

Hispanic Heritage Month September 15th - October 15th

WHEREAS, people who identify themselves as Hispanic, Latino, Chicano or Indigenous from Mexico, South and Central America have contributed to Woodburn's history and successes since the 1880's, and

WHEREAS, Woodburn honors their rich and diverse cultural heritage and historical legacies, and

WHEREAS, Woodburn's Hispanic community now constitutes sixty percent of our population, including leaders, policy makers, educators, students, health care professionals, military, public safety, the trades, business leaders and entrepreneurs, actively involved in our community and in mentoring our next generation; and

WHEREAS, the Governor has proclaimed the month of September 15 through October 15 to be Hispanic Heritage Month, and Oregon proudly joins the nation in celebrating the rich culture and history of Hispanic heritage in Oregon. The State of Oregon and the City of Woodburn dedicate ourselves to working together to address the challenges that still face Hispanic Oregonians in equity and access to the prosperity of Oregon.

NOW, THEREFORE, I, Kathryn Figley, Mayor of the City of Woodburn, hereby proclaim September 15 through October 15, 2014 to be "HISPANIC HERITAGE MONTH" in the City of Woodburn, and encourage all to join in this observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Woodburn to be affixed.

Kathryn Figley, Mayor
City of Woodburn



**COUNCIL MEETING MINUTES
AUGUST 11, 2014**

0:00 **DATE COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, AUGUST 11, 2014**

CONVENED The meeting convened at 7:08 p.m. with Mayor Figley presiding.

ROLL CALL

Mayor Figley	Present
Councilor Cox	Present
Councilor Lonergan	Present
Councilor McCallum	Present
Councilor Morris	Present
Councilor Ellsworth	Present
Councilor Alonso Leon	Present

Staff Present: City Administrator Derickson, City Attorney Shields, Economic and Development Director Hendryx, Public Works Director Scott, Police Chief Russell, Finance Director Head, Community Services Director Row, Human Resources Director Hereford, Urban Renewal Manager Stowers, City Recorder Pierson

0:00 **ANNOUNCEMENTS**

- A. The City Council meeting scheduled for August 25, 2014 has been cancelled. The next Council meeting will take place September 8, 2014.
- B. City Hall, the Library and transit service will be closed September 1, 2014 in observance of Labor Day. The Aquatic Center will be open normal hours.

0:01 **PRESENTATIONS**

William Orr, Co-Director of Paleontological Collections with the University of Oregon's Museum of Natural and Cultural History provided information on the types of prehistoric animal bones that have been found in Woodburn.

0:27 **CONSENT AGENDA**

- A. Woodburn City Council minutes of July 28, 2014
McCallum/Cox... adopt the Consent Agenda. The motion passed unanimously.

0:28 **COUNCIL BILL NO. 2966 - A RESOLUTION WAIVING ORDINANCE 2312 (THE NOISE ORDINANCE) TO ALLOW NIGHTTIME CONSTRUCTION ACTIVITY ASSOCIATED WITH THE PACIFIC HIGHWAY 99E AND YOUNG STREET INTERSECTION IMPROVEMENT PROJECT**

McCallum introduced Council Bill No. 2966. Recorder Pierson read the bill by title only since there were no objections from the Council. On roll call vote for final passage, the bill passed unanimously. Mayor Figley declared Council Bill No. 2966 duly passed.

**COUNCIL MEETING MINUTES
AUGUST 11, 2014**

0:32 **MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY AND THE UNIVERSITY OF OREGON BY AND THROUGH THE CONDON COLLECTION**

Cox/Lonergan... enter into a Memorandum of Understanding (MOU) with the University of Oregon by and through the Condon Collection of the Museum of Natural and Cultural History related to the care and management of City owned Paleo-Archaeological artifacts. The motion passed unanimously.

0:33 **CITY ADMINISTRATOR'S REPORT**

City Administrator Derickson thanked the Community Services and Public Works Departments for their work on the Fiesta Mexicana and thanked the Police Department for the work they did over the weekend.

MAYOR AND COUNCIL REPORTS

Councilor Alonso Leon thanked city employees for all the work they did for the Fiesta. Councilor Lonergan mentioned that Woodburn was named the 6th best city in Oregon and thanked the Police Department for letting him ride around with Captain Garrett on National Night Out.

Councilor McCallum stated that the Fiesta and the National Night Out were a lot of fun and reminded people that school is starting soon and to look out for kids.

Mayor Figley thanked all the departments who helped with the Fiesta and congratulated the Chamber on a successful event.

Councilor Ellsworth congratulated Chief Iverson on his Grand Champion win at the Fire House Cook-Off.

Councilor Cox was pleased to announce that no children were hurt from the candy being thrown from the fire truck during the Fiesta parade.

0:37 **ADJOURNMENT**

McCallum/Lonergan... meeting be adjourned. The motion passed unanimously. The meeting adjourned at 7:45 p.m.

APPROVED _____
KATHRYN FIGLEY, MAYOR

ATTEST _____
Heather Pierson, City Recorder
City of Woodburn, Oregon

City of Woodburn
Recreation and Park Board Minutes
August 12, 2014 • 5:30 p.m.



1. **CALL TO ORDER**
The meeting was called to order at 5:30 p.m.

2. **ROLL CALL**

Position I	Ricardo Rodriguez, Member (12/14)	Present
Position II	Sofie Velasquez (12/14)	Absent
Position III	Joseph Nicoletti, Board Secretary (12/17)	Present
Position IV	Rosetta Wangerin, Board Chair (12/17)	Absent
Position V	Chris Lassen, Member (12/17)	Present
Position VI	Ardis Knauf (12/16)	Present
Position VII	Gevin Gregory (12/16)	Present

3. **APPROVAL OF MINUTES**
The minutes from the May 13, 2014 meeting were unanimously approved (Gregory/ Lassen)

4. **BUSINESS FROM THE AUDIENCE**
None

5. **NEW BUSINESS**

Aquatics Supervisor Recruitment

Jim and Kristin discussed the recruitment process for the Aquatics Supervisor position. The application period closes on August 15, and so far, the pool looks strong.

Park Tour Discussion

Members discussed the annual Park Tour, which took place on June 10. Jim compiled the comments submitted by Board members and reviewed it with the group.

September Meeting

Jim informed the Board that he and Kristin would be at the annual Oregon Recreation & Park Association conference on September 9, which is the regularly scheduled date for the next Park Board meeting. The group decided to meet on September 16, instead.

Facility Use Agreement

Jim informed the Board that the City and the Woodburn School District have negotiated an update Joint Facility Use Agreement. The last one was

executed in 2003 and was due for an update. The Agreement will go to the City Council for their approval on September 22.

6. OLD BUSINESS

Legion Park Rehabilitation Project

Jim provided an update on the status of the Legion Park project. The project was re-bid in early July, due to an error with the low bid from the first round. The City Council awarded a construction contract with Nomarco, Inc, on July 28, and construction is expected to begin any day.

7. DIVISION REPORTS FROM DEPARTMENT

a. AQUATICS

Financial Update

- Last FY still being finalized. Will provide report on that in Sept.
- July
 - Revenue up 13% from last year (\$4,020)
 - Expenses were down 30% from LY \$22,816 (\$10,000), however, not final.

Program Update

- We had a lifeguard program audit mid July which we passed with flying colors.
- New Locker Rental Program is working out pretty well. Some complaints about policy, but it has been welcomed by most customers.
- Lifeguard Class – 3 students in class last weekend and all 3 passed the course.
- Customer Service Survey – New and offered at the front desk – Most customers have given a 4 or 5 on a 1 to 5 scale on satisfaction. Most common comments are in regards to the cleanliness of the locker rooms (would like them to be cleaner) and about the lifeguards (both positive and negative comments)
- Lifeguard Games – we placed 4th at the competition

Marketing Update

- Transit pass promotion – 72 passes have been redeemed so far. They are valid until the end of August
- Working on fall promotions
 - Swim lesson coupon to be published
 - Working with local schools to promote the Aquatic Center.

b. RECREATION

Staff – Recreation Coordinator

- Kyle Buse
- Full time position

Youth Sports

- Tennis lessons – 24 last year, 24 this year
- Tennis camp – 12 last year, 13 this year
- Kidz Love Soccer – 22 last year, 12 this year
- Soccer (fall league) – currently taking sign up's for fall league & recruiting coaches

Active Adult Trips

- Active adult trips winter & spring - 87 last year, 114 this year
- One more summer trip to Stickman Brewery & Skewery this Thursday

Events

- GREAT Camp – 22 last year, 14 this year
- Kiwanis Safety Camp – 29 last year, 13 this year
- Leaders in Training – new program to teach middle school aged kids about leadership and prepare them to be camp counselors in the future at Summer Day Camp -> did not get enough sign up's
- Summer Day Camp & After School Club – ran by school district this year
- Summer Kick Off Party June 20th – Had roughly 75 – 80 in attendance. Partnered with BGC to offer science experience, YAB students for crafts and Schwan's for free ice cream
- 4th of July event – a success with a couple vendors, local Salem band, festive crafts with YAB students, etc.
- Kids in the Kitchen – 9 students this summer
- Woodburn Summer Nights – concerts had great attendance (Abby Road most popular concert) & last Friday movie night had 75 in attendance
- Salsa Canning class canceled due to low sign up's
- Babysitting class new & a success – 12 in 2 classes
- Amazing Race – 35 last year, 28 this year
- End of summer party – this Thursday, Aug. 14, at library from 1-4pm
- 125th Anniversary Celebration – Sept. 7 at 4pm
- Farmer's Market - coming soon in 2015

Youth Advisory Board

- YAB kids are looking to improve their organization with more opportunities for leadership growth (i.e. interview skills, mentoring, etc.)
- Talked about mission, vision & goals last meeting with the idea that the youth will lead and steer the program based off those ideas
- Revamping application and commitment forms for 14-15 school year
- Trying to recruit one member to serve on Park Board

Adult Sports

- Co-Ed adult kickball league – did not get enough sign up's to run this league
- Tennis tournament – 12 last year, 12 this year

Museum

- Will be applying for an assessment grant in October to access the building and collections
- Will be opening on Sundays as well come October from 11am-3pm
- Recruiting volunteers to help with tours, collection management and advisory committee

c. PARKS & FACILITIES

Jim discussed the archeological dig that took place at Legion Park from July 21-25. Archaeologist Alison Stenger partnered with David Ellingson, a teacher from Woodburn High School, to manage the dig. A similar dig is taking place at the High School this week.

8. FUTURE BOARD BUSINESS

None.

9. BOARD COMMENTS

Chris is excited for all of the summer programs, with his granddaughter in Summer Day Camp. Joseph is looking forward to watching the changes at Centennial Park. Rosetta mentioned the importance of the Board taking part in the interview process for the Recreation Services Manager position.

10. ADJOURNMENT

The meeting was adjourned at 6:25 p.m.



Agenda Item

September 8, 2014

TO: Honorable Mayor and City Council through City Administrator
THRU: Scott Russell, Chief of Police
FROM: Jason R. Alexander, Captain
SUBJECT: **Liquor License Off-Premises Sales, New Outlet**

RECOMMENDATION:

The Woodburn City Council recommends that the OLCC approve the New Outlet for an Off-Premises Liquor Sales License for Tienda Guatemala.

BACKGROUND:

Applicant: Aurelio Velasquez Jimenez
568 Ogle St
Woodburn, Oregon 97071
503-890-1524

Applicant: Carmela Ahilon Mendozaz
568 Ogle St
Woodburn, Oregon 97071
503-890-1524

Business: Tienda Guatemala
595 N Pacific Hwy bldg A Suite 110
Woodburn, OR 97071
503-902-0906

Owners: Same as Applicant (Above)

Agenda Item Review: City Administrator City Attorney Finance

License Type: **New Outlet** for an **Off-Premise Liquor License**, which permits beer, wine, and cider sales for off-premise consumption only.

On August 5, 2014, the Woodburn Police Department received an application, requesting approval for a New Outlet for an Off-Premises liquor license for Tienda Guatemala. A convenient store, that will sell grocery food items as well as alcohol for off premise consumption.

Tienda Guatemala will be open Sunday from 8:00am to 9:00pm and Monday through Saturday 10:00am to 9:00pm. There will be no recorded music, DJ music, karaoke, or video lottery games. The Police Department has received no communication from the public or surrounding businesses in support of or against the new outlet.

DISCUSSION:

The Police Department has completed a background investigation, in connection with the OLCC, on the applicant and found nothing of a questionable nature, which would preclude the issuance of this license, or granting the New Outlet.

FINANCIAL IMPACT:

None

CITY OF WOODBURN
Economic and Development Services Department

MEMORANDUM

270 Montgomery Street

Woodburn, Oregon 97071

(503) 982-5246

Date: August 30, 2014
To: Jim Hendryx, Economic and Development Services Director
From: Building Division
Subject: **Building Activity for August 2014**

	2012		2013		2014	
	No.	Dollar Amount	No.	Dollar Amount	No.	Dollar Amount
Single-Family Residential	3	\$476,193	3	\$502,226	8	\$2,463,152
Multi-Family Residential	0	\$0	0	\$0	1	\$8,000
Assisted Living Facilities	0	\$0	0	\$0	0	\$0
Residential Adds & Alts	2	\$18,276	3	\$26,315	5	\$45,508
Industrial	0	\$0	2	\$187,669	5	\$902,027
Commercial	43	\$3,675,274	13	\$144,382	12	\$2,828,412
Signs and Fences	1	\$32,730	1	\$14,600	1	\$8,000
Manufactured Homes	0	\$0	1	\$25,000	0	\$0
TOTALS	49	\$4,202,473	23	\$900,192	32	\$6,252,099
Fiscal Year to Date (July 1 – June 30)		\$8,146,654		\$2,622,531		\$7,985,726

Woodburn Police Department

MONTHLY ARRESTS BY OFFENSES JANUARY THRU DECEMBER 2014

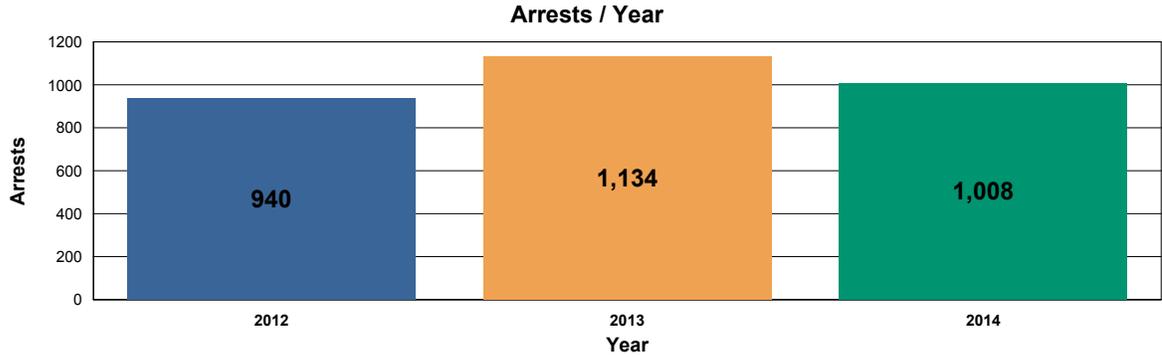
CHARGE DESCRIPTION	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
AGGRAVATED ASSAULT	1	1	1	1	1	8	3	16
ANIMAL CRUELTY	0	1	0	0	0	0	0	1
ANIMAL ORDINANCES	1	0	2	5	2	0	1	11
ASSAULT SIMPLE	3	8	8	5	13	15	8	60
ATTEMPTED MURDER	0	0	0	0	0	1	1	2
BURGLARY - BUSINESS	0	0	0	0	1	0	0	1
BURGLARY - OTHER STRUCTURE	0	2	0	0	1	0	1	4
BURGLARY - RESIDENCE	0	2	0	1	0	1	3	7
CHILD NEGLECT	0	0	1	0	1	0	0	2
CITY ORDINANCE	0	0	0	1	0	0	0	1
CRIME DAMAGE-NO VANDALISM OR ARSON	1	0	1	0	1	2	3	8
CURFEW	1	4	0	0	0	2	0	7
CUSTODY - DETOX	1	0	1	0	0	1	2	5
CUSTODY - MENTAL	5	0	2	3	4	3	6	23
DISORDERLY CONDUCT	6	4	5	4	7	14	5	45
DRIVING UNDER INFLUENCE	7	3	11	8	6	20	15	70
DRUG LAW VIOLATIONS	21	9	8	18	14	14	8	92
DWS/REVOKED - FELONY	1	0	0	0	0	0	1	2
DWS/REVOKED-MISDEMEANOR	4	1	2	1	4	4	3	19
ELUDE	2	0	0	0	0	1	1	4
EMBEZZLEMENT	0	0	0	1	0	0	0	1
FAIL TO DISPLAY OPERATORS LICENSE	0	0	2	1	1	0	0	4
FAILURE TO REGISTER AS SEX OFFENDER	0	1	0	0	0	0	0	1
FAMILY-OTHER	1	0	0	0	0	0	0	1
FORCIBLE RAPE	1	1	0	0	1	0	0	3
FORGERY/COUNTERFEITING	2	1	4	0	1	0	8	16
FRAUD - BY DECEPTION/FALSE PRETENSES	0	0	0	1	0	0	0	1
FRAUD - IMPERSONATION	1	0	0	0	0	0	0	1
FRAUD - OF SERVICES/FALSE PRETENSES	0	0	1	0	0	0	0	1
FRAUD-OTHER	0	2	0	0	0	0	0	2
FUGITIVE ARREST FOR ANOTHER AGENCY	23	22	32	32	28	20	39	196
FURNISHING	0	0	0	0	0	2	0	2
GARBAGE LITTERING	1	0	0	1	0	1	0	3
HIT AND RUN FELONY	0	1	0	0	0	0	0	1
HIT AND RUN-MISDEMEANOR	2	1	2	4	0	0	0	9
IDENTITY THEFT	1	0	1	0	1	0	1	4
INTIMIDATION /OTHER CRIMINAL THREAT	2	1	1	8	2	2	9	25
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	0	0	0	0	0	0	1	1
MINOR IN POSSESSION	9	16	0	2	1	5	6	39
MOTOR VEHICLE THEFT	1	3	0	0	0	3	0	7
OTHER	4	6	2	3	6	6	7	34
PROPERTY RECOVER FOR OTHER AGENCY	0	0	0	0	1	5	0	6
RECKLESS DRIVING	2	1	2	1	0	1	0	7
RECKLESSLY ENDANGERING	2	2	2	2	0	1	3	12
RESTRAINING ORDER VIOLATION	0	1	2	1	0	1	0	5
ROBBERY - BANK	0	0	1	0	0	0	0	1
ROBBERY - BUSINESS	0	0	0	0	0	1	1	2
ROBBERY - OTHER	2	0	0	1	0	0	1	4
RUNAWAY	1	1	1	0	1	0	0	4
SEX CRIME - EXPOSER	0	0	1	0	0	0	2	3
SEX CRIME - INCEST	0	1	0	0	0	0	0	1
SEX CRIME - MOLEST (PHYSICAL)	0	0	0	0	1	0	0	1
SEX CRIME - NON FORCE SODOMY	0	0	0	0	0	1	0	1
SEX CRIME - NON-FORCE RAPE	0	0	0	0	0	2	0	2

Woodburn Police Department

MONTHLY ARRESTS BY OFFENSES JANUARY THRU DECEMBER 2014

	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
STALKER	3	2	0	0	0	0	0	5
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	0	4	0	2	0	0	0	6
SUICIDE	0	0	0	0	0	0	1	1
THEFT - BICYCLE	1	0	0	1	0	0	0	2
THEFT - BUILDING	2	0	0	1	1	0	1	5
THEFT - OTHER	4	2	0	2	4	3	2	17
THEFT - SHOPLIFT	10	6	7	5	13	9	9	59
TRAFFIC VIOLATIONS	3	1	16	9	12	7	20	68
TRESPASS	3	0	2	1	11	8	2	27
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	0	4	0	0	2	2	0	8
VANDALISM	0	0	4	0	2	2	3	11
WARRANT ARREST FOR OUR AGENCY	2	0	0	0	0	0	0	2
WEAPON - CARRY CONCEALED	0	3	1	0	0	0	1	5
WEAPON - EX FELON IN POSSESSION	2	1	0	0	1	1	0	5
WEAPON - OTHER	0	0	0	0	0	1	0	1
WEAPON - POSSESS ILLEGAL	0	1	1	0	1	1	1	5

	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
2014 Total	139	120	127	126	146	171	179	1,008
2013 Total	188	165	135	96	217	224	109	1134
2012 Total	165	158	95	117	141	124	140	940



Woodburn Police Department

MONTHLY CRIMINAL OFFENSES JANUARY THRU DECEMBER 2014

CHARGE DESCRIPTION	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
AGGRAVATED ASSAULT	1	1	1	1	1	6	2	13
ANIMAL ORDINANCES	1	0	2	5	2	1	3	14
ARSON	0	1	0	0	0	0	3	4
ASSAULT SIMPLE	3	10	8	7	15	13	13	69
ATTEMPTED MURDER	0	0	0	2	0	2	1	5
BURGLARY - BUSINESS	1	7	4	3	3	3	4	25
BURGLARY - OTHER STRUCTURE	8	8	4	4	3	4	2	33
BURGLARY - RESIDENCE	4	7	5	4	1	4	4	29
CHILD NEGLECT	0	1	0	1	1	0	1	4
CITY ORDINANCE	0	0	0	1	0	0	0	1
CRIME DAMAGE-NO VANDALISM OR ARSON	19	23	13	12	14	13	11	105
CURFEW	1	1	0	0	0	2	0	4
CUSTODY - DETOX	1	0	1	0	0	1	2	5
CUSTODY - MENTAL	5	0	2	3	4	3	6	23
DISORDERLY CONDUCT	5	4	3	3	8	10	6	39
DRIVING UNDER INFLUENCE	7	3	11	8	6	20	14	69
DRUG LAW VIOLATIONS	19	8	9	14	13	10	8	81
DRUG PARAPHERNALIA	1	0	0	0	0	0	0	1
DWS/REVOKED - FELONY	1	0	0	0	0	0	1	2
DWS/REVOKED-MISDEMEANOR	3	1	2	1	4	4	3	18
ELUDE	4	0	0	0	0	4	1	9
EMBEZZLEMENT	0	1	0	1	0	0	0	2
EXPLOSIVES	0	0	0	0	0	1	0	1
FAIL TO DISPLAY OPERATORS LICENSE	0	0	2	1	1	0	0	4
FAILURE TO REGISTER AS SEX OFFENDER	0	1	0	0	0	0	0	1
FORCIBLE RAPE	2	3	0	1	3	0	0	9
FORGERY/COUNTERFEITING	2	5	4	2	1	2	4	20
FRAUD - BY DECEPTION/FALSE PRETENSES	2	0	1	2	0	4	1	10
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	1	3	2	0	1	1	3	11
FRAUD - IMPERSONATION	1	0	0	0	0	0	0	1
FRAUD - OF SERVICES/FALSE PRETENSES	0	0	1	0	1	0	0	2
FRAUD-OTHER	0	1	0	0	0	0	0	1
FUGITIVE ARREST FOR ANOTHER AGENCY	22	24	31	30	28	21	40	196
FURNISHING	0	0	0	0	0	2	0	2
GARBAGE LITTERING	1	0	0	1	0	1	0	3
HIT AND RUN FELONY	0	1	0	0	1	0	1	3
HIT AND RUN-MISDEMEANOR	12	5	10	9	13	5	8	62
IDENTITY THEFT	1	4	9	8	5	1	5	33
INTIMIDATION /OTHER CRIMINAL THREAT	5	1	1	7	4	4	9	31
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	0	0	0	0	1	0	1	2
LICENSING ORDINANCES	0	0	0	0	2	0	0	2
MINOR IN POSSESSION	3	1	0	1	1	2	3	11
MISCELLANEOUS	10	6	4	7	4	4	9	44
MOTOR VEHICLE THEFT	8	12	4	4	11	5	9	53
OTHER	6	8	3	3	6	5	8	39
PROPERTY - FOUND LOST MISLAID	0	3	0	0	3	3	2	11
PROPERTY RECOVER FOR OTHER AGENCY	1	0	1	0	0	5	0	7
RECKLESS DRIVING	4	1	2	1	0	1	1	10
RESTRAINING ORDER VIOLATION	0	1	3	1	2	1	1	9
ROBBERY - BANK	0	0	2	0	0	0	0	2
ROBBERY - BUSINESS	2	1	1	0	0	1	2	7
ROBBERY - OTHER	1	0	0	1	1	0	2	5
RUNAWAY	7	4	4	1	2	3	4	25
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	0	0	0	0	0	0	1	1
SEX CRIME - EXPOSER	0	0	1	0	0	0	2	3
SEX CRIME - FORCIBLE SODOMY	1	0	0	0	0	0	1	2
SEX CRIME - INCEST	1	3	0	0	0	0	0	4

Woodburn Police Department

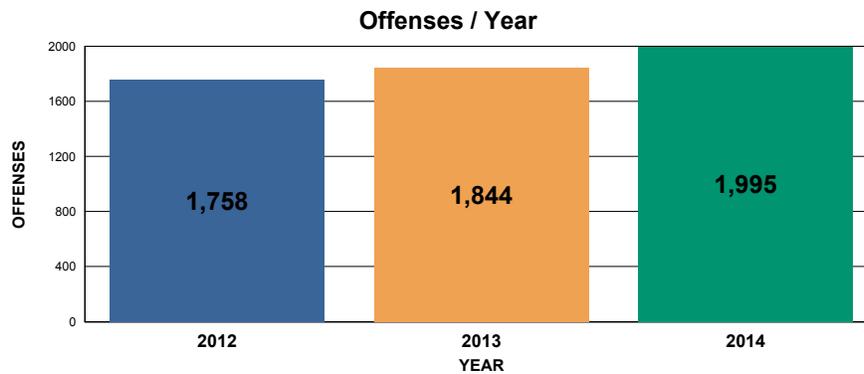
MONTHLY CRIMINAL OFFENSES JANUARY THRU DECEMBER 2014

	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
SEX CRIME - MOLEST (PHYSICAL)	0	0	0	1	4	0	1	6
SEX CRIME - NON FORCE SODOMY	0	0	0	0	2	0	0	2
SEX CRIME - NON-FORCE RAPE	0	1	0	2	3	1	2	9
SEX CRIME - OBSCENE PHONE CALL	1	0	1	0	0	0	0	2
SEX CRIME - OTHER	0	1	0	0	1	0	1	3
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	0	0	0	0	1	0	0	1
STALKER	4	2	0	0	0	0	0	6
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	0	2	1	1	0	0	0	4
SUICIDE	0	0	0	0	0	0	1	1
THEFT - BICYCLE	2	0	0	1	0	5	2	10
THEFT - BUILDING	6	13	2	6	7	7	4	45
THEFT - COIN OP MACHINE	0	0	1	0	0	0	0	1
THEFT - FROM MOTOR VEHICLE	24	17	12	18	15	8	14	108
THEFT - MOTOR VEHICLE PARTS/ACCESSORIES	1	0	1	0	1	1	2	6
THEFT - OTHER	12	13	9	9	18	13	19	93
THEFT - PURSE SNATCH	0	0	0	1	0	1	1	3
THEFT - SHOPLIFT	12	10	10	16	15	10	12	85
TRAFFIC VIOLATIONS	6	1	20	16	17	13	22	95
TRESPASS	2	3	3	4	9	7	1	29
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	13	12	5	9	13	6	8	66
VANDALISM	18	17	36	36	42	29	37	215
VEHICLE RECOVERD FOR OTHER AGENCY	0	0	0	1	0	0	0	1
WEAPON - CARRY CONCEALED	0	3	1	0	0	0	1	5
WEAPON - EX FELON IN POSSESSION	2	1	0	0	1	1	0	5
WEAPON - OTHER	0	0	0	0	0	1	0	1
WEAPON - POSSESS ILLEGAL	0	1	2	0	1	1	2	7
WEAPON - SHOOTING IN PROHIBITED AREA	0	1	0	1	0	1	0	3
WILLFUL MURDER	0	1	0	0	0	0	0	1

	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
2014 Total	280	263	255	272	316	277	332	1,995

2013 Total	327	266	265	179	302	280	225	1,844
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2012 Total	246	249	233	261	244	264	261	1,758
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Woodburn Police Department

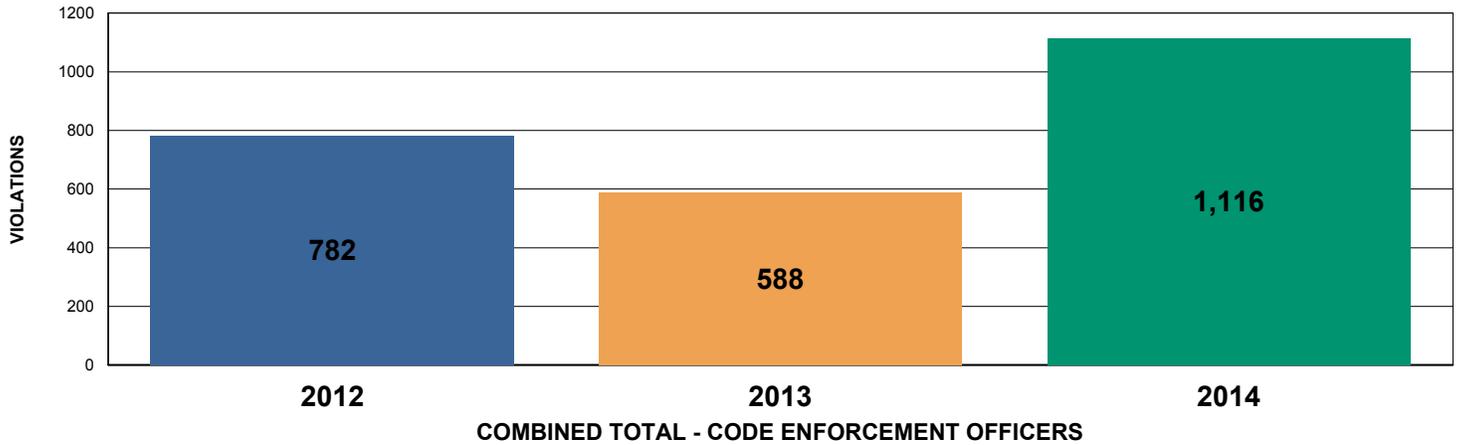
ORDINANCE VIOLATIONS

JANUARY - DECEMBER 2014

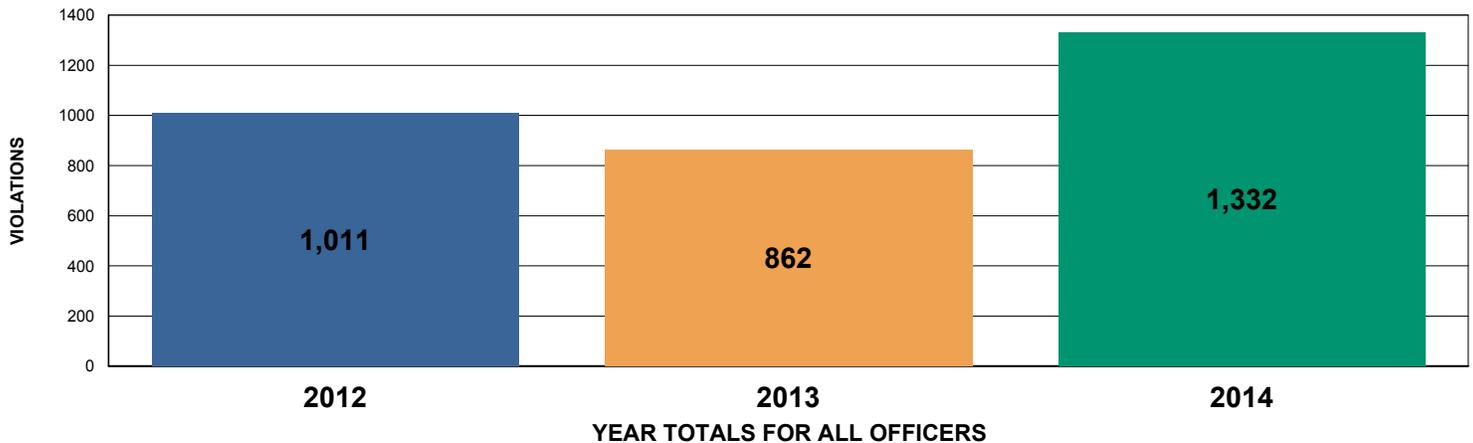
8/18/2014

Ordinance Discription	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
Animal Complaint	32	26	47	45	55	48	68	321
Ordinance - Abate/Nuisances	6	3	2	0	2	1	5	19
Ordinance - Abandoned Vehicles	11	11	14	41	28	19	18	142
Ordinance - Abate Graffiti	7	18	21	10	24	16	17	113
Ordinance - Land Use Violations	0	0	0	1	2	0	1	4
Ordinance - Oth Violation	60	64	105	96	35	32	51	443
Ordinance - Tall Grass	0	0	0	0	196	77	17	290
2014 Total	116	122	189	193	342	193	177	1,332
2013 Total	72	89	102	143	189	126	141	862
2012 Total	130	106	144	117	156	177	181	1,011

Ordinance Violations / Code Enforcement Officers



Ordinance Violations / Year





September 8, 2014

TO: Honorable Mayor and City Council through City Administrator

FROM: Sarah Head, Finance Director

SUBJECT: **2014-2015 SUPPLEMENTAL BUDGET REQUEST**

RECOMMENDATION:

Hold a public hearing and adopt the attached resolution approving a supplemental budget for fiscal year 2014-2015 for the funds and departments listed on Exhibit A.

SUPPLEMENTAL BUDGETS GENERALLY:

Every year, after the budget is adopted by Council, circumstances and events arise that were either unforeseen or not quantifiable at the time the budget was prepared and adopted. In addition, supplemental budgets can be used to correct errors or oversights.

Oregon Budget Law provides for changes to adopted budgets through a supplemental budget process that requires that the City provide public notice of the proposed changes and, if the change is greater than 10% of any fund's total expenditures, hold a public hearing to discuss the proposed changes and accept public testimony on the changes. Staff provided the required public notice via the Woodburn Independent and the hearing will be held at the Council meeting on the 8th prior to consideration of the resolution.

Like the adopted budget, supplemental budget requests must be balanced; in other words, net revenue and net expense for the request must be equal. This can be accomplished by budgeting additional revenue, or by reducing another expenditure category (such as contingencies).

DETAIL OF THIS REQUEST

EXPENDITURES

General Fund: Planning Department \$7,500

The likely mediation for the Urban Growth Boundary is expected to cost approximately \$7,500.

General Fund: Non-departmental (Transfers Out) \$20,000

This is to provide the \$20,000 transfer to the Transit Fund previously budgeted in 2013-14 from the General Cap Const Fund. The General Cap Const Fund does not have resources available for the transfer so it will come directly from the General Fund. The Transit Fund will use the \$20,000 for matching grant funds to purchase the large bus, which is expected to be completed later this fiscal year.

Transit Fund: Transfers In \$20,000

See above

Building Inspection Fund: Personnel Services \$110,000

The building department worked significant overtime last year in an attempt to maintain service levels, while handling additional demand. The building department has requested an additional full-time position and an overtime budget to serve the increased demand for services, as volume is continuing this year also.

Information Services Fund: Materials & Services \$20,000

To provide steady server platforms and current software for users the budget included multiple software licenses updates in this fiscal year. However, the license agreements are more expensive than initial research during budget preparation had indicated.

FINANCIAL IMPACT:

General Fund

Expenditures:

Planning	7,500
Nondepartmental - Transfer Out	20,000
Conting & Reserve	<u>(27,500)</u>
Total Expenditures	-

Transit Fund

Revenues:

Fund Balance	(20,000)
Transfers In	<u>20,000</u>
Total Revenues	-

Building Inspection Fund

Expenditures:

Personnel Services	\$ 110,000
Conting & Reserve	<u>\$ (110,000)</u>
Total Expenditures	\$ -

Information Services Fund

Expenditures:

Materials & Services	\$ 20,000
Conting & Reserve	<u>\$ (20,000)</u>
Total Expenditures	\$ -

City of Woodburn
2014-2015 Supplemental Budget
Exhibit A
September 8, 2014

Fund	Original	Supplemental	Revised
General Fund			
Expense			
Planning	326,175	7,500	333,675
Nondepartmental - Transfer Out	116,000	20,000	136,000
Conting & Reserve	2,319,714	(27,500)	2,292,214
Total Expense	2,761,889	-	2,761,889
Transit Fund			
Revenue			
Fund Balance	170,000	(20,000)	150,000
Transfers In	116,000	20,000	136,000
Total Revenue	286,000	-	286,000
Building Inspection Fund			
Expense			
Personnel Services	339,663	110,000	449,663
Conting & Reserve	396,015	(110,000)	286,015
Total Expense	735,678	-	735,678
Information Services Fund			
Expense			
Materials & Services	398,735	20,000	418,735
Conting & Reserve	44,863	(20,000)	24,863
Total Expense	443,598	-	443,598



Agenda Item

September 8, 2014

TO: Honorable Mayor and City Council

FROM: Scott Derickson, City Administrator
Scott Russell, Chief of Police

SUBJECT: **Ordinance Prohibiting Residential Parking on Unimproved Areas**

RECOMMENDATION:

Consider the attached ordinance prohibiting residential parking on unimproved areas.

BACKGROUND:

In response to residents' concerns about vehicles being parked in residential yards and the resulting detrimental neighborhood impacts, the City Council asked staff to draft an ordinance to address this concern. A draft ordinance was provided to the City Council for discussion during the Council's July 14, 2014 meeting.

Councilors that attended that meeting expressed varying opinions as to what the ordinance should do and how far it was appropriate for government regulation to go. The City Recorder has prepared a transcript of the July 14 City Council discussion (see attached transcript). After reviewing the transcript and consulting with Mayor Figley it was recommended that the ordinance be simplified to specifically address parking issues while avoiding ancillary impacts and regulations such as gravel rules, etc.

DISCUSSION:

Consequently, at the Mayor's suggestion, an ordinance is again being placed before the City Council for further discussion. In its current revised form, this ordinance: (1) requires that motor vehicles be on an "improved area;" (2) defines an "improved area" as "an area surfaced with concrete, asphalt, gravel or any other material commonly used for the parking of motor vehicles, but not including grass or dirt;" (3) provides an exception for an emergency; and (4) makes each violation of the ordinance as class 4 civil infraction (a \$125 fine).

Agenda Item Review: City Administrator City Attorney Finance

The proposed ordinance does not change a resident's current ability to "improve" their parking site with gravel, pavement, blacktop, etc.

Councilor Morris asked about a community education and outreach plan to notify resident's community wide about potential impacts prior to adoption. He suggested that the City Council consider a grace period to allow residents to make improvement prior to enforcement.

FINANCIAL IMPACT:

Enforcement and adjudication costs associated with the implementation of this Ordinance include: staff time to add the charges to the City's Law Enforcement Records Management System and Court Management System, general enforcement time, court and prosecution time as necessary. These costs are currently included in the Police Department and Municipal Court budgets.

It is possible that cost increases caused by additional workload from the implementation of this Ordinance could exceed the revenue generated through fines. Public outreach and information regarding this new ordinance is not included in a current City department's budget and will need to be assessed.

July 14, 2014 discussion on Draft Parking Ordinance

Mayor: The next items are under the heading of general business and the first of those items is the discussion of draft ordinance which is entitled an ordinance prohibiting residential parking on unimproved areas; allowing the placing of citations on illegally parked vehicles and providing for enforcement procedures

Derickson: thank you madam mayor. Yeah, thank you. As the Chief sets up his computer I wanted to just briefly talk about the staff report. The draft ordinance attached is one that the City Attorney's office worked on and we talked about and believe is enforceable if the Council wants to pursue the ordinance as it's presented. We gave the council a copy of this in the first part of June to look over and provide any kind of feedback or questions about. I tried to outline some of the feedback that we received from individual councilors who looked at it as well as a few comments from some of the city departments. These issues can be addressed by the City Council if there are particular concerns that councilors hold or suggested modifications to the existing ordinance if you like or the ordinance can come back as it was presented to you. Again, we think it's enforceable and we are prepared to do so. I asked the Chief to consider what he thinks would be impacted by the ordinance given that the Chief is responsible for code enforcement and will oversee the implementation of any enforcement program under the ordinance and so Chief provided some photographs of areas that he wanted to talk to you about. And those are included in the staff report. So I thought I would turn it over to the Chief of Police here to talk about enforcement and how he thinks the draft ordinance is applicable and then it's up to the City Council just to tell us which direction you would like to go. So with that I'll hand it over to Chief Russell Madam Mayor if that's okay with you.

Russell: Okay, thank you Mr. Derickson. Good evening Council, Madam Mayor. Staff's purpose tonight really is to be a resource for you. We have obviously myself and Jim and Randy from public works available to answer whatever questions and help you in your policy discussion so. Whatever, wherever you choose to go our job is to help you navigate those waters. We've had some ongoing meetings with the Woodburn Historic Neighborhood Association some of you have been part of those discussions and they've expressed some concerns about various pieces of parking as we've moved through this and so we're mindful of their concerns and Jim I don't, I guess you're not having any luck with the..

Hendryx: Yeah, I'm challenged tonight.

Russell: you shut it off, now you can't turn it back on that's.. anyway all I really have for you is the photos that were shared as part of the staff report and what those really show is the variety of parking that we currently have within the City of Woodburn and some of the challenges that we would experience as we implement whatever ordinance we choose to implement and different ways that we mind need to address those parking issues whether it be existing graveled areas or hard surfaced areas and what, what our standards will be for that as we move ahead. So I really don't have much to add to what Mr. Derickson provided we'll try to get the photos up for ya and let you have a look at them as they are appropriate. But again, we are just a resource for you and we'll try to give you our best

estimate of how things would be depending on what policy decisions and what direction we would choose to move as a City so.

Hendryx: I think what I've done is I have two computers on and it doesn't know which one to use. I think that's the problem

Russell: Okay. So you want to shut yours down or shut mine down or?

Hendryx: I think I will shut mine down and you can answer questions and see what transpires. I apologize.

Russell: okay. Anyway we can move ahead Madam Mayor.

Mayor: okay, well we could certainly. You know I think the general public or public watching on TV might be interested in the photographs because I think their at least in my judgment, when I saw them they represented a huge number of situations including many that a lot of us don't think are even a problem and a couple that are truly eyesores and some stuff that isn't likely but I'm not sure whether it's a priority when you look at crime and... utility poles and other things.

McCallum- How long will it take to get the pictures up?

Hendryx: you've got me up here so you're in trouble. The way I've been challenged lately.

Derickson: Heather do you think Tim is still here.

Pierson: I can check.

Ellsworth: Bob maybe you could explain a little bit how you went about developing this ordinance. Did we go to other cities and. (Inaudible) what was the process f?

Shields: I couldn't find an ordinance like this in Oregon. I found five or six that we looked hard at the Chief and I. He talked about me but Chief worked a lot on this also we got some as I recall San Jose, California, Portland not Oregon, Portland, Texas, Tukwila. I didn't know there was a Portland, Texas. There's a Portland, Indiana I knew that because we thought it was Portland, Oregon one time when we stole an ordinance and it was Indiana. But anyway, cuz you recall that development ordinances are different you know and typically they're not well they're not retroactive I mean you basically and there are is property in town I mean quite a bit of property probably that's subject to the WDO I mean in terms of newer subdivisions so what we looked for like when the Chief and I made the report is an ordinance that you could just apply to all property and so that's what we've got. And it's very similar to San Jose's and Tukwila, Washington ordinance.

Russell: So Madam Mayor we do have photos now if you'd like to.

Mayor: Excellent, ya

Russell: walk through those. So the ordinance obviously as written is pretty straight forward and as City Attorney said to me it's pretty vanilla. There are a lot of add ins you could make to it but it's pretty

straight ahead. Any parking on unimproved areas would be illegal and prima facie evidence of legality allow an officer to just write a ticket to anything any vehicle parked in that situation.

Loneragan: so this picture; ones parked legally and ones parked illegally?

Russell: Correct Councilor. I guess that the concern would be is what's legal and what's illegal as far as the gravel. I mean is one piece of gravel legal or do we need to have a depth and a certain amount. There are some ordinances out there that have that kind of specificity to them and that would be a question that the court might ask us as we brought it into the court. There's a drive with some added augmented area. It's hard to tell how much is augmented and how much has grass growing over it but similar. Here's a drive with a large portion almost all the front of the house in gravel.

Cox: That would be legal would it not under the ordinance we have before us.

Russell: It would correct. Here's an older home on a paved street but the driveway is gravel and driveway all the way to the garage is gravel so you could park on that if we if we change the ordinance to require hard surface I guess they could legally drive on the driveway but they couldn't park any vehicles on it so. Here's another property with strictly gravel. Similar situation added parking area beyond the garage area, it moves into the front yard.

Cox: so it looks like that one that one is not gravel where the vehicle is parked. That's, looks like just bare dirt is that what it looks like to you.

Russell: Well I think, Councilor I think I believe there's some gravel there it's a question of how much gravel and how much maybe is gravel dust.

Derickson: underneath the ordinance how do you think that would be applied to that picture?

Russell: the ordinance as currently written.

Derickson: yeah.

Russell: Well, again it's an interpretation of what's improved. If if purely gravel is allowable then that would probably be a legal parking, legal parking. But the challenge is how much as it there's really no specifics as to depth of gravel and.

Ellsworth: you know and can we just throw gravel wherever we want to park.

Russell: and that's the other question.

Ellsworth: that was my concern. Are we encouraging people just to throw gravel on what used to be their front lawn?

Russell: one of the other challenges one of the other challenges that we found out as we moved through this that apparently you don't need a permit to lay gravel or asphalt so um that's a bit of a challenge as well to control where folks would gravel or asphalt. Downtown especially north of Harrison some of those streets are recently paved or at least recently finished paving and curbed. You may recall

some of those streets had partial paving and no curbs and the last probably ten years the City has curbed and put in full paving but many of the driveways don't have they're not paved they remain gravel like the streets did before them so those are those are challenging areas could potentially be.

Cox: but they're legal under this draft of the ordinance?

Russell: you're right. This one just taken to illustrate that we have a gravel city street and then gravel driveway so another challenge if we decided to go hard surface for parking would we require that where we have gravel streets adjacent or not so decisions there. Kinda of similar situation. Then as you moved to some of the newer neighborhoods you have a paved driving areas but folks have augmented the widened the drive with gravel or some not some just grass. Or perhaps the area between houses is shared parking area. But there's no additional driveway access and that would public works tells us if you added to the driveway access that will require permits from the City. Here's kind of a hybrid there's parking in the front yard and on the side yard and no garage so you see some unusual situations. Again no garage but parking to the side. Number of houses with no garage space this is Harrison street and the city right of way is unpaved there so parking on the street you'd park on unimproved potentially some of it some of it improved you have a variety there of materials. And even into a some of the newer developments Senior Estates various placed we have some graveled parking areas and then we have some graveled front yards that are aesthetic really there not intended for parking but if we change the ordinance or try to do something in a the planning area that could be a challenge for us to address which that's not my expertise that would be have Jim talk about that with you. And even into West Woodburn we have some older homes there and partially graveled or not graveled space for parking, parking of utility trailers various stuff like that. The ordinance as written only applies to motor vehicles so trailers, boats, things without a motor would not be applicable to if we wanted to apply that to that to them we would need to change that. And so that's kind of the review of what's out there. The Police Departments major concerns really lie with what kind of exemptions we would want if we would choose to grant exemptions and those can be challenging because who's going to grant them and whose going to review them. But some of the ones that folks have expressed to us are like emergency construction, if someone needed a sewer access or they had a blocked sewer line. There's really no exemption in there currently for that kind of work. Temporary family events if someone had a funeral or a wedding or something would it be or a major medical or major family emergency would we allow parking for some short period of time and then which how would we administer those exemptions if there were any. And then finally medical exemptions. If folks couldn't get from their car to the house how would we handle those? So those are probably the big issues for us and then just you know the the our job is to talk to you about how we would enforce the ordinance and in whatever form you choose to put it into so I'll stop there Madam Mayor.

Mayor: Okay

Russell: answer whatever questions or.

McCallum: this is very interesting. I guess when we started down this path it looked rather simple because if I understand the issue it was people parking on grass and how are and how do we stop that.

And of course we raise the issues about well as councilor Ellsworth did, cover the grass with gravel and business that's all you had to do. But this is become extremely complex in terms of where I thought we started and what we were looking at to a where we are now because we have such a mix of situations you know I think the ones up there are just a few. When you did your educational programming in the three districts how many violations did you find at least people parking on grass?

Russell: you know, I don't know how many we found of parking on grass because we didn't necessarily take a case number on those folks parking on grass. We did advisements for those folks. Over the three districts over the last sixty day period we did 612 ordinance calls that were within those good neighbor. And those are all under follow up and being reviewed and followed up with folks to try to get them to come into compliance so a great deal of work went into the three districts of all the levels of whatever it may be tall grass to parking to everything else. So I can't give ya a specific number on that councilor.

McCallum: some of my history trying to go back and remember history was that we had some very a number of concerns about the parking on streets and both sides and what have you and everything else and then we started doing the restrictions on streets. Park on one side and what have you that led to parking on private property and that type of thing. Also just the fact that people start taking cars and driving to other neighborhoods and walk home leave their car overnight and walk back in the morning and go from there. We sort of created more problems along those lines that you know I find this very difficult to wrap my arms around when you say you got maybe 600 violations or problems I know some of them are other code ordinances and that type of thing. But can we enforce what we create is always my question.

Russell: we will do our level best.

McCallum: well, ya but like we have the rules and regulations about signs and all that type of thing and as was pointed out to us is hey they got up and nobody stopped them and they're all over the all over the area. Somewhere I would almost like to see us back off and start taking this one piece at a time and see what we can do. Because there's going to be hardships on households there's going to be hardships on the City. What can we enforce in small steps but maybe we need to do this and adopt it as is and find out. And get public reaction but I think and I wish Councilor Morris were here but he did point out that's in the staff report that hey we need a lot of outreach. We need a lot of outreach.

Mayor: Well, I think I would add we need a huge amount of outreach and depending on how hard we were to come down I mean I you know just cringe at the idea of requiring hard surface. For one thing because I tried to keep count driving from my house over to legion park on the fourth because that's kind of a nice sample across the older 50's 60's neighborhoods and I can't even imagine making all of those people of whom I would be one pave driveways. I just can't even that is extensive and ridiculous and I think in the draft as it is at least gravel is okay you know and.

Ellsworth: But I think we've moved towards focusing on the hard surfaces or the gravel versus maybe some of the blatant

Mayor: Mud

Ellsworth: mud lawns I mean and we have the WDO and I'm looking at this particular picture up here and I'm thinking under the WDO I'm pretty sure that that house was not built in the 1900's so it probably maybe in the 70's it's got a garage with two car parking spaces and then there's a truck on gravel next to it. I'm pretty sure that under the WDO that blue truck is not parked legally. Cuz you can't

Lonergan: why?

Ellsworth: because under the WDO it's a car in front of the garage and we just the car has to be parked on the driveway in front of the garage and we just amended it to allow behind in the side yard behind a fence not in the side yard which that blue truck is on the side yard in the front yard. So under the WDO I would imagine based on the age of that house I could probably estimate that that blue truck is not parked legally. But you know that's not nearly as blatant as some of those pictures that we have seen where they are parked in the front yard on the sidewalk, on what is definitely grass. I don't want to encourage people to put gravel in their front yard or just start paving all over the City but there are some blatant examples that I think we could say you know that makes our neighborhood look terrible.

Mayor: okay so just I'm I'm going to ask the Chief and Bob so we'll take an example that most of us would have a problem with which is it's been raining pretty much non-stop for the last several months here's a car in a front yard and its sunk in halfway up its hubcaps and we have a rutted mess no lawn no surface of any kind it's just a car parked on mud. If that were what we were trying to prevent rather than blame you know people for adding a gravel driveway or having a concrete pad for part of it and gravel for some portion of the rest of it or god forbid punish them for not having a garage or putting stuff in it rather than vehicles in it. Which I'm at that point I'm afraid I think is outside the scope of government entirely. But you know help us I guess help us, is there something where you know where we could limit it to that extent? You know I guess unimproved unpaved.

Russell: I'll let the City Attorney speak for himself but from my read of the ordinance as written that would be illegal and we could cite that immediately.

Lonergan: to me it seems like that's where we started out that's what we're all looking for is a better livability factor and improvement to the neighborhood. In this particular case that Councilor Ellsworth brought up, I don't know that that offends me as far as a livability factor. If that is against the WDO I think that is something that has never been enforced in the City of Woodburn and I have a problem I guess starting to do that.

Ellsworth: I really don't have a problem with most of these

Lonergan: since we haven't since we haven't (inaudible)

Ellsworth: however, I know that in the past Merri Berlin brought up some pictures that make you cringe

Lonergan: right, correct

Ellsworth: and you would think that any reasonable person would go that's not right.

Mayor: well one of the ones that she brought was in fact the car that you know halfway up its hubcaps and I think that's something that we object to and that blue truck is not a beauty but

Ellsworth: is not bad but technically I believe that does violate our WDO.

Mayor: it probably does, yeah. I have to say at some point I want officers of the Chiefs department looking at things more substantive than that

Ellsworth: than that, I agree with that.

Lonergan: I agree

Mayor: if we can reach a point where we can worry about that I think we're

Ellsworth: however, I've recently seen a neighbor pour gravel all over what used to be beautiful lawn and their now parking three to six commercial vehicles on it.

Lonergan: vehicles on it

Alonso Leon: Commercial

Lonergan: is there anything we can do about that?

Mayor: is that something where that can be enforced you know according to current code?

Russell: parking commercial vehicles could potentially be addressed if their operating a business there and that may be you know something to look at but they challenge I think is the graveling. I'm not a land use guy and so there's others that could answer that better for you but as we stand unless the WDO applies you can put gravel, pavement wherever you would so choose and so that's a challenge and that's kind of why we that's why you folks sit there and I don't sit there so.

Mayor: and we see the continuum from really nice you know stamped concrete or you know at least somebody took some trouble on something fairly permanent to some pretty jury rigged stuff and we understand that but I think at some point what we're trying to do is address some genuine livability issues but I can see just in looking through this we're talking about number 1 what may be an awful lot of government overreach

Lonergan: yeah

Mayor: and number 2 what exactly what problem are we trying to solve. You know I maybe we'd love to buy that the owner of that vehicle a you know a nice paint job you know but you know somehow that's outside the scope of the government and what we should be doing.

McCallum: I go back to can we kind of bring this ordinance in a bit quite a bit and start laying out some small steps and address some of these issues that are you know the mud, the lawn the what have you and enforce that vigorously and carry on an educational program along the way too. When you went out when your officers went out over the three districts and found that many citations that could be

written evidently there needs to be a ongoing and complete education going on. Hey I sit in a house in a homeowners association and let me tell you none of this stuff would be going on but I give up some things to be there. I got to ask about the paint color I've gotta ask about the plantings in the front and that type of thing and I do give those up and there are other homeowners associations in the City and you're not going to be parking your car on the front lawn and you're going to have concrete pads and that type of thing and a you're not going to be parking your cars in the back either so I don't know

Loneragan: but I don't think if someone wants to gravel their front lawn that I as a Councilor can stop them from doing that. To me it is not attractive to me if they want to devalue their house in doing that but if they want to park something on that I think that is their right to do that. Now if we can control the other surface on grass yeah, I think we can do that but I don't think I can be a watchdog on every front lawn in the City of Woodburn or am I asking the police department to do that either. I think that's going to be an endless task. I think we keep it simple keep it on the type of surface, not a grass surface not a dirt surface that makes sense but going for making them pave a gravel driveway I don't know. I don't think we can do that.

McCallum: there are as the Mayor points out livability issues here. But can we start pursuing them in simpler and the outrageous and then continue with an education program and if that doesn't work then we add to the particular ordinance.

Cox: Well let me play devil's advocate on this a little bit. We hear in the staff report some of the quotes who are attributed to others and I've heard a little bit of it here tonight. It's only a livability issue or it's only an aesthetic issue. I think the Council us as group we have to decide whether or not we are willing to impose some regulations that are in fact going to be based on aesthetic or livability issues. And is it right to do that. Well I would point out that ¾ of your zoning code is based on aesthetics and livability so it's not anything new. And Livability or aesthetics is not a dirty word. We have a policy and we give lip service to it at least of making our community a place that will attract living wage jobs bring industries in and that sort of thing. Well my feeling is that aesthetics is part of that. What will attract those kinds of jobs on the other hand if you look like a hillbilly community you're not going to attract too many people. So I'm not I understand that we can't have government over reach and I'm not going to be in favor of that. But I am willing to say that this is more than just an aesthetic issue and we need to make it good enough that it won't turn people off and we should not be ashamed of the fact that we're trying to make our place our community look better. That's what I have to say.

Loneragan: so what is good enough? How far are you willing to go here?

Cox: well that's what we have to decide.

McCallum: and I don't think anybody's arguing that we're not in favor of that. I mean we have portions of the community that you can go to that yeah they have very tight rules and stuff and they've given up some freedom and about that. But again I guess I'm one of those you're not going to accomplish it all in the next year but what steps can we take to alleviate more blight make it a more livable type community and take those steps and keep adding to those steps. If we try to address every problem in the Chiefs

pictures there I don't know we might be overwhelmed and we also might have some very unhappy citizens but that's

Cox: I would be surprised, I don't think that there is anyone here at this table who wants to accept or adopt the ordinance as it was presented in draft form. Some people may think it's going to far, we're trying to regulate to much biting off more than we can chew we're going to create unfair situations hardships. Others say it's not tight enough because it's allows people to gravel over their front yards and get rid of their lawns. So nobody's happy with what we got here and now we got to figure out where we're going to wind up. Now, I for one, I'm kind of I think in the same direction that Frank Lonergan is. We don't want to go too far. But we certainly want to get rid of some of these horrible horrible examples and we can maybe go further next time if we need to as Councilor McCallum says if we need to go farther we can go farther next time. But I would like to see at least as first step getting rid of vehicles parked on lawns which do not have an improved or even graveled surface and go from there. I would be opposed to anything such as I believe Council Morris or maybe somebody else was suggesting that some of these old uses be grandfathered in. I don't want grandfather clauses in the in this nuisance ordinance. We've got enough problems with grandfathering in the WDO.

Ellsworth: yes

Mayor: Well, actually I'm the one or one of the ones who mentioned grandfathering. But if you are talking as long as you treat gravel as a permissible surface I don't have a problem with that. I what I'm talking about is why in the world would we want you know probably over 1,000 households in the City to have to pave what purpose is being solved especially when you know looking at different surfaces that you know what most people are likely to do is going to look worse then what they already have.

Cox: unless if you're in favor of that if you're a driveway contractor driveway contractor.

Lonergan: we haven't heard from them yet.

McCallum: Portland has some sidewalks if you don't.

Ellsworth: but at the same time we do have the WDO and a lot of these pictures should have been addressed by the WDO and I don't know why you know the we the grandfather one of the reasons we talked about doing this ordinance is to avoid the whole grandfathering in problem that we have with the WDO. This house was built before 1920 this one was built before 1980 this one had these rules and those regulations and so you know as I was going through all this I was asking myself if that's the big issue trying to figure out whose allowed to park where when because of the WDO should we not move this under the back under the purview of the planning department. Because the planning department should be able to look at that house and say oh that house was built in 1997 and at that time you could only park in front of the garage and unimproved or this improved side yard is not permissible under the WDO. We already have a lot of these ordinances and we were looking at the nuisance ordinance to try and avoid all that grandfathered in problem but we have a planning department that could tell us a lot of times whether or not that's permissible or not and I understand where an officer would have a hard time looking at a thing and going well when was that house built is it permissible or not.

Alonso Leon: and we talk about ordinances but I don't think everybody knows all the ordinances.

Ellsworth: no

Alonso Leon: so I completely agree with Council Lonergan about the adding the education piece that's critical. Absolutely critical because we have a lot of people move in and out of our city and don't know and don't know where to look and wouldn't probably look for these ordinances. They don't say okay I just moved into my new house what are the ordinances here. They don't, and don't know where to look. So I think that's a huge component.

Mayor: you see somebody, you see a situation down the block or across the street okay that's okay and gee it isn't okay. I mean I think in fairness people you know deserve the chance to be told it's not okay before you cite them or

Alonso Leon: exactly or getting a ticket

Ellsworth: but we have seen some egregious violations that somebody should be able to the officer should be able to walk up to that door and say that's not acceptable in our City we have these standards and if you are not sure of what these standards are this is how to find them. I totally agree with the education part a lot of people don't know that. In my mind I'm thinking I've known for many years not to park on my front grass but

Mayor: you think occasionally you have situations you know moving in or out you've got some very heavy furniture or your injured.

Ellsworth: you might get it close to the door for that

Mayor: yeah or you have to have contractors in and there moving some heavy stuff in I mean you know I think we have to be careful where we go. Do we really want to cite somebody who is moving in you know?

Ellsworth: right, I think you could so oh gee this person carrying a couch out and putting it into a moving van versus that cars been there for six weeks

Mayor: yeah yeah and understood I mean I think that

Ellsworth: and like you said this far up the wheels with mud

Mayor: right

Ellsworth: sometimes I think. I know common sense isn't common but sometimes I wish we could just take a commons sense approach to some of these problems

Cox: well I'm sure we would to some extent. Now there's the horrible horrible examples about somebody who's sick and needs to drive on their lawn to get in the house or something. Nobody's ever, I can't believe that any Woodburn Police Officer is going to give somebody a parking ticket under those circumstances you know that's the common sense rule. And so I don't think we need to fine tune all

these reasonable and obvious exceptions. Its moving day and you got to get the van close to your front porch or something you know nobody we don't need to say that in the ordinance if that's an exception. I just believe that I'd be very disappointed if anybody ever got a ticket for doing that.

McCallum: I can't believe the number of landscapers in my neighborhood that are driving on the wrong side of the street or parking on the wrong side of the street. But its hey it works for the rest of us because we can get by but I don't think anybody's ever been cited for that even though it's against the law.

Ellsworth: that's against state statute and they can be cited.

McCallum: they can be but they haven't because maybe we haven't enforced it. Where are we

Mayor: yea I know we've all put in our two cents worth and we have a couple of audience members who expressed an interest in speaking to and I'd like to give them the opportunity to do that. Durrell would you like to go first? You and Ellen have signed up.

Durrell Crays: My name is Durrell Crays, I live at 167 N. Settlemeir, I've been here almost ten years and the thing that I have noticed about Woodburn is that we have more blight then when I showed up. There's no question about it. If you drive around my neighborhood you're going to find five cars in front of one house on the front lawn. And what's happened in Woodburn I think is what happens in a lot of small towns. We end up with Laissez-faire government. Nobody ever enforces anything we don't want to tic people off and we get used to it. You know so my house needs paint, well you know it needs its needed paint for five years what the heck. Well it's not that bad so you know a few people park on their front lawns not just a few people you can drive up and down the streets of Woodburn you'll find a whole lot of them. So let's make this simple. Let's talk about gravel. You can't put gravel anyplace without a permit and then its how you're going to do where you're going to do it and why you're going to do it. In other words you can't go put it on your front lawn. There's a front lawn right on Settlemeir that somebody put they just backed up a truck and dumped gravel on the front yard and now they park there. Its real simple we do apply the codes that we now have and if they don't cover adding gravel to a property they should and we should pass those. This is a matter of what Woodburn looks like and I think I you live in Tukwila or you live in someplace else one of the new developments you know your street looks fine mine doesn't. Mine looks pretty ratty and pretty run down and it continues to look ratty and rundown.

Lonergan: Durrell there's a couple dozen homes in senior estates that use gravel as an aesthetic

Durrell: it obviously must pass there CC and R's. I mean it has to because they do enforce their CCR's. I you know I don't like it but

Lonergan: I don't know it either but I don't think I have the right to tell them that they have to pull it out and put grass in.

Durrell: no I wouldn't either. But also lets not start grandfathering a whole lot of stuff in. you know did we grandfather in you know some of the septic tanks how about some of the water meters I mean you

know we didn't do that. I wasn't here then but I know we didn't do that. We required people to hook up to a city sewer system. Not just some of them but all of them. It's not a matter of you know it's a matter what I see is apathy. It's like every time something comes up that might better Woodburn it's kind of like the reaction is oh let's see are we liable um let's see um it's not that bad you know it's too complex let's see what else maybe we should wait and see what we ought to do in the future. You know it's in the action and it doesn't get better. We need some government leadership here to better Woodburn to better the way it looks it doesn't look successful today. If you drive down a lot of our streets it's pretty squalor we don't require people to keep property up we don't require our owners to do such the whole thing. We don't enforce anything and as a result who cares what difference does it make. Nobody does anything because it's like well it's always been that way. So I'd like to see it simplified we just simply start governing and making some rules and some codes about gravel. In other words you can't and if you're parked on your front lawn you get a ticket I don't care who you are. If you're parked on the sidewalk even now if you're parked on a sidewalk it's against the law it's a state law. But it's not enforced. Right across from city hall somebody parks on their sidewalk everyday nobody does anything about it. Nobody's ever ticketed him to the best of my knowledge. So we've got to come up with something that's simple that people understand. You can't put gravel on your property except by permit and then it has to have certain requirements. I'm not against gravel driveways, I'm against gravel front yards and if you've got a gravel front yard and it's against the law you pull the gravel up, I'm sorry you pull it up cuz you put it down illegally. Let's enforce that. Let's make Woodburn look successful. Not rundown and that's what it looks like now. So I really ask you to consider it sincerely consider it. making the rules that actually are going to work and are going to govern you know where you can park and where you can't where you can put your gravel and where you can't. Thank you.

Mayor: Thank you. Ellen?

Ellen Bandelow: Good evening madam mayor Councilors staff my name is Ellen Bandelow I live at 199 Smith Drive in Woodburn. And I'm glad I'm very glad that you're considering this ordinance. I do have a couple of concerns. First the emphasis all of a sudden seem to be on what kind of a driveway they property has rather than the illegality of parking on unimproved areas of the lot. Lots and lots of people have driveways and they are still parking on the lawns. They'll have four cars in their driveway and two in the middle of their lawn. Personally, I don't really care whether a driveway is gravel asphalt or cement we need as Durrell was say an established parking area on the lot. If they it could be a gravel parking area regulate the size of it don't let it be two thirds of the front yard. Something that's akin to Marion County requires even if you're out down a two mile driveway when you get to the house you have to have a 20x20 foot cement pad to park on. I'm not advocating a cement pad but a place to park every house should have a place to park. If there's at all room on that on there. It could be gravel when you're especially the older homes they have gravel driveways, that's okay not a problem. And give the owners some time to make that adjustment if they're allowed to say have a say a 20 foot wide strip of gravel down the front give them a 12 months to comply that will let them that will take them through all the seasons to so they can get it graded and get it done. Perhaps there's even a low cost or interest only loan available through the City for that would cover something like this in order for them to be able to comply. Regarding the grandfathering of current illegal parking on some lots there's almost no lots in

this City that should ever qualify for an exemption for what they're doing now. Only those that have absolutely no space for parking a vehicle other than on current landscaping should ever be given an exemption. There would be very few that would need that possibly something would come up under if there were a temporary medical exemption where there is no place to park and they need to get the vehicle closer to the home. I'm not sure how there probably wouldn't be but two in the whole city. Homes that were constructed prior to the current WDO and were built without a driveway leading to the garage or carport they can install that a gravel driveway or parking pad and a minimal expense. Many older homes already have those gravel driveways as I said. If you specify the criteria for that gravel and you eliminate the idea of landscape rock no river rock none of the red lava rock driveway crushed gravel ¾ minus require something like that that's a simple basic driving pad. Again, not covering the entire the entire front yard. It wouldn't affect people who are already have a land the people in senior estates do not park on their gravel front. They just simply do not and their homeowners association would never allow it. Another concern is that the ordinance as written does not cover the boats or assorted trailers that are being parked in front yards or side yards not behind screening. I really think that should be added. You can clutter a front in no time. We've already amended the ordinances to allow parking of some things behind the fences and that would be a more appropriate place for that to be. And the goal as Councilor Cox was saying should be the improvement of the city overall a town with cars parked all over anywhere and everywhere looks shabby and unkempt. But what I'm afraid of is that's the way it's going to stay. When you read the City manager's report there are thirteen negative statements and that doesn't even include the financial impact. Once again in order not to negatively impact anyone we will most likely keep the status quo and that's a sad state of affairs. It's very concerning when from the very beginning of the discussion there's only negativity and I hope that you will think about the improvements to this town that an ordinance like this can make. It should be the goal of every citizen to help make this town a place to be proud of. And I think a simple ordinance can do that. Thank you.

Mayor: thank you. Does anyone else wish to speak to the Council on the draft ordinance? Okay, I think we is everyone comfortable that we've given our feedback. I guess I'd like to ask Scott, Bob Chief if you have some are you comfortable with the direction that we've given so far or how much further.

Derickson: madam mayor I'm trying to keep notes here. I would like maybe more clarity on what the Council's direction is there's been a lot of discussion and you know we're prepared to follow the direction of the Council I just want to make sure that there's we know what it is you're asking us to do.

Cox: Well, we a I think it's pretty clear that none of us like multiple cars parked on lawns in mud up to their axel. Nobody likes that so that that's marching order number one. The next question is do we go beyond that. Do we allow people to fill up their yard with gravel and thereby being able to park as many cars as they want wherever they want on the gravel? I for one would like to see some way that we could prevent that from happening. I'm not quite sure without giving it some more thought as to how the ordinance ought to be structured whether it's a nuisance ordinance or whether it's a Woodburn development ordinance zoning type ordinance but there needs to be something I believe. I'd like to see preventing controlling the location and amount of gravel that can be put on a property. I'd like to see that. If we did those two things I think we would accomplish a lot but maybe others have other ideas.

Oh and one other thing this is more an administrative thing the way the draft is written now there's the usual presumption that if a car is registered to somebody their the one that parked it there. That's we have not we but ever town has that. Like at your parking meter if you get a ticket you the registered owner are presumed to have been driving that car and parked it there in violation of the meter. That's fine that's needed. But beyond that what we also need is because what happens is a lot of these old cars particularly the ones that don't even operate just your basically abandoned those cars trade hands between people just by passing the title back and forth they never get registered or they very seldom get registered because that of course requires proof of insurance. So a lot of the worst offenders they actual owner of the person is probably two or three steps down the chain from who's the registered owner of it. So what we need is I think is a provision that says that the person whose property at which the vehicle is parked is presumed to have allowed it to stay there and so that it's the homeowner or the renter whoever's in charge of the home is the one that's responsible regardless of what whose the registered owner or not. I think we need something like that in there and I also think we need some towing authority in there because some of these cars are not worth you know there not just going to maybe go away just because you give a citation to somebody a ticket to somebody. I think we ought to have a right to tow them if we choose to do so. So those are kind of a little administrative twists that no matter how it comes out otherwise I think that ought to be in there.

Alonso Leon: I'm assuming we would consider warnings first right because we have to do an education piece so that people know this is coming and then here's first warning second time you get a ticket something like that.

Cox: I don't know. For instance right now there's an ordinance that says you can't park more than 72 hours on a public street, we don't give warnings we just they give you a citation I believe if your parked more than 72 hours.

Alonso Leon: but this is public versus private

Cox: I don't know that we need to give warnings in every incident

Alonso Leon: you're talking public versus residence though

Cox: I am all in favor of the education program we've talked about general. Generally Educating people about it but in each case having to give a warning for a certain number of days before citing it I don't think so.

Derickson: madam mayor that was very helpful clarification and I was just whispering back and forth to the City Attorney so we can we can tweak the ordinance to create permitting of gravel, control of placement of gravel in residential zones in the city under the nuisance ordinance and some of the other things and we can tweak that and bring it back to you if you'd like?

Mayor: yeah, and I think having some clarity as far as permissible surfaces you know I mean not only gravel but you know grass .. Or things like that. You know that you know is there a problem or you know

not only is there a problem some things that look pretty good and more environmentally friendly than concrete.

City Attorney: so we're talking about issuing permits for gravel?

Loneragan: I think so.

McCallum: it's something to look at.

Loneragan: yeah, I'd like to look at it.

McCallum: look at.

Mayor: Yeah, I think there's one thing as far as permissible parking surfaces and you know maybe going further with gravel location or not but I think that's a discussion worth having.

Loneragan: yeah, if we can limit where the gravel goes I'd like to look at that.

Ellsworth: or gravel as a parking surface. I don't really want to regulate you know, I've got a one foot gravel path in my garden bed, I really don't want to have to start getting a permit for one foot for that but for a gravel for the purpose of parking should be in a driveway you know most driveways are in front of a garage or carport or parking area but not just gravel in decorative gravel I don't think we want to regulate decorative gravel but gravel for the purpose of parking.

Mayor: oh I do not want to regulate landscaping.

McCallum: No

Ellsworth: no

McCallum: unless its tall grass.

Mayor: that's fine

Ellsworth: but that's gravel that's

Mayor: tall grass and noxious weeds that's fine

Ellsworth: but

Mayor: any further discussion. You know as always things tend to be a little open ended when we're discussing a draft rather than a pardon my pun a concrete proposal.

COUNCIL BILL NO. 2967

ORDINANCE NO. 2521

**AN ORDINANCE PROHIBITING RESIDENTIAL PARKING ON UNIMPROVED AREAS;
ALLOWING THE PLACING OF CITATIONS ON ILLEGALLY PARKED VEHICLES AND
PROVIDING FOR ENFORCEMENT PROCEDURES**

WHEREAS, the City Council has determined that parking of motor vehicles on unimproved surfaces in residential areas is detrimental to community livability; and

WHEREAS, the City Council has expressed the desire to regulate vehicles parked in this manner within the City; and

WHEREAS, the City Council finds it necessary to adopt this Ordinance to assist in the elimination of aesthetic nuisances caused by improper parking;
NOW, THEREFORE,

THE CITY OF WOODBURN ORDAINS AS FOLLOWS:

Section 1. For purposes of this Ordinance, an "Improved Area" is defined as an area surfaced with concrete, asphalt, gravel, or any other material commonly used for the parking of Motor Vehicles, but not including grass or dirt.

Section 2. For purposes of this Ordinance, a "Motor Vehicle" is defined as provided in the Oregon Vehicle Code, ORS Chapters 801 to 826.

Section 3. For purposes of this Ordinance, a "Person" is defined as any natural person, firm, partnership, association or corporation.

Section 4. It shall be unlawful for any Person to stop, stand, or park a Motor Vehicle on any lot with a residential zoning designation except on an Improved Area.

Section 5. When a motor vehicle without an operator is parked in violation of this Ordinance, the officer finding the vehicle shall take its license number and any other information displayed on the vehicle which may identify its owner, and shall conspicuously affix to the vehicle a traffic citation instructing the operator to answer to the charge at the time and place specified in the citation.

Section 6. The presence of any motor vehicle in or upon any property, private or public, in violation of this Ordinance shall be prima facie evidence

that the registered owner of the motor vehicle committed or authorized such violation.

Section 7. The prohibitions in this Ordinance shall not apply when an emergency requires that a Person stop, stand or park a Motor Vehicle on an Improved Area.

Section 8. Each violation of any provision of this Ordinance constitutes a class 4 civil infraction and shall be dealt with according to the civil infraction procedures established by City ordinance.

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: _____
Heather Pierson, City Recorder
City of Woodburn, Oregon

COUNCIL BILL NO. 2968

RESOLUTION NO. 2054

A RESOLUTION APPROVING TRANSFERS OF FY 2014-2015 APPROPRIATIONS AND APPROVING A SUPPLEMENTAL BUDGET

WHEREAS, ORS 294.463(1) permits "transfers of appropriations" within any fund "when authorized by official resolution or ordinance of the governing body"; and

WHEREAS, ORS 294.463(2) limits "transfers of general operating contingency appropriations to no more than fifteen (15) percent of the total appropriations of the fund" unless adopted pursuant to a supplemental budget; and

WHEREAS, transfers made pursuant to any of the above must state the need for the transfer, the purpose for the authorized expenditure, and the amount of the appropriation transferred; and

WHEREAS, ORS 294.471(1)(a) permits supplemental budgets when "an occurrence of condition which had not been ascertained at the time of the preparation of a budget for the current year or current budget period which requires a change in financial planning"; and

WHEREAS, ORS 294.473 requires the governing body to hold a public hearing on the supplemental budget when the estimated expenditures contained in the supplemental budget for fiscal year or budget period differ by then (10) percent or more of any one of the individual funds contained in the regular budget for that fiscal year; and

WHEREAS, the transfers contained herein are made pursuant to ORS 294.463; and

WHEREAS, the supplemental budget contained herein is made pursuant to ORS 294.471; and

WHEREAS, a public hearing was held Sept 8, 2014 on the supplemental budget changes, **NOW, THEREFORE**,

THE CITY OF WOODBURN RESOLVES AS FOLLOWS:

Section 1. That pursuant to the applicable ORS provisions cited above,

the City Council hereby approves the transfers of appropriations and supplemental budget for FY 2014-15 in the amounts listed in Exhibit "A."

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: _____
Heather Pierson, City Recorder
City of Woodburn, Oregon

City of Woodburn
2014-2015 Supplemental Budget
Exhibit A
September 8, 2014

Fund	Original	Supplemental	Revised
General Fund			
Expense			
Planning	326,175	7,500	333,675
Nondepartmental - Transfer Out	116,000	20,000	136,000
Conting & Reserve	2,319,714	(27,500)	2,292,214
Total Expense	2,761,889	-	2,761,889
Transit Fund			
Revenue			
Fund Balance	170,000	(20,000)	150,000
Transfers In	116,000	20,000	136,000
Total Revenue	286,000	-	286,000
Building Inspection Fund			
Expense			
Personnel Services	339,663	110,000	449,663
Conting & Reserve	396,015	(110,000)	286,015
Total Expense	735,678	-	735,678
Information Services Fund			
Expense			
Materials & Services	398,735	20,000	418,735
Conting & Reserve	44,863	(20,000)	24,863
Total Expense	443,598	-	443,598



Agenda Item

September 8, 2014

TO: Mayor and City Council through City Administrator
FROM: Scott D. Russell, Chief of Police
SUBJECT: **Intergovernmental Agreement for School Resource Officer**

RECOMMENDATION:

It is recommended the City Council authorize the City Administrator to sign an agreement with Woodburn School District for School Resource Officer services.

BACKGROUND:

In September 1999, the Woodburn Police Department was awarded a \$125,000 COPS grant to fund a School Resource Officer (SRO). On November 15, 1999, the City of Woodburn and the Woodburn School District entered into an Intergovernmental Agreement for the purpose of clarifying the duties and responsibilities of the School Resource Officer and established the financial obligation of each agency. The grant-funding period expired at the end of the 2001-2002 school year.

The City and the school district have renewed the School Resource Officer Intergovernmental Agreement several times with the same terms and conditions as set forth in the original agreement with the exception of the financial obligation clause. The term of the current agreement ended in June 2014. The Woodburn Police Department and the Woodburn School District both believe that the School Resource Officer Program has proven to be very beneficial and wish to continue the program within the school district.

DISCUSSION:

The renewal agreement would be effective between September 10, 2014 and August 30, 2015. It would continue to provide the services of a school resource officer at Woodburn High School and maintain our partnership with the school district. The broad spectrum of contacts, interactions, and duties conducted by the School Resource Officer provide great benefits to both the police department and the school district alike. It is an equitable agreement in that

Agenda Item Review: City Administrator ___x___ City Attorney ___x___ Finance ___x___

the school district provides funding for the amount of the officer's time utilized at school, and the City provides for the remainder of the officers time.

FINANCIAL IMPACT:

Over the course of this agreement, the Woodburn School District has agreed to be responsible for \$45,000 toward salary and fringe benefits for the school resource officer, and the City of Woodburn will provide \$58,257 toward salary and fringe benefits for the officer. The City's portion of the funding for this position is identified within the Woodburn Police Department budget for fiscal year 2014-2015.

INTERGOVERNMENTAL AGREEMENT

This agreement is entered into between the City of Woodburn and Woodburn School District for the purpose of clarifying the duties and responsibilities of a School Resource Officer (SRO) to be placed with the District and to define the responsibilities of each of the governmental bodies for the supervision, support, and financial obligation of that position.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

A. CITY'S RESPONSIBILITIES

1. The City will provide a sworn police officer for assignment to School Resource Officer position during the term of this Agreement. The officer's primary duty will be assignment to any one or more of the Woodburn School District schools during the time of year school is in session. The officer may, however, be used for other police duties outside of the school year. The City reserves the right to reassign that officer to other police duties, irrespective of school sessions, when an emergency exists and the officer is required elsewhere. The determination of emergency is at the discretion of the Chief of Police.
2. Over the agreement period, the City will provide \$ 58,257 toward salary and fringe benefits of the School Resource Officer.
3. The City will be mutually involved with School Administrators in the selection of any officer assigned to this position.
4. The Chief of Police will be solely responsible for the supervision and performance evaluation of the School Resource Officer but the City agrees that the Chief will seek and utilize information provided by school administrative personnel in the performance of those duties and the officer's suitability to continue in that position. After consultation with the Chief of Police, the Superintendent may require the assigned officer be removed from the School Resource Officer position for reasons of unsuitability.

B. SCHOOL'S RESPONSIBILITIES

1. Over the agreement period, the School will provide \$45,000 toward salary and fringe benefits of the School Resource Officer.
2. The school agrees to make the SRO part of the school's staff in regard to providing appropriate in- service training, inclusion in general staff activities, and the provision of facility office space for the officer to work from.
3. The school will review and approve any curriculum to be presented to students, staff, or parents by the officer.
4. The school agrees to assist the Chief of Police in establishing annual goals for the School Resource Officer position.

C. SCHOOL RESOURCE OFFICER'S DUTIES

The following list of duties is not intended to be all-inclusive but to describe the principal activities in which the officer may be involved. These activities will not be performed each day but as the need dictates.

1. Be physically available at appropriate times for personal interaction with youth at school including informal talking with students, staff, or parents during breaks, lunch, and before and after school activities.
2. Identify youths at risk of becoming delinquent through referrals to the School Resource Officer from school personnel, student advisors, parents, and via interaction with students themselves.
3. Assist in the diversion of youths identified as at risk of becoming delinquent from entry into the juvenile justice system through crisis intervention and referral to other resources and outside agencies.
4. Provide prevention education on vandalism, shoplifting, substance abuse, child and sexual abuse, and issues of personal safety.
5. Perform as a resource center for youth needing referrals to the appropriate government or private service agency.
6. Perform as an information source for District personnel on issues or criminal trends involving youth.
7. Participate and support youth organizations designed to promote responsible behavior (i.e., Natural Helpers, Oregon Student Safety On the Move, Oregon Teen Leadership Institute, etc.).
8. Take appropriate corrective enforcement or referral action in the schools on behavior coming to the officer's attention which is criminal or disruptive to the school learning environment.
9. Promote a positive attitude of youth toward community, school, and local government, including police.
10. Develop and teach classes relevant to youth and crime issues (street law) which are germane to this community.
11. Develop and teach classes regarding civic competence, rights and obligations of youth according to law, rights and responsibilities of citizenship, and the role of citizenship in society.
12. Develop and provide programs which produce peer conflict mediation.

13. Maintain records of calls for service provided to the school by the officer and the number of hours worked during the year relative to school issues.

D. MODIFICATION OF AGREEMENT

Each party to this agreement will annually review the conditions of the agreement to determine if it is being properly administered, complied with, and to determine its sufficiency to meet program needs. Any modification of the terms of this Agreement shall be executed in writing with the mutual consent of both parties.

E. TERM OF AGREEMENT

The term of this Agreement shall commence September 10, 2014 and continue through August 30, 2015. This Agreement may be terminated prior to that date by mutual consent of both parties or by one party notifying the other of their intent to discontinue participation no later than 180 days prior to the end of the fiscal year.

F. LEGAL CONTINGENCIES

For the purpose of coverage under the Oregon Tort Claims Act against any losses, damages or liabilities arising out of the services and activities of any Woodburn Police personnel assigned to the School District under the provisions of this agreement:

1. Each party shall protect their own employee with Worker's Compensation insurance which meets the requirements of Oregon law;
2. Each party shall maintain in full force and effect adequate public liability and property damage insurance or self-insurance to cover any claims which may arise by virtue of their actions;
3. Each party assumes sole responsibility for the torts of its own personnel and agrees, to the extent legally possible, to hold each other party to this agreement harmless from liability arising from the acts or omissions of personnel affiliated with such party.

G. RENEWAL OF AGREEMENT

The parties may renew this Agreement on the same terms and conditions as contained herein by executing a mutual written renewal agreement before the end of the term of this Agreement.

Approved as to form: _____
City Attorney Date

Approved as to form: _____
School District Attorney Date

City of Woodburn

Woodburn School District 103

By: _____
Scott C. Derickson, City Administrator

By: _____
Chuck Ransom, Superintendent

Date: _____

Date: _____



Agenda Item

September 8, 2014

TO: Honorable Mayor and City Council through City Administrator
FROM: Steve Krieg, Building Official
SUBJECT: **Memorandum of Agreement with the State Building Codes Division**

RECOMMENDATION:

City Council authorize the City Administrator to sign a standardized memorandum of agreement (MOA) with the State of Oregon Building Codes Division (BCD) for the City's Building Inspection Program.

BACKGROUND:

All Oregon cities are legally subject to the authority of the State of Oregon to operate and administer a building inspection program. The legal authority of the State, however, can be delegated to individual municipalities to allow the operation of municipal building inspection programs to more directly serve local citizens. Woodburn, and many other cities, have developed municipal building inspection programs and have had these local programs in place for many years.

DISCUSSION:

Recently, the State has decided to require cities with established municipal building inspection programs to sign a standardized MOA by December 1, 2014. This MOA will apply to Woodburn and more than 134 other local jurisdictions that assume a Building Inspection Program from the BCD.

Authorizing the execution of this standardized MOA will allow the continuation of Woodburn's local Building Inspection Program and its service to local citizens.

FINANCIAL IMPACT:

There is no financial impact.

Attachments: MOA for a Building Inspection Program

Agenda Item Review: City Administrator ___x___ City Attorney ___x___ Finance ___x___

**Memorandum of Agreement
Relating to Delegated Building Inspection Program**

I. Parties:

This agreement is made and entered into by the Building Codes Division (hereinafter the “Division”), through the Department of Consumer and Business Services, and **City of Woodburn** building inspection program.

II. Purpose:

In accordance with the authority granted by Oregon Revised Statute (ORS) 455.020 and Oregon Laws 2013, chapter 528, this Memorandum of Agreement (MOA) sets forth the roles and responsibilities of **City of Woodburn** operating a municipal building inspection program as referenced in ORS chapter 455.

III. Background:

The Department is authorized to:

1. Promulgate a state building code to govern the construction, reconstruction, alteration and repair of buildings. The state building code establishes uniform performance standards providing reasonable safeguards for health, safety, welfare, comfort and security for the residents of this state; and
2. Delegate authority to a municipality to operate all or any portion of a building inspection program for a reporting period. A reporting period means a four-year period during which a municipality administers and enforces a building inspection program pursuant to an approved operating plan.

IV. Agreement:

City of Woodburn building inspection program agrees to the following minimum standards, policies and procedures while operating a building inspection program during the current reporting period:

1. **Administrative Standards.** Program must provide adequate funds, equipment and other resources needed to administer and enforce the program consistent with the inspection and permit requirements of the state building code.
2. **Electrical Program.** A building inspection program with an electrical program must comply with all applicable electrical rules for the inspection and enforcement of electrical programs.
3. **Fees.** Program must follow the uniform fee methodology for building permit and inspection fees. Program must only use fees collected for the administration and enforcement of the building inspection program. Electrical permit fees must only be used for the administration and enforcement of the electrical program. To avoid division enforcement action, program must collect and remit surcharges (with permit log) to the division no later than the 15th day following the month or quarter for which the surcharges are required to be collected according ORS 455.220.
4. **Appeals.** Program must have policy to allow an applicant for building permit to appeal decision made by building official. Program must also allow an applicant for a building permit to file a written appeal of a decision of the building official directly to the division on any matter relating to the administration and enforcement of ORS Chapter 455.

5. **Operating Plan.** Program must amend operating plan within 30 days when changes occur and provide amended operating plan to the division. Changes include a change of building official.
6. **Staff.** Program must have appropriately certified staff for inspections.
7. **Enforcement.** Program must not enforce any standard in conflict with the state building code.
8. **Documentation.** Program must respond timely to division data requests on any matter relating to the administration and enforcement of ORS Chapter 455.

V. Indemnity:

To the extent permitted by Article XI, sections 9 and 10 of the Oregon Constitution, and within the limits of liability established in the Oregon Tort Claims Act, **City of Woodburn** shall defend, indemnify and save the division, its officers, agents, and employees harmless from any and all claims, actions, costs or damages caused by **City of Woodburn**.

VI. Term of the Agreement:

This agreement will become effective upon signature of all parties and will remain in effect until the end of the municipality's current reporting period unless the municipality abandons or ceases to administer the building inspection program or the division assumes administration of the program under activities related to ORS 455.770. Failure to comply with any provision of this agreement may be considered a breach of this contract thereby impacting the municipality's continued administration of the building inspection program.

VII. Signatures:

Both parties, by the signatures below, hereby acknowledge that they have read this agreement, understand it and agree to be bound by its terms and conditions.

Building Codes Division

City of Woodburn

Date

Date

Mark S. Long, Administrator
Building Codes Division

Please print building official name



Building Official Signature

Date

Please print name and title

City of Woodburn Representative Signature



Agenda Item

September 8, 2014

TO: Honorable Mayor and City Council through City Administrator
FROM: Randy Scott, Public Works Director
SUBJECT: **North Boones Ferry Road Truck Traffic**

RECOMMENDATION:

That the City Council:

- Receive the report and take no further action
Or
- Authorize the City Administrator, on behalf of the City Council as the Local Road Authority; request the Marion County Board of Commissioners evaluate restricting truck traffic on North Boones Ferry Road.

BACKGROUND:

At the June 9th, 2014 City Council meeting it was requested that staff look into the amount of truck traffic on North Boones Ferry Road. Councilor Lonergan indicated his concern about the Semi Trucks that are using North Boones Ferry Road and asked for an assessment on restricting truck traffic to service vehicles.

The Woodburn Transportation System Plan updated in 2005 identifies Truck Routes and Truck Ways within the City of Woodburn as per the following

- Truck Routes through Woodburn include Oregon Hwy 214, Oregon Hwy 219, Oregon Hwy 211 and Oregon Hwy 99E. Designated Truck Routes allows through traffic of motor trucks, truck trailers and truck tractors on these roadways.
- Truck Ways are designated as acceptable roads for commercial operation of motor trucks, truck trailers, and truck tractors, but does not allow a through-city route. Truck Ways include Front Street within the City limits, Young Street between Front Street and Oregon 99E,

Agenda Item Review: City Administrator City Attorney Finance

Boones Ferry Road north of Oregon 214, Parr Road, Progress Way,
Industrial Avenue and National Way

Figure 3-8 from the Woodburn Transportation System Plan, which depicts the truck route and truck ways, is included as Attachment "A".

Ordinance No. 1957; " An ordinance designating truck routes; prohibiting use generally of other streets, roads and highway for operation of trucks, or heavy vehicles, and prohibiting use of air exhaust brakes'; the ordinance defines truck routes and truck ways as per the following:

- Truck Routes
 - Highway 99-E from North to South City limits
 - Highway 214 from East to West City Limits
 - Highway 211 from 99-E to East City limits

- Truck Ways
 - Parr Road from West City limits to Front Street
 - ***North Boones Ferry Road from Highway 214 to North City limits***
 - Mill Street from Front Street to Corby Street
 - Hardcastle Avenue from Front Street to Corby Street
 - Progress Way
 - Industrial Avenue
 - National Way
 - Birds Eye Avenue
 - Front Street from North to South City limits
 - Young Street from Front Street to 99-E

Both the Woodburn Transportation System Plan and Ordinance No. 1957 identify North Boones Ferry Road as a Truck Way.

DISCUSSION:

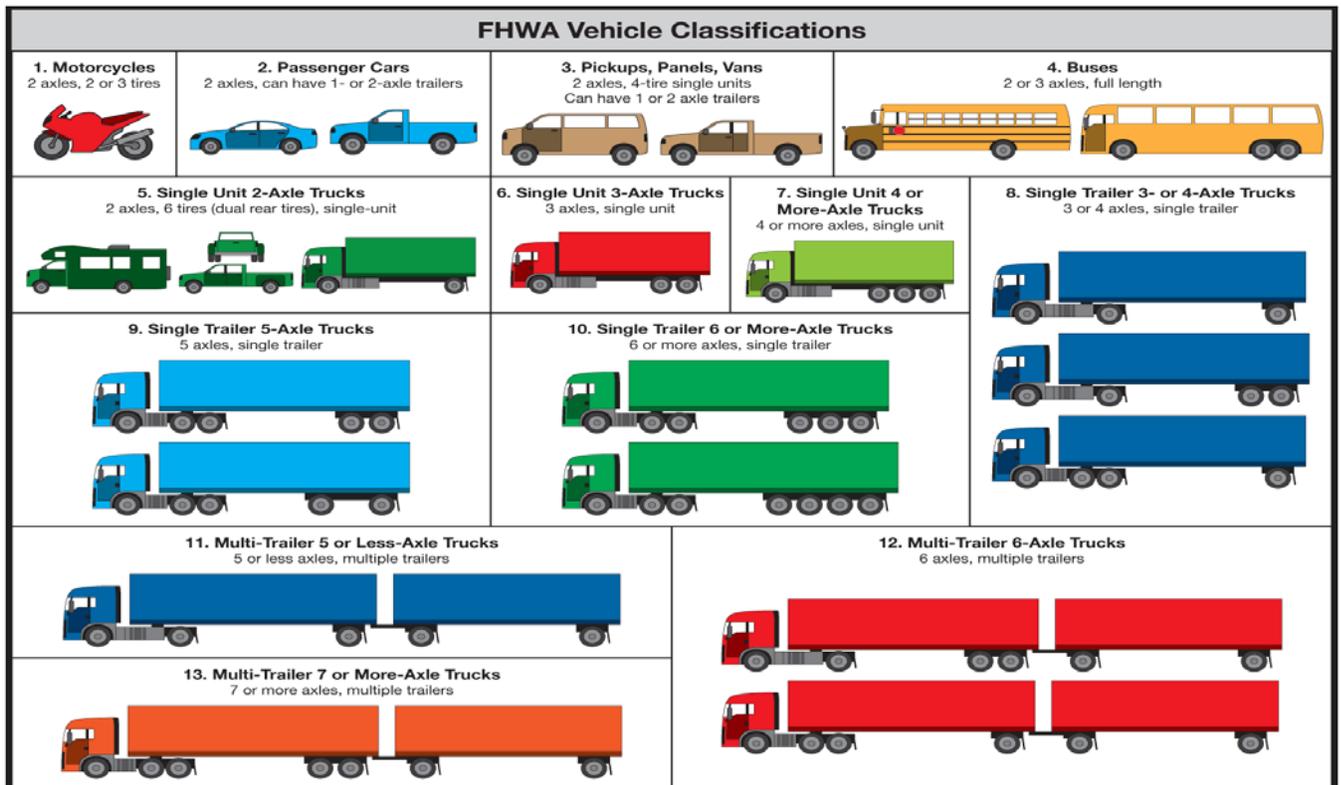
North Boones Ferry Road beyond the City limits is Marion County's jurisdiction, it currently does not include any restrictions for trucks other than the standard trip permits that may exceed statutory limits (weight, length, etc).

City staff recently took traffic counts in June and August of this year. The data is tabulated below and combined with data received from the Marion County

Public Works Department and other historical City data. The tabulation data goes back to August of 2003.

BOONES FERRY ROAD, TRAFFIC COUNT DATA

AGENCY	DATE	LOCATION	ADT	Class 1-4, PASSENGER		Class 5-8, SMALL TRUCKS		Class 9-13 LARGE TRUCKS	
				% of ADT	Volume	% of ADT	Volume	% of ADT	Volume
		North City							
Marion County	Aug-03	Limits	3869	93.25%	3608	6.26%	242	0.49%	19
City of Woodburn	Aug-10	North Tukwila	5444	96.40%	5248	3.40%	185	0.60%	33
Marion County	Aug-11	South Crosby	4716	97.11%	4580	1.76%	83	1.13%	53
City of Woodburn	Jun-14	@ Miller Farm	7526	96.38%	7254	2.90%	218	0.72%	54
City of Woodburn	Aug-14	N City Limits	4855	94.00%	4564	4.80%	233	1.20%	59



Based on the historical and the most recent traffic count data the percentage of the average daily traffic for small trucks, class 5 through 8 has decreased since

2003. Even with the overall average daily traffic volume increasing, the average daily volume of small trucks still remained less than the 2003 data. The percentage of large trucks class 9 through 13 based on the data has slightly increased since 2003, but the current volume is consistent with the 2011 volume. The traffic counts taking in June of 2014 were taken near Miller Farm Road, the average daily traffic is significantly higher due secondary local traffic.

To restrict truck traffic on North Boones Ferry Road the regulatory change would need to be initiated north of the Woodburn city limits, providing truck traffic opportunity to re-route. This action would need to be analyzed and implemented by Marion County.

If the City Council elects to pursue restricting truck traffic on North Boones Ferry Road, the recommended action is to authorize the City Administrator, on behalf of the City Council as the Local Road Authority; request that Marion County Board of Commissioners evaluate restricting truck traffic on North Boones Ferry Road.

FINANCIAL IMPACT:

There will be no financial impact by either action



Agenda Item

September 8, 2014

TO: Honorable Mayor and City Council through City Administrator

FROM: Randy Scott, Public Works Director

SUBJECT: **Award Construction Contract to Salem Road & Driveway for 2014 Pavement Maintenance Improvements, Bid #2015-02**

RECOMMENDATION:

That the City Council, acting in its capacity as the Local Contract Review Board, award the construction contract for the 2014 Pavement Maintenance project to Salem Road & Driveway in the amount of **\$334,497.50.**

BACKGROUND:

The major components of the project include approximately 10,890 square yards of asphalt cement pavement surface repairs and flexible pavement crack sealing on Industrial Avenue, National Way, Progress Way, Gatch Street, Hardcastle Avenue, North First Street, North Second Street, North Third Street, Anna Street, Robert Street, Jacob Street and Bernard Drive. The project also includes 1,950 Gallons of emulsified asphalt fog coat on National Way, North First, North Second and North Third Street.

Bids were publically opened August 14, 2014. Three bids were received, opened and recorded as follows:

Salem Road & Driveway	\$334,497.50
Roy L Houck Construction	\$398,997.50
Knife River Corp.	\$418,366.00

The Engineer's Estimate is: \$333,975.00

All bidders were found to be responsible and responsive. The recommended award is less than 1% above the Engineers Estimate.

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DISCUSSION:

This project is a continued effort by the Public Works Department to preserve and maintain the City street surface infrastructure. This contract is only a portion of the proposed pavement maintenance activities funded in the FY 2014-15 Adopted Budget.

The contract award is in conformance with public contracting laws of the State of Oregon as outlined in ORS Chapter 279C and the laws, regulations of the City of Woodburn, therefore, staff is recommending the contract be awarded.

FINANCIAL IMPACT:

The construction contract will be funded from the FY 2014-15 Adopted Budget, using Street Maintenance Fund, 140.631.4211.5479 Other Repair and Maintenance, Project Accounting Code MIST1457.