



# Agenda Item

July 12, 2010

TO: Honorable Mayor and City Council

FROM: N. Robert Shields, City Attorney

SUBJECT: **Access to Ordinances Project**

## **COUNCIL GOAL:**

Refine City Policies. Complete long-range financial plan; create clear municipal regulations and codes for greater understanding and eliminate unnecessary over-regulation.

## **RECOMMENDATION:**

This report is for information only and was prepared to accompany the ordinance demonstration at Council meeting.

## **BACKGROUND & DISCUSSION**

With the assistance of the IS Manager Brian Miles, Network Administrator Tim Quinn and Executive/Legal Assistant Heather Pierson, the ordinances have been completely updated and integrated into a new searchable format that will be demonstrated at the Council meeting.

Here are the major improvements:

- All ordinances have been checked and are up to date as of this Council meeting
- In the future, in coordination with the City Recorder, all ordinance updates will be posted on line at the time they are effective.
- The Table of Contents contains direct links to each ordinance listed
- The Woodburn Development Ordinance (WDO) was checked, updated and integrated into the other ordinances. Historically, the Planning Division separately maintained this document.

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

- The integration of the WDO with the other ordinances allows all ordinances to be searched simultaneously with just one search.
- The advanced features of the ordinance search tool will be demonstrated at the Council meeting.
- The “Woodburn Documents” folder of City Councilor laptops has been updated to contain all the new information.
- Because the ordinance document we created is a MS Word based PDF, and not just a scanned image, it can be cut and pasted into a text document and is compatible with Screen Reader programs to assist the visually impaired.
- The City Recorder, of course, will continue to maintain the original copies of all ordinances. Hard copies of the updated ordinance compilation will be maintained in the Library and City Attorney’s office.

**FINANCIAL IMPACT:**

None.

**COUNCIL MEETING MINUTES**  
**June 28, 2010**

HR:MN

0:38 **DATE: COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, JUNE 28, 2010.**

**CONVENED:** The meeting convened at 7:39 p.m. (after Urban Renewal Agency Meeting) with Mayor Figley presiding.

**ROLL CALL:**

Mayor	Figley	Present
Councilor	Cox	Present
Councilor	Lonergan	Present
Councilor	McCallum	Present
Councilor	Morris	Present
Councilor	Pugh	Present
Councilor	Schmidt	Present

**Staff Present:** City Administrator Derickson, Assistant City Administrator Stevens, Assistant City Attorney Stuart, Police Chief Russell, Police Captain Garrett, Public Works Director Brown, Economic & Community Development Director Hendryx, Community Services Director Row, Transit Division Manager Warner, City Recorder Shearer.

0:38 **ANNOUNCEMENTS:**

- A. In observance of Independence Day, City Hall offices and the Library will be closed Monday, July 5<sup>th</sup>. The Aquatic Center will be closed Sunday, July 4<sup>th</sup>.
- B. Wave Broadband 4<sup>th</sup> of July Celebration – Sunday, July 4<sup>th</sup> 6:00-11:00 pm Fireworks @ 10:00 pm Centennial Park. Featuring family activities, face painting, bounce houses, kids games and activities, music, entertainment, and a fabulous fireworks show! Admission is free and concessions will be available for purchase.

0:41 **PROCLAMATIONS:**

- A. National Recreation and Parks Month
- B. Robin Murbach day

0:45 **PRESENTATIONS:**

- A. Transit Briefing – Public Works Director Brown gave a presentation on the Transit plan update project.
- B. Woodburn Development Ordinance (WDO) Update – Economic and Community Development Director Hendryx gave a presentation on efforts to update the WDO.  
(1:27)

1:40 **COMMITTEE REPORTS:**

- A. Chamber of Commerce – none.
- B. Woodburn School District – none.

**COUNCIL MEETING MINUTES**  
**June 28, 2010**

HR:MN

1:42 **BUSINESS FROM THE PUBLIC:**

No one wished to address Council.

1:43 **CONSENT AGENDA:**

- A. approve the Woodburn City Council minutes of June 14, 2010;
  - B. accept the Woodburn Park and Recreation Board minutes of June 8, 2010
  - C. accept the Community Services Statistics for May 2010
  - D. accept the Woodburn Planning Commission minutes of May 27, 2010; and
  - E. accept the Building Activity report for May 2010.
- Pugh/McCallum...** adopt the Consent Agenda. The motion passed unanimously.

1:43 **TABLED BUSINESS:**

**COUNCIL BILL 2814 – A RESOLUTION MODIFYING THE BUSINESS ASSISTANCE LOAN PROGRAM GUIDELINES.**

**Pugh/McCallum...** move to remove Council Bill 2814 from the table and remove from the Council agenda. Council discussed the effect of removing the bill from the table. The motion passed unanimously.

1:51 **PUBLIC HEARING – UNITED DISPOSAL RATE ADJUSTMENT**

Mayor Figley declared the hearing open at 8:50 pm for the purpose of hearing public input on the proposed United Disposal rate adjustment. City Administrator Derickson provided a staff report on proposal. Robin Murbach of United Disposal (Allied Waste) provided a report on the proposal to Council. Councilor Lonergan stated that although he is employed by a Washington County division of United Disposal, he has no financial interest in the Marion County division. Therefore, as Council had no objection, he retained his voting status on this issue. Council discussed the proposed rate adjustment and the necessity for it; requesting additional clarification from Ms. Murbach. Councilor Schmidt expressed concern for the impact on residents given the economic downturn and high unemployment rates in Woodburn. Dagmar Kinne of 586 Grant St spoke in support of the adjustment and had a suggestion for an alternative billing method. No one wished to speak in opposition to the rate adjustment. Mayor Figley declared the hearing closed at 9:15 pm.

2:16 **COUNCIL BILL NO. 2833 – A RESOLUTION GRANTING UNITED DISPOSAL SERVICE, INC. AN ADJUSTED RATE SCHEDULE FOR PROVIDING SOLID WASTE SERVICE WITHIN THE CITY OF WOODBURN AND REPEALING RESOLUTION 1833.**

**McCallum** introduced Council Bill No. 2833. Recorder Shearer read the bill by title only since there were no objections from the Council. On roll call vote for final passage, the bill passed 5-1 with Councilor Schmidt voting nay. Mayor Figley declared Council Bill No. 2833 duly passed.

## COUNCIL MEETING MINUTES June 28, 2010

HR:MN

2:17 **ENTERPRISE ZONE – LOCAL INCENTIVES**

Economic & Community Development Director Hendryx provided a staff report recommending local incentives to work with the recently approved Enterprise Zone designation. Council expressed general support for the incentives listed in the staff report and requested that a resolution be brought before them for approval.

2:34 **AUTHORIZATION TO APPLY FOR STATE GRANT FUNDING (ODOT URBAN TRAIL FUND 2010) WYFFELS PARK MILL CREEK TRAIL SEGMENT**

Public Works Director Brown gave a staff report outlining the proposed grant application.

**Cox/Lonergan** ...authorize the City Administrator to apply for an Oregon Department of Transportation (ODOT), Urban Trail Fund Grant. The motion passed unanimously.

2:39 **LAND USE DECISION – PLANNING COMMISSION APPROVAL OF CASES DR 2010-03, EXCP 2010-03, AND PA 2010-01 FOR THE CAPACES LEADERSHIP INSTITUTE**

The Council declined to call this item up for review.

2:40 **LAND USE DECISION – DIRECTOR’S APPROVAL OF A TYPE II DESIGN REVIEW FOR A GARAGE AND STORAGE BUILDING AT 211 PARR ROAD (HOPE LUTHERAN CHURCH)**

The Council declined to call this item up for review.

2:40 **CITY ADMINISTRATOR’S REPORT:**

A. Sign enforcement actions have gathered 130 illegal signs. Other stakeholders have been notified verbally and by letter. An improvement in sign violations has been noted.

2:41 **MAYOR AND COUNCIL REPORTS:**

- Councilor McCallum inquired about signs and business licenses for temporary fireworks businesses. Administrator Derickson stated that vendors are being monitored for compliance.
- Councilor Schmidt reminded Council and Staff about the Kiwanis breakfast on July 4<sup>th</sup>.
- Councilors Pugh and Schmidt had questions regarding mowing frequency for City properties.
- Councilor Cox announced his intention to file for re-election.
- Councilor Morris requested that illegal fireworks and firearms enforcement be stepped up during the holiday.

**COUNCIL MEETING MINUTES**  
**June 28, 2010**

HR:MN

2:55

**ADJOURNMENT:**

**McCallum/Pugh...**meeting be adjourned. The motion passed unanimously.  
The meeting adjourned at 9:55 p.m.

APPROVED \_\_\_\_\_

KATHRYN FIGLEY, MAYOR

ATTEST \_\_\_\_\_

Christina M. Shearer, Recorder  
City of Woodburn, Oregon

DRAFT

**WOODBURN PLANNING COMMISSION MEETING MINUTES**  
**May 25, 2010**

**CONVENED:** The Planning Commission met at City Hall at 6:30pm, and went on a sign tour of Woodburn.

**ROLL CALL:**

<b>Chairperson</b>	<b>Bandelow</b>	<b>Present</b>
<b>Commissioner</b>	<b>Gregorieff</b>	<b>Present</b>
<b>Commissioner</b>	<b>Hutchison</b>	<b>Present</b>
<b>Commissioner</b>	<b>Jennings</b>	<b>Present</b>
<b>Commissioner</b>	<b>Kenagy</b>	<b>Present</b>
<b>Commissioner</b>	<b>Piper</b>	<b>Present</b>

Staff Present                      Jim Hendryx, Director of Economic and Development Services  
    Don Dolenc, Associate Planner  
    Vicki Musser, Recording Secretary

Minutes

The purpose of the sign tour was to review Woodburn signage in person and compare it with the Sign Focus Group's recommended revisions.

After viewing downtown Woodburn, the Interchange Overlay District, the Woodburn Company Stores and various industrial and residential zones, the Planning Commission identified several key topics to discuss further during the Planning Commission Workshop Meeting on May 27<sup>th</sup>. These topics include:

- Signage in the Commercial Office Zone, particularly on Glatt Circle
- Temporary signs
- Sign quality
- Feather signs
- Definition of monument signs

It was pointed out that these sign recommendations are more lenient than the present Ordinance regulations. One key change is the recommendation to allow businesses to remodel or make changes to one sign, without having to change all other signs on the property. That leniency would enable owners to more effectively promote their businesses.

**ADJOURNMENT**

The meeting was adjourned at 730 p.m.

APPROVED Ellen Bandelow June 24, 2010  
Ellen Bandelow, CHAIRPERSON Date

ATTEST James N.P. Hendryx 06/25/2010  
James N.P. Hendryx  
Economic & Development Services Director  
City of Woodburn, Oregon

**WOODBURN PLANNING COMMISSION MEETING MINUTES  
June 10, 2010**

**CONVENED:** The Planning Commission met in a regular session at 7:00 p.m. in the City Hall Council Chambers with Chairperson Bandelow presiding.

**ROLL CALL:**

<b>Chairperson</b>	<b>Bandelow</b>	<b>Present</b>
<b>Commissioner</b>	<b>Gregorieff</b>	<b>Present</b>
<b>Commissioner</b>	<b>Hutchison</b>	<b>Absent (Pre-arranged)</b>
<b>Vice-Chairperson</b>	<b>Jennings</b>	<b>Present</b>
<b>Commissioner</b>	<b>Kenagy</b>	<b>Present</b>
<b>Commissioner</b>	<b>Piper</b>	<b>Present</b>

Staff Present                      Jim Hendryx, Director of Economic and Development Services  
    Don Dolenc, Associate Planner  
    Vicki Musser, Recording Secretary  
    Jon Stewart, Assistant City Attorney

**Minutes**

- A. Woodburn Planning Commission Meeting Minutes of May 27, 2010
- B. Final Order Woodburn Pediatric Clinic DR 2010-02, PP 2010-01

Vice-Chairman Jennings moved to accept the minutes as written, and the motion was carried unanimously.

**Business From The Audience**

There was none.

**Communication**

There was none.

**Public Hearing**

- A. PCUN DR 2010-03, EXCP 2010-03, PLA 2010-01
- B. Final Order Woodburn Pediatric Clinic 2010-02, PP 2010-01

### *Staff Report*

Don Dolenc, Associate Planner, presented a staff report about 356 Young Street. The applicant requested a Design Review for a 3,000 square foot office and multi-use building, an Exception to Street Right-of-Way and Improvement Requirements for Young Street and C Street, and a Consolidation of Lots to combine two existing parcels into one. The property is zoned Commercial General (CG) Gateway Commercial General Overlay District. Chairperson Bandelow asked the other Commissioners wished to abstain or had a conflict of interest. Commissioner Jennings noted that he has had numerous dealings with PCUN, but nothing that would conflict with the application at hand. Approval was recommended on all three cases, subject to conditions listed in the staff report.

### *Applicant Statement*

Larry Kleinman, Secretary-Treasurer for PCUN, told the Planning Commission that the project would be an incubator of community participation, and said that 120 volunteers were working on preparing the site. The proposed office design, called a *passive house*, is the first to be used on a commercial building in the United States. It is an innovative example of building that will draw attention to Woodburn. Young Street is part of an urban renewal zone, and PCUN's expansion would set a good example for other redevelopment projects in Woodburn's urban renewal zones.

Patrick Donaldson, the project's architect, told the Commission that his company specializes in socially sustainable, community driven architecture. He sees this project as both sustainable and exciting, since its intriguing design will attract notice and perhaps draw more people to Woodburn.

There was no opponent testimony.

### *Planning Commission Discussion*

The Commissioners discussed the applicant's proposal. Commissioner Piper asked about parking regulations if the part of the property were to be sold at some future date, and Dolenc told him that the parking regulations went with the land. Selling the property would trigger non-conformance issued that would have to be dealt with.

Other Commissioner remarks were positive. Commissioner Jennings moved to make a Final Order approving the applicant's proposal. Commissioner Grigorieff seconded the motion, and the Commissioners voted unanimously by roll call to approve DR 2010-03, EXCP 2010-03, PLA 2010-01.

Commissioner Kenagy moved to approve the Woodburn Pediatric Clinic Final Order DR 2010-02, PP 2010-01. Commissioner Jennings seconded the motion, and the Commissioners voted by voice to approve the Final Order.

The sign workshop was postponed until Thursday, June 24<sup>th</sup>. Planning staff have gone through the entire sign ordinance, and reflected the changes the Commission approved during the previous workshops. A mailing with these changes will go out next week, and if the Commissioners concur, a public hearing will be set, along with a 45 day notice and Measure 56 notice. The first public hearing should be in September. There may be either 2 or 3 public hearings, and then the results will be sent to City Council, probably sometime in November. If there is no concurrence by the Commission, work on the sign ordinance will continue.

**Business From the Commission**

Commissioner Jennings wanted to know the current code for feather flags on rooftops. Director of Economic and Development Services Jim Hendryx stated that 2 flags are the limit for any property, and that the WDO does not specify where they can be placed.

Chairperson Bandelow asked if a residential front yard can be used as a car lot. A residence on 99E has a front yard filled with cars. Hendryx said he would look into it.

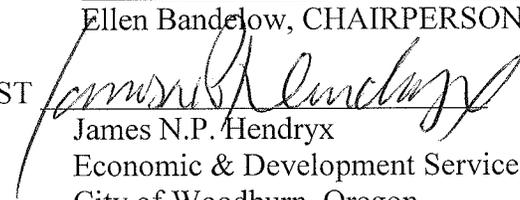
Commissioner Kenagy wanted to know what the individual SDC charges were for the houses that were built behind Wal-Mart, and if the money would be used to build a park there. Hendryx explained that there was no way for the Planning Department to efficiently and accurately figure SDC's, as building permit fees are not calculated by geographic area. Some of the lots behind Wal-Mart are not built yet. System Development Charges (SDC's) are funds collected by the City to help pay for the City's water, sewer, transportation and parks. The money is collected and kept in separate funds, and eventually used for projects in the Capital Improvement Program.

Hendryx will research the topics further, and send the Commissioners information on his findings.

The meeting was adjourned at 7:55 p.m.

**ADJOURNMENT**

Vice-Chairperson Jennings moved to adjourn the meeting. Commissioner Grigorieff seconded the motion, which carried unanimously. The meeting was adjourned at 9:11 pm.

APPROVED		6-24-2010
	Ellen Bandelow, CHAIRPERSON	Date
ATTEST		06/25/2010
	James N.P. Hendryx Economic & Development Services Director City of Woodburn, Oregon	Date

# Woodburn Police Department

## MONTHLY CRIMINAL OFFENSES JANUARY THRU JUNE 2010

CHARGE DESCRIPTION	Total	Jan	Feb	Mar	Apr	May	Jun
AGGRAVATED ASSAULT	8	1	2	2	0	1	2
ANIMAL CRUELTY	1	0	1	0	0	0	0
ANIMAL ORDINANCES	10	0	3	2	0	3	2
ARSON	12	0	2	2	1	6	1
ASSAULT SIMPLE	64	9	12	10	5	15	13
BURGLARY - BUSINESS	27	3	5	8	4	1	6
BURGLARY - OTHER STRUCTURE	18	5	2	3	5	1	2
BURGLARY - RESIDENCE	40	12	7	9	3	5	4
CHILD NEGLECT	4	0	0	2	1	1	0
CRIME DAMAGE-NO VANDALISM OR ARSON	112	33	20	26	12	12	9
CRIMINAL MISTREATMENT	3	0	0	0	2	0	1
CURFEW	3	1	0	0	1	1	0
CUSTODY - DETOX	3	0	1	0	0	0	2
CUSTODY - MENTAL	20	7	3	4	2	1	3
DISORDERLY CONDUCT	28	5	5	2	3	7	6
DRIVING UNDER INFLUENCE	32	2	2	7	5	10	6
DRUG LAW VIOLATIONS	47	4	7	6	13	8	9
DWS/REVOKED - FELONY	1	1	0	0	0	0	0
DWS/REVOKED-MISDEMEANOR	17	2	2	4	1	5	3
ELUDE	7	0	1	2	1	3	0
EMBEZZLEMENT	1	1	0	0	0	0	0
ESCAPE FROM YOUR CUSTODY	1	0	1	0	0	0	0
FAIL TO DISPLAY OPERATORS LICENSE	5	0	0	0	2	1	2
FAILURE TO REGISTER AS SEX OFFENDER	1	0	0	0	0	1	0
FAMILY-OTHER	1	1	0	0	0	0	0
FORCIBLE RAPE	1	0	1	0	0	0	0
FORGERY/COUNTERFEITING	26	5	2	8	5	5	1
FRAUD - BY DECEPTION/FALSE PRETENSES	2	1	0	0	0	1	0
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	18	7	1	2	3	3	2
FRAUD - IMPERSONATION	7	0	1	1	1	3	1
FRAUD - OF SERVICES/FALSE PRETENSES	1	0	0	0	0	1	0
FUGITIVE ARREST FOR ANOTHER AGENCY	82	16	19	11	9	15	12
FURNISHING	5	3	0	0	1	0	1
GARBAGE LITTERING	4	0	0	2	2	0	0
HIT AND RUN FELONY	2	0	0	0	2	0	0
HIT AND RUN-MISDEMEANOR	60	11	9	13	9	11	7
IDENTITY THEFT	11	1	0	3	2	3	2
INTIMIDATION /OTHER CRIMINAL THREAT	28	7	6	3	3	7	2
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	3	0	1	0	1	0	1
LICENSING ORDINANCES	2	0	0	1	0	1	0
MINOR IN POSSESSION	17	3	2	0	6	2	4
MISCELLANEOUS	47	10	4	6	7	13	7
MOTOR VEHICLE THEFT	43	11	7	5	3	6	11
OTHER	25	5	5	5	6	2	2
PROPERTY - FOUND LOST MISLAID	29	9	2	6	2	3	7
RECKLESS DRIVING	8	0	0	2	3	3	0
RESTRAINING ORDER VIOLATION	2	0	0	1	1	0	0
ROBBERY - BUSINESS	3	0	1	1	1	0	0
ROBBERY - HIGHWAY	1	0	0	0	1	0	0
ROBBERY - OTHER	2	1	0	0	0	1	0
RUNAWAY	17	1	2	5	3	2	4
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	3	0	0	1	2	0	0
SEX CRIME - EXPOSER	1	0	0	1	0	0	0
SEX CRIME - FORCIBLE SODOMY	1	0	0	0	0	1	0

# Woodburn Police Department

## MONTHLY CRIMINAL OFFENSES JANUARY THRU JUNE 2010

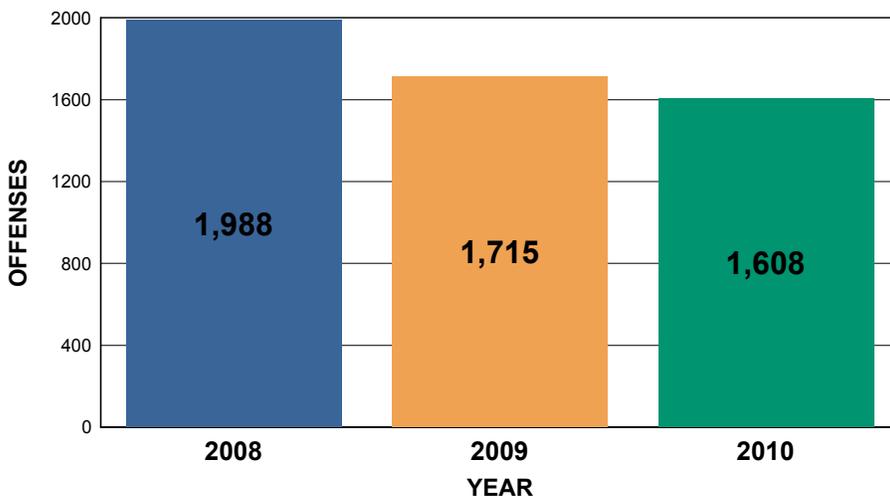
	Total	Jan	Feb	Mar	Apr	May	Jun
SEX CRIME - MOLEST (PHYSICAL)	14	5	6	1	1	1	0
SEX CRIME - NON FORCE SODOMY	1	0	0	0	1	0	0
SEX CRIME - NON-FORCE RAPE	1	0	0	1	0	0	0
SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL	1	0	1	0	0	0	0
STALKER	1	0	0	0	0	0	1
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	3	1	0	0	0	1	1
SUICIDE	3	1	2	0	0	0	0
THEFT - BICYCLE	8	1	1	0	1	2	3
THEFT - BUILDING	18	1	4	6	5	1	1
THEFT - COIN OP MACHINE	1	0	0	0	0	0	1
THEFT - FROM MOTOR VEHICLE	128	46	20	28	15	12	7
THEFT - MOTOR VEHICLE PARTS/ACCESSORIES	20	11	6	1	1	0	1
THEFT - OTHER	58	13	8	12	5	10	10
THEFT - PICKPOCKET	2	1	0	0	0	0	1
THEFT - PURSE SNATCH	2	1	0	0	0	0	1
THEFT - SHOPLIFT	49	7	4	14	8	8	8
TRAFFIC VIOLATIONS	78	11	8	18	11	18	12
TRESPASS	33	5	6	6	5	6	5
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	56	18	7	16	6	2	7
VANDALISM	171	31	17	26	23	47	27
VEHICLE RECOVERD FOR OTHER AGENCY	9	3	0	0	2	1	3
WARRANT ARREST FOR OUR AGENCY	24	0	0	0	7	6	11
WEAPON - CARRY CONCEALED	7	0	2	1	1	2	1
WEAPON - EX FELON IN POSSESSION	1	0	1	0	0	0	0
WEAPON - POSSESS ILLEGAL	2	2	0	0	0	0	0

	Total	Jan	Feb	Mar	Apr	May	Jun
<b>2010 Total</b>	<b>1,608</b>	<b>336</b>	<b>232</b>	<b>296</b>	<b>226</b>	<b>282</b>	<b>236</b>

<b>2009 Total</b>	<b>1,715</b>	<b>276</b>	<b>297</b>	<b>289</b>	<b>309</b>	<b>283</b>	<b>261</b>
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<b>2008 Total</b>	<b>1,988</b>	<b>323</b>	<b>362</b>	<b>299</b>	<b>293</b>	<b>362</b>	<b>349</b>
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### Offenses / Year



# Woodburn Police Department

## MONTHLY ARRESTS BY OFFENSES JANUARY THRU JUNE 2010

CHARGE DESCRIPTION	Total	Jan	Feb	Mar	Apr	May	Jun
AGGRAVATED ASSAULT	5	0	1	1	0	2	1
ANIMAL ORDINANCES	9	0	3	2	0	2	2
ARSON	1	0	1	0	0	0	0
ASSAULT SIMPLE	70	8	19	11	7	12	13
BURGLARY - OTHER STRUCTURE	3	2	0	1	0	0	0
BURGLARY - RESIDENCE	10	2	2	6	0	0	0
CHILD NEGLECT	18	12	0	3	0	3	0
CRIME DAMAGE-NO VANDALISM OR ARSON	9	4	3	0	0	1	1
CRIMINAL MISTREATMENT	2	0	0	0	1	0	1
CURFEW	7	2	0	0	1	4	0
CUSTODY - DETOX	3	0	1	0	0	0	2
CUSTODY - MENTAL	20	7	3	4	2	1	3
DISORDERLY CONDUCT	40	3	12	4	4	8	9
DRIVING UNDER INFLUENCE	32	2	2	7	5	10	6
DRUG LAW VIOLATIONS	61	6	7	8	11	19	10
DRUG PARAPHERNALIA	1	1	0	0	0	0	0
DWS/REVOKED - FELONY	1	1	0	0	0	0	0
DWS/REVOKED-MISDEMEANOR	17	2	2	4	1	5	3
ELUDE	5	0	1	1	1	2	0
ESCAPE FROM YOUR CUSTODY	1	0	1	0	0	0	0
FAIL TO DISPLAY OPERATORS LICENSE	5	0	0	0	2	1	2
FAILURE TO REGISTER AS SEX OFFENDER	1	0	0	0	0	1	0
FAMILY-OTHER	10	10	0	0	0	0	0
FORGERY/COUNTERFEITING	6	1	1	3	0	0	1
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	2	1	0	1	0	0	0
FRAUD - IMPERSONATION	2	0	1	0	0	1	0
FRAUD - OF SERVICES/FALSE PRETENSES	1	0	0	0	0	1	0
FUGITIVE ARREST FOR ANOTHER AGENCY	84	19	18	11	8	16	12
FURNISHING	4	3	0	0	0	0	1
GARBAGE LITTERING	5	0	0	2	3	0	0
HIT AND RUN-MISDEMEANOR	4	1	0	1	2	0	0
IDENTITY THEFT	2	1	0	1	0	0	0
INTIMIDATION /OTHER CRIMINAL THREAT	22	4	7	2	3	3	3
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	2	0	0	0	1	0	1
LICENSING ORDINANCES	1	0	0	1	0	0	0
MINOR IN POSSESSION	25	5	2	0	12	2	4
MOTOR VEHICLE THEFT	2	0	0	0	1	1	0
OTHER	22	5	3	4	7	1	2
PUBLIC HEALTH AND SAFETY ORDINANCES	1	0	0	1	0	0	0
RECKLESS DRIVING	8	0	0	2	3	3	0
RESTRAINING ORDER VIOLATION	3	0	1	1	0	0	1
ROBBERY - BUSINESS	2	0	1	0	1	0	0
ROBBERY - HIGHWAY	1	0	0	0	1	0	0
ROBBERY - OTHER	1	1	0	0	0	0	0
RUNAWAY	3	0	1	1	1	0	0
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	1	0	0	0	1	0	0
SEX CRIME - MOLEST (PHYSICAL)	6	3	2	0	1	0	0
SEX CRIME - NON FORCE SODOMY	1	0	0	0	1	0	0
SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL	1	0	1	0	0	0	0
STALKER	1	0	0	0	0	0	1
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	2	0	0	0	0	1	1
THEFT - BICYCLE	1	0	0	0	0	0	1
THEFT - BUILDING	8	2	2	4	0	0	0
THEFT - FROM MOTOR VEHICLE	7	3	0	0	2	0	2
THEFT - OTHER	10	2	3	3	1	1	0

# Woodburn Police Department

## MONTHLY ARRESTS BY OFFENSES JANUARY THRU JUNE 2010

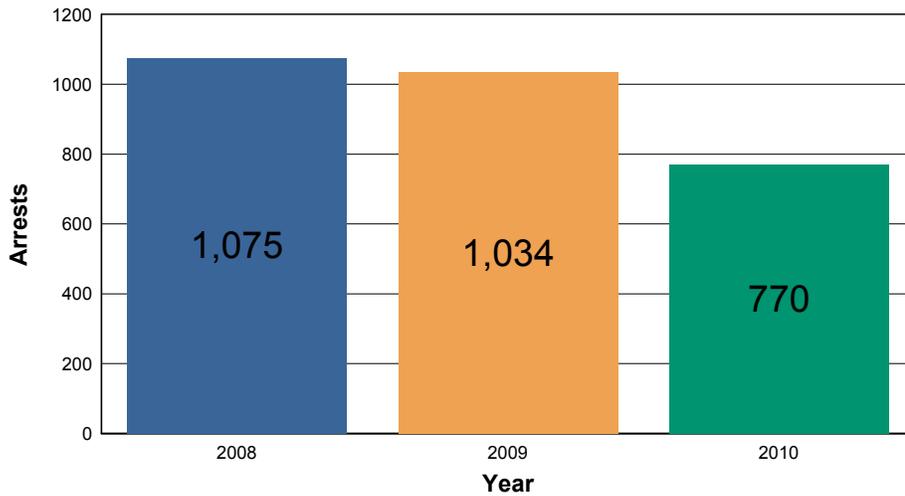
	Total	Jan	Feb	Mar	Apr	May	Jun
THEFT - PURSE SNATCH	1	1	0	0	0	0	0
THEFT - SHOPLIFT	43	10	4	8	5	6	10
TRAFFIC VIOLATIONS	74	10	8	17	8	18	13
TRESPASS	27	3	5	4	5	5	5
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	5	3	0	0	0	0	2
VANDALISM	12	1	5	0	4	0	2
WARRANT ARREST FOR OUR AGENCY	25	0	0	1	6	6	12
WEAPON - CARRY CONCEALED	8	0	2	2	1	2	1
WEAPON - EX FELON IN POSSESSION	1	0	1	0	0	0	0
WEAPON - POSSESS ILLEGAL	2	1	0	0	1	0	0

	Jan	Feb	Mar	Apr	May	Jun	
<b>2010 Total</b>	<b>770</b>	142	126	122	114	138	128

<b>2009 Total</b>	<b>1,034</b>	136	199	169	170	168	192
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<b>2008 Total</b>	<b>1,075</b>	197	207	164	172	185	150
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**Arrests / Year**





# Agenda Item

July 12, 2010

TO: Honorable Mayor and City Council through City Administrator  
FROM: Jim Hendryx, Economic and Development Services Director  
SUBJECT: **Resolution -Enterprise Zone Local Incentives**

## **RECOMMENDATION**

Adopt the attached resolution.

## **BACKGROUND**

A key goal established by the Council is to promote economic development by revisiting the City's economic strategy regarding business attraction, retention and sustainability.

This past March, in recognition of this goal, the Council passed Resolution 1961, initiating an Enterprise Zone application with the State of Oregon's Business Oregon Department on behalf of the City of Woodburn. Woodburn's Enterprise Zone designation became official on July 1, 2010.

The Enterprise Zone Program provides specific tax incentives for qualifying businesses located within designated Enterprise Zones. Local incentives, offered in addition to the State's incentive program, further the attractiveness of such programs. On June 28, 2010, the City Council reached a policy consensus on Enterprise Zone local incentives in Woodburn, complementing the State's Enterprise Zone Program. These incentives will be available to all qualified applicants under the program.

## **DISCUSSION:**

Oregon's Enterprise Zone program was developed in the 1980's to assist economically struggling communities retain and recruit new businesses. Today, there are over 50 Enterprise Zones in Oregon, with Woodburn being one of the newest additions to the program. Local incentives differentiate one program from another and demonstrate local commitment for retaining and/or attracting new businesses. Taken together, the Enterprise Zone and a local

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Agenda Item Review: City Administrator  City Attorney  Finance

incentives package carry out the Council's goal of business attraction, retention and sustainability.

The City Council reached a policy consensus on Enterprise Zone local incentives at its June 28, 2010 meeting. Enterprise Zone local Incentives include:

1. An expedited permit process for Enterprise Zone projects
2. Waiver of 50% of land-use fees for businesses qualifying for the Enterprise Zone
3. A waiver of 100% of land-use fees for businesses qualifying for the Enterprise Zone that also meet the 150% salary and benefit threshold of county median income
4. Waiver of the following fees for qualifying businesses:
  - a. Sign permit fee
  - b. Business license fee
  - c. Pre-application fee
  - d. Expedited review fee
  - e. Water and sewer hook-up fees (up to \$2,000)
  - f. Enterprise Zone application fees

**FINANCIAL IMPACT:**

Exact impacts are dependent upon a several variables, such as the number of businesses qualifying yearly for incentives, the size of the project, the size of water meters, etc. Amounts associated with a significant project (200,000+ sq. ft.) would total approximately \$20,000, while businesses simply installing new machinery would have no discernible financial impact on City revenue.

**COUNCIL BILL NO. 2834**

**RESOLUTION NO. 1974**

**A RESOLUTION DIRECTING THE CITY ADMINISTRATOR TO IMPLEMENT CERTAIN LOCAL INCENTIVES FOR THE WOODBURN ENTERPRISE ZONE CONSISTENT WITH THE POLICY DIRECTION GIVEN BY THE CITY COUNCIL**

**WHEREAS**, the City applied under the Oregon Enterprise Zone Act (ORS 285C.0502 to 285C.250) for designation of an Enterprise Zone within its corporate city limits; and

**WHEREAS**, in its application for an Enterprise Zone the City committed to considering local incentives to qualifying businesses within the proposed Enterprise Zone; and

**WHEREAS**, on July 1, 2010 the State of Oregon approved the City's Enterprise Zone application and designated all property within the corporate city limits of Woodburn as an Enterprise Zone; and

**WHEREAS**, at its meeting on June 28, 2010, the City Council discussed the merits of providing local incentives in addition to the State of Oregon Enterprise Zone incentives and took the position that local incentives are good public policy; **NOW, THEREFORE**,

**THE CITY OF WOODBURN RESOLVES AS FOLLOWS:**

**Section 1.** The City Council finds that the establishment of Enterprise Zone incentives encourages new business investments, job creation, higher incomes for local residents and greater diversity of economic activity.

**Section 2.** The City Council further finds that the availability of local Enterprise Zone incentives will provide employment and facilitate the expansion of facilities.

**Section 3.** The City Administrator shall, through the Economic and Development Services Director, make the following local Enterprise Zone incentives available to all applicants who qualify under the Enterprise Zone criteria, consistent with state law:

1. Expedited permit processing
2. Waiver of 50% of land use fees

3. Waiver of 100% of land use fees for applicants who meet the 150% salary and benefit threshold of county median income
4. Waiver of the following fees:
  - a. Sign permit fees
  - b. Business license fees
  - c. Pre-application fees
  - d. Expedited review fees
  - e. Water and sewer hook-up fees (up to \$2,000)
  - f. Enterprise Zone application fees

Approved as to form: \_\_\_\_\_  
 City Attorney Date

Approved: \_\_\_\_\_  
 Kathryn Figley, Mayor

Passed by the Council \_\_\_\_\_  
 Submitted to the Mayor \_\_\_\_\_  
 Approved by the Mayor \_\_\_\_\_  
 Filed in the Office of the Recorder \_\_\_\_\_

ATTEST: \_\_\_\_\_  
 Christina Shearer, City Recorder  
 City of Woodburn, Oregon



# Agenda Item

July 12, 2010

TO: Honorable Mayor and City Council through City Administrator  
FROM: Dan Brown, Public Works Director  
SUBJECT: **WATER SUPPLY SYSTEM DISINFECTION BRIEFING**

## **RECOMMENDATION:**

That the City Council be provided a briefing on the Water Supply System Disinfection public improvement project. The Public Works Department has identified a preferred method of disinfection and is ready to purchase equipment, complete design, prepare contract documents, and to conduct public outreach. Upon receipt of the briefing, Council provides staff approval, approval with modifications, or disapproval of the preliminary design findings and recommendations regarding pursuit of this public improvement project.

## **BACKGROUND:**

The Council approved by Resolution 1953 on December 14, 2009, providing authorization for the Public Works Department to expend funds for primary and secondary disinfection of the water supply system in accordance with best practices and federal and state regulatory guidelines. Council directed the Public Works Department to provide them a briefing when the technical analysis was completed and a methodology for providing the disinfection had been determined.

## **DISCUSSION:**

The City of Woodburn has acquired the professional services of the firm Murray, Smith, and Associates to design the water supply disinfection system. The firm Confluence Engineering Group, LLC, is the sub-consultant providing biological, bacterial, and chemical analysis of the existing water supply system. The testing and analysis of the existing water system has taken more time than originally estimated and the disinfection installation project is approximately one month behind the original schedule.

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Agenda Item Review: City Administrator  City Attorney  Finance

A bench-testing program was developed to allow for the assessment of various disinfection processes in City water sources. The program involved the use of simulated distribution system tests under batch conditions to represent chemical reactions that may occur as water ages and travels through the distribution system. In addition to source testing, the program was coupled with high-velocity flushing activities at select system sites to collect distribution system flush water (DSFW) samples that were tested to assess the impact of chloramine reactions with pipe surfaces, biofilm, etc. These interactions typically lead to worst-case demand conditions and thus have a major impact on design criteria for chlorine dosing and equipment sizing.

The analysis completed included chloramine/breakpoint bench-testing program and initial system monitoring effort collectively provide critical information for disinfection design and implementation. The key findings from these tasks have been distilled into the following conclusions and recommendations.

#### ***Chloramine Dose and Residual***

- For monochloramine production, chlorine should be injected and completely mixed immediately after the filters in the common filtrate header. A more detailed analysis of post chlorine dosing residence time in the filtrate piping and existing sample line should be performed to confirm sufficient reaction time is available prior to sample collection and on-line analyzers.
- The City should be aware of potential issues associated with reaction kinetic limitations if long-term operation in a breakpoint free chlorination mode is desired.
- The target operating chlorine dose is dependent on the extent of chloramine demand/decay. Based on bench-testing results, design doses of 3.5 mg/L and 7.5 mg/L should be used for chloramine and breakpoint free chlorine applications, respectively. Based on a 5:1 ratio, a design chlorine dose of 3.5 mg/L requires 0.7 mg/L of ammonia-nitrogen. The 7.5 mg/L dose for breakpoint free chlorination is based on a typical upper-limit ammonia-nitrogen level of 0.5 mg/L in the well supplies.
- Based on limited available data, the typical ammonia-nitrogen concentration in the well supplies is 0.4-0.5 mg/L. The City should continue to monitor ammonia concentration in each well to establish baseline conditions. The chlorine dose will be limited to five times the ammonia

level; therefore, the levels of naturally-occurring ammonia may constrain the maximum chlorine dose and chloramine residual. Supplemental ammonia addition may be required if distribution system monitoring indicates the need for sustained operation at higher chlorine doses, which could occur if excessive chloramine demand/decay occurs. Provisions for supplemental ammonia addition should be considered early in design, e.g., space allocation, possible dosing locations.

- A minimum monochloramine residual of 1.5 mg/L as Cl<sub>2</sub> should be targeted in the distribution system, at least initially. This residual is consistent with reported levels for effective midge larvae control. It is also a fairly typical lower-level maintained by utilities that use chloramination for secondary disinfection. Depending on monitored system response, revised and/or seasonal residual targets can be developed in the future.
- Organic nitrogen may be present in the water supplies; however, organochloramine formation was not observed.
- Chloramine demand/decay is exerted over time by constituents in the bulk water as well as through pipe wall effects. The latter is significant under current system conditions, likely due to existence of biofilm and deposited material. Consequences of chloramine demand/decay include: higher chlorine doses (higher costs); higher ammonia levels (and possible need for supplemental ammonia system); higher potential for chlorine-related taste-and-odor issues; potentially higher disinfection by-product (DBP) formation; and higher levels of free ammonia release (increased nitrification potential and nitrite-catalyzed decay).

### *Process Control*

- The City water supplies are “well-behaved” with regard to breakpoint profile development, i.e., chlorine responses as a function of Cl<sub>2</sub>:NH<sub>3</sub>-N are internally consistent between the wells and closely match theoretical predictions. Maximum monochloramine formation occurs at a Cl<sub>2</sub>:NH<sub>3</sub>-N mass ratio of 5:1, while breakpoint occurs at a ratio of about 10:1. The breakpoint profiles contain critical information for process operation, monitoring, control, and troubleshooting.
- Monitoring of total chlorine, total ammonia, and free ammonia will be needed for accurate process control. Select HACH bench-top spectrophotometric methods were demonstrated to be reliable for these

parameters. The City will need to procure additional instruments/analyzers for these methods.

- Two key objectives of chloramine formation and nitrification control are to maximize the yield as monochloramine and minimize free ammonia residual. These are achieved by maintaining Cl<sub>2</sub>:NH<sub>3</sub>-N ratio of 4.5-5:1 and a pH above 7.5. Tight control of the Cl<sub>2</sub>:NH<sub>3</sub>-N ratio is particularly critical. Lower ratios result in free ammonia directly entering the system, which can stimulate nitrifying bacteria. Ratios above 5:1 result in depletion of chlorine residual, chemical overuse, and formation of taste and odor-causing di- and tri-chloramine compounds.

#### ***Nitrification/Biofilm/Midge Fly Larvae Control***

- The City's distribution system is already colonized with AOB/NOB bacteria and is currently nitrified. To suppress these bacteria and help stabilize chloramine residual, it may be necessary to practice a period of free chlorination (i.e., chlorine "burn") at disinfection startup, and occasionally in the future as needed. This is a fairly common practice employed by chloraminating utilities. The need to perform free chlorine burns should be considered when selecting the method of chlorine supply and when sizing the equipment.
- The existing nitrified condition of the system and observations of significant chloramine demand/ decay during bench-testing suggest that ammonia release and nitrite-catalyzed chloramine decay could accelerate the loss of residual beyond conditions demonstrated in bench-testing. Stabilization of the monochloramine residual is a critical measure to help protect against this condition.
- An aggressive system-wide cleaning program should be implemented prior to disinfection start-up to remove demand-exerting substances from the distribution system. This may also help to "unprotect" midge larvae and nitrifying bacteria, allowing them to be more readily inactivated by chloramines. The cleaning program should employ high-velocity unidirectional flushing and reservoir cleaning.
- Repeat flushing should be performed after a period of disinfection application to help remove deposits, biofilm, and associated bacteria and larvae that may have been destabilized by chloramine.

- Unidirectional flushing and other system cleaning practices should be applied as needed in the future to help ensure chloramine effectiveness and residual stability.
- The implementation of a Nitrification Control and Response Plan and associated routine monitoring will be key elements of a successful disinfection program.

An addendum to the Consultant's scope of work was issued for an evaluation of methods and costs estimates for the addition of supplemental ammonia to the treatment process. Initial analysis indicates that the presence of naturally occurring ammonia in the City's water supply will be sufficient to support the formation of chloramines. However, we do not know the source or historical consistency of the naturally occurring ammonia in the water supply. This uncertainty required us to identify how and how much it would cost to add ammonia to the water treatment process in the event that the naturally occurring ammonia is not sufficient to sustain the required formation of chloramines needed for disinfection.

As a result of the supplemental ammonia study, it is recommended that on site production of required supplemental ammonia be accomplished by dissolving ammonium sulfate salt. This process does not involve the handling of a hazardous material and would not require major modification of the existing water treatment plants. Due to the high cost of providing the supplemental ammonia, it is also recommended that the installation of this system be deferred until such time as it is determined that the naturally occurring ammonia levels are not sufficient to support the needed level of chloramine formation for proper disinfection.

Should Council approve of preferred method of disinfection recommended, the Public Works Department will present to Council at the July 26, 2010 a contract award for City provided chlorine generation and injection equipment for the water treatment plants.

**FINANCIAL IMPACT:**

The project is currently within the allocated budget limitations. Current revised estimate for complete project, including amendments for additional analysis, is just over \$1,000,000.00. Project expenditures are being made from Fund 466.



# Agenda Item

July 12, 2010

TO: Mayor and City Council through City Administrator  
FROM: Ignacio Palacios, Finance Director  
SUBJECT: **Gervais Network Support Agreement**

## **RECOMMENDATION:**

Authorize the City Administrator to execute an Intergovernmental Agreement with the City of Gervais to provide computer and network support.

## **BACKGROUND:**

The City of Gervais approached the City requesting a proposal for network support services. Currently, the City provides network support to several local governments and districts in the area providing network support, equipment and software installation.

The proposal is to provide network support services at a set hourly rate with all equipment, software and peripherals to be provided by the City of Gervais and is consistent with other support agreements already in place with other jurisdictions. The proposed support will take approximately 5 hours per month to provide adequate coverage to be covered by Information Services.

## **FINANCIAL IMPACT:**

The agreement would supplement the IS department's revenue by approximately \$2,000 annually.

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

# **Agreement**

## **Computer and Network Support**

This Agreement is made to engage the services of City of Woodburn (“Woodburn”) to provide Computer and Network Support to City of Gervais (“Gervais”); and is made under the authority of ORS 190.003 to 190.110.

In consideration of mutual benefits and obligations herein set forth, the parties agree as follows:

### **1. Scope of Services**

- 1.1. Woodburn shall provide support for and maintenance of desktop computers, printers, servers, and any other computer related equipment for Gervais. All ownership rights to said equipment shall remain with Gervais.
- 1.2. Woodburn will help setup and/or relocate any computer related equipment. Network drop locations, power receptacle locations, and furniture relocation will be the responsibility of Gervais.
- 1.3. Woodburn will work with hardware and software vendor support to resolve issues. If items need to be returned to the vendor for support Gervais will take care of and pay for any shipping and handling charges.
- 1.4. Woodburn will not provide any physical hardware but will help make hardware choice recommendations and work with Gervais to order any necessary hardware.
- 1.5. Woodburn will work with Gervais to backup and maintain Gervais’s data.
- 1.6. Support will be provided during normal business hours, 8am – 5pm Monday through Friday. After-hours support will be available Monday through Friday but will be limited to 2 calls per month and lasting no more than 2 hours each. If additional after-hours or weekend support is needed, it will be available on a mutually agreed upon time frame.

### **2. Limitations of Services**

- 2.1 Woodburn shall, at its sole discretion, select which personnel will provide services under this Agreement.

- 2.2 Woodburn shall be the sole employer of any and all personnel providing services under this Agreement. Woodburn reserves the right to prioritize the workload of its personnel.

### **3. Fees and Charges**

- 3.1. Services rendered will be charged at \$50 per hour (regular hourly rate) and be based on quarter-hour increments.
- 3.2. After-hours and weekend support services under this Agreement shall be billed at a rate of one and one-half (1.5) times the regular hourly rate.
- 3.3. Time spent traveling will be added to the hourly rate billed, but there will be no additional travel costs billed.
- 3.4. Since Woodburn will not be providing any hardware, all hardware costs will be the responsibility of Gervais.

### **4. Billing and Payment**

- 4.1. The hourly charges shall be billed quarterly.

### **5. Security**

- 5.1. Woodburn will use the existing encrypted VPN connection to remotely access Gervais's computers and help troubleshoot and resolve issues.
- 5.2. Woodburn will not release any of Gervais's information unless directed to do so by Gervais.

### **6. Standard of Care/Limitation of Liability**

- 6.1. Woodburn assumes no liability for the accuracy of any data on Gervais's network.
- 6.2. Woodburn agrees that all service under this Agreement will be performed in a professional manner with the degree of care and skill ordinarily exercised under similar circumstances by professionals practicing in the State of Oregon.
- 6.3. Gervais understands and agrees that Woodburn shall not be liable to Gervais for any damage that may occur while Gervais's computer system is being serviced by Woodburn, including liability for indirect, special, exemplary or consequential

damages.

## **7. Terms and Termination**

- 7.1. This Agreement shall be effective upon execution hereof on behalf of both parties, and shall continue until terminated as provided in 7.2.
- 7.2. This Agreement may be terminated by either party upon (30) days written notice.
- 7.3. Notwithstanding the giving of notice of termination as provided in 7.2, Gervais shall remain obligated with respect to any unfulfilled financial obligation which accrued hereunder prior to the effective date of such termination.

## **8. Communication and Notice**

- 8.1. Any notice in writing required to be given hereunder shall be sufficient if sent by regular mail or personally delivered to City Administrator of Woodburn and to the City Manager of Gervais.
- 8.2. Each party shall designate, and may change from time to time, a representative for communication, negotiations, and general liaison with the other concerning the content, future and administration of this Agreement.

## **9. Amendments**

- 9.1. This Agreement represents the complete and integrated agreement between the parties with respect to the subject matter hereof, and may be amended only by written amendment executed by both parties. As such, this Agreement cancels and supersedes all prior written and oral agreements, representations, negotiations, and communications between the parties and their representatives with respect to the subject matter hereof.

IN WITNESS WHEREOF the parties have caused the Agreement to be executed on behalf by their duly authorized representatives as of the dates set forth below.

**City of Woodburn**

**City of Gervais**

By: \_\_\_\_\_  
Scott C. Derickson, City Administrator

By: \_\_\_\_\_  
Gervais City Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_