

# CITY OF WOODBURN

## CITY COUNCIL AGENDA

SEPTEMBER 26, 2022– 7:00 P.M.

ERIC SWENSON, MAYOR  
DEBBIE CABRALES, COUNCILOR WARD I  
ALICE SWANSON, COUNCILOR WARD II  
ROBERT CARNEY, COUNCILOR WARD III  
SHARON SCHAUB, COUNCILOR WARD IV  
MARY BETH CORNWELL, COUNCILOR WARD V  
BENITO PUENTE JR., COUNCILOR WARD VI

CITY HALL COUNCIL CHAMBERS – 270 MONTGOMERY STREET

1. CALL TO ORDER AND FLAG SALUTE
2. ROLL CALL
3. ANNOUNCEMENTS AND APPOINTMENTS

Announcements:  
None.

4. COMMUNITY/GOVERNMENT ORGANIZATIONS  
  
None.

5. PROCLAMATIONS/PRESENTATIONS

Proclamations:

A. Hispanic, Latinx, and Indigenous Heritage Month

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Presentations:

- B. Mary Tennant Award  
C. Butteville Road Discussion

6. COMMUNICATIONS  
None.

7. BUSINESS FROM THE PUBLIC – *This allows the public to introduce items for Council consideration not already scheduled on the agenda.*
8. CONSENT AGENDA – *Items listed on the consent agenda are considered routine and may be adopted by one motion. Any item may be removed for discussion at the request of a Council member.*

This facility is ADA accessible. If you need special accommodation, please contact the City Recorder at 503-980-6318 or Statewide Toll Free Relay (800) 735-1232, at least 48 hours prior to this meeting.

Si usted necesita asistencia especial, comuníquese al 503-980-6322 o a la línea telefónica gratuita, (800) 735-1232, con un mínimo de 48 horas, antes de la reunión.

\*\*Habrán intérpretes disponibles para aquellas personas que no hablan Inglés, previo acuerdo. Comuníquese al (503) 980-6322.\*\*

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| A.                                                                                                                                                                                                                                                                                      | <b>Woodburn City Council Meeting minutes of August 22, 2022</b>                                                                                                                                            | 2  |
|                                                                                                                                                                                                                                                                                         | <u>Recommended Action:</u> Approve the minutes.                                                                                                                                                            |    |
| B.                                                                                                                                                                                                                                                                                      | <b>Woodburn City Council Meeting Executive Session minutes of August 22, 2022</b>                                                                                                                          | 5  |
|                                                                                                                                                                                                                                                                                         | <u>Recommended Action:</u> Approve the minutes.                                                                                                                                                            |    |
| C.                                                                                                                                                                                                                                                                                      | <b>Liquor License Application for Alebrijes Market LLC.</b>                                                                                                                                                | 6  |
|                                                                                                                                                                                                                                                                                         | <u>Recommended Action:</u> Recommend that the OLCC approve the Liquor License Application for Alebrijes Market LLC.                                                                                        |    |
| D.                                                                                                                                                                                                                                                                                      | <b>Liquor License Application for Crossroad Market LLC.</b>                                                                                                                                                | 8  |
|                                                                                                                                                                                                                                                                                         | <u>Recommended Action:</u> Recommend that the OLCC approve the Liquor License Application for Crossroad Market LLC.                                                                                        |    |
| E.                                                                                                                                                                                                                                                                                      | <b>Acceptance of a Public Easement at 800 Kirksey St (Smith Creek Apartments), Woodburn, OR 97071 (Tax Lot 052W130000115)</b>                                                                              | 10 |
|                                                                                                                                                                                                                                                                                         | <u>Recommended Action:</u> Accept the dedication of a public easement granted by Smith Creek Investors, LLC, owners of the property located at 800 Kirksey St, Woodburn, OR 97071 (Tax Lot 052W130000115). |    |
| F.                                                                                                                                                                                                                                                                                      | <b>Building Activity for August 2022</b>                                                                                                                                                                   | 17 |
|                                                                                                                                                                                                                                                                                         | <u>Recommended Action:</u> Receive the report.                                                                                                                                                             |    |
| 9. <b>TABLED BUSINESS</b>                                                                                                                                                                                                                                                               |                                                                                                                                                                                                            |    |
|                                                                                                                                                                                                                                                                                         | None.                                                                                                                                                                                                      |    |
| 10. <b>PUBLIC HEARINGS</b>                                                                                                                                                                                                                                                              |                                                                                                                                                                                                            |    |
|                                                                                                                                                                                                                                                                                         | None.                                                                                                                                                                                                      |    |
| 11. <b>GENERAL BUSINESS</b> – <i>Members of the public wishing to comment on items of general business must complete and submit a speaker’s card to the City Recorder prior to commencing this portion of the Council’s agenda. Comment time may be limited by Mayoral prerogative.</i> |                                                                                                                                                                                                            |    |
| A.                                                                                                                                                                                                                                                                                      | <b>City Administrator and City Attorney Annual Performance Evaluations</b>                                                                                                                                 |    |
|                                                                                                                                                                                                                                                                                         | <u>Recommended Action:</u> The City Administrator and City Attorney have exercised their right (ORS 192.660 (2)(i)) to have a performance review conducted in open session.                                |    |
| B.                                                                                                                                                                                                                                                                                      | <b>Council Bill No. 3197 - A Resolution Adopting a Supplemental Budget</b>                                                                                                                                 | 18 |

**and Making Appropriations for FY 2022-2023**

Recommended Action: Adopt the Resolution authorizing increasing the Operating Revenue in the General Fund and Operating Expenditures by \$1,500,000 to account for the Business Oregon SPWF Grant of \$500,000 and the ODOT Immediate Opportunity Fund Grant of \$1,000,000.

- C. Council Bill No. 3198 - A Resolution Authorizing the Transfer of Appropriations within the General Fund for the Fiscal Year 2022-2023** 22  
Recommended Action: Adopt a resolution authorizing up to \$750,000 transfer from the General Fund's Contingency to Non-Departmental category for a grant award to AWARE Food Bank for the reconstruction of their facility.
- D. Council Bill No. 3199 - A Resolution to Extend and Provide Municipal Sewer Services to the Woodburn Church of the Nazarene Property (3601 Newberg Hwy, Woodburn, Oregon) Located Outside the Corporate City Boundaries** 26  
Recommended Action: Adopt a Resolution authorizing the Woodburn Church of the Nazarene (Tax Lot 052W110000200) to connect to the City's public sewer system.
- E. American Rescue Plan Act (ARPA) Agreement with Immanuel Lutheran Church for the Community Meal Program** 36  
Recommended Action: Approve the proposed ARPA Agreement with Immanuel Lutheran Church for their Community Meal Program effective upon execution of the Agreement, through July 31, 2024.
- F. Utility Assistance Program – Additional Funding** 47  
Recommended Action: Authorize the City Administrator to sign the enclosed agreement with Love INC of North Marion County for the administration of the Utility Assistance Program for Fiscal Years 2022-23 and 2023-24, in the amount of up to \$25,000.00 annually.
- G. First Amendment to ARPA Funded Services Grant Agreement with Liberty House** 58  
Recommended Action: Authorize the City Administrator to sign an amendment to the ARPA Funded Services Grant Agreement with Liberty House to increase the amount of grant funding with an additional one-time payment of \$120,000.00 to expand the scope of Project Services provided to the City and its residents.

**12. OTHER BUSINESS**

None.

**13. PLANNING COMMISSION OR ADMINISTRATIVE LAND USE ACTIONS** – *These are Planning Commission or Administrative Land Use actions that may be called up by the City Council.*

- A. Call-Up Briefing: Planning Commission approval of a Conditional Use Permit & Design Review application package for the Woodburn Place West Apartments at 2045 Molalla Rd (Hwy 211) (CU 22-01 & DR 22-08)** **63**  
Recommended Action: Staff briefs the Council on this item pursuant to Woodburn Development Ordinance (WDO) Section 4.02.02. (The Council may call up this item for review if desired and, by majority vote, initiate a review of this Commission decision.)

**14. CITY ADMINISTRATOR'S REPORT**

**15. MAYOR AND COUNCIL REPORTS**

**16. EXECUTIVE SESSION**

- A.** To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed pursuant to ORS 192.660 (2)(h)

To consider records that are exempt by law from public inspection pursuant to ORS 192.660 (2)(f)

**17. ADJOURNMENT**