

**COUNCIL MEETING MINUTES
SEPTEMBER 13, 2021**

DATE COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, SEPTEMBER 13, 2021

CONVENED The meeting convened at 7:00 p.m. with Mayor Swenson presiding.

ROLL CALL

Mayor Swenson	Present
Councilor Carney	Present
Councilor Cornwell	Present- via video conferencing
Councilor Schaub	Present
Councilor Swanson	Present- via video conferencing 7:19 p.m.
Councilor Puente	Present- via video conferencing
Councilor Cabrales	Present- via video conferencing

Staff Present: City Administrator Derickson, City Attorney Shields, Assistant City Administrator Row, Acting Police Chief Pilcher, Community Development Director Kerr, Economic Development Director Johnk, Human Resources Director Gregg, Public Works Projects and Engineering Director Liljequist, Finance Director Turley, Community Services Director Cuomo, Public Affairs and Communications Coordinator Moore, Aquatics Supervisor Udermann, Community Relations Manager Guerrero, Economic Development Specialist Setzer, Executive Legal Assistant Bravo

PROCLAMATION

Mayor Swenson proclaimed September 15 through October 15 to be Hispanic, Latinx, and Indigenous Heritage Month in the City of Woodburn and encouraged all to join in the observance.

PRESENTATION

Woodburn Ambulance – Shawn Baird with Woodburn Ambulance provided a year in review to the City Council that included their call volumes, ways they are improving the lives of their patients, investments in safety, and community partnerships.

Legion Park Project – Assistant City Administrator Row and Community Services Director Cuomo provided an update to the City Council on the Legion Park Project. Justin Rose, with Hellas Construction, provided information on the turf field for the park. Park Board Member Ricardo Vazquez Rodriguez stated that he is excited about this. Park Board Member David Piper stated that the plan looks great and he is excited to see this come to fruition. Park Board Member Donna Stone stated that she is excited to see the pickle ball courts added to the project. Park Board Member Ayanna Zamora stated that she is excited to have more spaces for the city’s youth.

Economic Development Update – Economic Development Director Johnk provided information on what the Economic Development Department has been working on. Community Relations Manager Guerrero provided a review of the events that they put on in the downtown. Economic Development Specialist Setzer provided information on the tourism items the department works on.

Covid-19 Update – Community Services Director Cuomo provided updated information on Covid-19 in Woodburn.

COUNCIL MEETING MINUTES

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*Note – at around 8:59 remote sound went out in the Council Chambers. The Mayor called for a recess and the meeting reconvened at 9:07 p.m. Executive Legal Assistant Bravo did a roll call and all members of the City Council were present.

CONSENT AGENDA

- A. Woodburn City Council minutes of August 9, 2021,
- B. Woodburn City Council Special Meeting minutes of August 11, 2021,
- C. Purchase and Acceptance of a Public Utility Easement at 1560 W. Hayes Street, Woodburn, OR 97071 (Tax Lot 051W07CC07100),
- D. Purchase and Acceptance of a Statutory Warranty Deed for Right-of-Way Dedication at 1560 W. Hayes Street, Woodburn, OR 97071 (Tax Lot 051W07CC07100),
- E. Building Activity for August 2021,
- F. Crime Statistics through July 2021.

Carney/Schaub... adopt the Consent Agenda. The motion passed unanimously.

BUSINESS FROM THE PUBLIC

Arnold Ponce, 3244 McNaught Street, stated that he has concerns about small businesses that are being operated out of homes, parking their work equipment on the street. He would like to see some language added to the code that would allow code enforcement to ask them to remove their equipment off the street.

PUBLIC HEARING

A Public Hearing to consider input on a FY 2021-2022 Supplemental Budget Request for Acceptance of Grant Awards for Aware Food Bank Project, the Impact to the Building Fund of Increased Commercial Building Permit Activity and a Budget Transfer from the General Fund to the General Capital Construction Fund for an Upgrade to the Library HVAC System. Mayor Swenson declared the hearing open at 9:30 p.m. for the purpose of hearing public input on a FY 2021-2022 Supplemental Budget Request for Acceptance of Grant Awards for Aware Food Bank Project, the Impact to the Building Fund of Increased Commercial Building Permit Activity and a Budget Transfer from the General Fund to the General Capital Construction Fund for an Upgrade to the Library HVAC System. Finance Director Turley provided a staff report. No members of the public wished to speak in either support or opposition of a FY 2021-2022 Supplemental Budget Request for Acceptance of Grant Awards for Aware Food Bank Project, the Impact to the Building Fund of Increased Commercial Building Permit Activity and a Budget Transfer from the General Fund to the General Capital Construction Fund for an Upgrade to the Library HVAC System. Mayor Swenson closed the hearing at 9:31 p.m.

COUNCIL BILL NO. 3164 - A RESOLUTION APPROVING TRANSFERS OF FY 2021-2022 APPROPRIATIONS AND APPROVING A SUPPLEMENTAL BUDGET

Carney introduced Council Bill No. 3164. Executive Legal Assistant Bravo 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 Swenson declared Council Bill No. 3164 duly passed.

CALL-UP BRIEFING: PLANNING COMMISSION DECISION OF A DESIGN REVIEW ASSOCIATED APPLICATION FOR PROJECT BASIE (“AMAZON”) AT 450 S. BUTTEVILLE ROAD (DR 21-07, EXCP 21-03, PAR 21-01, PLA 21-01, RCWOD 21-03, & VAR 21-02)

**COUNCIL MEETING MINUTES
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Community Development Director Kerr provided a staff report. The Council declined to call this item up.

CITY ADMINISTRATOR'S REPORT

The City Administrator had nothing to report.

MAYOR AND COUNCIL REPORTS

The Mayor and City Councilors had nothing to report.

ADJOURNMENT

Schaub/Carney ... meeting be adjourned. The motion passed unanimously.
The meeting adjourned at 9:51 p.m.

APPROVED _____
ERIC SWENSON, MAYOR

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



Agenda Item

September 27, 2021

TO: Honorable Mayor and City Council through City Administrator

FROM: Fred Weinhouse, Municipal Judge

SUBJECT: **Municipal Judge Pro Tem Appointment**

RECOMMENDATION:

This item is informational. No action is required by the City Council, unless it does not consent to the appointment of the Municipal Judge Pro Tem.

BACKGROUND:

On February 13, 2017, the City Council appointed me to the position of Municipal Judge.

Consistent with the Woodburn City Charter and Ordinance 2428, the Municipal Judge may appoint one or more Municipal Judges pro tem to serve when the Municipal Judge is ill, disqualified or otherwise unavailable. Municipal Judges Pro Tem, when acting in that capacity, shall have all the duties and powers of the Municipal Judge. The Council retains its authority to disapprove or terminate the appointment of a Municipal Judge Pro Tem, with or without cause.

DISCUSSION:

Pursuant to the authority vested in me by the City Council, I have appointed Kimberly M. Graves to the position of Municipal Judge Pro Tem, effective on her swearing in this fall. Ms. Graves is a member of the Oregon State Bar and meets all of the requirements to serve as Municipal Judge Pro Tem. Former Pro Tem Judge Amy B. Lindgren has a scheduling conflict that prohibits her continuing in the position.

FINANCIAL IMPACT:

Expenditures related to the employment of the Municipal Judge and the Municipal Judge Pro Tem are included in the adopted FY 21-22 budget.

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

Honorable Mayor and City Council
September 27, 2021
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Attached:

Resume for Judge Graves

Kimberly M. Graves

Education

- Juris Doctor**, Criminal Law Certificate 2006
Lewis and Clark Law School, Portland, Oregon
- B.A. Degree in Political Science and Sociology** 1998
University of Colorado, Boulder, Colorado
-

Work Experience & Accomplishments

- Justice of the Peace, Pro-tem, Clackamas County Justice Court**..... March 2019-
present
- Preside over first-appearances and trials in Forcible Entry and Wrongful Detainer (FED) cases.
- Municipal Court Judge, Pro-tem, City of Lake Oswego**..... November
2016-present
- Review search warrants in DUII cases.
- Municipal Court Judge Pro-tem, City of West Linn**..... April 2016-
present
- Conduct arraignments, trials, and sentencing hearings for violation and misdemeanor cases.
 - Review search warrants in DUII cases.
- Municipal Court Judge, City of Milwaukie**..... February
2014-present
- Conduct arraignments and trials in cases arising out of the Oregon Vehicle Code and the Milwaukie Municipal Code.
 - Preside over the City's Attendance Court program to improve school attendance throughout the North Clackamas School District.
- Hearings Officer, City of Portland**..... September
2010-April
2014
- Presided over appeal hearings arising out of violations of the Portland City Code, the TriMet Code, and the Multnomah County Administrative Rules.
 - Participated in the review of Land Use Appeal cases.
 - Drafted over 1000 legal opinions.
- Deputy District Attorney, Clackamas County District Attorney's Office**..... October
2006-
September
2010
- Tried approximately 65 cases, including 27 DUII trials and 24 jury trials.
 - Handled a misdemeanor caseload, including civil commitment hearings.
 - Handled juvenile delinquency and dependency cases; including working closely with DHS and OYA to manage juvenile cases involving children in state care.
-

Memberships & Affiliations

- Oregon Women Lawyers, member
- Charter School Board, vice president
- Municipal Judges' Association, member

Woodburn Police Department

MONTHLY ARRESTS BY OFFENSES

2021 Year to Date

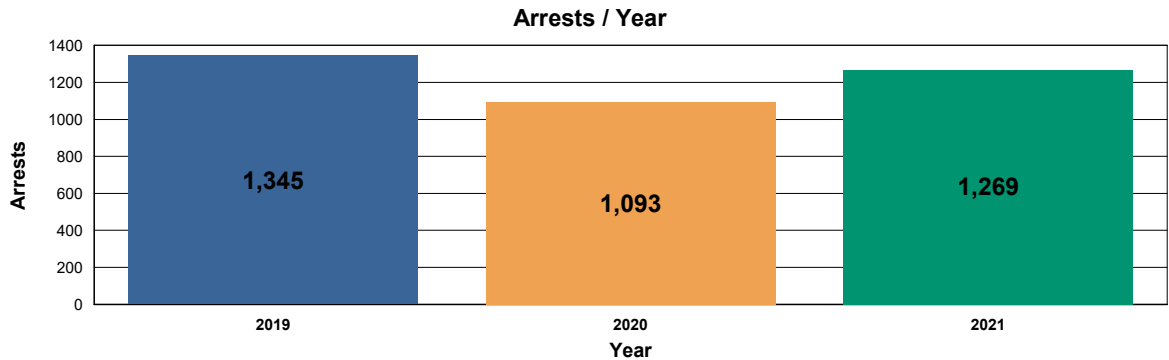
CHARGE DESCRIPTION	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
AGGRAVATED ASSAULT	4	0	0	6	4	5	7	6	32
ANIMAL CRUELTY	0	0	0	0	1	1	0	0	2
ANIMAL ORDINANCES	1	0	0	2	2	0	1	0	6
ARSON	1	0	0	0	0	0	1	2	4
ASSAULT SIMPLE	9	4	5	22	10	10	13	6	79
ATTEMPTED MURDER	0	1	0	0	0	0	0	0	1
BURGLARY - BUSINESS	0	1	0	0	0	0	1	0	2
BURGLARY - OTHER STRUCTURE	1	0	0	0	1	0	0	0	2
BURGLARY - RESIDENCE	0	1	0	0	3	2	1	0	7
COMPUTER CRIME	0	0	0	2	0	0	0	0	2
CRIME DAMAGE-NO VANDALISM OR ARSON	3	1	0	4	1	1	3	0	13
CRIMINAL MISTREATMENT	0	0	0	0	0	0	1	0	1
CURFEW	4	0	0	0	1	1	0	0	6
CUSTODIAL INTERFERENCE	0	1	0	0	0	0	0	0	1
CUSTODY - MENTAL	8	3	3	6	1	3	5	3	32
DISORDERLY CONDUCT	6	3	2	12	10	7	1	7	48
DRIVING UNDER INFLUENCE	10	7	12	18	11	17	37	24	136
DRUG LAW VIOLATIONS	10	4	1	4	3	3	1	0	26
DWS/REVOKED - FELONY	0	0	1	2	0	0	0	0	3
DWS/REVOKED-MISDEMEANOR	3	4	7	4	2	4	9	2	35
ELUDE	1	2	0	4	3	4	1	1	16
EXTORTION/BLACKMAIL	1	0	0	6	0	0	0	1	8
FAIL TO DISPLAY OPERATORS LICENSE	0	1	0	0	0	2	3	0	6
FAILURE TO REGISTER AS SEX OFFENDER	1	0	1	2	0	0	0	0	4
FORCIBLE RAPE	3	0	0	0	0	1	1	0	5
FORGERY/COUNTERFEITING	0	0	0	0	0	0	2	0	2
FRAUD - BY DECEPTION/FALSE PRETENSES	0	0	0	0	0	0	1	0	1
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	0	0	0	0	1	0	2	0	3
FRAUD - OF SERVICES/FALSE PRETENSES	0	0	0	2	0	0	0	0	2
FUGITIVE ARREST FOR ANOTHER AGENCY	48	33	26	76	33	44	39	21	320
FURNISHING	0	0	0	0	0	1	0	1	2
GARBAGE LITTERING	0	0	0	0	0	1	0	0	1
HIT AND RUN FELONY	0	0	0	0	2	1	2	1	6
HIT AND RUN-MISDEMEANOR	3	0	1	6	7	5	5	2	29
IDENTITY THEFT	0	0	0	0	1	0	1	0	2
INTIMIDATION /OTHER CRIMINAL THREAT	7	1	1	12	3	4	3	4	35
INVASION OF PERSONAL PRIVACY	0	0	0	0	0	1	0	0	1
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	1	0	0	4	0	1	0	0	6
MINOR IN POSSESSION	0	1	0	0	2	3	0	0	6
MINOR IN POSSESSION - TOBACCO	0	0	0	0	0	1	0	0	1
MISCELLANEOUS	0	0	0	0	0	0	0	1	1
MOTOR VEHICLE THEFT	1	0	2	4	3	2	3	0	15
OTHER	5	2	2	4	1	4	3	3	24
PROVIDE FALSE INFORMATION TO LAW ENFORCEMENT	1	3	0	6	1	2	2	0	15
RECKLESS DRIVING	2	3	1	10	7	11	20	11	65
RECKLESSLY ENDANGERING	4	0	0	4	2	2	7	5	24
RESTRAINING ORDER VIOLATION	1	0	2	2	2	3	3	0	13
ROBBERY - BUSINESS	1	1	0	0	0	1	0	0	3
ROBBERY - CONV.STORE	0	0	0	0	0	0	0	1	1
ROBBERY - OTHER	0	0	0	0	0	0	0	1	1
ROBBERY - RESIDENCE	1	0	0	0	0	0	0	0	1
RUNAWAY	1	1	1	0	1	1	1	0	6
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	0	0	0	2	0	0	0	0	2
SEX CRIME - EXPOSER	0	0	0	4	0	0	0	2	6

Woodburn Police Department

MONTHLY ARRESTS BY OFFENSES 2021 Year to Date

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
SEX CRIME - FORCIBLE SODOMY	0	0	0	0	0	0	1	0	1
SEX CRIME - MOLEST (PHYSICAL)	0	0	0	0	0	0	1	0	1
SEX CRIME - NON-FORCE RAPE	0	0	0	2	0	0	1	0	3
SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL	0	0	0	4	0	0	0	0	4
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	1	0	0	0	1	0	0	0	2
STALKER	0	0	0	6	1	1	2	1	11
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	1	0	0	2	0	1	1	0	5
THEFT - BUILDING	0	1	0	0	1	1	0	0	3
THEFT - FROM MOTOR VEHICLE	0	4	0	0	0	0	0	0	4
THEFT - OTHER	3	0	0	4	1	0	2	3	13
THEFT - PICKPOCKET	0	0	0	0	1	0	0	0	1
THEFT - SHOPLIFT	3	2	1	4	2	2	4	12	30
TRAFFIC VIOLATIONS	8	0	10	0	1	6	5	2	32
TRESPASS	1	3	0	8	3	5	6	4	30
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	1	2	0	0	0	0	1	0	4
VANDALISM	4	3	1	0	1	1	0	1	11
VEHICLE RECOVERD FOR OTHER AGENCY	2	2	0	4	1	2	0	0	11
WEAPON - CARRY CONCEALED	0	0	0	0	0	1	0	1	2
WEAPON - EX FELON IN POSSESSION	1	1	1	2	0	1	1	0	7
WEAPON - POSSESS ILLEGAL	5	1	0	6	2	3	2	3	22
WEAPON - SHOOTING IN PROHIBITED AREA	1	0	0	0	0	0	0	0	1

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
2021 Total	173	97	81	272	134	173	207	132	1,269
2020 Total	161	139	105	133	149	153	109	144	1093
2019 Total	178	115	157	146	172	174	231	172	1345



Woodburn Police Department

MONTHLY CRIMINAL OFFENSES

2021 Year to Date

CHARGE DESCRIPTION	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
AGGRAVATED ASSAULT	2	3	1	7	5	9	13	6	46
ANIMAL CRUELTY	0	0	1	0	1	1	0	1	4
ANIMAL ORDINANCES	1	0	0	1	1	0	1	1	5
ARSON	1	0	0	0	0	0	1	1	3
ASSAULT SIMPLE	10	7	9	10	16	12	16	12	92
ATTEMPTED MURDER	0	1	0	0	0	0	0	0	1
BURGLARY - BUSINESS	1	4	3	2	1	1	4	1	17
BURGLARY - OTHER STRUCTURE	0	3	0	4	2	1	2	1	13
BURGLARY - RESIDENCE	2	4	1	1	7	9	0	2	26
CHILD NEGLECT	0	0	0	0	0	1	0	2	3
COMPUTER CRIME	0	0	0	1	0	0	0	0	1
CRIME DAMAGE-NO VANDALISM OR ARSON	5	10	12	18	6	7	11	3	72
CRIMINAL MISTREATMENT	1	0	0	0	0	1	0	0	2
CURFEW	1	0	1	0	1	1	0	0	4
CUSTODIAL INTERFERENCE	0	1	0	0	0	0	0	0	1
CUSTODY - MENTAL	8	3	3	3	1	3	5	3	29
DISORDERLY CONDUCT	5	4	4	5	7	7	2	7	41
DRIVING UNDER INFLUENCE	10	7	12	9	11	17	38	24	128
DRUG LAW VIOLATIONS	6	3	1	2	3	1	1	0	17
DWS/REVOKED - FELONY	0	0	1	1	1	0	0	0	3
DWS/REVOKED-MISDEMEANOR	3	4	7	2	2	4	8	2	32
ELUDE	2	2	3	4	5	4	2	4	26
ESCAPE FROM YOUR CUSTODY	0	0	1	0	0	0	0	0	1
EXTORTION/BLACKMAIL	1	1	0	2	0	1	0	0	5
FAIL TO DISPLAY OPERATORS LICENSE	0	1	1	0	0	2	3	0	7
FAILURE TO REGISTER AS SEX OFFENDER	1	0	1	1	0	0	0	0	3
FORCIBLE RAPE	2	2	3	2	2	2	1	0	14
FORGERY/COUNTERFEITING	2	0	3	2	1	3	5	1	17
FRAUD - BY DECEPTION/FALSE PRETENSES	2	1	4	4	6	4	3	6	30
FRAUD - CREDIT CARD/AUTOMATIC TELLER MACHINE	1	4	1	1	3	1	3	2	16
FRAUD - OF SERVICES/FALSE PRETENSES	0	0	0	1	0	0	0	0	1
FRAUD - WIRE	0	0	0	0	0	0	0	1	1
FUGITIVE ARREST FOR ANOTHER AGENCY	33	26	27	28	19	32	27	19	211
FURNISHING	0	0	0	0	0	1	0	1	2
GARBAGE LITTERING	0	0	0	0	0	1	1	0	2
HIT AND RUN FELONY	1	0	1	2	1	1	4	2	12
HIT AND RUN-MISDEMEANOR	15	13	14	15	18	25	20	17	137
IDENTITY THEFT	2	2	4	0	3	5	3	4	23
INTIMIDATION /OTHER CRIMINAL THREAT	3	1	1	5	5	8	5	3	31
INVASION OF PERSONAL PRIVACY	0	0	0	0	0	1	0	0	1
KIDNAP - FOR ADDITIONAL CRIMINAL PURPOSE	2	0	0	2	0	4	0	0	8
MINOR IN POSSESSION	0	2	1	0	2	2	0	1	8
MISCELLANEOUS	10	19	22	21	20	14	22	17	145
MOTOR VEHICLE THEFT	9	6	14	12	15	14	15	11	96
NON CRIMINAL DOMESTIC DISTURBANCE	9	10	11	8	8	2	0	1	49
OTHER	5	4	3	4	1	4	4	7	32
PROPERTY - FOUND LOST MISLAID	4	3	2	1	1	1	3	0	15
PROPERTY RECOVER FOR OTHER AGENCY	2	1	1	3	1	1	0	0	9
RECKLESS DRIVING	1	3	3	7	7	12	23	11	67
RESTRAINING ORDER VIOLATION	1	0	2	1	5	4	3	0	16
ROBBERY - BUSINESS	1	1	0	0	0	2	0	1	5
ROBBERY - CAR JACKING	0	0	0	0	2	0	1	1	4
ROBBERY - CONV.STORE	0	1	0	0	0	0	0	1	2
ROBBERY - OTHER	0	0	1	1	0	1	1	1	5
ROBBERY - RESIDENCE	1	0	0	0	0	0	0	0	1
RUNAWAY	2	1	1	0	2	2	2	2	12
SEX CRIME - CONTRIBUTE TO SEX DELINQUENCY	0	1	0	0	0	2	0	0	3

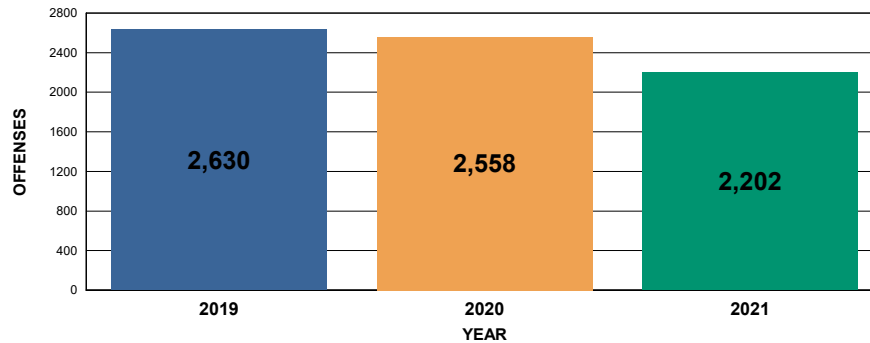
Woodburn Police Department

MONTHLY CRIMINAL OFFENSES

2021 Year to Date

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
SEX CRIME - EXPOSER	0	0	0	0	1	0	0	2	3
SEX CRIME - FORCIBLE SODOMY	1	0	1	1	0	0	0	0	3
SEX CRIME - MOLEST (PHYSICAL)	1	1	1	1	2	1	0	0	7
SEX CRIME - NON-FORCE RAPE	0	0	0	1	0	2	0	0	3
SEX CRIME - OBSCENE PHONE CALL	0	0	0	0	1	1	0	0	2
SEX CRIME - OTHER	0	0	0	0	1	0	0	0	1
SEX CRIME - PORNOGRAPHY/OBSCENE MATERIAL	1	0	0	1	0	0	0	0	2
SEX CRIME - SEXUAL ASSAULT WITH AN OBJECT	1	0	1	0	1	0	0	1	4
STALKER	0	0	1	1	1	2	1	1	7
STOLEN PROPERTY - RECEIVING,BUYING,POSSESSING	1	0	1	1	0	0	1	0	4
THEFT - BICYCLE	1	0	0	0	0	2	5	2	10
THEFT - BUILDING	2	0	1	2	1	3	0	2	11
THEFT - FROM MOTOR VEHICLE	8	8	7	14	6	10	9	12	74
THEFT - MOTOR VEHICLE PARTS/ACCESSORIES	6	1	6	3	9	1	3	7	36
THEFT - OTHER	12	12	12	10	10	17	14	3	90
THEFT - PICKPOCKET	0	0	0	0	0	0	0	3	3
THEFT - PURSE SNATCH	0	0	0	0	1	1	0	1	3
THEFT - SHOPLIFT	15	11	14	11	16	16	23	24	130
TRAFFIC VIOLATIONS	10	1	14	3	1	8	3	4	44
TRESPASS	3	6	2	4	5	7	3	3	33
UNAUTHORIZED ENTRY INTO MOTOR VEHICLE	2	0	1	0	1	0	2	0	6
VANDALISM	18	9	10	8	14	13	17	20	109
VEHICLE RECOVERD FOR OTHER AGENCY	6	3	2	3	2	3	0	0	19
WEAPON - CARRY CONCEALED	0	0	0	0	0	2	0	0	2
WEAPON - EX FELON IN POSSESSION	0	1	1	1	0	1	1	0	5
WEAPON - POSSESS ILLEGAL	2	1	1	3	6	8	3	3	27
WEAPON - SHOOTING IN PROHIBITED AREA	1	0	0	1	2	1	0	2	7
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
2021 Total	259	213	257	262	273	330	338	270	2,202
2020 Total	307	322	249	278	361	376	336	329	2,558
2019 Total	330	235	325	297	371	374	352	346	2,630

Offenses / Year



Woodburn Police Department

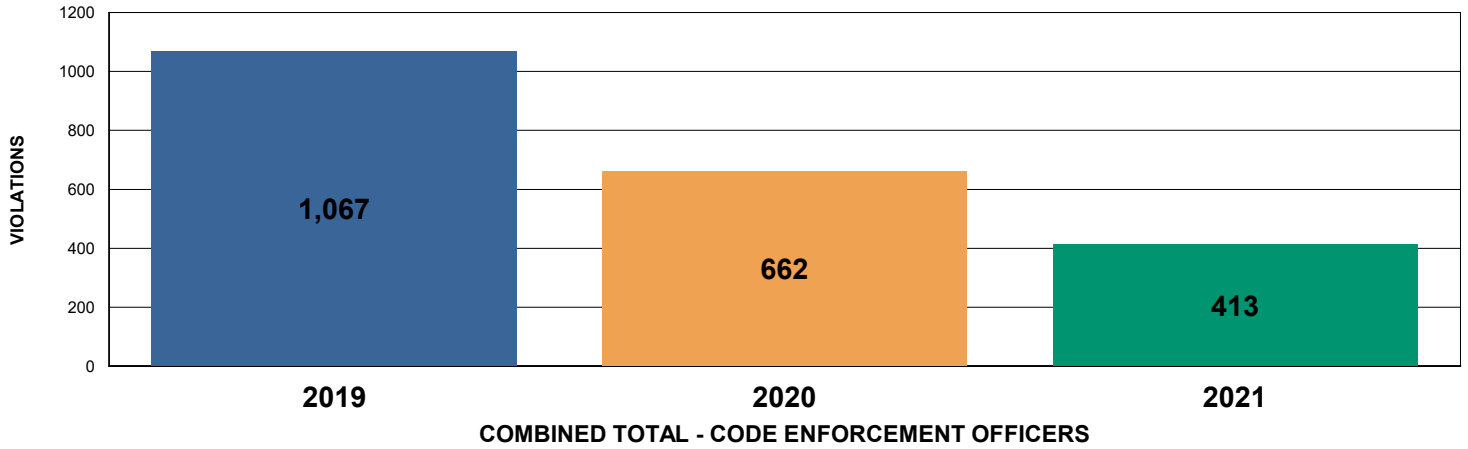
ORDINANCE VIOLATIONS

2021 Year to Date

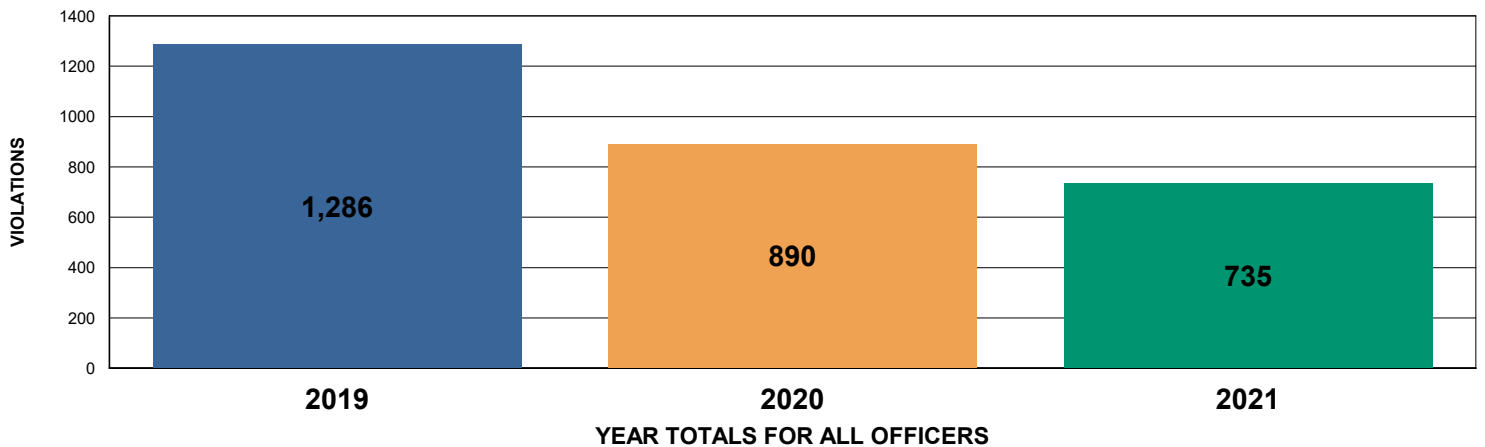
9/14/2021

Ordinance Discription	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
Animal Complaint	18	32	41	47	41	46	38	48	311
Ordiinance - Abate/Nuisances	2	0	0	0	0	0	0	0	2
Ordinance - Abandoned Vehicles	16	22	26	26	30	19	40	23	202
Ordinance - Abate Graffiti	0	0	2	4	0	1	2	3	12
Ordinance - Land Use Violations	1	0	1	1	0	1	0	0	4
Ordinance - Oth Violation	14	12	13	18	27	21	21	25	151
Ordinance - Tall Grass	0	0	0	0	17	13	19	4	53
2021 Total	51	66	83	96	115	101	120	103	735
2020 Total	109	121	97	80	156	123	114	90	890
2019 Total	141	99	148	116	205	197	173	207	1,286

Ordinance Violations / Code Enforcement Officers



Ordinance Violations / Year





Agenda Item

September 27, 2021

TO: Mayor and City Council

FROM: Scott Derickson, City Administrator
Jamie Johnk, Economic Development Director

SUBJECT: **Woodburn 50/50 Sidewalk Repair Program**

RECOMMENDATION:

Discuss and provide feedback on the draft Woodburn 50/50 Sidewalk Repair Program and provide direction to staff.

BACKGROUND:

One City goal is to establish a sidewalk repair reimbursement program in order to offset costs to property owners responsible for repairs to sidewalks adjacent to their property.

DISCUSSION:

The City recognizes that maintenance of sidewalks is necessary to protect the health, safety, and welfare of residents and visitors. Woodburn loves its mature street trees throughout the city and strives to protect them; however, tree roots can cause significant damage to sidewalks.

Woodburn City Ordinance 1917 (*see attached*) identifies that the property owners are responsible for the maintenance and repair of damaged sidewalks adjacent to their property whether due to tree roots or general wear and aged concrete. Considering this requirement, the city has developed the Woodburn 50/50 Sidewalk Repair Program to assist with the financial burden public policies place upon property owners.

FINANCIAL IMPACT:

For FY 2021-2022, \$75,000 was included in the Woodburn City Budget and \$75,000 was included in the Woodburn Urban Renewal District Budget.

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ORDINANCE NO. 1917

AN ORDINANCE REGULATING THE CONSTRUCTION, ALTERATION AND REPAIR OF SIDEWALKS.

THE CITY OF WOODBURN ORDAINS AS FOLLOWS:

Section 1. Definitions. Unless the context requires otherwise, the following mean:

- (1) Person. A natural person, firm, corporation or other legal entity.
- (2) Sidewalks. The part of the street right-of-way or an easement which contains a walking structure between the curb lines on the pavement or gravel edge of a roadway and the adjacent property lines, including the driveway approach.
- (3) Major construction. Work that requires new construction or alteration and repair of more than 50% of the existing or future sidewalk area.
- (4) Minor construction. Work that requires alteration or repair of less than 50% of the existing sidewalk area.

Section 2. Duty to Repair Sidewalks. The owner of land adjoining a city street shall maintain in good repair the adjacent sidewalk whenever it becomes damaged or deteriorated in any way.

Section 3. Liability for Sidewalk Injuries.

- (1) The owner of real property responsible for maintaining the adjacent sidewalk shall be liable to any person injured because of failure of the owner to maintain the sidewalk in good condition.
- (2) If the City is required to pay damages for an injury to persons or property caused by the failure of a person to perform the duty which this ordinance imposes, the person shall reimburse the City for the amount of damages thus paid and the attorney fees and costs of defending against the claim of damages. The City may maintain an action in a court of competent jurisdiction to enforce the provisions of this section.

Section 4. Standards and Specifications. Sidewalks shall be constructed, altered and repaired in accordance with City standards and specifications.

Section 5. Submission of Plans. No person shall construct, alter or repair a sidewalk within the City without first making application for a permit and submitting the plans for the proposed work. The application shall be made to the City Engineer's office, and all applicable standards and specifications established under Section 4 shall be met by the plans, and thereafter the City Engineer or designee may issue a permit for the proposed work. There will be no charge for the permit.

Section 6. Supervision of Work. The property owner or agent thereof, may perform construction, alteration or repair of sidewalks after obtaining a permit from the City Engineer's office. The City Engineer or designee may inspect any materials and construction details as in the Engineer's judgment may be necessary to insure compliance with the applicable standards and specifications.

Section 7. Notice to Repair or Make Alterations.

(1) When major construction is involved the Council shall, by motion, direct the City Engineer to issue a notice.

(2) When minor construction is involved and the repair or alteration is brought to the City Engineer's attention, the Engineer may issue a notice directly.

(3) The notice shall require the owner of the property adjacent to the sidewalk to complete the work within 60 days after service of notice. The notice shall also state that if the work is not completed by the owner within the 60-day time period, the City may complete it and assess the cost against the property adjacent to the sidewalk.

(4) The City Engineer shall cause a copy of the notice to be served upon the owner of the property adjacent to the sidewalk, or the notice may be served by registered or certified mail, return receipt requested. If after diligent search the owner is not discovered, the City Engineer shall cause a copy of the notice to be posted in a conspicuous place on the property, and such posting shall have the same effect as service of notice by mail or by personal service upon the owner of the property.

(5) The person serving the notice shall file with the Recorder a statement stating the time, place and manner of service of notice.

Section 8. City May Alter or Repair Sidewalk. If the sidewalk alteration or repair is not completed within 60 days after service of the notice, the City may complete it. Upon completion of the project, the City Engineer shall submit a report to the Council. The report shall contain an itemized statement of the cost of the work.

Section 9. Assessment for Sidewalk Work Done by City. Upon receipt of the report, the Council, by ordinance, shall assess the cost of the work against the property adjacent to the sidewalk. The assessment shall be a lien against the property and may be collected in the same manner as is provided for the collection of street improvement assessments.

Section 10. Sidewalk Construction Requested by the Property Owner. If a property owner petitions the Council for an order to build a sidewalk on the part of the street abutting his or her property, agrees to pay cash or to make application to pay the cost in installments as provided by the Bancroft Bonding Act (ORS 223.205 to 223.295), waives the right of service and publication of notice of construction, and consents to the assessment of the property upon which the sidewalk abuts, the Council

may order the construction of the requested sidewalk, if in its judgment the sidewalk should be built.

Section 11. Penalty. A violation of any section of this ordinance constitutes a class 1 civil infraction and shall be handled according to the procedures established by ordinance relating to civil infractions.

Section 12. Severability. Each portion of this ordinance constitutes a class 1 civil infraction and shall be handled according to the procedures established by ordinance relating to civil infractions.

Section 13. Repeal. Ordinance No. 778 (enacted February 3, 1942) is repealed.

Passed by the Council July 8, 1985 and approved by the Mayor July 9, 1985.



Agenda Item

September 27, 2021

TO: Honorable Mayor and City Council through City Administrator
FROM: Heather Pierson, City Recorder
SUBJECT: **Mid-Willamette Valley Council of Governments Redistricting Services**

RECOMMENDATION:

Discuss and provide feedback on redistricting Services provided by Mid-Willamette Valley Council of Governments (MWVCOG).

BACKGROUND:

Each City that elects City Councilors on the basis of ward representation is required to examine and, if necessary, modify ward boundaries within the same year the results of the decennial census are released. Chapter III – Form of Government, Section 7 of the Woodburn City Charter states: *“the Council shall be composed of six councilors. The City shall be apportioned into six wards for nomination and election of councilors. The Council of Woodburn shall alter the ward boundaries to maintain an equal population distribution not less than once every ten years.”*

Woodburn has relied on the assistance of the MWVCOG to redraw ward boundaries in the past.

DISCUSSION:

The basic redistricting package provided by MWVCOG includes the following:

- Analysis of current representative boundaries
- Preparation of three redistricting plans, including maps and summary data in electronic format
- One set of plan Revisions
- Production of final plan map and data tables
- Data export and transfer to County Clerk.

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Optional Services that MWVCOG could provide the City Council at an additional cost include:

- Council Presentation (In-Person or virtual)
- Council Work Session (In-Person or virtual)
- Council Interviews (In-Person, virtual, or written questionnaire only)
- Public Open House (In-Person or virtual)

Attached is a copy of the redistricting service request that lists the additional costs for these services as well as a description of the service.

FINANCIAL IMPACT:

The cost for the basic redistricting package is \$5,000 and that amount would increase depending on which optional services the City Council is interested in adding.

Attachment

MWVCOG Redistricting Services Request.

Mid-Willamette Valley Council of Governments Small City/District Redistricting Services Request

Organization Name: _____

Contact Person: _____

Contact Email: _____

Contact Phone: _____

Contact Mailing Address: _____

Redistricting Basic Package: \$5,000 (Descriptions on Reverse)

- ◆ Analysis of current representative boundaries
- ◆ Preparation of three redistricting plans, including maps and summary data in electronic format
- ◆ One set of plan revisions
- ◆ Production of final plan map and data tables
- ◆ Data export and transfer to County Clerk

Optional Services (Descriptions on reverse)

Please indicate any optional services to include with your redistricting package.

- | | | |
|--|---|--|
| <input type="checkbox"/> Council/Board Presentation
<input type="checkbox"/> In-person: \$1,600 + travel
<input type="checkbox"/> Virtual: \$1,400 | <input type="checkbox"/> Public Open House
<input type="checkbox"/> In-person: \$2,700
<input type="checkbox"/> Virtual: \$1,600 | <input type="checkbox"/> Other Services
<input type="checkbox"/> Additional plans :\$600 each Qty. _____
<input type="checkbox"/> Large printed maps: \$45 each Qty _____
<input type="checkbox"/> Legal descriptions (\$99/hour)
<input type="checkbox"/> Other: _____

_____ |
| <input type="checkbox"/> Council/Board Work Session
<input type="checkbox"/> In-person: \$1,600 + travel
<input type="checkbox"/> Virtual: \$1,400 | <input type="checkbox"/> Online Maps/Application
<input type="checkbox"/> Web map: \$200
<input type="checkbox"/> Application: \$800 | |
| <input type="checkbox"/> Council/Board Interviews
<input type="checkbox"/> In-person: \$1,000 + \$200 per member
<input type="checkbox"/> Virtual: \$1,000 + \$100 per member
<input type="checkbox"/> Written questionnaire only: \$800 | | |

Signature _____

Date _____

For more information, please contact Lesley Hegewald, GIS Analyst at lhegewald@mwvcog.org , (503)540-1622

Redistricting Process and Tasks

Basic Package Elements

Analysis of current boundaries: Current representative boundaries are analyzed to determine the new population of each area based on the 2020 decennial Census. A target population is calculated by dividing the city's population by the number of representative areas, and the difference between the current and target populations are calculated. This process informs on how to redraw boundaries to balance the population between representative areas.

Preparation of redistricting plans: GIS software is used to aggregate census blocks to form new or revised representative areas. The software calculates the area population as blocks are added or removed with a goal of reaching a total population for each representative area that is within 5% of the target population. Three different plans are prepared, including maps of each alternative and summary data tables with total population, number of persons of voting age, and number of non-White and Hispanic persons.

Plan revisions: One set of plan revisions is included in the basic package. Additional revisions charged hourly at \$99 per hour.

Final maps and tables: A final map and data table of the adopted plan is produced and provided in electronic format.

Data export and transfer: Digital map data of the adopted plan is exported and provided electronically to the County Clerk via email. City or district staff will be copied on the email to the Clerk.

Optional Services Elements

In-person council/board presentation: A MWVCOG GIS Analyst will make an in-person presentation to the council/board discussing the redistricting process and the alternative redistricting plans.

Virtual council/board presentation: A MWVCOG GIS Analyst will make a virtual presentation to the council/board discussing the redistricting process and the alternative redistricting plans.

In-person council/board work session: A MWVCOG GIS Analyst will conduct an in-person council/board work session with the redistricting data and GIS software.

Virtual council/board work session: A MWVCOG GIS Analyst will conduct a virtual council/board work session with the redistricting data and software.

In-person council/board interviews: A MWVCOG GIS Analyst will conduct in-person interviews with council/board members to learn their ideas and priorities prior to drafting redistricting alternatives.

Virtual council/board interviews: A MWVCOG GIS Analyst will conduct virtual interviews with council/board members to learn their ideas and priorities prior to drafting redistricting alternatives.

Written questionnaires: MWVCOG will provide a written questionnaire to council/board members to learn their ideas and priorities prior to drafting redistricting alternatives.

In-person public open house: A MWVCOG GIS Analyst will staff a public open house hosted by the city/district.

Virtual public open house: MWVCOG GIS staff will create an online StoryMap, a web-based application that enables sharing of maps in the context of narrative text and other multimedia content, including a public comment feature.

Web map: A MWVCOG GIS Analyst will create an interactive web map with map layers including current council/district representative areas and all redistricting alternatives.

Web application: A MWVCOG GIS Analyst will create a configurable, interactive web map application with map layer including current council/district representative areas and all redistricting alternatives.

Legal descriptions: A MWVCOG GIS Analyst will produce legal descriptions of the adopted council/board representative boundaries.

*For more information, please contact Lesley Hegewald, GIS Analyst
lhegewald@mwvcog.org, (503)540-1622*