN PUBLIC PARKS, PUBLIC PROPERTY, AND FACILITIES

1. No person shall make, assist in making, continue, or cause to be made any boisterous, disturbing, threatening, abusive, indecent, or obscene language or gestures; or unnecessary noise; or by any other act to breach the public peace; or annoy, disturb, injure, or endanger the comfort, repose, health, safety, welfare, or peace of others while in any park or public facility in accordance with the State Disorderly Conduct laws. (Ord. 933, March 07, 2011)
2. No person shall blow, spread, or place any nasal or other bodily discharge, or spit, urinate, or defecate on the floors, walls, partitions, furniture, fittings, or any portion of a public restroom located in any park, or in any place in a public restroom or public facility, excepting directly into the particular fixture provided for that purpose.
3. No person shall damage or do anything that will or could cause damage to the public parks, public property, waterways, and facilities. (Ord. 933, March 07, 2011)
4. No person shall use the City's recreational equipment and facilities for activities other than their intended or approved purpose or in a way that could cause damage to them. (Ord. 977, December 2014)
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 façade of any building in the area designated as Downtown in the Comprehensive Plan Map and properties on both sides of N. First Avenue between Water Street and Washington Street. 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. (Ord. 936, July 05, 2011) (Ord. 977, December 2014) (Ord. 1019, June 2018)

6. Fires are not permitted except in designated fire rings or barbeque stands.
7. No person shall enter into, put anything into, or cause anything to end up into the waterway known as the Stayton Ditch.
8. No person shall swim, float, kayak, raft, boat, fish, wade, play in or participate in any similar recreation activity in the Stayton Ditch. (Ord. 933, March 07, 2011)
9. The Stayton Ditch may be accessed for official use such as by the City of Stayton, Santiam Water Control District, Stayton Fire District, or other governmental or public safety organizations. (Ord. 933, March 07, 2011)

8.12.050 PROHIBITING CONSUMPTION OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY

No person shall drink or consume alcoholic beverages in or upon any public street or sidewalk, alley, public grounds, parks, City-owned facilities and properties, except when a permit for that purpose has been issued pursuant to this SMC or a business establishment has received OLCC approval for an outdoor eating area.

- a. Upon application to the City, the City Administrator, or designee may grant a revocable facility use permit to responsible persons or organizations for an event or activity at which alcoholic beverages may be served and consumed in City-owned facilities or on City property.
- b. The City Council shall adopt rules governing facility use permits by Resolution.
- c. The Stayton Police may issue an ordinance violation citation for violating the Facility Use Rules which also may include revoking the “Facility Use” permit (Ord. 977, December 2014)

8.12.060 EXCLUSION OF PERSONS FROM PARKS AND PUBLIC FACILITIES

1. If there is probable cause to believe that a person has violated the Stayton Municipal Code, Titles 6 or 8, 9, or Chapters 10.04, or 10.12, or any related state law, while in a public park or public facility, that person may be excluded from the park or public facility where the incident occurred for a period of not more than thirty (30) days in accordance with the following procedure: (Ord. 977, December 2014)
 - a. Written notice shall be given to the person to be excluded from a park or public facility. The exclusion period shall take immediate effect.
 - b. The notice shall prominently specify the beginning and ending dates of the exclusion period.

- c. The notice shall specify the location(s) they are excluded from which is based on the original offense location. The exclusion location shall only reflect the location of the original offense. For example: If the person commits a crime in the park they should only be excluded from the park(s) and not the Stayton Pool or the Community Center. (Ord. 977, December 2014)
- d. The notice shall prominently display a trespass warning describing the potential consequences of unlawful behavior after receipt of an exclusion notice and for entering a park, public property or facility during the exclusion period. (Ord. 933, March 07, 2011)
- e. At any time within the exclusion period, a person having received a notice may apply in writing to the Chief of Police or designee for a temporary waiver from the exclusion for good reason shown. Good reason may include but not limited to such things as employment purposes, first amendment activities, a funeral or wedding. The Chief of Police will have 48 hours to make a decision on the waiver. (Ord. 977, December 2014)
- f. The excluded individual may appeal the exclusion to the Stayton Municipal Court which shall hear the appeal at the next available Municipal Court hearing date. The Municipal Court may overturn the exclusion, agree with the exclusion or extend the exclusion. The Municipal Court decision is final. ~~An~~The exclusion is ~~stayed~~valid during the time of the appeal. (Ord. 977, December 2014)
- g. This Section shall not apply to City-owned properties with long term lease by a business organization, such as the movie theater or the Moose Lodge. Those properties are considered to be privately controlled. (Ord. 977, December 2014)
- h. If a person is excluded from City business offices, reasonable accommodations will be made for legitimate City business to be conducted. (Ord. 977, December 2014)

8.12.070

EMERGENCY CLOSURE OF PUBLIC PROPERTIES, PARKS, AND WATERWAYS

- 1. The Police Chief or designee may close a public property, park, waterway or part thereof, at any time by erecting barricades, signs, locking mechanisms or other appropriate measures prohibiting and barring access to any such public property, park, waterway or part thereof, at appropriate locations. Notice that any public property, park, waterway or part thereof, is closed shall be posted at appropriate locations during the period of such closure. (Ord. 933, March 07, 2011)
- 2. The Police Chief or designee may close any public property, park, waterway, or any part thereof, in accordance with this section, in the interest of public safety, health, and welfare in the event conditions exist in or near that premises which involve any of the following circumstances: (Ord. 933, March 07, 2011)
 - a. Life or properties appear to be endangered and other means cannot reasonably be utilized to eliminate the danger;

- b. An overcrowding of persons or vehicles has occurred, impairing access of emergency assistance or emergency vehicles;
 - c. The subject premises or other property located near the premises reasonably appears to be endangered; (Ord. 933, March 07, 2011)
 - d. Persons making, assisting in making, continuing, or causing to be made any boisterous, disturbing, threatening, abusive, indecent, or obscene language or gestures, or unnecessary noise, or by any other act to breach the public peace; or annoying, disturbing, injuring, or endangering the comfort, repose, health, safety, welfare, or peace of others in any park, public facility, or waterway and is of such consequence that cessation of the disturbance cannot otherwise be accomplished; (Ord. 933, March 07, 2011)
 - e. A hazardous condition exists;
 - f. That violation(s) of criminal offenses or code is occurring and is caused by sufficient numbers of persons, or is of such consequence that cessation of the disturbance cannot otherwise be accomplished; or, (Ord. 933, March 07, 2011)
 - g. Other conditions exist such that the safety or protection of persons or property cannot reasonably be assured. (Ord. 933, March 07, 2011)
- 3. During the closure of a park, public premises or waterway, or portion thereof, in accordance with this chapter, it shall be unlawful for any person to enter upon the premises, or any part thereof, that has been closed, or to remain in the premises, or part thereof, after having been notified of the closure and having been requested to leave by a an authorized authority. (Ord. 933, March 07, 2011)
 - 4. Such emergency closure shall not exceed 18 hours without the written approval of the City Administrator. (Ord. 933, March 07, 2011; Ord 720, ●1, August 1993)

8.12.080 VIOLATION: PENALTY

- 1. A violation of a provision of this chapter is punishable by a fine approved by Stayton City Council Resolution.
- 2. In addition to the remedies and fees provided for in this Chapter, any person authorized to enforce the provisions of this chapter may issue an enforcement complaint, as defined in section 6.04.020, to any person found in violation of the provisions of this chapter. (Ord. 933, March 07, 2011; Ord. 711, November, 1992)
- 3. If there is probable cause to believe a person has violated provisions of this Chapter, constituting a crime under Oregon Revised Statutes that person may be prosecuted accordingly, and if convicted, fined accordingly. (Ord. 933, March 07, 2011)

Exhibit A

Exhibit A City Facilities and Developed Parks

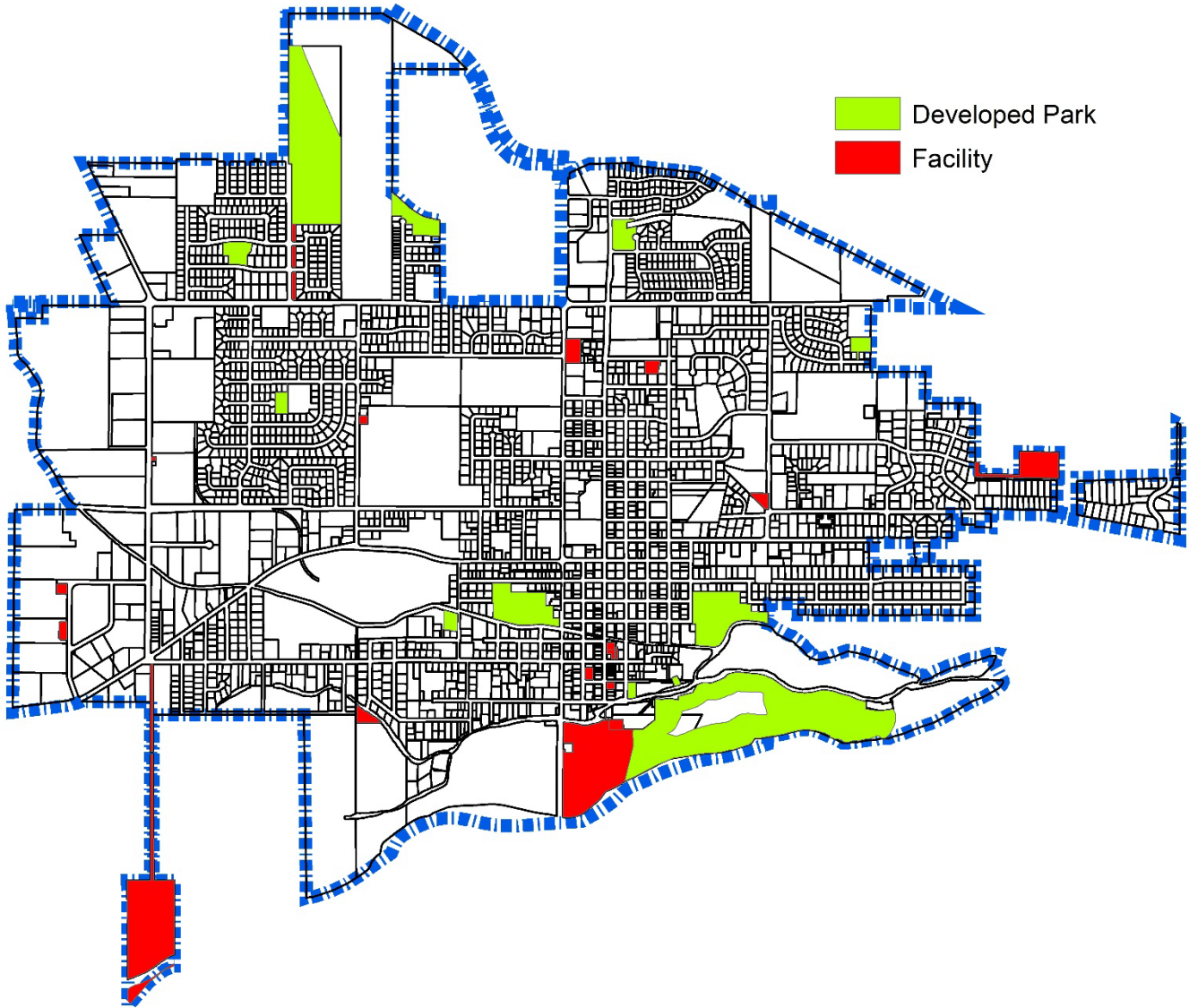
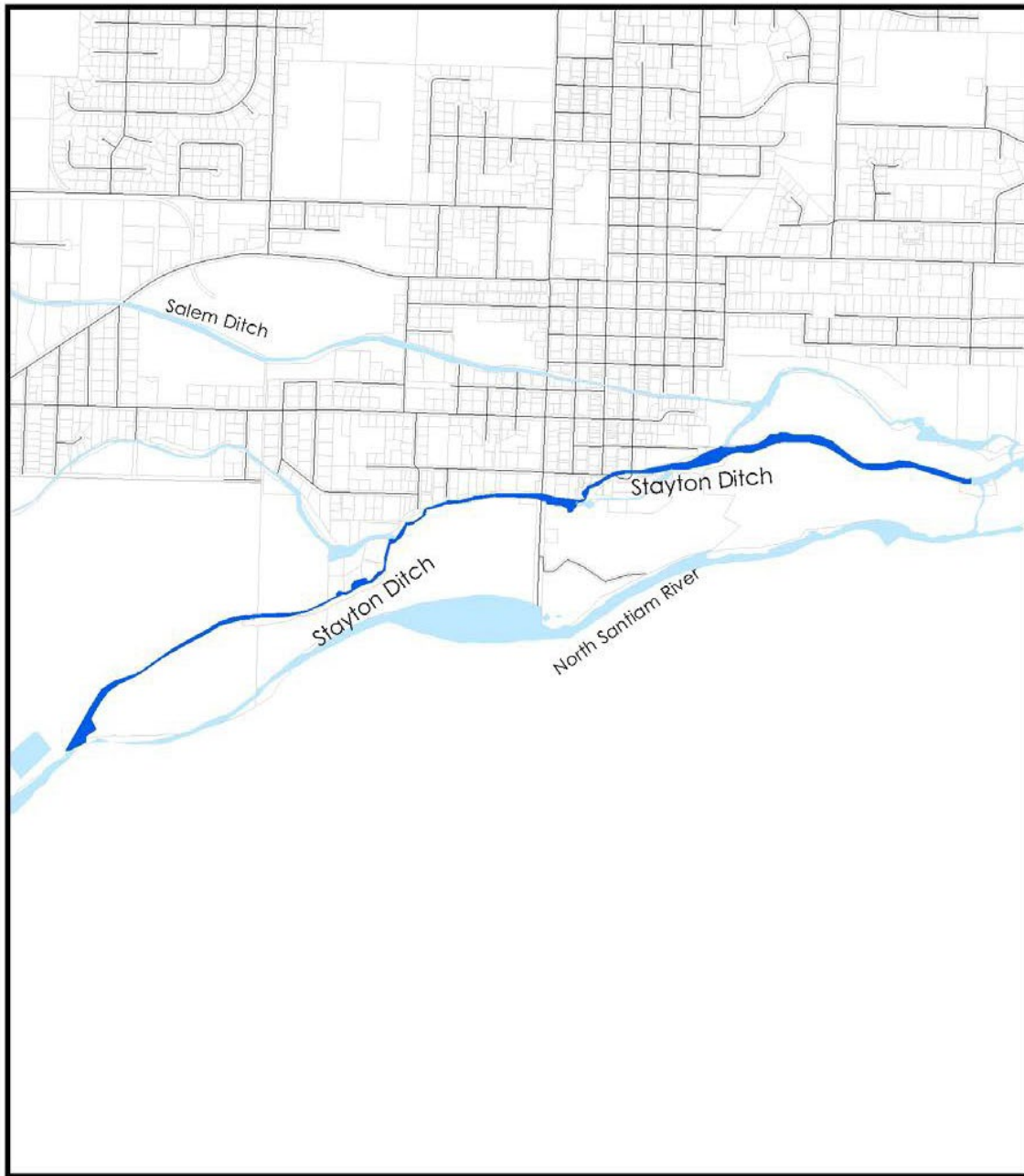


Exhibit **BA**



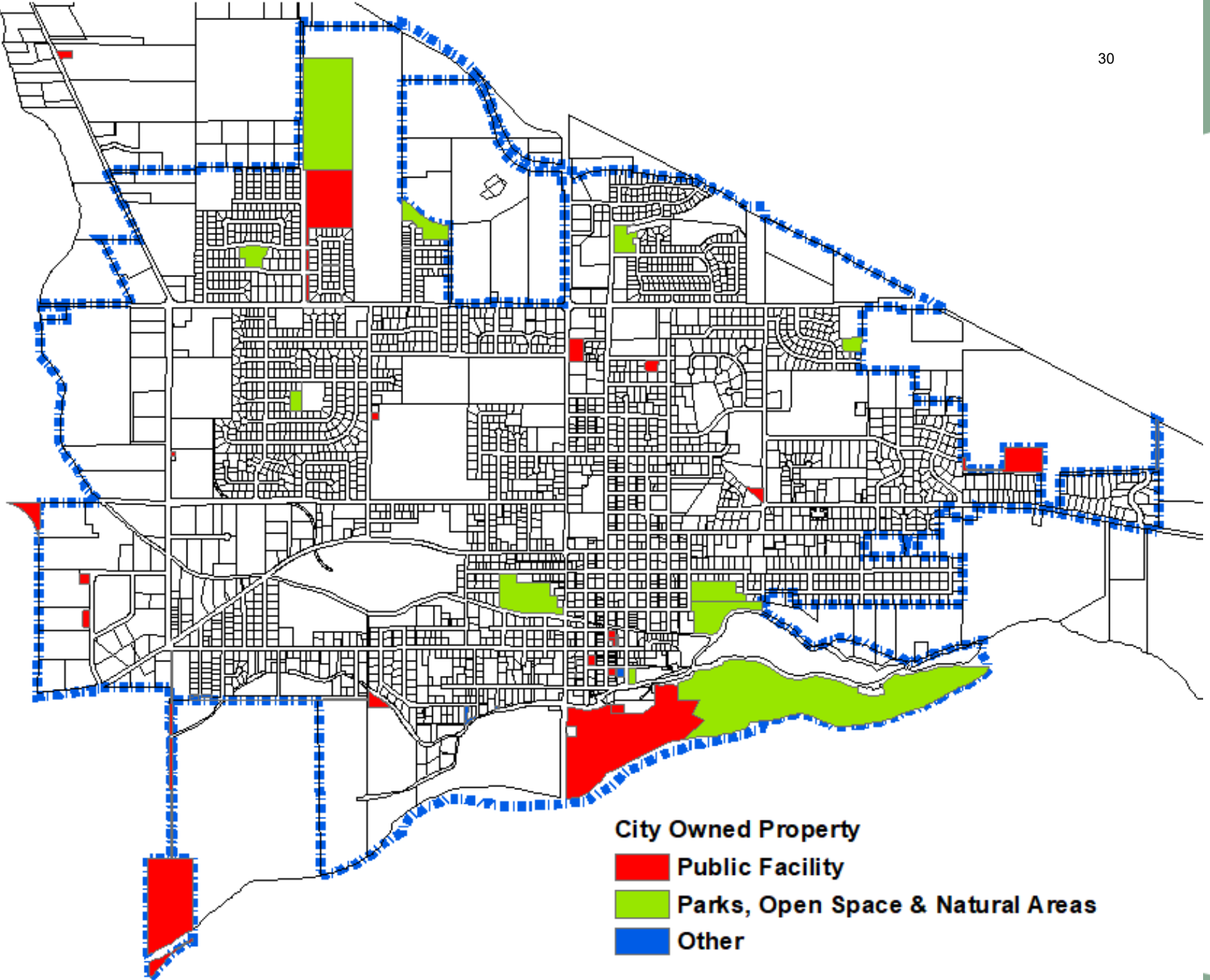


City-Owned Property and Undeveloped Public Rights of Way

Homeless Task Force
May 8, 2023



The City of Stayton is the owner of 53 tax parcels, totaling 180 acres.





Inventory of City of Property

City Property may be categorized into:

- Parks, Open Space and Natural Areas
- Public Facilities
- Other



Parks, Open Space, & Natural Areas³²

11 Parcels are managed as Parks,
Open Space or Natural Areas,
totaling 102 acres



Public Facilities

21 Parcels are used as Public Facilities, totaling 76 acres

- City Hall
- Municipal Court
- Water Treatment Plant
- Wastewater Treatment
- Water Reservoirs
- Stormwater Facilities
- City Shops
- Public Parking Lots



Other Land

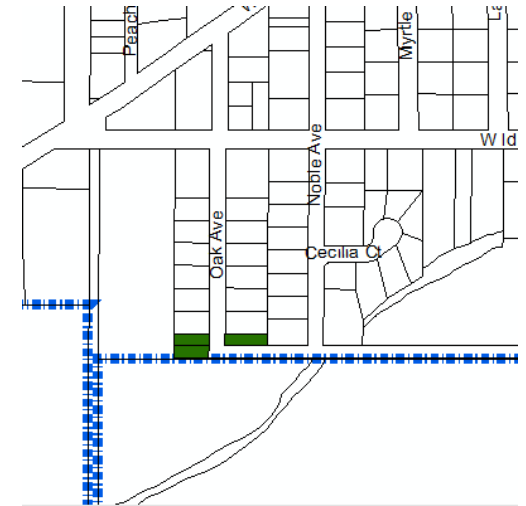
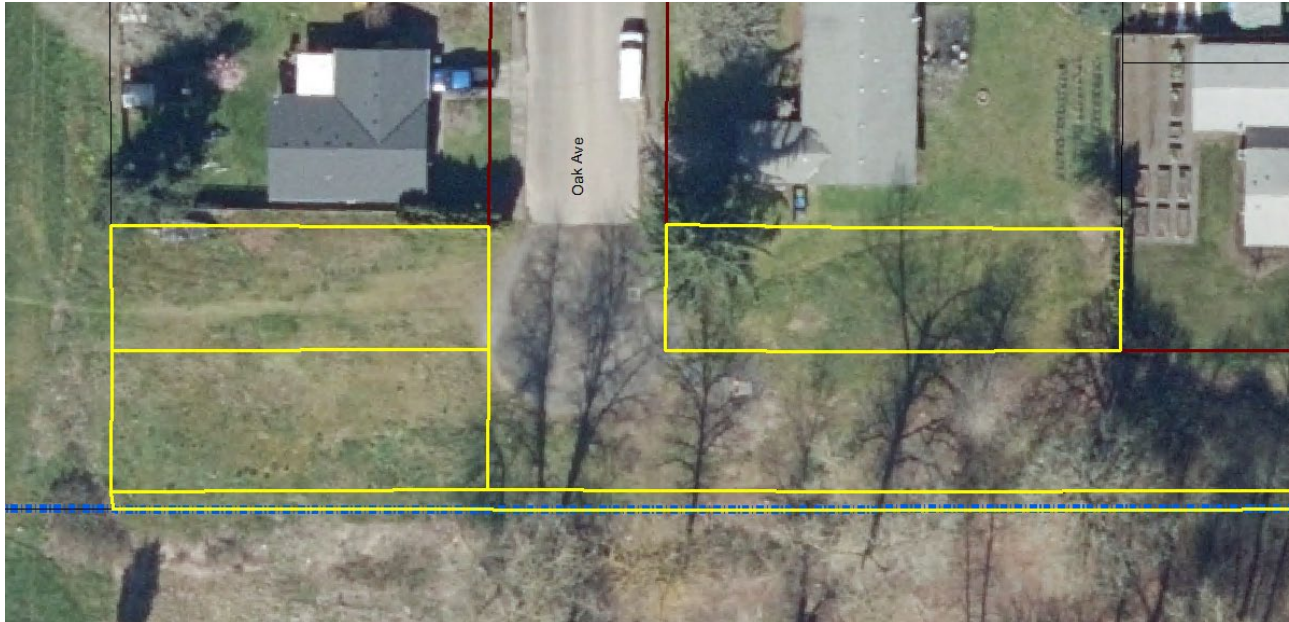
21 Parcels are “Other,” totaling 2 acres

- Land adjacent to street rights of way
- Vacant Unused Parcels



“Other” City-Owned Property

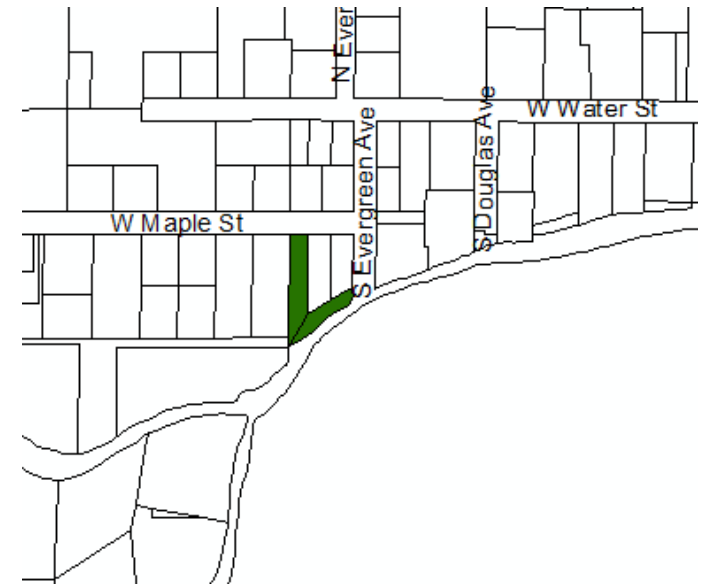
Three Parcels on N Oak Ave





“Other” City-Owned Property

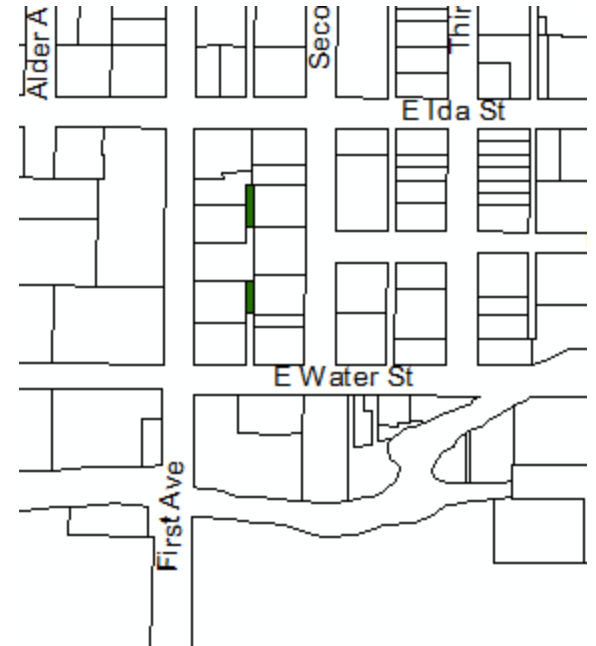
Two Parcels on W Maple St





“Other” City-Owned Property

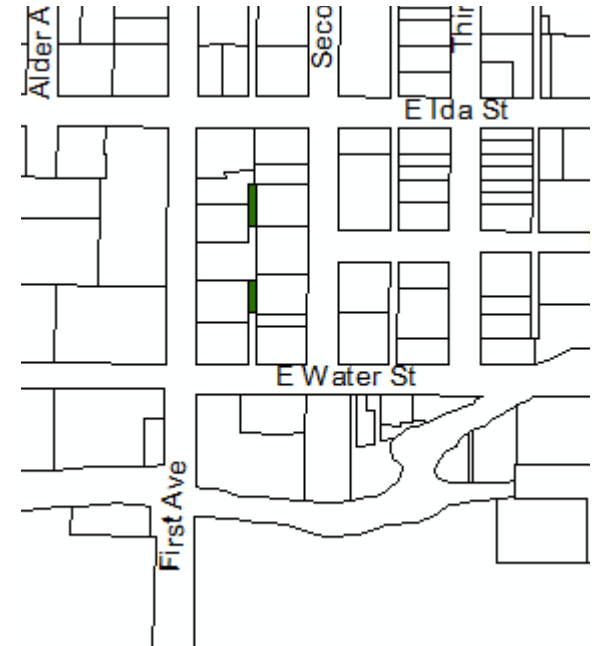
Between N First and N Second Ave





“Other” City-Owned Property

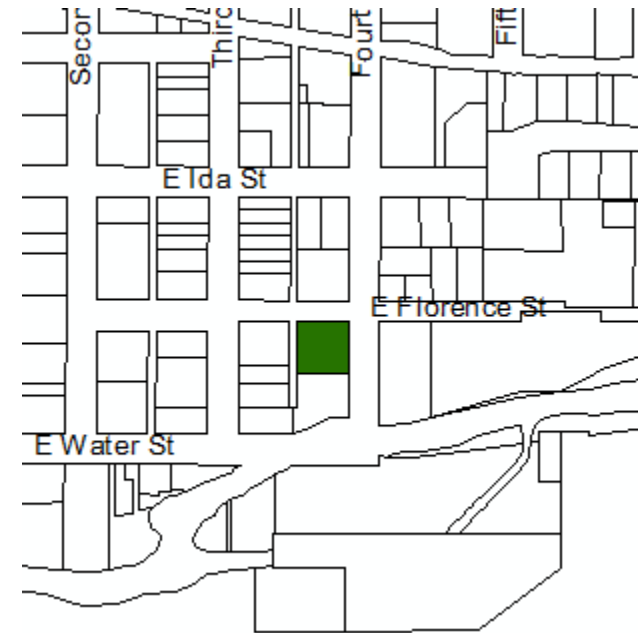
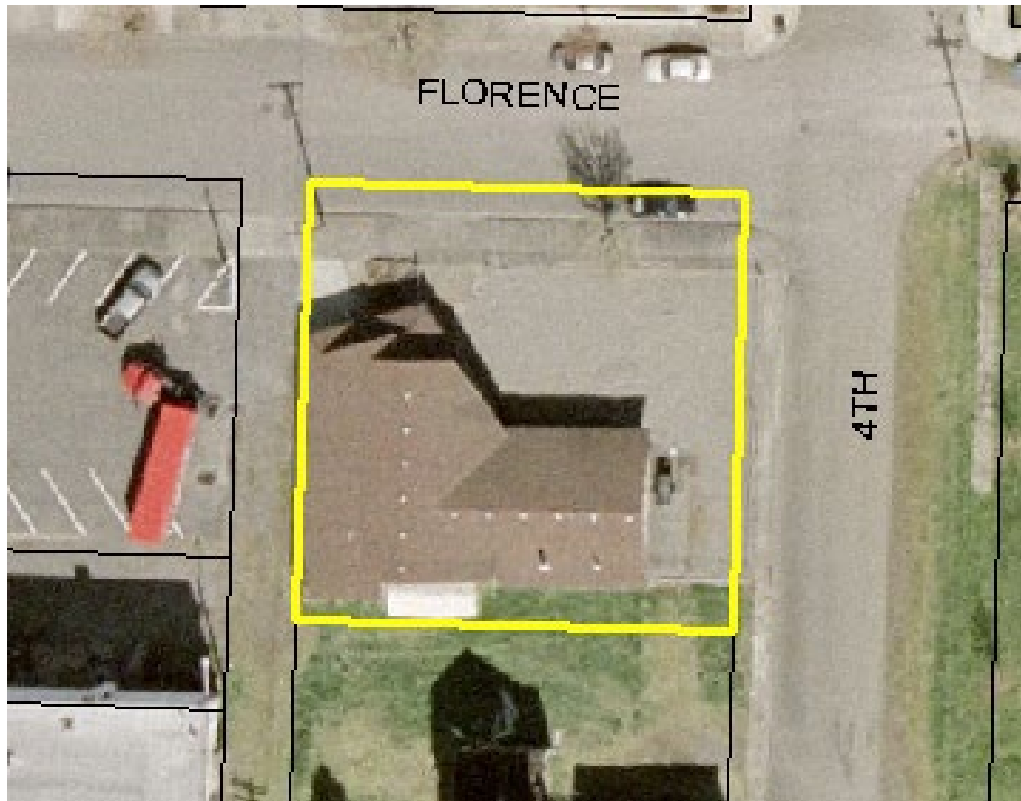
Between N First and N Second Ave





“Other” City-Owned Property

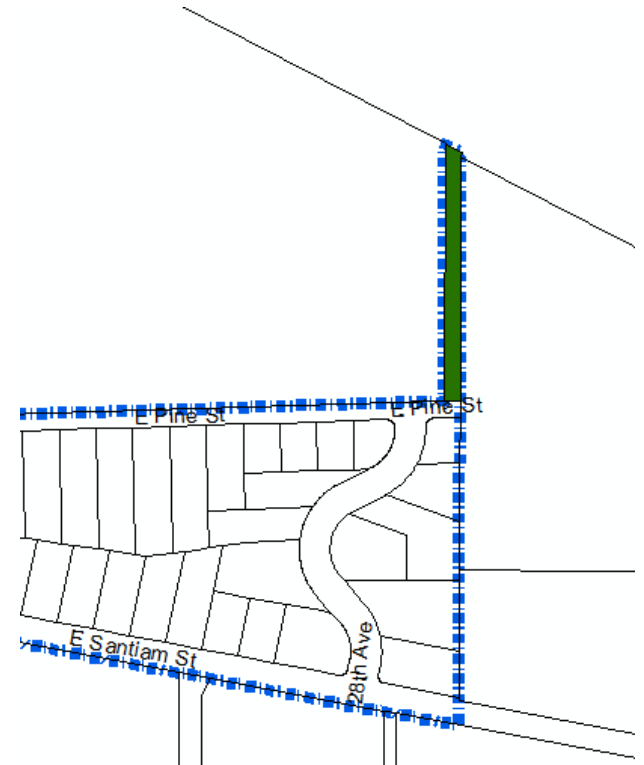
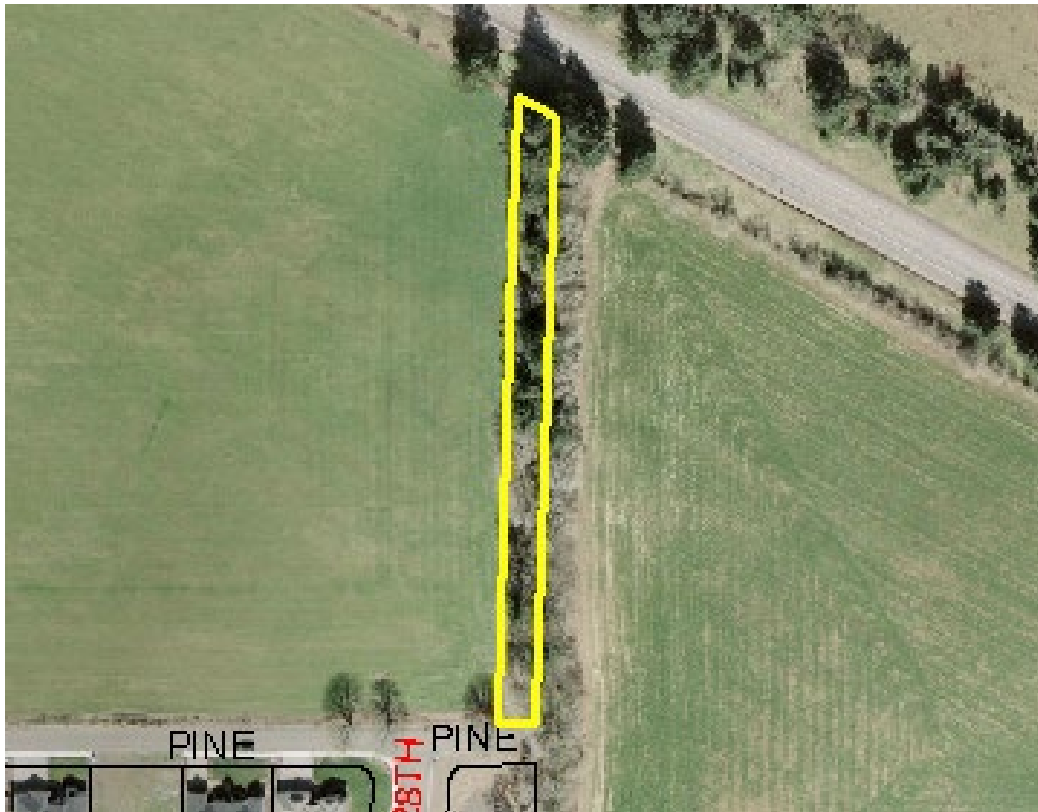
E Florence St – leased to Moose Lodge





“Other” City-Owned Property

E Pine St





Unimproved Rights of Way

There are Ten segments of
Unimproved Right of Way within the
City Limits



Unimproved Rights of Way

E Regis St, east of N Sixth Ave



Right of way is 60 feet in width, unimproved portion is approximately 70 feet in length



Unimproved Rights of Way

W Water St, btwn N Oak Ave and a point west of N Holly Ave



Right of way is 40 feet in width, unimproved portion is approximately 1800 feet in length



Unimproved Rights of Way

N King Ave, north of W Water St

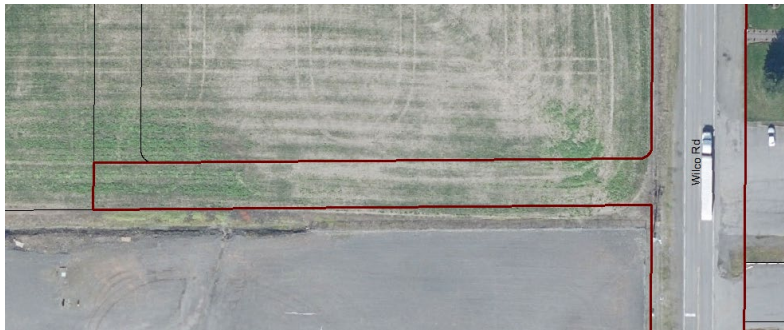


Right of way is 40 feet in width, unimproved portion is approximately 325 feet in length



Unimproved Rights of Way

Industrial Dr, west of Wilco Rd



Right of way is 40 feet in width, unimproved portion is approximately 325 feet in length



Unimproved Rights of Way

Gardner Ave, south of W Maple St



Right of way is 60 feet in width, unimproved portion is approximately 125 feet in length



Unimproved Rights of Way

N Fifth Ave, south of E Cedar St



Right of way is 60 feet and 30 feet in width, unimproved portion is approximately 200 feet in length



Unimproved Rights of Way

N Cherry Ave, north of W High St



Right of way is 60 feet in width, unimproved portion is approximately 175 feet in length



Unimproved Rights of Way

N Alder Ave, north of W High St



Right of way is 60 feet in width, unimproved portion is approximately 125 feet in length



Unimproved Rights of Way

N Tenth Ave, south of E Burnett St

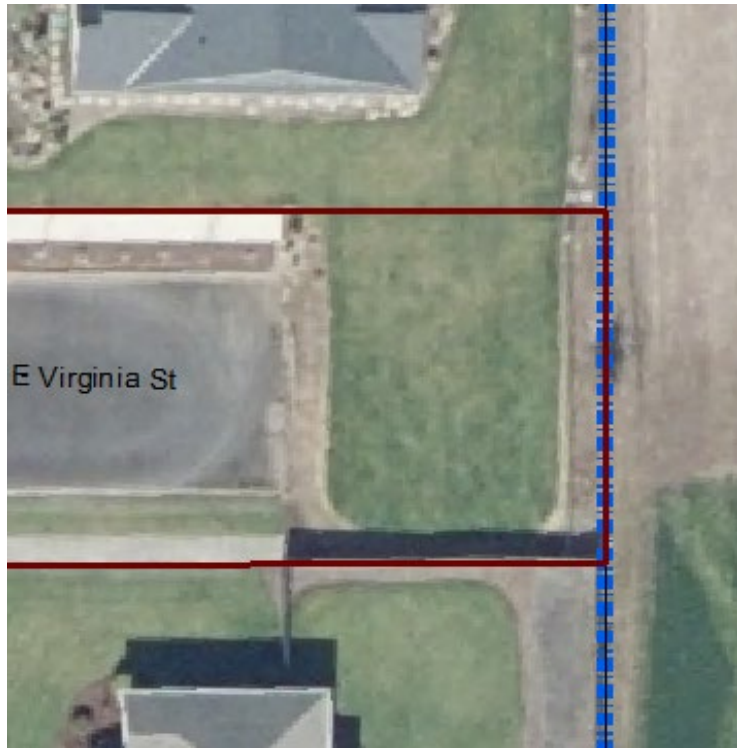


Right of way is 60 feet in width, unimproved portion is approximately 100 feet in length



Unimproved Rights of Way

E Virginia St, east of 19th Ave



Right of way is 60 feet in width, unimproved portion is approximately 50 feet in length



ORDINANCE NO. 1063

**AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE CHAPTER 8.12
AND REPEALING CHAPTER 2.64 TO COMPLY WITH ORS 195.505
AND 195.530**

WHEREAS, City recognizes that people experiencing homelessness need a place to sleep, sit, lie, shelter themselves, keep warm and dry, and store their belongings; and

WHEREAS, the City is committed to ensuring the most humane treatment of persons experiencing homelessness in regards to the removal of persons experiencing homelessness from campsites on publicly-owned property in City; and

WHEREAS, the City is committed to ensuring the safety and security of all people within the City, including people experiencing homelessness, property owners, and the general public, while protecting all people in the City from unsafe and dangerous conditions; and

WHEREAS, it is the official policy of the City that, in accordance with ORS 195.500 and ORS 195.510, its responses to homelessness and the removal of campsites shall be undertaken in accordance with these principles; and

WHEREAS, the Eighth Amendment to the United States Constitution prohibits cities from criminalizing the acts of sitting, lying, sleeping, and keeping warm and dry outdoors on public property that is open to the public by individuals who have no alternative adequate shelter; and

WHEREAS, ORS 195.530 requires that any regulations that regulate the acts of sitting, lying, sleeping, and keeping warm and dry outdoors on public property that is open to the public must be objectively reasonable as to time, place, and manner as applied to persons experiencing homelessness; and

WHEREAS, City recognizes that the State of Oregon is experiencing a housing crisis that has resulted in an increase in unsanctioned camping in public spaces and rights-of-way; and

WHEREAS, City recognizes that there are persons experiencing homelessness within the City that do not have alternative adequate shelter but must still sit, lie, sleep, shelter, store their belongings, and keep warm and dry; and

WHEREAS, due to the City's small size, persons experiencing homelessness seeking a place to sit, lie, sleep, and keep warm and dry within the City have, to date, been transitory, resulting in few persons experiencing homelessness within the City at any given time; and

WHEREAS, the public rights-of-way within the City were designed and intended for travel, transportation, the provision of utility services, and other uses and were not designed or intended for use as campsites; and

WHEREAS, the City's parks were designed for recreational uses and outdoor activities and was not designed or intended for use as a campsite; and

WHEREAS, due to the City's public rights-of-way and parks not being designed or intended for use as campsites, persons experiencing homelessness camping in those locations often lack access to safe and sanitary hygiene facilities and trash facilities, resulting in unsanitary conditions that are harmful to persons experiencing homelessness and the general public; and

WHEREAS, due to the City's public rights-of-way not being designed or intended for use as campsites, the acts of sitting, lying, sleeping, and keeping warm and dry may be dangerous to persons experiencing homelessness and other users of the public rights-of-way due to the potential congestion of the public rights-of-way and due to the proximity to vehicles, bicycles, and pedestrians; and

WHEREAS, the City has a responsibility to ensure that the City's rights-of-way and parks are safe, passable, accessible, and in sanitary condition, and to otherwise act to avoid death and injury to all users of the public rights-of-way and parks, including persons experiencing homelessness; and

WHEREAS, City Council and City staff have identified all City-owned public lands that are open to the public, including the City's parks, recreational spaces, and improved and unimproved public rights-of-way; and

WHEREAS, in accordance with the Eighth Amendment to the United States Constitution and ORS 195.530, the City intends to enact and enforce regulations that are reasonable as applied to unhoused persons who have no alternative shelter, when regulating the acts of sitting, lying, sleeping, and keeping warm and dry outdoors on City-owned public property that is open to the public; and

WHEREAS, the City intends that the above-described regulations support the need to be healthy, safe, and to have access to public places for all community members; and

WHEREAS, the City intends that the above-described regulations address issues such as fire risk, environmental degradation, unsafe vehicle or pedestrian travel, unsanitary conditions, trash, and health and public safety hazards to people sitting, lying, sleeping and keeping warm and dry, to neighboring businesses, and to community members in a manner that is objectively reasonable in regards to persons experiencing homelessness; and

WHEREAS, the City formed a Task Force to review applicable laws, consider existing City code provisions, seek public input, and provide guidance to the City Council regarding potential code amendments to comply with State law; and

WHEREAS, the Homeless Task Force has considered and provided guidance to the City Council regarding potential amendments to the City Municipal Code intended to define developed parks

and public facilities and provide a process for regulating the use of and camping on or in developed parks and public facilities; and

WHEREAS, it is understood that additional amendments may be made based on addition work of the Task Force; and

WHEREAS, the City Council held a meeting on June 19, 2023, at which the Council considered potential amendments, after members of the public were invited to provide comment on the subject of homelessness in the City; and

WHEREAS, this Ordinance is the result of the City Council's consideration of the City's legal obligations, the needs of persons experiencing homelessness within the City, the needs of other community members within the City, the public comment received at the Council meeting, and the City's duty to protect the health, safety, and welfare of all its community members.

NOW, THEREFORE, THE CITY OF STAYTON ORDAINS:

Section 1. Findings. The findings in the above recitals are hereby adopted as support for these code amendments.

Section 2. Amend. Stayton Municipal Code Chapter 8.12, Use of Public Parks, Public Property, and Waterways, is hereby amended as set forth in Exhibit 1.

Section 3. Repeal. Stayton Municipal Code Chapter 2.64, Disposition of Unclaimed Personal Property, is hereby repealed.

Section 3. Continued Effect. All unamended provisions of the City of Stayton's Municipal Code shall remain unchanged and in full force and effect.

Section 4. Severability. The sections, subsections, paragraphs, and clauses of this ordinance and the attached Code provisions are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs, and clauses.

Section 5. Codification. Provisions of this Ordinance shall be incorporated into the City of Stayton's Municipal Code, and the words "ordinance" or "section" may be changed to "code," "article," "chapter," "division," or another word, and the sections of this Ordinance may be renumbered or re-lettered, provided however that any recital clause and boilerplate provisions of this Ordinance need not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

Section 6. Effective Date. This ordinance shall go into full force and effect on the 30th day after adoption by the Stayton City Council and the Mayor's signing.

ADOPTED BY THE STAYTON CITY COUNCIL THIS 19TH DAY OF JUNE 2023.

CITY OF STAYTON

Signed: _____, 2023

BY: _____
Brian Quigley, Mayor

Signed: _____, 2023

ATTEST: _____
Julia Hajduk, City Manager

CHAPTER 8.12

USE OF PUBLIC PARKS, PUBLIC PROPERTY AND WATERWAYSSECTIONS

8.12.010	Definitions
8.12.020	Camping Permit
8.12.030	Park Hours
8.12.040	Prohibited Behavior in Public Parks and Facilities
8.12.050	Prohibiting Consumption of Alcoholic Beverages on Public Property
8.12.060	Exclusion of Persons from Parks and Public Facilities
8.12.070	Emergency Closure of Parks and Public Facilities
8.12.080	Violation: Penalty

8.12.010 DEFINITIONS

As used in this Chapter, the following mean:

1. **CAMP:** To set up or to remain in or at a campsite.
2. **CAMPSITE:** Any place where any bedding, sleeping bag, or other material used for bedding purposes, or any stove or fire is placed, established, or maintained for the purpose of maintaining a temporary place to stay, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.
3. **CITY:** City of Stayton, Oregon
4. **DEVELOPED PARK:** The following areas are considered developed parks for the purposes of this chapter: Pioneer Park; Santiam Park; North Slope Park; Quail Run Park; Henry A. Porter Dog Park; Westown Park; Community Garden; Community Center Park; the portion of Riverfront Park located within 200 feet of established trails and gravel roads; and that portion of Mill Creek Park southwest of Mill Creek. See Exhibit A for illustration.
5. **PARK:** Real property owned, managed, or leased by the City of Stayton for recreational purposes, other than dedicated rights-of-way.
6. **PUBLIC FACILITY:** Any publicly owned structure or infrastructure used for the operation and maintenance of City functions. Facilities include, but are not limited to, Water and Wastewater treatment plants, City buildings, waterways, and public right of way. Exhibit A for illustration.
7. **RECREATION VEHICLE:** A vacation trailer or other vehicular or portable unit which is either self-propelled, carried, or towed by a motor vehicle and which is intended for human occupancy and is designed for vacation or recreational purposes but not a permanent residence. Recreational vehicles also include travel trailers, motorhomes, campers, boats, boat trailers, snowmobiles, all-terrain vehicles (ATVs), and trailers

designed primarily to carry ATVs or snowmobiles. Recreational vehicles do not include utility trailers or canopies.

8. **POWER CANAL a waterway (Reid Power Canal).** See Stayton Ditch.
9. **STAYTON DITCH a waterway, also known as POWER CANAL or REID POWER CANAL.** The Stayton Ditch is the waterway which flows west from the N. Santiam River dividing the Wilderness Area Park from the Riverfront Park in Stayton. The Stayton Ditch flows from the North Santiam River west to First Ave in Stayton, crossing First Ave flowing back into the N. Santiam River, as illustrated below in Exhibit B.
10. **SMOKING:** Any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, weed, plant or other tobacco or tobacco-like product or substance in any manner or any form.
11. **TOBACCO PRODUCT:** Any tobacco, cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, or any other means of ingestion.
12. **TOBACCO USE:** Smoking, chewing or other ingestion of any tobacco product.

8.12.020 CAMPING PERMIT

1. No person may camp in or upon a public facility.
2. No person shall camp in or upon any developed park or under any bridge unless a permit is obtained from the Chief of Police or designated representative or by declaration of the Mayor in emergency circumstances. An application shall be filed with the City for each RV, tent, or campsite.
3. The Chief of Police or designated representative may issue a permit to any person to park a recreational vehicle (RV) or to camp upon any developed park property. A permit issued under this section shall be issued when the Chief of Police or designated representative finds that the following criteria will be met.
 - a. The applicant has made arrangements for appropriate sanitary facilities and drinking water;
 - b. The proposed activity for which the permit is issued is not likely to disturb the peace and quiet of any person;
 - c. The proposed activity is unlikely to result in litter, trash, garbage, sewage, or other unsanitary material being placed or left on public property; and,
 - d. A permit shall not be issued for camping in a developed park unless it is in conjunction with another City approved event, such as a festival in the park and does not interfere with the needs of the City such as normal city services.
4. The permit may be granted for up to ten days. A permit shall not be issued to the same applicant more than once in any thirty-day period.

8.12.030 PARK HOURS

Developed parks of the City shall be closed to access and use by the public between the hours of 10:00 p.m. and 6:00 a.m. unless a permit has been issued by the Chief of Police or designee or a facility use permit has been issued by the City.

8.12.040 PROHIBITED BEHAVIOR IN PUBLIC PARKS, PUBLIC PROPERTY, AND FACILITIES

1. No person shall make, assist in making, continue, or cause to be made any boisterous, disturbing, threatening, abusive, indecent, or obscene language or gestures; or unnecessary noise; or by any other act to breach the public peace; or annoy, disturb, injure, or endanger the comfort, repose, health, safety, welfare, or peace of others while in any park or public facility in accordance with the State Disorderly Conduct laws.
2. No person shall blow, spread, or place any nasal or other bodily discharge, or spit, urinate, or defecate on the floors, walls, partitions, furniture, fittings, or any portion of a public restroom located in any park, or in any place in a public restroom or public facility, excepting directly into the particular fixture provided for that purpose.
3. No person shall damage or do anything that will or could cause damage to the public parks, public property, waterways, and facilities.
4. No person shall use the City's recreational equipment and facilities for activities other than their intended or approved purpose or in a way that could cause damage to them.
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 façade of any building in the area designated as Downtown in the Comprehensive Plan Map and properties on both sides of N. First Avenue between Water Street and Washington Street. 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.
6. Fires are not permitted except in designated fire rings or barbeque stands.
7. No person shall enter into, put anything into, or cause anything to end up into the waterway known as the Stayton Ditch.
8. No person shall swim, float, kayak, raft, boat, fish, wade, play in or participate in any similar recreation activity in the Stayton Ditch.
9. The Stayton Ditch may be accessed for official use such as by the City of Stayton, Santiam Water Control District, Stayton Fire District, or other governmental or public safety organizations.

8.12.050 PROHIBITING CONSUMPTION OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY

No person shall drink or consume alcoholic beverages in or upon any public street or sidewalk, alley, public grounds, parks, City-owned facilities and properties, except when a permit for that purpose has been issued pursuant to this SMC or a business establishment has received OLCC approval for an outdoor eating area.

- a. Upon application to the City, the City Administrator, or designee may grant a revocable facility use permit to responsible persons or organizations for an event or activity at which alcoholic beverages may be served and consumed in City-owned facilities or on City property.
- b. The City Council shall adopt rules governing facility use permits by Resolution.
- c. The Stayton Police may issue an ordinance violation citation for violating the Facility Use Rules which also may include revoking the “Facility Use” permit.

8.12.060 EXCLUSION OF PERSONS FROM PARKS AND PUBLIC FACILITIES

1. If there is probable cause to believe that a person has violated the Stayton Municipal Code, Titles 6 or 8, 9, or Chapters 10.04, or 10.12, or any related state law, while in a public park or public facility, that person may be excluded from the park or public facility where the incident occurred for a period of not more than thirty (30) days in accordance with the following procedure:
 - a. Written notice shall be given to the person to be excluded from a park or public facility. The exclusion period shall take immediate effect.
 - b. The notice shall prominently specify the beginning and ending dates of the exclusion period.
 - c. The notice shall specify the location(s) they are excluded from which is based on the original offense location. The exclusion location shall only reflect the location of the original offense. For example: If the person commits a crime in the park they should only be excluded from the park(s) and not the Stayton Pool or the Community Center.
 - d. The notice shall prominently display a trespass warning describing the potential consequences of unlawful behavior after receipt of an exclusion notice and for entering a park, public property or facility during the exclusion period.
 - e. At any time within the exclusion period, a person having received a notice may apply in writing to the Chief of Police or designee for a temporary waiver from the exclusion for good reason shown. Good reason may include but not limited to such things as employment purposes, first amendment activities, a funeral or wedding. The Chief of Police will have 48 hours to make a decision on the waiver.
 - f. The excluded individual may appeal the exclusion to the Stayton Municipal Court which shall hear the appeal at the next available Municipal Court hearing date.

The Municipal Court may overturn the exclusion, agree with the exclusion or extend the exclusion. The Municipal Court decision is final. An exclusion is stayed during the time of the appeal.

- g. This Section shall not apply to City-owned properties with long term lease by a business organization, such as the movie theater or the Moose Lodge. Those properties are considered to be privately controlled.
- h. If a person is excluded from City business offices, reasonable accommodations will be made for legitimate City business to be conducted.

8.12.070 EMERGENCY CLOSURE OF PUBLIC PROPERTIES, PARKS, AND WATERWAYS

1. The Police Chief or designee may close a public property, park, waterway or part thereof, at any time by erecting barricades, signs, locking mechanisms or other appropriate measures prohibiting and barring access to any such public property, park, waterway or part thereof, at appropriate locations. Notice that any public property, park, waterway or part thereof, is closed shall be posted at appropriate locations during the period of such closure.
2. The Police Chief or designee may close any public property, park, waterway, or any part thereof, in accordance with this section, in the interest of public safety, health, and welfare in the event conditions exist in or near that premises which involve any of the following circumstances:
 - a. Life or properties appear to be endangered and other means cannot reasonably be utilized to eliminate the danger;
 - b. An overcrowding of persons or vehicles has occurred, impairing access of emergency assistance or emergency vehicles;
 - c. The subject premises or other property located near the premises reasonably appears to be endangered;
 - d. Persons making, assisting in making, continuing, or causing to be made any boisterous, disturbing, threatening, abusive, indecent, or obscene language or gestures, or unnecessary noise, or by any other act to breach the public peace; or annoying, disturbing, injuring, or endangering the comfort, repose, health, safety, welfare, or peace of others in any park, public facility, or waterway and is of such consequence that cessation of the disturbance cannot otherwise be accomplished;
 - e. A hazardous condition exists;
 - f. That violation(s) of criminal offenses or code is occurring and is caused by sufficient numbers of persons, or is of such consequence that cessation of the disturbance cannot otherwise be accomplished; or,
 - g. Other conditions exist such that the safety or protection of persons or property cannot reasonably be assured.

3. During the closure of a park, public premises or waterway, or portion thereof, in accordance with this chapter, it shall be unlawful for any person to enter upon the premises, or any part thereof, that has been closed, or to remain in the premises, or part thereof, after having been notified of the closure and having been requested to leave by an authorized authority.
4. Such emergency closure shall not exceed 18 hours without the written approval of the City Administrator.

8.12.080 VIOLATION: PENALTY

1. A violation of a provision of this chapter is punishable by a fine approved by Stayton City Council Resolution.
2. In addition to the remedies and fees provided for in this Chapter, any person authorized to enforce the provisions of this chapter may issue an enforcement complaint, as defined in section 6.04.020, to any person found in violation of the provisions of this chapter.
3. If there is probable cause to believe a person has violated provisions of this Chapter, constituting a crime under Oregon Revised Statutes that person may be prosecuted accordingly, and if convicted, fined accordingly.

Exhibit A

Exhibit A City Facilities and Developed Parks

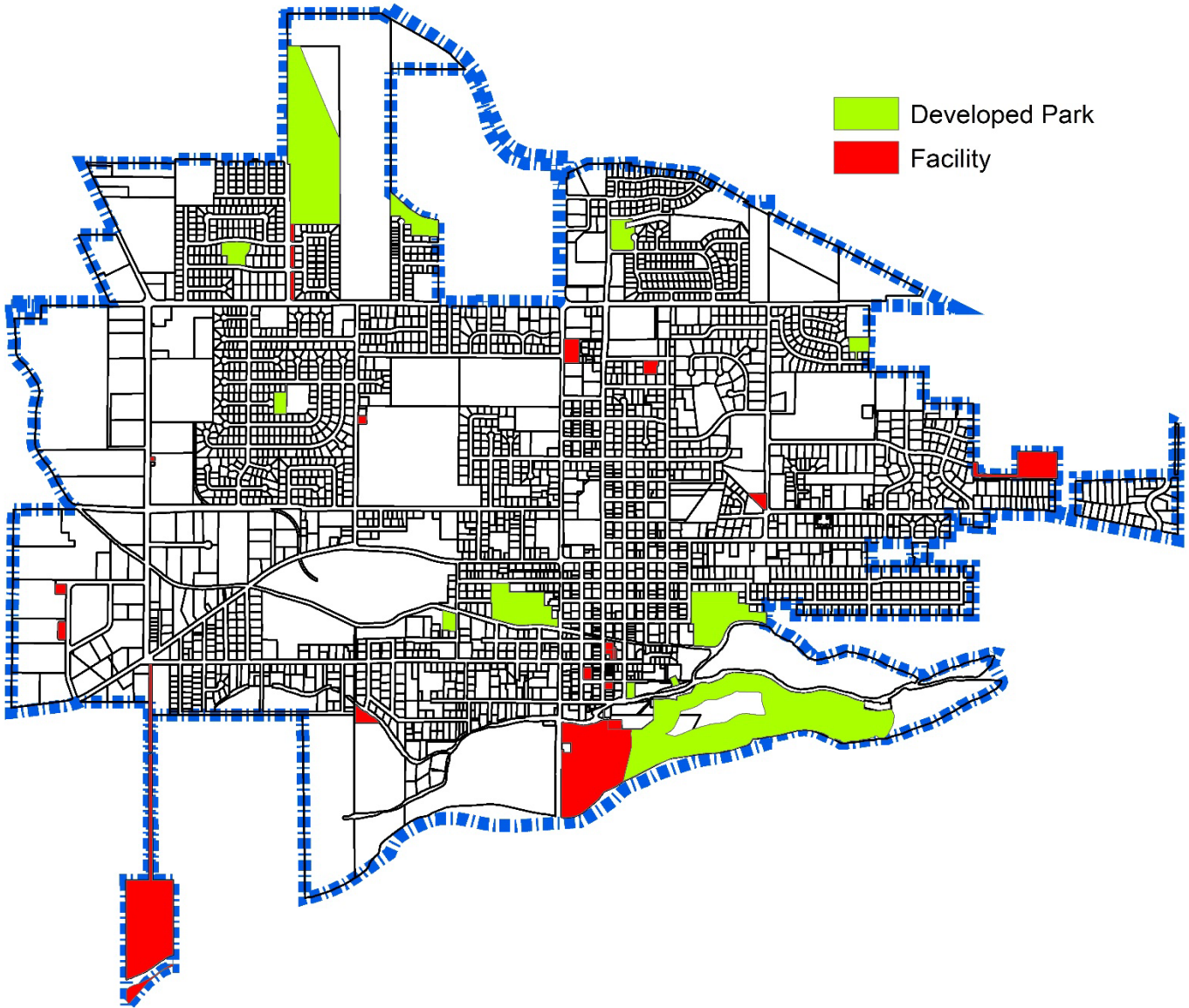
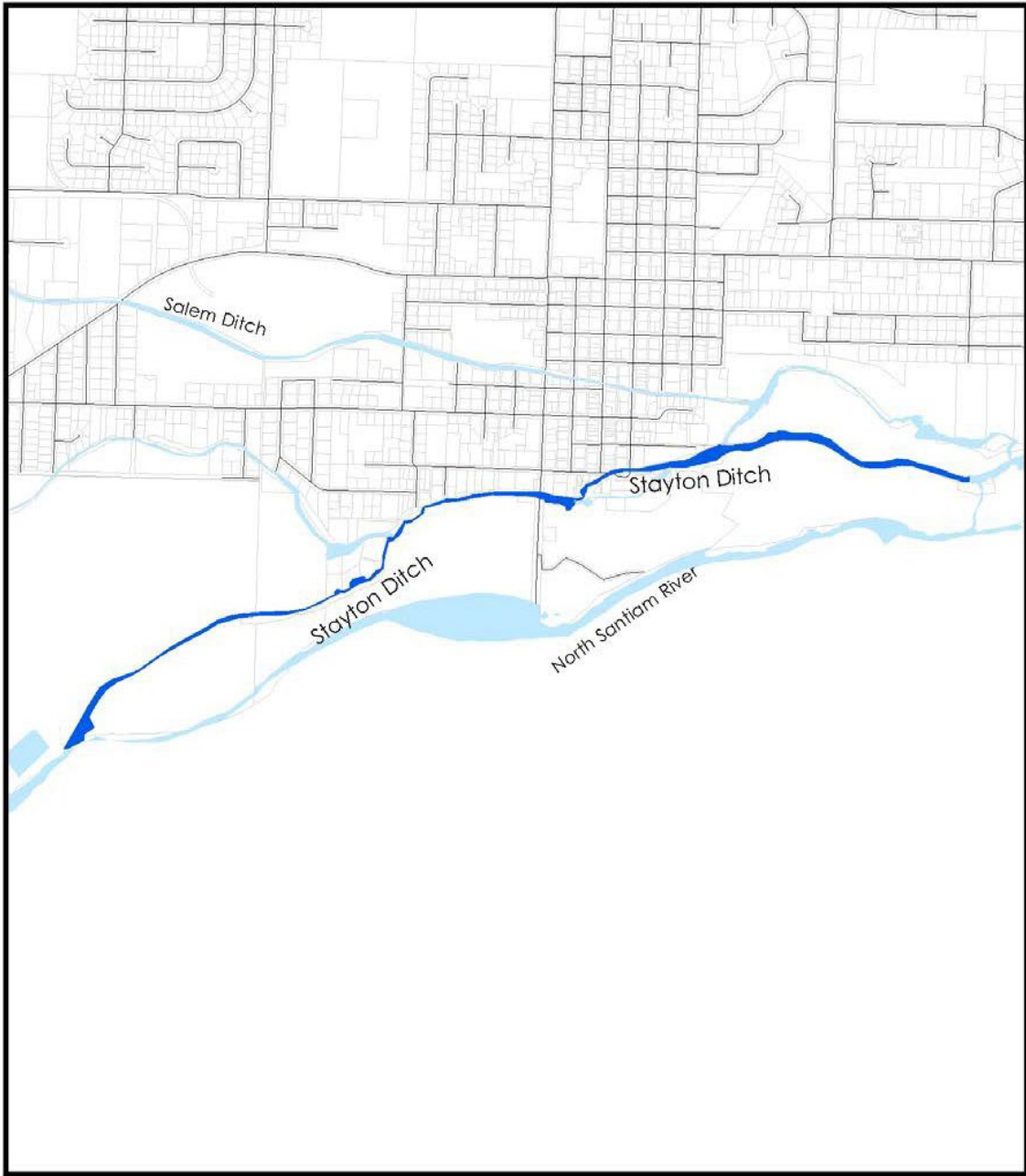


Exhibit B





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

TO: Mayor Brian Quigley and the Stayton City Council
FROM: Julia Hajduk, City Manager
DATE: June 19, 2023
SUBJECT: Resolution No. 1066, FY 2023-24 Fee Schedule

BACKGROUND INFORMATION

Annually, the City reviews and updates its fees and fines schedule to reflect actual costs and considers the impact on inflation, personnel, and material on these fees to ensure they are in line to the actual cost.

In prior years, the Council has been asked to approve a fee schedule and utility rate increases via separate resolution and motions. The result was a fee schedule that was available to the public that did not have the utility rates being paid readily available. In an effort to increase clarity and transparency, we have prepared a fee schedule that includes all charges in one document.

For ease of viewing, as well as understanding the change and reason for the change, we have provided two versions of the fee schedule. Attachment A to this staff report is for reference only. It shows the current FY 2022-23 fee schedule with proposed changes along with a column providing an explanation for the changes and, if applicable, the percent change.

Also enclosed is Resolution No. 1066, which includes Exhibit 1 which is a clean version of the proposed FY 2023-24 fee schedule and the version that will be posted on the website and publicly available.

FISCAL IMPACT

As allowed by State Statute, the fee schedule assists the City to recover our costs when providing these services.

SUMMARY

The changes and reason for the changes are shown in Attachment 1 of this staff report. In short, there are a few reasons for a proposed change:

- To clarify an existing fee or charge and how it is applied, text changes were made;
- New fees or charges are proposed to allow cost recovery for services provided;

- Increased fees and charges for:
 - Pool rates – increased rates to assist with covering personnel expenses and work towards the pool becoming more self-sustaining.
 - System Development Charges – increase of 1.8% in accordance with CPI;
 - Rate increases for water, sewer, storm, and streets in accordance with Utility Rate Study initial recommendations and based on Council input with the understanding that additional conversation with Council and the public will take place on future year rate changes for all the utilities.

OPTIONS AND MOTIONS

1. Adopt Resolution No. 1066 as presented.

Move to adopt Resolution No. 1066, adopting fees and charges for various City Services as presented.

2. Adopt Resolution No. 1066 with amendments.

Move to adopt Resolution No. 1066, adopting fees and charges for various City Services as amended.



Fiscal Year 2023/24 Proposed Fees and Charges

Proposed changes – Current shown with red strikethrough proposed new fee shown with <u>green underline</u>				Explanation of proposed changes
ADMINISTRATIVE				
	2023-24 Fee	Unit	Notes	
Lien Search	\$10.00	Per search		
Returned Payments	\$35.00	Per item		
Invoice Late Fee	10%			
All other services not Identified	Actual Cost			
<u>Notary</u>	<u>\$5.00</u>	<u>Per signature</u>	<u>Subject to Notary availability. Appointments strongly recommended</u>	New fee. State law allows up to \$10 per signature and that is what many banks charge. Currently we do not charge; however this can be disruptive to staff daily operations. There would continue to be no charge for notary service for City related documents
<u>Mobile Food Unit License Fee</u>	<u>\$40.00</u>	<u>Annually</u>		Moved from Planning
<u>Sidewalk Vendor License</u>	<u>\$2.50</u>	<u>Per Square Foot</u>		Moved from Planning
PUBLIC RECORDS				
	2023-24 Fee	Unit	Notes	
Printing / Copies – 8.5x11, 8.5x14, 11x17	\$0.25	Per page		
Printing / Copies – Large Formatr than 11x17	\$10.00	Per page		Clarity
Digital Copies (PDF)	\$0.10	Per page		
Certified Copies	\$5.00	Each		
Copies of Digital Photos	\$1.00	Per photo		
CD of Digital Photos	\$10.00	Each CD		
Audio CD, DVD, or other media	\$15.00	Each Item		
Postage		Per transaction	Actual cost of postage	
Open Records Check	\$20.00	Each	Includes staff research and retrieval time of up to 30 minutes, over 30 minutes will be charged additionally. \$10 non-refundable search fee included.	
Police Reports (fewer than 25 pages)	\$20.00 <u>\$33.00+</u> <u>\$.25 per page</u>	Per report	Includes staff research and retrieval time of up to 30 minutes, over 30 minutes will be charged <u>an additional \$33.00 per 30-minute increment.</u> additionally. \$10 non-refundable search fee included. No charge for victim for first copy.	Clarity and simplicity; \$33 per 30 min is the average cost of an officer with full benefits.

Proposed changes – Current shown with red strikethrough proposed new fee shown with <u>green underline</u>				Explanation of proposed changes
Police Reports (between 25 and 50 pages)	\$30.00	Per report	Includes staff research and retrieval time of up to 30 minutes, over 30 minutes will be charged additionally. \$10 non-refundable search fee included. No charge for victim for first copy.	Clarification while also providing for records that do not take much time to produce to be at no cost.
Police Reports (over 50 pages)	\$50.00	Per report	Includes staff research and retrieval time of up to 30 minutes, over 30 minutes will be charged additionally. \$10 non-refundable search fee included. No charge for victim for first copy.	
Staff Research and Review for Public Records Requests		Per transaction	15 minutes or less at no charge. Requests requiring more than 15 minutes staff time will be charged at actual staff cost for all staff involved in fulfilling the request. Charge based on salary and fringe benefits of employee(s) charged with task, converted to an hourly rate. Charged in 15-minute increments with a 15-minute minimum.	
Visa Letter	<u>\$40.00</u>	Per letter		
Record Check Letter	<u>\$15.00</u>	Per letter		
Permits issued by Police				
Carnival, Amusement Park & Concession	<u>\$300.00</u>	Per year		
Promotional/Processional Event (SMC 5.44; SMC 10.36)	<u>\$50.00</u>	Per event		
Recurring Events	<u>\$25.00</u>	Per event		
Event Street Marking Deposit	<u>\$200.00</u>	Per event		
Camping Permit	<u>\$0.00</u>	Each		
Solicitor	<u>\$150.00</u>	Per year		
Each Additional Employee	<u>\$25.00</u>	Per year		
Renewal of Solicitor License	<u>\$25.00</u>	Per year		
OLCC / OHA License				
New OLCC/OHA License Fee	<u>\$100.00</u>	Per application		
Change of Ownership	<u>\$75.00</u>	Per application		
License Privilege Change	<u>\$75.00</u>	Per application		
OLCC / OHA License Renewal	<u>\$35.00</u>	Per year		
Temporary	<u>\$35.00</u>	Per application		
Temp. for OLCC Licensed Business	<u>\$15.00</u>	Per application		
Junk Dealers / Second Hand	<u>\$50.00</u>	Per year		

Proposed changes – Current shown with red strikethrough proposed new fee shown with <u>green underline</u>				Explanation of proposed changes
	of repairs			
Crossing Private Property	\$110.00		SMC 10.40.1010	
Violation of Truck Routes	\$110.00		SMC 10.40.1060	
Parking for Certain Purposes Prohibited Displaying a Vehicle for Sale Repairing a Vehicle Displaying Temporary Advertising Selling from a Vehicle	\$110 <u>50</u> .00		SMC 10.12.050	Clean up and make parking violations consistent. Per recommendation from PD staff, \$50 is enough to make a point but not so much that it will seem excessive
Unlawful Storage on the Street	\$110.00		SMC 10.12.060	
Violation of Bus and Taxi SMC	\$110 <u>50</u> .00		SMC 10.12.080/ 10.12.090	See above explanation
Skateboards, Skis, Toboggans, and Sleds	\$25.00		SMC 10.40.1030	
Violation of Bicycle SMC	\$25.00		SMC 10.28	
Violation of Pedestrian SMC	\$25.00		SMC 10.32	
Overtime Parking	\$25 <u>50</u> .00		SMC 10.12.040 SMC 10.12.100	See above explanation
Parking Permit Violation	\$25 <u>50</u> .00		SMC 10.12.150	See above explanation
Parking Spaces – Correct Use Required/Wrong Direction	\$25 <u>50</u> .00		SMC 10.12.020	See above explanation
Violation of Prohibited Parking contrary to a parking control device	\$25 <u>50</u> .00		SMC 10.12.040(g)	See above explanation
Other Violations of Title 10 Not Specifically Listed	\$25 <u>50</u> .00		SMC 10	See above explanation
Impound Charge Per Day for City Owned Storage	\$50.00 + Tow Fees		SMC 10.16.430	
Impound Tow Fee	\$125.00			
PLANNING				
	Fee	Unit	Notes	
Pre-Application Meeting	\$400.00	Each		
Application that requires only Staff review	\$900.00	Deposit		
Application requiring Planning Commission Hearing	\$1,700.00	Deposit		

Proposed changes – Current shown with red strikethrough proposed new fee shown with <u>green underline</u>				Explanation of proposed changes
Applications Requiring Two Public Hearings				Move to Administration Deleted due to no longer being applicable Moved to Administration and modified to remove date reference
Comprehensive Plan Map and Zone Map Amendment	\$2,000	Deposit		
Subdivision, Master Plan Development, Site Plan Review that includes Annexation	\$2,000.00	Deposit		
Major Annexation	\$4,500.00	Deposit		
Other Planning Department Applications				
Sign Permits	\$25.00	Per Application		
Temporary Sign	No Charge	Per Application		
Change of Use Permits	\$25.00	Per Application		
Mobile Food Unit License Fee	\$40.00	Annually		
Sidewalk Vendor License (licenses issued before January 1, 2021)	\$0.00	Per Square Foot		
Sidewalk Vendor License (licenses issued after January 1, 2021)	\$2.50	Per Square Foot		
Appeals				
Of decisions made by Staff without a public hearing	\$250.00	Per Application		
Of decisions made by the Planning Commission	\$400.00	Per Application		
Vacation of Streets and Alleys	\$700.00	Per Application		
MUNICIPAL COURT				
	2023-24 Fees	Unit	Notes	
Payment Agreement Fee	\$30.00	Each		
License Reinstatement Fee	\$30.00	Each		
Failure To Appear for Arraignment	\$25.00	Each		
Failure to Appear Trial	\$100.00	Each		
Trial Fee	\$40.00	Each		
Warrant Fee	\$55.00	Each		
Appeal Filing	\$55.00	Each		
Collection Fee	25%	Of Fine Assessed		

Proposed changes – Current shown with red strikethrough proposed new fee shown with <u>green underline</u>				Explanation of proposed changes
LIBRARY				
	2023-24 Fees	Unit	Notes	
Printing - Black & White	\$0.10	Per page		
Printing – Color	\$0.25	Per page		
Overdue items				Elimination of overdue fines
Books—Adult	\$0.25	Per day		
Books—Youth	\$0.10	Per day		
DVD—Adult	\$0.25	Per day		
DVD—Youth	\$0.10	Per day		
Cultural Pass	\$5.00	Per day		
Fees				
Interlibrary loan: mailing & loan cost	Actual cost			
Damage or lost materials	Actual cost + \$5.00 processing fee			
Lost or damaged DVD cases	\$ 1.00	Per item		
Replaced Damaged AV Cover	\$ 1.00	Per cover		
Replace Audiobook	Actual cost + \$5.00 processing fee			
Replace Audiobook Case	\$3.00	Per Case		
Replace Cultural Pass	Price of membership			
Outside city of Stayton Library Card				
Non-Resident Full-Service Card				
● Annual Household	\$60.00			
● 6 mo. household	\$30.00			
Outside of CCRLS District Card				
● Annual Household	\$70.00			
● 6 mo. family	\$35.00			
Outside of CCRLS Child Card				
● One Card	\$12.00			
● Two Cards	\$20.00			
● Three Cards	\$28.00			

Proposed changes – Current shown with red strikethrough proposed new fee shown with <u>green underline</u>				Explanation of proposed changes	
E.G. Siegmund Room Rentals					
Room Rental Fee	\$25.00	Per hour			
Cleaning fee (non-refundable)	\$35.00	Each event			
PUBLIC WORKS					
Site Development Permit: Engineering and Plan Review (for on-site and off-site public improvements) includes ROW permit. Prior to Permit issuance, actual plan review costs will be paid by Applicant. Inspection services will be paid for by Applicant after project completion and prior to Notice of Final Completion and Acceptance from the City.					
	2023-24 Fees	Unit	Notes		
New Infrastructure					
Permit Review - Water, sewer, storm drainage, and street improvements where excavation or utility cuts of pavement are required.	\$750.00	Deposit			
<u>Site Development Permit Review – Commercial, Industrial, Multi-family</u>	<u>1,500.00</u>	<u>Deposit</u>		New- for clarification purposes to get a more accurate up-front deposit.	
<u>Site Development Permit Review – Minor Partition (1 – 3 lots)</u>	\$750.00	Deposit			
<u>Site Development Permit Review – Subdivision (4 – 10 lots)</u>	\$2,500.00	Deposit			
<u>Site Development Permit Review – Subdivision (11+ lots) or Master Planned Development</u>	\$4,500.00	Deposit			
Water Quality and Detention Plan and Calculation Review (infill lots only)	\$150.00	Actual			
<u>Inspection fees – Payable at time of permit issuance to cover inspection costs during project construction</u>	<u>4% of project value</u>	<u>Per permit</u>			Added new fee to recover costs and staff time spent on inspections. Currently this is not recouped. The 4% charge is fairly standard among jurisdictions
Right of Way (ROW) Permits					
Type 1: Street tree replacement or installation	No Charge				
Type 2: Repair/replace sidewalk and/or driveway approach with no street cut (includes 3 inspections).	\$100.00	Per Permit			
Type 3: Sidewalk, driveway approach and/or existing utility repair where street cut is needed (includes 4 inspections).	\$165.00	Per Permit			
Type 4: Franchise Utility (NW Natural, SCTC, PacifiCorp, etc.)	Per Franchise Agreement or \$40.00				
Type 5: Encroachment Permit to use Public ROW (for a long-term use: awning, billboard, structure, etc.)	\$65.00	Per Permit			
Additional Inspections over the permit type allotment.	\$35.00	Per Inspection			

Proposed changes – Current shown with red strikethrough proposed new fee shown with <u>green underline</u>			Explanation of proposed changes
Vehicles, per hour	FEMA rate		1.8% inflation adjustment per the Construction Cost Index
¾” Meter	Actual Costs (\$350.00 Minimum)		
1” Meter or larger	Actual Costs		
Water Meter Installation	Actual Cost		
Permits			
Building permits	Per Marion County fee schedule		
Building Structural Permit Driveway/Sidewalk Inspections	\$150.00		
System Development Charges			
Parks – per dwelling unit	\$3,763.00 <u>3830.73</u>		
Water – per 3/4” meter equivalent	\$3,917.00 <u>3987.50</u>		
Wastewater – per ¾” meter equivalent	\$2,918.00 <u>2970.52</u>		
Transportation – per peak hour trip in downtown area	\$435.00 <u>442.83</u>		
per peak hour trip elsewhere	\$3,167.00 <u>3224.00</u>		
Stormwater	\$3,480.00 <u>3542.64</u>		

UTILITY RATES			
Utility Fees (Per Resolution No. 1039)			Clarification Clarification
Water Service Deposit (<u>refundable</u>)		\$100.00	
Sewer <u>Service</u> Deposit (<u>refundable</u>)		\$100.00	
Late Fee		\$35.00	
Processing Delinquent Shut-off Fee for Non-Payment of Bill		\$50.00	
Penalty for tampering with water meter once City turns it off		\$350.00	
Requested Water On/Off Service Fee During Business hours		\$40.00	
Requested Water On/Off or leak repairs After H hours <u>Emergency Call-Out Service for water leaks and/or repairs</u>		\$200.00	Clarification
Water Rates			Utility Rate Study and Council input – propose 6.25% increase
	Base rate	Flow/consumption rate	
Residential	\$31.67 <u>33.64</u>	\$1.55 <u>1.65</u> per 1000 gallons	
Commercial and Industrial	Meter size	\$1.55 <u>1.65</u> per 1000 gallons	
	¾ ”	\$31.67 <u>33.64</u>	
	1”	\$66.39 <u>70.53</u>	
	1½”	\$89.21 <u>94.78</u>	
	2”	\$116.59 <u>123.87</u>	
	3”	\$332.70 <u>353.49</u>	

	6"	\$ 652.89 <u>693.69</u>
	10"	\$ 1,899.77 <u>2018.50</u>

Storm Water Rates *(Per Resolution No. 1038)*

Residential	Storm Drainage Maintenance Fees by Type of Residence:		
		Type of Residential Use	Monthly Fee
	1	Single Family Dwelling	\$ 6.45 <u>9.03</u>
	2	Duplex	\$ 9.03
	3	Mobile Home Park (per unit)	\$ 6.45 <u>9.03</u>
	4	Apartment (per unit)	\$ 3.87 <u>5.41</u>
	5	Assisted Living Center (per unit)	\$ 3.87 <u>5.41</u>

Commercial and Industrial	Impervious Surface		
		Impervious Surface	Monthly Fee
	1	Up to 2,500 square feet (sf) impervious surface	\$ 6.45 <u>9.03</u>
	2	2,501 to 5,000 sf impervious surface	\$ 9.67 <u>13.54</u>
	3	5,001 to 10,000 sf impervious surface	\$ 19.35 <u>27.09</u>
	4	10,001 to 15,000 sf impervious surface	\$ 32.26 <u>45.16</u>
	5	15,001 to 20,000 sf impervious surface	\$ 45.15 <u>63.21</u>
	6	20,00 <u>1</u> to 30,000 sf impervious surface	\$ 64.50 <u>90.30</u>
	7	30,00 <u>01</u> to 40,000 sf impervious surface	\$ 90.32 <u>126.45</u>
8	40,00 <u>01</u> or more sf impervious surface	\$ 116.10 <u>162.54</u>	

Street Maintenance Fee *(Per Resolution No. 864)*

Residential	Transportation Maintenance Fees by Type of Residence		
		Type of Residential Use	Monthly Fee
	1	Single Family Dwelling	\$ 2.00 <u>8.00</u>
	2	MH in a Mobile Home <u>in a MH</u> Park	\$ 1.04 <u>4.16</u>
	3	Apartment (per unit)	\$ 1.12 <u>4.48</u>
	4	Assisted Living Center (per unit)	\$ 0.50 <u>2.00</u>

Utility Rate Study and Council input – Proposed 40% increase

Utility Rate Study and Council input – Proposed 40% increase

Proposed Utility Rate Study and Council input – Proposed 400% increase to \$8.00 for Single Family Dwelling

Commercial and Industrial	<p>See Stayton Municipal Code (SMC) 3.30060 for a listing of each category for non-residential developed property.</p> <table border="1" data-bbox="814 175 1650 732"> <thead> <tr> <th data-bbox="814 175 1454 256">Category</th> <th data-bbox="1454 175 1650 256">Monthly Fee</th> </tr> </thead> <tbody> <tr> <td data-bbox="814 256 1454 297">1- 5 trips/1000 sq ft of building space</td> <td data-bbox="1454 256 1650 297">\$5.00<u>20.00</u></td> </tr> <tr> <td data-bbox="814 297 1454 337">2- 15 trips/1000 sq ft of building space</td> <td data-bbox="1454 297 1650 337">\$5.00<u>20.00</u></td> </tr> <tr> <td data-bbox="814 337 1454 378">3- 30 trips/1000 sq ft of building space</td> <td data-bbox="1454 337 1650 378">\$10.00<u>40.00</u></td> </tr> <tr> <td data-bbox="814 378 1454 418">4 – 50 trips/1000 sq ft of building space</td> <td data-bbox="1454 378 1650 418">\$10.00<u>40.00</u></td> </tr> <tr> <td data-bbox="814 418 1454 459">5 – 80 trips/1000 sq ft of building space</td> <td data-bbox="1454 418 1650 459">\$10.00<u>40.00</u></td> </tr> <tr> <td data-bbox="814 459 1454 500">6 – 140 trips/1000 sq ft of building space</td> <td data-bbox="1454 459 1650 500">\$10.00<u>40.00</u></td> </tr> <tr> <td data-bbox="814 500 1454 540">7 – 800 trips/1000 sq ft of building space</td> <td data-bbox="1454 500 1650 540">\$20.00<u>80.00</u></td> </tr> <tr> <td data-bbox="814 540 1454 621">8 – 4 trips per acre of land used for the state purpose</td> <td data-bbox="1454 540 1650 621">\$20.00<u>80.00</u></td> </tr> <tr> <td data-bbox="814 621 1454 662">9 – 160 trips per fueling station</td> <td data-bbox="1454 621 1650 662">\$20.00<u>80.00</u></td> </tr> <tr> <td data-bbox="814 662 1454 703">10 – 10 trips per rental room</td> <td data-bbox="1454 662 1650 703">\$20.00<u>80.00</u></td> </tr> <tr> <td data-bbox="814 703 1454 732">11 – 1.5 trips per student</td> <td data-bbox="1454 703 1650 732">\$20.00<u>80.00</u></td> </tr> </tbody> </table>	Category	Monthly Fee	1- 5 trips/1000 sq ft of building space	\$5.00 <u>20.00</u>	2- 15 trips/1000 sq ft of building space	\$5.00 <u>20.00</u>	3- 30 trips/1000 sq ft of building space	\$10.00 <u>40.00</u>	4 – 50 trips/1000 sq ft of building space	\$10.00 <u>40.00</u>	5 – 80 trips/1000 sq ft of building space	\$10.00 <u>40.00</u>	6 – 140 trips/1000 sq ft of building space	\$10.00 <u>40.00</u>	7 – 800 trips/1000 sq ft of building space	\$20.00 <u>80.00</u>	8 – 4 trips per acre of land used for the state purpose	\$20.00 <u>80.00</u>	9 – 160 trips per fueling station	\$20.00 <u>80.00</u>	10 – 10 trips per rental room	\$20.00 <u>80.00</u>	11 – 1.5 trips per student	\$20.00 <u>80.00</u>
Category	Monthly Fee																								
1- 5 trips/1000 sq ft of building space	\$5.00 <u>20.00</u>																								
2- 15 trips/1000 sq ft of building space	\$5.00 <u>20.00</u>																								
3- 30 trips/1000 sq ft of building space	\$10.00 <u>40.00</u>																								
4 – 50 trips/1000 sq ft of building space	\$10.00 <u>40.00</u>																								
5 – 80 trips/1000 sq ft of building space	\$10.00 <u>40.00</u>																								
6 – 140 trips/1000 sq ft of building space	\$10.00 <u>40.00</u>																								
7 – 800 trips/1000 sq ft of building space	\$20.00 <u>80.00</u>																								
8 – 4 trips per acre of land used for the state purpose	\$20.00 <u>80.00</u>																								
9 – 160 trips per fueling station	\$20.00 <u>80.00</u>																								
10 – 10 trips per rental room	\$20.00 <u>80.00</u>																								
11 – 1.5 trips per student	\$20.00 <u>80.00</u>																								

Proposed Utility Rate Study and Council input – Proposed 400% increase

Sewer Rates ~~(Resolution No. 1039)~~

Residential	All residential sewer customers pay a flat rate of \$66.85 <u>71.02</u> per residential unit.
-------------	---

Utility Rate Study and Council input – Proposed 6.25% increase

Commercial and Industrial	<p>Commercial and Industrial rates are based on the average monthly water usage from October through March. These months are chosen because less water usage going into the City’s sewer facilities, is registered. The following rate schedule is used:</p> <table border="1" data-bbox="795 1089 1669 1295"> <thead> <tr> <th data-bbox="795 1089 1239 1138">Average Monthly Use</th> <th data-bbox="1239 1089 1669 1138">Charge</th> </tr> </thead> <tbody> <tr> <td data-bbox="795 1138 1239 1179">Up to 3,999 gallons</td> <td data-bbox="1239 1138 1669 1179">\$49.95<u>53.07</u></td> </tr> <tr> <td data-bbox="795 1179 1239 1219">4,000<u>1</u> to 5,999<u>6,000</u> gallons</td> <td data-bbox="1239 1179 1669 1219">\$66.85<u>71.02</u></td> </tr> <tr> <td data-bbox="795 1219 1239 1260">6,000<u>1</u> to 9,999<u>10,000</u> gallons</td> <td data-bbox="1239 1219 1669 1260">\$124.78<u>132.57</u></td> </tr> <tr> <td data-bbox="795 1260 1239 1295">Above 10,000<u>1</u> gallons</td> <td data-bbox="1239 1260 1669 1295">\$12.48<u>13.26</u> / 1,000 gallons</td> </tr> </tbody> </table>	Average Monthly Use	Charge	Up to 3,999 gallons	\$49.95 <u>53.07</u>	4,00 0 <u>1</u> to 5,999 <u>6,000</u> gallons	\$66.85 <u>71.02</u>	6,00 0 <u>1</u> to 9,999 <u>10,000</u> gallons	\$124.78 <u>132.57</u>	Above 10,00 0 <u>1</u> gallons	\$12.48 <u>13.26</u> / 1,000 gallons
Average Monthly Use	Charge										
Up to 3,999 gallons	\$49.95 <u>53.07</u>										
4,00 0 <u>1</u> to 5,999 <u>6,000</u> gallons	\$66.85 <u>71.02</u>										
6,00 0 <u>1</u> to 9,999 <u>10,000</u> gallons	\$124.78 <u>132.57</u>										
Above 10,00 0 <u>1</u> gallons	\$12.48 <u>13.26</u> / 1,000 gallons										

Utility Rate Study and Council input – Proposed 6.25% increase

FACILITY RENTALS			
	2023-24	2023-24	Notes
Community Center			
	Resident	Non-Resident	
Community Center Rental (Entire Building - Hourly)	\$40.00	\$60.00	
Community Center Rental Cleaning Fee (per event, up to three hours of cleaning)	\$150.00	\$150.00	
Additional Hourly Cleaning Charge (any required cleaning over three hours will be invoiced to rental)	\$35.00	\$35.00	
	2023-24 Fees	Unit	
Jordan Bridge and Pioneer Park Concession Stand			
<ul style="list-style-type: none"> ● First three hours 	\$100.00	<u>Each</u>	<u>Jordan Bridge and Concession Stand are separate rentals</u>
<ul style="list-style-type: none"> ● Each additional hour 	\$20.00	Per hour	
<ul style="list-style-type: none"> ● <u>Cleaning fee deposit for Concession Stand</u> 	<u>\$100</u>		<u>Deposit: reimbursed if costs are less</u>
Other Facility Fees			
Community Center Key Deposit (cash or check only)	\$25.00	Per key	
Jordan Bridge Electrical Panel Key/Bridge Closure Signs Deposit (cash or check only)	\$25.00	Per event	
Concession Stand Key Deposit (cash or check only)	\$25.00	Per key	
Alcohol Beverage Service Permit	\$50.00	Each event	
Alcohol Beverage Cleaning Fee (non-refundable)	\$300.00	Each event	<u>NOTE: If actual cleaning costs exceed \$300, applicant will be billed for remainder</u>
Cancellation Fee	\$25.00	Each event	<u>Fee applied if canceled more than 10 days prior to the event. No refund if canceled less than 10 days prior to event.</u>

Clarification

New fee. Needed to ensure proper cleaning of concession stand after rentals.

Clarification

Clarification

SWIMMING POOL				
	2023-24 Resident Fees	2023-24 Non-Resident Fees	Unit	Notes
Drop-In				
Adult	\$5.00 <u>6.00</u>	\$6.75 <u>8.00</u>	Per Visit	20% increase
Youth (1-17 years old) / Seniors (59+)	\$3.00 <u>4.00</u>	\$4.00 <u>5.50</u>	Per Visit	33% increase
Family (2- <u>5+</u> individuals from the same household)	\$14.00 <u>18.00</u>	\$19.00 <u>25.00</u>	Per Visit	29% increase
<u>Each additional family member above 5</u>	<u>\$2.00</u>	<u>\$3.00</u>	<u>Per Visit</u>	← New fee – We propose to limit the number of people eligible under family membership and this will provide a fee, less than drop in, for additional family members
Punch Cards (10 Visits)				
Adult	\$37.50 <u>54.00</u>	\$50.75 <u>73.00</u>	Per card	← 44% - this was very low and as proposed is a savings of 10% from the drop in rate
Youth (1-17 years old) / Seniors (59+)	\$30.00 <u>36.00</u>	\$40.50 <u>49.00</u>	Per card	↖ 20% change for youth/seniors
Children under age 1 (free)	\$0.00	\$0.00	Per card	
Monthly Memberships				
Adult	\$45.00 <u>50.00</u>	\$60.75 <u>67.50</u>	Per Month	11%
Youth (1-17 years old) / Seniors (59+)	\$20.00 <u>30.00</u>	\$27.00 <u>40.50</u>	Per Month	← 50% - This was low compared to the difference between adult and youth in drop in and punch card – tried to even out
Family (2+ individuals from the same household)	\$55.00 <u>85.00</u>	\$74.25 <u>114.75</u>	Per Month	← 55% - Original fees were less for a family than for 1 adult and 1 child. This makes it a little more than for 1 adult and 1 child
Private Pool Rentals				
Pool Rental 2 guards (<u>0-25 people</u>)	\$110.00	\$148.50	Per Hour	We are not proposing modification to the rental rates as these generate sufficient funds compared to the cost of staffing and the price is within a competitive range compared to other pools - Changes added for clarification
Pool Rental 3 guards (<u>0-50 people w/slide</u>)	\$130.00	\$175.50	Per Hour	
Pool Rental 4 guards (<u>51-75 people w/slide</u>)	\$150.00	\$202.50	Per Hour	
Pool Rental 5 guards (<u>up to 100 people w/slide</u>)	\$170.00	\$229.50	Per Hour	
Locker Rates				
Monthly	\$15.00 <u>18.00</u>	\$20.25 <u>24.00</u>	Per Locker	20% increase
Yearly	\$160.00 <u>184.00</u>	\$216.00 <u>248.00</u>	Per Locker	15% increase
Swimming Lessons				
1 Swimmer (30 minutes per session/ <u>8 sessions per class</u>)	\$35.00 <u>45.00</u>	\$47.25 <u>60.75</u>		29% increase
Each Additional Swimmer (from the same household)	\$25.00 <u>30.00</u>	\$33.75 <u>40.50</u>		20% increase
Private lessons	\$35.00 <u>45.00</u>	\$47.25 <u>60.75</u>	Per lesson per swimmer	29% increase



RESOLUTION NO. 1066

A RESOLUTION ADOPTING FEES, CHARGES AND RATES FOR THE 2023-24 FISCAL YEAR AND REPEALING RESOLUTION 1038 AND 1039

WHEREAS, the City of Stayton receives requests from citizens for administrative, police, municipal court, library, public works, planning, parks, facilities, and services requiring the expenditure of personnel time and materials;

WHEREAS, prudent use of the City's financial resources requires that the City charge fees sufficient to recover the cost in personnel time and materials to render the service requested;

WHEREAS, Stayton Municipal Code (SMC) Titles 13.16.440; 13.32; and 13.24.1190 require rates be established to pay for the costs of operating the City's water, stormwater, and sanitary sewer utilities;

WHEREAS, the City has been working with a consulting firm to evaluate the water, wastewater, stormwater and street fees to ensure that that the revenues received are on target to be sufficient for the anticipated costs of providing services;

WHEREAS, while not complete, the Utility Rate Study has made it clear that the current rates are insufficient in all categories and increases are necessary; and

WHEREAS, City staff and Council have carefully considered and discussed the proposed rate increases during no less than three Council work sessions and are committed to exploring options and ideas that will result the least fiscal impacts to residents while also ensuring that sufficient revenues are achieved to complete necessary and desired utility maintenance and improvements.

NOW, THEREFORE, BE IT RESOLVED THAT:

SECTION 1. The fees, charges and rates for Fiscal Year 2023-24 appended hereto, designated Exhibit A are hereby adopted.

SECTION 2. Resolution No. 1038 and 1039, adopting fees and charges for various City services is hereby repealed in its entirety.

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

ADOPTED BY THE STAYTON CITY COUNCIL THIS 19TH DAY OF JUNE 2023.

Signed: _____, 2023

By: _____
Mayor Brian Quigley, Mayor

Signed: _____, 2023

Attest: _____
Julia Hajduk, City Manager



Fiscal Year 2023/24 Proposed Fees and Charges

Exhibit A

ADMINISTRATIVE			
	2023-24 Fee	Unit	Notes
Lien Search	\$10.00	Per search	
Returned Payments	\$35.00	Per item	
Invoice Late Fee	10%		
All other services not Identified	Actual Cost		
Notary	\$5.00	Per signature	Subject to Notary availability. Appointments strongly recommended
Mobile Food Unit License Fee	\$40.00	Annually	
Sidewalk Vendor License	\$2.50	Per Square Foot	

PUBLIC RECORDS			
	2023-24 Fee	Unit	Notes
Printing / Copies – 8.5x11, 8.5x14, 11x17	\$0.25	Per page	
Printing / Copies – Larger than 11x17	\$10.00	Per page	
Digital Copies (PDF)	\$0.10	Per page	
Certified Copies	\$5.00	Each	
Copies of Digital Photos	\$1.00	Per photo	
CD of Digital Photos	\$10.00	Each CD	
Audio CD, DVD, or other media	\$15.00	Each Item	
Postage		Per transaction	Actual cost of postage
Open Records Check	\$20.00	Each	Includes staff research and retrieval time of up to 30 minutes, over 30 minutes will be charged additionally. \$10 non-refundable search fee included.
Police Reports	\$33.00+ \$.25 per page	Per report	Includes staff research and retrieval time of up to 30 minutes, over 30 minutes will be charged an additional \$33.00 per 30-minute increment. \$10 non-refundable search fee included. No charge for victim for first copy.
Public Records Requests			15 minutes or less at no charge. Requests requiring more than 15 minutes staff time will be charged at actual staff cost for all staff involved in fulfilling the request.
Visa Letter	\$40.00	Per letter	
Record Check Letter	\$15.00	Per letter	

Permits issued by Police			
	2023-24 Fee	Unit	
Carnival, Amusement Park & Concession	\$300.00	Per year	
Promotional/Processional Event (SMC 5.44; SMC 10.36)	\$50.00	Per event	
Recurring Events	\$25.00	Per event	
Event Street Marking Deposit	\$200.00	Per event	
Camping Permit	\$0.00	Each	
Solicitor	\$150.00	Per year	
Each Additional Employee	\$25.00	Per year	
Renewal of Solicitor License	\$25.00	Per year	
OLCC / OHA License			
New OLCC/OHA License Fee	\$100.00	Per application	
Change of Ownership	\$75.00	Per application	
License Privilege Change	\$75.00	Per application	
OLCC / OHA License Renewal	\$35.00	Per year	
Temporary	\$35.00	Per application	
Temp. for OLCC Licensed Business	\$15.00	Per application	
Junk Dealers / Second Hand	\$50.00	Per year	
Fines for Ordinance Violations			
Business Regulations	\$1,000.00		SMC 5.08
Medical Marijuana Facilities	\$1,000.00		SMC 5.12
Pharmaceutical Disposal	\$500.00	Per month	SMC 5.50
Garage Sales	\$500.00		SMC 5.16
Solicitors	\$1,000.00		SMC 5.20
Private Security Enterprises	\$1,000.00		SMC 5.28
Secondhand Dealers and Pawnbrokers	\$1,000.00		SMC 5.32
Animal Control	\$500.00	Not to exceed	SMC 6.04
Nuisances	\$500.00 minimum to \$1,000.00 maximum	Minimum Maximum	SMC 8.04
Alarm Permit	\$20.00	Each/annually	SMC 8.08
Late Permit Fee	\$25.00	Each/annually	SMC 8.08

	2023-24 Fee	Unit	
False Alarm			
• First 5 Alarms	\$0.00	Each	
• Alarms 6-15	\$25.00	Each	
• Alarms 16+	\$50.00	Each	
Any other Violation of SMC 8.08 Not listed previously	\$500.00		SMC 8.08
Use of Public Parks, Public Property and Waterways	\$500.00		SMC 8.12
Violation of Public Peace and Welfare	\$1,000.00		SMC 9
Violation of Prohibited Parking Parking in Alley No Parking Zone	\$50.00		SMC 10.12.040 ORS 811.550
Violation of Loading Zone	\$50.00		SMC 10.12.070
Violation of Promotional / Processional / Event Permit	\$1,000.00		SMC 10.36
Parking on a Sidewalk Damaging Sidewalks and Curbs	\$50.00 Plus actual cost of repairs		SMC 10.12.040 SMC 10.40.1040 ORS 811.570(1)
Crossing Private Property	\$110.00		SMC 10.40.1010
Violation of Truck Routes	\$110.00		SMC 10.40.1060
Parking for Certain Purposes Prohibited Displaying a Vehicle for Sale Repairing a Vehicle Displaying Temporary Advertising Selling from a Vehicle	\$50.00		SMC 10.12.050
Unlawful Storage on the Street	\$110.00		SMC 10.12.060
Violation of Bus and Taxi SMC	\$50.00		SMC 10.12.080/ 10.12.090
Skateboards, Skis, Toboggans, and Sleds	\$25.00		SMC 10.40.1030
Violation of Bicycle SMC	\$25.00		SMC 10.28
Violation of Pedestrian SMC	\$25.00		SMC 10.32
Overtime Parking	\$50.00		SMC 10.12.040 SMC 10.12.100
Parking Permit Violation	\$50.00		SMC 10.12.150
Parking Spaces – Correct Use Required/Wrong Direction	\$50.00		SMC 10.12.020

	2023-24 Fee	Unit	
Violation of Prohibited Parking contrary to a parking control device	\$50.00		SMC 10.12.040(g)
Other Violations of Title 10 Not Specifically Listed	\$50.00		SMC 10
Impound Charge Per Day for City Owned Storage	\$50.00 + Tow Fees		SMC 10.16.430
Impound Tow Fee	\$125.00		

PLANNING

Pre-Application Meeting	\$400.00	Each	
Application that requires only Staff review	\$900.00	Deposit	
Application requiring Planning Commission Hearing	\$1,700.00	Deposit	
Applications Requiring Two Public Hearings			
Comprehensive Plan Map and Zone Map Amendment	\$2,000	Deposit	
Subdivision, Master Plan Development, Site Plan Review that includes Annexation	\$2,000.00	Deposit	
Major Annexation	\$4,500.00	Deposit	
Other Planning Department Applications			
Sign Permits	\$25.00	Per Application	
Temporary Sign	No Charge	Per Application	
Change of Use Permits	\$25.00	Per Application	
Appeals			
Of decisions made by Staff without a public hearing	\$250.00	Per Application	
Of decisions made by the Planning Commission	\$400.00	Per Application	
Vacation of Streets and Alleys	\$700.00	Per Application	

MUNICIPAL COURT

	2023-24 Fee	Unit	Notes
Payment Agreement Fee	\$30.00	Each	
License Reinstatement Fee	\$30.00	Each	
Failure To Appear for Arraignment	\$25.00	Each	
Failure to Appear Trial	\$100.00	Each	
Trial Fee	\$40.00	Each	
Warrant Fee	\$55.00	Each	
Appeal Filing	\$55.00	Each	
Collection Fee	25%	Of Fine Assessed	

LIBRARY

Printing - Black & White	\$0.10	Per page	
Printing – Color	\$0.25	Per page	
Fees			
Interlibrary loan: mailing & loan cost	Actual cost		
Damage or lost materials	Actual cost + \$5.00 processing fee		
Lost or damaged DVD cases	\$ 1.00	Per item	
Replaced Damaged AV Cover	\$ 1.00	Per cover	
Replace Audiobook	Actual cost + \$5.00 processing fee		
Replace Audiobook Case	\$3.00	Per Case	
Replace Cultural Pass	Price of membership		
Outside city of Stayton Library Card			
Non-Resident Full-Service Card			
• Annual Household	\$60.00		
• 6 mo. household	\$30.00		
Outside of CCRLS District Card			
• Annual Household	\$70.00		
• 6 mo. family	\$35.00		
Outside of CCRLS Child Card			
• One Card	\$12.00		
• Two Cards	\$20.00		
• Three Cards	\$28.00		
E.G. Siegmund Room Rentals			
Room Rental Fee	\$25.00	Per hour	
Cleaning fee (non-refundable)	\$35.00	Each event	

PUBLIC WORKS

Site Development Permit: Engineering and Plan Review (for on-site and off-site public improvements) includes ROW permit. Prior to Permit issuance, actual plan review costs will be paid by Applicant. Inspection services will be paid for by Applicant after project completion and prior to Notice of Final Completion and Acceptance from the City.

	2023-24 Fee	Unit	Notes
New Infrastructure			
Permit Review - Water, sewer, storm drainage, and street improvements where excavation or utility cuts of pavement are required.	\$750.00	Deposit	
Site Development Permit Review – Commercial, Industrial, Multi-family	1,500.00	Deposit	
Site Development Permit Review – Minor Partition (1 – 3 lots)	\$750.00	Deposit	
Site Development Permit Review – Subdivision (4 – 10 lots)	\$2,500.00	Deposit	
Site Development Permit Review – Subdivision (11+ lots) or Master Planned Development	\$4,500.00	Deposit	
Water Quality and Detention Plan and Calculation Review (infill lots only)	\$150.00	Actual	
Inspection fees – Payable at time of permit issuance to cover inspection costs during project construction	4% of project value	Per permit	
Right of Way (ROW) Permits			
Type 1: Street tree replacement or installation	No Charge		
Type 2: Repair/replace sidewalk and/or driveway approach with no street cut (includes 3 inspections).	\$100.00	Per Permit	
Type 3: Sidewalk, driveway approach and/or existing utility repair where street cut is needed (includes 4 inspections).	\$165.00	Per Permit	
Type 4: Franchise Utility (NW Natural, SCTC, PacifiCorp, etc.)	Per Franchise Agreement or \$40.00		
Type 5: Encroachment Permit to use Public ROW (for a long-term use: awning, billboard, structure, etc.)	\$65.00	Per Permit	
Additional Inspections over the permit type allotment.	\$35.00	Per Inspection	
Vehicles, per hour			
¾" Meter	FEMA rate		
1" Meter or larger	Actual Costs (\$350.00 Minimum)		
Water Meter Installation	Actual Cost		
Permits			
Building permits	Per Marion County fee schedule		
Building Structural Permit Driveway/Sidewalk Inspections		\$150.00	

System Development Charges		
Parks – per dwelling unit		\$3830.73
Water – per 3/4” meter equivalent		\$3987.50
Wastewater – per ¾” meter equivalent		\$2970.52
Transportation – per peak hour trip in downtown area		\$442.83
per peak hour trip elsewhere		\$3224.00
Stormwater		\$3542.64

UTILITY RATES

Utility Fees		
Water Service Deposit (refundable)		\$100.00
Sewer Service Deposit (refundable)		\$100.00
Late Fee		\$35.00
Processing Delinquent Shut-off Fee for Non-Payment of Bill		\$50.00
Penalty for tampering with water meter once City turns it off		\$350.00
Requested Water On/Off Service Fee During Business hours		\$40.00
Requested Water On/Off or leak repairs after hours		\$200.00
Water Rates		
	Base rate	Flow/consumption rate
Residential	\$33.64	\$1.65 per 1000 gallons
Commercial and Industrial	Meter size	\$1.65 per 1000 gallons
	3/4 ”	\$33.64
	1”	\$70.53
	1½”	\$94.78
	2”	\$123.87
	3”	\$353.49
	6”	\$693.69
	10”	\$2018.50
Storm Water Rates		
Residential	Storm Drainage Maintenance Fees by Type of Residence:	
	Type of Residential Use	Monthly Fee
	1 Single Family Dwelling	\$9.03
	2 Duplex	\$9.03
	3 Mobile Home Park (per unit)	\$9.03
	4 Apartment (per unit)	\$5.41
	5 Assisted Living Center (per unit)	\$5.41

Commercial and Industrial	<table border="1"> <thead> <tr> <th></th> <th><i>Impervious Surface</i></th> <th><i>Monthly Fee</i></th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Up to 2,500 square feet (sf) impervious surface</td> <td>\$9.03</td> </tr> <tr> <td>2</td> <td>2,501 to 5,000 sf impervious surface</td> <td>\$13.54</td> </tr> <tr> <td>3</td> <td>5,001 to 10,000 sf impervious surface</td> <td>\$27.09</td> </tr> <tr> <td>4</td> <td>10,001 to 15,000 sf impervious surface</td> <td>\$45.16</td> </tr> <tr> <td>5</td> <td>15,001 to 20,000 sf impervious surface</td> <td>\$63.21</td> </tr> <tr> <td>6</td> <td>20,001 to 30,000 sf impervious surface</td> <td>\$90.30</td> </tr> <tr> <td>7</td> <td>30,001 to 40,000 sf impervious surface</td> <td>\$126.45</td> </tr> <tr> <td>8</td> <td>40,001 or more sf impervious surface</td> <td>\$162.54</td> </tr> </tbody> </table>		<i>Impervious Surface</i>	<i>Monthly Fee</i>	1	Up to 2,500 square feet (sf) impervious surface	\$9.03	2	2,501 to 5,000 sf impervious surface	\$13.54	3	5,001 to 10,000 sf impervious surface	\$27.09	4	10,001 to 15,000 sf impervious surface	\$45.16	5	15,001 to 20,000 sf impervious surface	\$63.21	6	20,001 to 30,000 sf impervious surface	\$90.30	7	30,001 to 40,000 sf impervious surface	\$126.45	8	40,001 or more sf impervious surface	\$162.54									
	<i>Impervious Surface</i>	<i>Monthly Fee</i>																																			
1	Up to 2,500 square feet (sf) impervious surface	\$9.03																																			
2	2,501 to 5,000 sf impervious surface	\$13.54																																			
3	5,001 to 10,000 sf impervious surface	\$27.09																																			
4	10,001 to 15,000 sf impervious surface	\$45.16																																			
5	15,001 to 20,000 sf impervious surface	\$63.21																																			
6	20,001 to 30,000 sf impervious surface	\$90.30																																			
7	30,001 to 40,000 sf impervious surface	\$126.45																																			
8	40,001 or more sf impervious surface	\$162.54																																			
Street Maintenance Fee																																					
Residential	<p>Transportation Maintenance Fees by Type of Residence</p> <table border="1"> <thead> <tr> <th></th> <th><i>Type of Residential Use</i></th> <th><i>Monthly Fee</i></th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Single Family Dwelling</td> <td>\$8.00</td> </tr> <tr> <td>2</td> <td>Mobile Home in a MH Park</td> <td>\$4.16</td> </tr> <tr> <td>3</td> <td>Apartment (per unit)</td> <td>\$4.48</td> </tr> <tr> <td>4</td> <td>Assisted Living Center (per unit)</td> <td>\$2.00</td> </tr> </tbody> </table>		<i>Type of Residential Use</i>	<i>Monthly Fee</i>	1	Single Family Dwelling	\$8.00	2	Mobile Home in a MH Park	\$4.16	3	Apartment (per unit)	\$4.48	4	Assisted Living Center (per unit)	\$2.00																					
	<i>Type of Residential Use</i>	<i>Monthly Fee</i>																																			
1	Single Family Dwelling	\$8.00																																			
2	Mobile Home in a MH Park	\$4.16																																			
3	Apartment (per unit)	\$4.48																																			
4	Assisted Living Center (per unit)	\$2.00																																			
Commercial and Industrial	<p>See Municipal Code (SMC) 3.30060 for a listing of each category for non-residential developed property.</p> <table border="1"> <thead> <tr> <th></th> <th><i>Category</i></th> <th><i>Monthly Fee</i></th> </tr> </thead> <tbody> <tr> <td>1-</td> <td>5 trips/1000 sq ft of building space</td> <td>\$20.00</td> </tr> <tr> <td>2-</td> <td>15 trips/1000 sq ft of building space</td> <td>\$20.00</td> </tr> <tr> <td>3-</td> <td>30 trips/1000 sq ft of building space</td> <td>\$40.00</td> </tr> <tr> <td>4 –</td> <td>50 trips/1000 sq ft of building space</td> <td>\$40.00</td> </tr> <tr> <td>5 –</td> <td>80 trips/1000 sq ft of building space</td> <td>\$40.00</td> </tr> <tr> <td>6 –</td> <td>140 trips/1000 sq ft of building space</td> <td>\$40.00</td> </tr> <tr> <td>7 –</td> <td>800 trips/1000 sq ft of building space</td> <td>\$80.00</td> </tr> <tr> <td>8 –</td> <td>4 trips per acre of land used for the state purpose</td> <td>\$80.00</td> </tr> <tr> <td>9 –</td> <td>160 trips per fueling station</td> <td>\$80.00</td> </tr> <tr> <td>10 –</td> <td>10 trips per rental room</td> <td>\$80.00</td> </tr> <tr> <td>11 –</td> <td>1.5 trips per student</td> <td>\$80.00</td> </tr> </tbody> </table>		<i>Category</i>	<i>Monthly Fee</i>	1-	5 trips/1000 sq ft of building space	\$20.00	2-	15 trips/1000 sq ft of building space	\$20.00	3-	30 trips/1000 sq ft of building space	\$40.00	4 –	50 trips/1000 sq ft of building space	\$40.00	5 –	80 trips/1000 sq ft of building space	\$40.00	6 –	140 trips/1000 sq ft of building space	\$40.00	7 –	800 trips/1000 sq ft of building space	\$80.00	8 –	4 trips per acre of land used for the state purpose	\$80.00	9 –	160 trips per fueling station	\$80.00	10 –	10 trips per rental room	\$80.00	11 –	1.5 trips per student	\$80.00
	<i>Category</i>	<i>Monthly Fee</i>																																			
1-	5 trips/1000 sq ft of building space	\$20.00																																			
2-	15 trips/1000 sq ft of building space	\$20.00																																			
3-	30 trips/1000 sq ft of building space	\$40.00																																			
4 –	50 trips/1000 sq ft of building space	\$40.00																																			
5 –	80 trips/1000 sq ft of building space	\$40.00																																			
6 –	140 trips/1000 sq ft of building space	\$40.00																																			
7 –	800 trips/1000 sq ft of building space	\$80.00																																			
8 –	4 trips per acre of land used for the state purpose	\$80.00																																			
9 –	160 trips per fueling station	\$80.00																																			
10 –	10 trips per rental room	\$80.00																																			
11 –	1.5 trips per student	\$80.00																																			

Sewer Rates											
Residential	All residential sewer customers pay a flat rate of \$71.02 per residential unit.										
Commercial and Industrial	Commercial and Industrial rates are based on the average monthly water usage from October through March. These months are chosen because less water usage going into the City's sewer facilities, is registered. The following rate schedule is used:										
	<table border="1"> <thead> <tr> <th><i>Average Monthly Use</i></th> <th><i>Charge</i></th> </tr> </thead> <tbody> <tr> <td>Up to 3,999 gallons</td> <td>\$53.07</td> </tr> <tr> <td>4,001 to 6,000 gallons</td> <td>\$71.02</td> </tr> <tr> <td>6,001 to 10,000 gallons</td> <td>\$132.57</td> </tr> <tr> <td>Above 10,001 gallons</td> <td>\$13.26 / 1,000 gallons</td> </tr> </tbody> </table>	<i>Average Monthly Use</i>	<i>Charge</i>	Up to 3,999 gallons	\$53.07	4,001 to 6,000 gallons	\$71.02	6,001 to 10,000 gallons	\$132.57	Above 10,001 gallons	\$13.26 / 1,000 gallons
<i>Average Monthly Use</i>	<i>Charge</i>										
Up to 3,999 gallons	\$53.07										
4,001 to 6,000 gallons	\$71.02										
6,001 to 10,000 gallons	\$132.57										
Above 10,001 gallons	\$13.26 / 1,000 gallons										

FACILITY RENTALS

	2023-24 fee	2023-24 fee	Notes
Community Center			
	Resident	Non-Resident	
Community Center Rental (Entire Building - Hourly)	\$40.00	\$60.00	
Community Center Rental Cleaning Fee (per event, up to three hours of cleaning)	\$150.00	\$150.00	
Additional Hourly Cleaning Charge (any required cleaning over three hours will be invoiced to rental)	\$35.00	\$35.00	
	2023-24 Fee	Unit	Notes
Jordan Bridge and Pioneer Park Concession Stand			
<ul style="list-style-type: none"> First three hours 	\$100.00	Each	Jordan Bridge and Concession Stand are separate rentals
<ul style="list-style-type: none"> Each additional hour 	\$20.00	Per hour	
<ul style="list-style-type: none"> Cleaning fee deposit for Concession Stand 	\$100		Deposit: reimbursed if costs are less
Other Facility Fees			
Community Center Key Deposit (cash or check only)	\$25.00	Per key	
Jordan Bridge Electrical Panel Key/Bridge Closure Signs Deposit (cash or check only)	\$25.00	Per event	
Concession Stand Key Deposit (cash or check only)	\$25.00	Per key	
Alcohol Beverage Service Permit	\$50.00	Each event	
Alcohol Beverage Cleaning Fee (non-refundable)	\$300.00	Each event	NOTE: If actual cleaning costs exceed \$300, applicant will be billed for

			remainder
Cancellation Fee	\$25.00	Each event	Fee applied if canceled more than 10 days prior to the event. No refund if canceled less than 10 days prior to event.

SWIMMING POOL

	2023-24 Resident Fees	2023-24 Non-Resident Fees	Unit	Notes
Drop-In				
Adult	\$6.00	\$8.00	Per Visit	
Youth (1-17 years old) / Seniors (59+)	\$4.00	\$5.50	Per Visit	
Family (2-5 individuals from the same household)	\$18.00	\$25.00	Per Visit	
Each additional family member above 5	\$2.00	\$3.00	Per Visit	
Punch Cards (10 Visits)				
Adult	\$54.00	\$73.00	Per card	
Youth (1-17 years old) / Seniors (59+)	\$36.00	\$49.00	Per card	
Children under age 1 (free)	\$0.00	\$0.00	Per card	
Monthly Memberships				
Adult	\$50.00	\$67.50	Per Month	
Youth (1-17 years old) / Seniors (59+)	\$30.00	\$40.50	Per Month	
Family (2+ individuals from the same household)	\$85.00	\$114.75	Per Month	
Private Pool Rentals				
Pool Rental 2 guards (0-25 people)	\$110.00	\$148.50	Per Hour	
Pool Rental 3 guards (0-50 people w/slide)	\$130.00	\$175.50	Per Hour	
Pool Rental 4 guards (51-75 people w/slide)	\$150.00	\$202.50	Per Hour	
Pool Rental 5 guards (up to 100 people w/slide)	\$170.00	\$229.50	Per Hour	
Locker Rates				
Monthly	\$18.00	\$24.00	Per Locker	
Yearly	\$184.00	\$248.00	Per Locker	
Swimming Lessons				
1 Swimmer (30 minutes per session/8 sessions class)	\$45.00	\$60.75		
Each Additional Swimmer (from the same household)	\$30.00	\$40.50		
Private lessons	\$45.00	\$60.75	Per lesson per swimmer	



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

TO: Mayor Brian Quigley and the Stayton City Council
FROM: James Brand, Finance Director
DATE: June 19, 2023
SUBJECT: Resolution No. 1067 Budget Appropriation Transfers for the 2022-23 Fiscal Year

ISSUE

Resolution No. 1067 adopts needed appropriation adjustments for the fiscal year 2022-23 budget.

BACKGROUND INFORMATION

The original fiscal year 2022-23 adopted budget in resolution 1037, included a contingency within each fund (except SDC's and the Pension Stabilization fund). No fund can overspend its budget and no budget adjustments can be made after June 30th for the prior fiscal year. At this time, we are forecasting that four City funds may need to utilize their respective contingency. To be cautious, we have proposed transferring more funds than our current estimated needs to ensure that our expenditures do not exceed budgeted authority for the General and Library Funds. Any of the transferred funds that are not spent will be carried over into the FY 23/24 fiscal year.

FISCAL IMPACT

This resolution shifts amounts budgeted in contingency into specific line items within the same fund for four funds. It does not create any additional appropriations.

EXPENDITURE CHANGES

General Fund (Administration & City Council)

In August 2022, the General Fund Administration received a pass-through grant of \$69,722 from the State for the Stayton Rural Fire Protection District. The payment to the Fire Department was not budgeted because the grant was not anticipated when the 2022-23 budget was built. Admin also had higher than anticipated costs for consultants to cover duties left by vacant positions. This budget resolution will move \$100,000 from contingency to the Materials and Services budget within the Admin Fund.

Library Fund

ARPA grant funds were carried forward and expended in the 2022-2023 year for the Library. This year also had unanticipated water damage and building maintenance costs resulting from pipes bursting in the fire suppression system. This budget resolution will move \$10,000 from contingency to the Materials and Services budget within the Library Fund.

Wastewater Fund

The budget for this fund did not allocate sufficient funds for the required Debt Service payments and a \$2,796 adjustment is needed to move funds from contingency to debt service.

Stormwater Fund

The budget for this fund did not allocate sufficient funds for the required Debt Service payments and a \$5,440 adjustment is needed to move funds from contingency to debt service.

SUMMARY

Four changes to the 2022-23 budget decrease Contingency and increase operational line items to ensure appropriated City Funds are not overspent.

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 1067 as presented.

MOTION

Motion to approve Resolution No. 1067, Transferring Budget Appropriations for fiscal year 2022-23.



RESOLUTION NO. 1067
A RESOLUTION TRANSFERRING BUDGET APPROPRIATIONS
FOR FISCAL YEAR 2022-23

WHEREAS ORS 294.463 allows the governing body of a municipal corporation to transfer appropriations within a fund when authorized by ordinance or resolution of the governing body of a municipal corporation;

WHEREAS the Council of City of Stayton adopted its 2022-23 budget on June 6, 2022;

WHEREAS the City of Stayton has identified specific needs for money that was budgeted and appropriated as operating contingency; and

WHEREAS transfers of operating contingency appropriations during the fiscal year do not exceed 15 percent of the total appropriations of each fund (reference 294.463(2)).

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby adopts the following appropriation transfers, makes appropriations, and adjusts the fiscal year 2022-23 adopted budget as follows:

<i>FUND</i>	<i>Program/Org Unit</i>	<i>Approved Budget</i>	<i>Change</i>	<i>Amended Budget</i>
GENERAL FUND				
	<i>Police ^</i>	\$2,553,300	\$0	\$2,553,300
	<i>Planning ^</i>	\$234,200	\$0	\$234,200
	<i>Community Center ^</i>	\$45,600	\$0	\$45,600
	<i>Municipal Court ^</i>	\$140,700	\$0	\$140,700
	<i>Administration & City Council ^</i>	\$1,346,700	\$100,000	\$1,446,700
	<i>General Operations ^</i>	\$1,541,400	\$0	\$1,541,400
	<i>Street Lights ^</i>	\$110,000	\$0	\$110,000
	<i>Not Allocated to Org Unit.</i>			
	<i>Transfers ^</i>	\$440,500	\$0	\$440,500
	<i>Contingency ^</i>	\$1,244,800	(\$100,000)	\$1,144,800
	Total GENERAL FUND	\$7,657,200	\$0	\$7,657,200
LIBRARY FUND				
	<i>Library ^</i>	\$498,800	\$10,000	\$508,800
	<i>Not Allocated to Org Unit.</i>			
	<i>Transfers ^</i>	\$30,600	\$0	\$30,600
	<i>Contingency ^</i>	\$353,500	(\$10,000)	\$343,500
	TOTAL LIBRARY FUND	\$882,900	\$0	\$882,900

<i>FUND</i>	<i>Program/Org Unit</i>	<i>Approved Budget</i>	<i>Change</i>	<i>Amended Budget</i>
WASTEWATER FUND				
	Wastewater ^	\$3,687,600	\$0	\$3,687,600
	Not Allocated to Org Unit.			
	Transfers ^	\$638,400	\$0	\$638,400
	Debt Service ^	\$815,400	\$2,796	\$818,196
	Contingency ^	\$692,000	(\$2,796)	\$689,204
	TOTAL WASTEWATER FUND	\$5,833,400	\$0	\$5,833,400
STORMWATER FUND				
	Stormwater ^	\$277,900	\$0	\$277,900
	Not Allocated to Org Unit.			
	Transfers ^	\$95,400	\$0	\$95,400
	Debt Service ^	\$65,800	\$5,440	\$71,240
	Contingency ^	\$242,300	(\$5,440)	\$236,860
	TOTAL STORMWATER FUND	\$681,400	\$0	\$681,400

^ Appropriation level

APPROVED BY THE STAYTON CITY COUNCIL THIS 19th DAY OF JUNE 2023.

Date: _____

By: _____

Brian Quigley, Mayor

Date: _____

Attest: _____

Julia Hajduk, City Manager

Tammy Bennett

From: Leslie Seaver <lrvlseaver@yahoo.com>
Sent: Friday, June 16, 2023 2:32 PM
To: City Government
Subject: SAY NO TO HOMELESS CAMP!!!!

CAUTION: This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

June 16, 2023

To the City of Stayton Council Members;

Let me begin by saying I am a long-time resident of Stayton. I have compassion for homeless folks. There needs to be a logical and rational solution to giving them adequate living arrangements. However not at the expense and safety of me, my family and my community.

It has come to my attention that there is a proposal on the agenda of the upcoming council meeting regarding the homeless and a suggested solution is to offer a sanctioned homeless camp at the end of Kindle Way. I have family that lives in that neighborhood. I AM STRONGLY OPPOSED TO THIS PROPOSAL!

1. Many if not most homeless people have mental/drug issues and are unstable. They also have no respect for property. Therefore...
2. Why would there be any consideration to place a homeless camp anywhere near neighborhoods with small children and seniors?
3. Why would there be any consideration to place a homeless camp behind a middle school?
4. Why would there be any consideration to place a homeless camp near a teen center?
5. Why would there be any consideration to place a homeless camp whereby those homeless individuals would have to pass through neighborhoods, by the teen center and school to go toward town?
6. Would you want them that close to your neighborhood?
7. I don't understand why Stayton residents are finding out about this proposal just days before the council meeting...scheduled by the way on a federal holiday?

Again. I OBJECT 1000 PERCENT!

Best regards,

I am writing this to give my opinion and point of view. This is in response to you considering the safe place for homeless near the middle school and the Youth Center in Stayton.

I live in Sublimity, but I am a retired teacher and grandmother of 2 students that attend that school (one in 4th grade, one in 6th). As a retired teacher, when I read that you were considering this property for a safe place for a homeless camp, I was appalled. Of all the places that are available, why would this property even be considered. You cannot have it so close to the school and the youth center. While I know that there is a growing issue of homelessness in Stayton, you need to be practical and very careful where you choose to allow them to settle.

I know that not all the homeless have drug, alcohol, mental illness issues, but I believe a great majority of them do. This is NOT what we want to expose our children to. Who will be responsible to clean up feces and body excrement? Who will be there to clean up all the needles and other drug & alcohol paraphernalia? Who will be responsible to clean up all the garbage and crap left behind? They most certainly will not, so that means city workers will have to do that, or it will be left behind for animals, children, people walking, etc. to run across and be exposed to. Not good!

As a grandmother of 3 children that live in Stayton – and 2 at the Intermediate/Middle school – I am frightened and cannot figure out how people who are in leadership of the City of Stayton would even bring this up as a considered area to put the homeless camp. My grandkids are involved with sports, participate in PE, and spend time fishing back in the woods with their friends. My daughter takes their four year-old on walks along the path that goes through the forested area. I know the property that you are looking at is not the school property, but it is adjacent to this property. How will you protect the kids and families that currently use the school property from the homeless people? They will not respect signs, fencing, being told to stay out. They will move into the school property and put my family and many more at risk.

Please do the cautious, prudent, and show good judgement when you choose the area to locate the homeless safe area. Don't put it anywhere close to ANY schools or places that children frequent.

Thank you for letting me state my opinion.

Sincerely,

Chris Williams

Tammy Bennett

From: Kristel Gabriel <jkgabrielfam@gmail.com>
Sent: Monday, June 19, 2023 11:58 AM
To: City Government
Subject: City council comment for June 19

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from Outside Your Organization. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

Concerns about the possible homeless camp site near the teen center and middle school.

While the proposed homeless camp site may be 1475 ft from the Stayton Intermediate/Middle School, that distance is not taking into account school grounds. The field, play structure and back 40 where the kids practice for cross country and other sports are all school grounds. The location is entirely too close to our children. The proposed homeless campsite will be right next to the back 40 area and that is still school grounds and owned by NSSD. At least where the other camp site is planned, downtown by the river, there are fewer established neighborhoods and schools nearby.

The back 40 is heavily wooded and to have an unregulated site near this could be extremely dangerous. Just a few years ago one of our neighbors had to call in to the fire department an unattended campfire from an unregulated camper in the back 40.

While the proposed homeless camp site may be 440 ft from the Santiam Teen Center it is entirely too close to our already vulnerable youth. These kids walk independently from school to the teen center and would undoubtedly come into contact with the homeless residing near the center. Access to the camp site will only be through active neighborhoods and down Kindle Ave. Due to the sites being unregulated there will be mental health episodes, nudity, trash, feces, drugs and other paraphernalia that would be very traumatizing and dangerous for our children to be around, witness & see.

We also have very active neighborhoods with families, children and seniors in this area in addition to a park (Quail Run) with regular youth sporting events occurring there.

There has been a lack of transparency in location and plans (for this homeless camp). The meeting information from the homeless task force was not updated until this past week (when I asked for the information to be posted). The prior information was only available up to February. This all seems very rushed. Also, this new proposed homeless camp site was supposed to be a city park with a playground and ball fields. This seems to have been forgotten about and instead what was promised is now significantly changing.

I urge you to take more time, research what other comparable towns are doing like Sweet Home which has managed and regulated sites, and figure out how to support and provide the services these people need. Do not just throw an unregulated site out near a school and teen center and call it good. It appears that there is a blatant lack of regard for protecting our youth and instead this task force is more concerned with their own businesses downtown.

I'll leave you with a story that occurred just last week in Salem. A homeless man wandered onto school grounds at an elementary school. He started attacking staff who were with children. He just wanted a bed and food and planned on being arrested.

Thank you and we will be in touch,

Kristel Gabriel

Mom, school support staff, Stayton homeowner, taxpayer

Tammy Bennett

From: mysticalcutie226 <mysticalcutie226@gmail.com>
Sent: Monday, June 19, 2023 12:16 PM
To: City Government
Subject: Homeless population

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

I am not sure if I will be at the meeting tonight yet. I do not agree with letting them camp behind the Middle School because of the threat to the kids there. I also want to address the city property where Evergreen, Maple, and Norblad meet. This is ABSOLUTELY not an option! We have quite a few young boys that play close by and ride their bikes near there. We live at 520 W Water St and our 6 year old son Lucas always plays with his neighborhood friends and rides bikes around there. We have had things stolen and vandalized by the homeless population. We did attend a meeting in the past about the vandalism of my son Sebastian's library boxes. I have already lost a daughter due to leukemia 11 years ago and I am constantly on edge about any threat to Lucas now. I am just putting this out there that the property is NOT an option!

Wendy Baker

Sent from my Verizon, Samsung Galaxy smartphone

Tammy Bennett

From: jamie brautigam <jamie2u@msn.com>
Sent: Monday, June 19, 2023 1:20 PM
To: City Government
Subject: City Council Meeting June 19th Written Statement

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

Dear City Council Members,

I just wanted to voice my opinion about the "Safe Place" for the homeless being considered behind the middle/intermediate schools and teen center. I know you care about this community and the people in it so this is why I believe this is a horrible idea for our homeless problem in Stayton. Most homeless individuals are drug addicts, alcoholics, have mental illness and/or are sex offenders. I do not approve of this being around our children. Children are to be protected and given the chance to be the best they can be. If this is around our schools it will be introducing these children to the evil of the world much sooner they should be.

Bringing this to the area where the two newest subdivisions were built will also cause a problem in the value of our houses. We've paid a lot of hard earned money for these houses and pay a lot in property taxes to live in a nice and safe place. This will no longer be the case if this is approved.

If Stayton has to have a "Safe Place" there has to be a better spot than where you are considering tonight.

So I do not approve of this "Safe Place" to be in the woods behind the middle/intermediate schools and teen center.

Thank you for listening,

Jamie Borregard

From: [Steve and Cindy Higginbotham](#)
To: [City Government](#)
Subject: June 19 Stayton City Council
Date: Monday, June 19, 2023 1:49:58 PM

CAUTION: This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

June 19, 2023

To the City of Stayton City Council Members, The Homeless Task Force, and to whom it may concern,

I cannot believe I even have to write this letter. This letter is to address several issues. We moved to Stayton 25 years ago to offer our children better education opportunities. The Detroit High School students were transported to Santiam High School, and the elementary students would follow soon after. We wanted our students transported only a short distance around the dams and on Highway 22.

We decided on Stayton schools and the city of Stayton because it still had a smaller town feel, and my grandparents and family have lived here for years. My grandparents lived just up the street from where we live now and used to own a farm as you come into Stayton. This property is still in the family. Stayton is a beautiful and safe community. The teachers and staff were great with the boys and their education.

However, we are concerned about the proposed homeless camps. Over the last several years, we have noticed more people walking through our neighborhood like they are scoping it out. Our neighbors have had cars stolen, and one was destroyed. My husband was walking at Pioneer Park and said homeless people were there. We used to go there with our boys and friends and felt safe. I don't even walk by the river now because it feels unsafe. We want to keep Stayton beautiful, livable, and safe and believe that these camps would be a detriment to our city. The other aspect is how inhumane it is for people to live in tents. It would be more beneficial to help the homeless residents (of Stayton only) to be placed in the standing vacant buildings and offer the services they need to get them back on their feet. We understand that homelessness stems from economics, mental health, substance abuse, and many other reasons.

The first issue to address is the proposed homeless camps like Portland and some areas of Salem. This would increase the problems of vandalism, crime, drugs, violence, and public safety and take away from our town's beauty, livability, and property values. The second issue is the apartment buildings being built in high-traffic areas, which will cause more congestion and accidents. The third issue is the cannery was shut down, which took jobs away from the community. Several companies went out of business, which has caused unemployment and made the economy worse. They want to bring in the chicken farms that would be detrimental to our health and the environment and, from what I understand, wouldn't provide many, if any, jobs. The fourth issue is that the resources for the community of Stayton need to be stretched thin. The cost of everything keeps increasing, and the streets are full of potholes. What's next?

We understand that there are many layers to these problems. We have elected the city council members who would do the best for our beautiful town and the citizens. Please carefully consider the issues we have addressed, and do what is best for our town, the citizens, and people experiencing homelessness. Thank you for your service.

Steve and Cindy Higginbotham
1189 N 5th Ave
Stayton, OR 97383



Concerned Citizens

Sent from [Mail](#) for Windows

Tammy Bennett

From: Kimberly Crawford <KCrawford@jeldwen.com>
Sent: Monday, June 19, 2023 3:12 PM
To: City Government
Subject: FW: AGAISNT HOMELESS AROUND OUR SCHOOL! OUR CHILDREN DO NOT NEED TO SEE THAT!!!

CAUTION: This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

To Whom it May Concern,

I am very worried about the homeless moving into the back forty. I fear for our children. Our children must grow up fast enough and by witnessing the excessive trash, human waste, drug paraphernalia and the pose risks to public health and safety and to the water quality, it will not get any better. It is going to bring, hypodermic needles, feces, blood, urine, vomit, pest and rodent, fleas, cockroaches. Our children run back there for cross country. Where are they going to go. Also, we worked hard to get our home. By them going back there, it will bring the property value down significantly. We need to find a place for them, I agree, but not by a school. So many of them are sex offenders, how is that going to work away from school. When something happens with homeless, we call the police officers and there isn't much they can do. What does that teach our children. Please, please do not bring them there, for the sake of our children! Our children are our future, and they do not need to see this. We need better for them!

Thank You,

KIMBERLY CRAWFORD

Please consider the environment before printing this email

Tammy Bennett

From: Lou-Lou Lock <hotmama1109@outlook.com>
Sent: Monday, June 19, 2023 3:17 PM
To: City Government
Subject: Homeless

CAUTION: This email originated from Outside Your Organization. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

I've been reading about where you might be thinking of placing them, not a good idea, please take into consideration to keep our kids safe, I see them at the SHS at 530 am when I'm getting to work, it's kinda scary. I'm worried about the crime, drug use & them sleeping on the city sidewalks. LouLou Lock Sent from my iPhone

Tammy Bennett

From: Miranda Ruiz <mirandajruiz30@gmail.com>
Sent: Monday, June 19, 2023 3:20 PM
To: City Government

CAUTION: This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

Hi my names Miranda an I live on Regis st in Stayton. I can't make the meeting but would like to voice my opinion about the homeless camp possible being next to out school! I think its a really ridiculous idea! Not only unsanitary but also not safe for our children! Lots but not every homeless person has an addiction of some kind or maybe mental health issues! Soon will be as bad as Portland with homeless taking over our town!!! No one wants to see the garbage and filth they wi leave all over like they have in Salem an Portland! I am just one person but I'm positive I won't be the last email on this matter! Thank you

Tammy Bennett

From: Melinda Kierce <melindakierce@gmail.com>
Sent: Monday, June 19, 2023 3:27 PM
To: City Government
Subject: Homeless camp

CAUTION: This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

I have heard rumors of a honeless camp being put near the intermediate/middle school. This concerns me so much because I have kids that attend both of those schools. My kids also like to ride bikes/fish on those trails. Stayton is a small community which I feel is such a great thing. It feels safe for my kids to do those things. If you use that location for a camp I/my kids will no longer feel safe using those areas which is so unfortunate. The homeless camps I've seen are full of trash/ needles/ feces. This is an awful location right in the middle of town near kids and nice neighborhoods. Please consider a different location that is away from families.
Thank you

Tammy Bennett

From: Steph Hatfield <hatfields1023@gmail.com>
Sent: Monday, June 19, 2023 3:49 PM
To: City Government
Subject: City meeting comments

CAUTION: This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

Sadly, I will not be able to attend the meeting tonight.

As a parent and substitute teacher, having homeless in the "back 40" of the middle school is very concerning.

I know that there is a large community of house less people and agree there needs to be somewhere for them to go. I feel like an area that is often used by children is NOT the place. The houseless tend to leave behind less of garbage, and drug paraphernalia which doesn't belong anywhere near a school or teen center.

Thank you,

Steph Hatfield

- concerned parent



REQUEST FOR RECOGNITION

If you wish to speak before the City Council, please fill out this form and hand it to the City staff 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): Denise Busca

Address: 1435 Highland Dr Stayton
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject **not** on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: Teen Center

PUBLIC HEARING – TOPIC: _____

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 staff 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): Michael Jaeger

Address: 1550 Eagle St Stayton OR 97383
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject **not** on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: _____

PUBLIC HEARING – TOPIC: _____

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 staff 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): Toni Roach / Mike Frazzetti

Address: 366 E. Water Stayton _____
Street City State Zip

I wish to speak during:

_____ **PUBLIC COMMENT** (Speak on a subject not on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: Homeless First

_____ **PUBLIC HEARING – TOPIC:** _____ Minutes

Comments: _____ Services

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 staff 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): Jesse Eaton

Address: 2267 Woodcock Ave Stayton OR 97383
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject **not** on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: _____

PUBLIC HEARING – TOPIC: _____

Comments: _____

Comments are limited to 3 minutes or less.

(Costs) of changing - (no)



REQUEST FOR RECOGNITION

If you wish to speak before the City Council, please fill out this form and hand it to the City staff 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): Daniel Keaddell

Address: 2115 Nighthawk Ave Stayton OR 97383
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject **not** on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: _____

PUBLIC HEARING – TOPIC: Homeless Camp

Comments: _____

Comments are limited to 3 minutes or less.

2



REQUEST FOR RECOGNITION

If you wish to speak before the City Council, please fill out this form and hand it to the City staff 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): Deb Glander

Address: 413 N 5th Ave Stayton OR 97383
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject **not** on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: _____

PUBLIC HEARING – TOPIC: _____

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 staff 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): Don Sturgeon

Address: 5457 Dumore Dr. SE Aumsville OR 97325
Street City State Zip

I wish to speak during:

 PUBLIC COMMENT (Speak on a subject **not** on the Council agenda.)

 X **GENERAL BUSINESS:** (Speak on an item on the current Council agenda.)

Agenda Item: _____

 PUBLIC HEARING – TOPIC: _____

Comments: Opposed to the proposed site for homeless camp.

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 staff 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): ADAM KISER

Address: 2083 QUAIL RUN AVE STAYTON OR 97383
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject **not** on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: HOMELESSNESS

PUBLIC HEARING – TOPIC: _____

Comments: CONCERN FOR PUBLIC SAFETY, CHILD SAFETY, DRUGS, COST
TO LOCAL HOME OWNERS / TAX PAYERS

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 staff 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): PATTI ARMSTRONG

Address: 2155 Night Hawk Stayton
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject not on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: _____

PUBLIC HEARING – TOPIC: ~~the~~ homeless camp.

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 staff 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): Cotter, Matthew

Address: 1671 Hummingbird Lane Stayton OR 97383
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject **not** on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: Homeless Housing Camp

PUBLIC HEARING – TOPIC: _____

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 staff 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): TREVOR FOSMARK

Address: 42050 KINGSTON LYONS DR STAYTON OR 97383
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject **not** on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: _____

PUBLIC HEARING – TOPIC: HOMELESSNESS

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 staff 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): Justin Aguilera

Address: 18433 Old Medicine Rd Stayton OR 97383
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject not on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: _____

PUBLIC HEARING – TOPIC: Homeless

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 staff 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): Joan Willis

Address: 622 N 3rd Ave Stayton OR 97383
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject **not** on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: _____

PUBLIC HEARING – TOPIC: Homeless

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 staff 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): Tom Peterson

Address: 2190 Cardinal Ave Stayton OR 97383
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject **not** on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: _____

PUBLIC HEARING – TOPIC: Homeless Camps

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 staff 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): Colm Willis

Address: 622 N. 3rd Ave Stayton OR 97393
Street City State Zip

I wish to speak during:

PUBLIC COMMENT (Speak on a subject **not** on the Council agenda.)

GENERAL BUSINESS: (Speak on an item on the current Council agenda.)

Agenda Item: _____

PUBLIC HEARING – TOPIC: Homeless Ordinance

Comments: _____

Comments are limited to 3 minutes or less.

Ⓢ

STATUS -

REVISE Camp site -

of heading programs.