

# City of Mt. Angel

City Council Packet

June 6, 2016

**MT. ANGEL CITY COUNCIL MEETING AGENDA**  
290 East Charles Street – Community Meeting Room  
Monday, June 6, 2016

**7:00 p.m. REGULAR MEETING**

- 1. Call to Order**
- 2. Flag Salute**
- 3. Roll Call**
- 4. Presentations, Guests, and Announcements**
- 5. Appearance of Interested Citizens - *please limit comments to three (3) minutes.***
- 6. Review Correspondence**
- 7. Review Written Staff Reports**
- 8. Review Accounts Payable**
- 9. Consent Agenda**
  - a. Approve City Council Meeting Minutes for May 2, 2016
  - b. Approve Street Closures for Frank-N-Stein's, Mt. Angel Telephone, & Chamber of Commerce
- 10. Unfinished Business**
  - a. Public Comment on City Manager Profile
- 11. New Business**
  - a. Public Hearing on SDR 16-01 and Var 2016-01
  - b. Public Hearing on State Shared Revenues
    - A RESOLUTION CERTIFYING THAT THE CITY OF MT. ANGEL MEETS ALL REQUIREMENTS TO RECEIVE STATE SHARED REVENUES FOR FY 2016-17.
    - A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES FOR FY 2016-17.
  - c. FY 16-17 Budget Public Hearing and Adoption
    - A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS AND CATEGORIZING AD VALORUM TAXES FOR THE CITY OF MT. ANGEL FOR THE 2016-17 FISCAL YEAR.
  - d. Public Comment and Master Fee Resolution
    - A RESOLUTION ADOPTING A MASTER FEE SCHEDULE FOR SERVICES PROVIDED BY THE CITY OF MT. ANGEL.
  - e. Wage Scale Resolution
    - A RESOLUTION ADJUSTING THE WAGE SCALES OF EMPLOYEES OF THE CITY OF MT. ANGEL EFFECTIVE JULY 1, 2016.
  - f. Mt. Angel Telephone Franchise Agreement
    - AN ORDINANCE GRANTING MOUNT ANGEL TELEPHONE COMPANY A FRANCHISE TO OPERATE WITHIN THE CITY OF MT. ANGEL AND TO PLACE, ERECT, MAINTAIN, LAY AND OPERATE IN, UPON, OVER AND UNDER THE PUBLIC RIGHTS OF WAY NECESSARY WIRES AND OTHER APPURTENANCES TO PROVIDE TELECOMMUNICATIONS SERVICES WITHIN THE CITY OF MT. ANGEL.
  - g. Advisory Committee Appointments

*Mt. Angel Community Meeting Room is handicapped accessible. If special accommodations are required please contact City Hall at least one business day in advance at 503-845-9291. Hearing Impaired may call TTY (800) 648—3458. Interpretive services may be available with sufficient prior notice of need.*

- h. Approval of Façade Improvement Program Phase II Grants
  - i. Discussion of Future Agenda Items
- 12. City Manager's Report**
- a. Discussion on Oktoberfest Operating Agreement for 2016/Cost Recovery Approach
  - b. Marijuana Taxation Election
- 13. Councilor/Committee Reports**
- 14. Mayor's Report**
- 15. Adjournment**

CITY OF MT. ANGEL

---

June 2016

# Department Reports

Mike Healy  
 Interim City Manager  
 estein@ci.mt-angel.or.us  
 503-845-9291

## ADMINISTRATION

### City Manager:

Eileen's last day was May 19<sup>th</sup> and she had a few nice "send-offs" from employees and folks around town. We all wish her success and best wishes with the City of West Linn.

### Ordinance Changes:

I am working on revisions to the noise ordinance to change the exceptions to accommodate City sweeping and the garbage service while doing their morning pick-ups. I am also working on changes to the recreational vehicle parking ordinance so the City Manager will have the authority to approve short term exceptions.

### Internet Service:

I believe the Wave internet service problems we were experiencing were resolved on Eileen's last day. We have been working with Wave for several weeks in order to work out some service issues the City Hall building was experiencing.

### Signatory Change:

We were successful at adding me to the signer list and eliminating Eileen from that list. Thank you to the other signers for helping this end up a fast process.

### City Manager Recruitment

This agenda includes public comment on the position profile. Applications are due by June 3<sup>rd</sup>.

### 2016 Oktoberfest Agreement

We're stepping up efforts to work on the agreement for 2016. Oktoberfest suggested, in lieu of paying the capital project contribution, they would prefer to pay the full support of city services to put on the festival, so this week the following e-mail was sent to the O'Fest President:

*"Regarding this year's agreement and the idea of capturing all of the City's costs (versus the capital project contribution) Mike, Dan and I brainstormed about this today. The most significant expenses NOT being captured right now are water charges and wastewater disposal charges, plus Public Works time which is nominal. Dan will work up an estimate of the water and sewer charges. He will be leaving for an extended vacation soon, but will be able to work up these costs by mid-July. I have no idea how these costs will compare with the \$5,000 capital project contribution."*

### Reservoir Overflow Water Damage

Summit Restoration is aware of the City Council's direction to split the cost of the \$1,932.79 in remaining costs. We have received an invoice and will be paying in the next accounts payable batch.

FY 2016-17 Goals

1. Continue to evaluate new General Fund revenue sources to promote community livability (walkability, beautiful parks, library, and police protection) and make progress toward the city's 2035 vision.

*Budget Committee recommendations for FY 16-17 Budget include franchise fee increases for Mt. Angel Telephone and PGE, new Business Registration Fee, and addition of staff hours for the Children's Librarian and park maintenance. These recommendations were included in the proposed budget presented for adoption at this meeting.*

2. Continue the process of analyzing costs and revenue sources for maintaining city, and possibly county infrastructure inside city limits, through the Infrastructure Task Force.

*Budget Committee recommendations for FY 16-17 include all of the recommendations of the Infrastructure Task Force. These recommendations were included in the proposed budget presented for adoption at this meeting.*

3. Implement Phase II of the Mt. Angel Development Code update project.

*Contract for Phase II is completed and Angelo Planning Group has received the notice to proceed.*

4. Continue planning and community outreach efforts on solutions for City Hall and the Police Department facilities.

*The structural assessment report for City Hall was e-mailed to the City Council and the City Hall Planning and Outreach Committee the week of May 16<sup>th</sup>. The e-mail suggests it might be time for a committee meeting, finally. Justin is following up with committee members.*

*Justin Hogue*  
*Assistant to the City Manager*  
jhogue@ci.mt-angel.or.us  
503-845-9291

## COMMUNITY DEVELOPMENT

### Façade Improvement Program

The Design Review Board reviewed the remaining applications and has provided recommendations for awarding the remaining grant funds. These recommendations are included in the packet (see Item #11g).

### Permits

Building permits for new single family homes were issued for 544 Taylor Street, 1010 Hayes Street, and 930 Grant Street. Additional permits were issued for several building repairs/improvements as well as one for a 7,800 gallon poly tank to be located at the Wilco building off of Industrial Way.

### Planning Activity

As you are aware, the Planning Commission decision of April 21<sup>st</sup> denying the site design review and variance applications for 555 N. Main Street has been appealed and a public hearing is scheduled to be conducted at the June 6, 2016 regular Council meeting.

### Develop Code Update

Serah Breakstone with Angelo Planning Group, our consultant for the Development Code update, is moving on from Angelo Planning Group to pursue another career opportunity. Catherine Corliss is replacing her and will work to ensure that it will be a seamless transition. Ms. Corliss has over 20 years of experience in growth management, land use, transportation, and environmental planning in the public and private sectors and has been with Angelo Planning Group since its founding in 1999. She has extensive experience in updating development codes and is looking forward to working with the City on updating ours.

*Chaunee Seifried*  
*Finance Director*  
cseifried@ci.mt-angel.or.us  
503-845-9291

# FINANCE

## Budget

The Budget Committee had two budget meetings on April 18<sup>th</sup> and April 21<sup>st</sup>. They are forwarding a recommended budget to the City Council for the June 6<sup>th</sup> meeting. They recommended the budget as proposed and they also added all of the decision packages except for #3, the library director's office.

## Utility Billing

\$2227 is 90 days past due.

50 shut off notices were mailed out.

6 customers had water shut off and all were turned back on.

## Court

Court fine revenues for the month were \$2691. Out of that, a check in the amount of \$414 was sent to Oregon Department of Revenue, and a check in the amount of \$120 was sent to Marion County Treasurer. These amounts represent the assessments that were due for the month of April.

Two checks were received, totaling the amount \$428. This amount represents citations that were written outside of the City limits that were either prosecuted in Justice Court or Circuit Court for traffic and criminal matters.

The next court session is July 13<sup>th</sup>.

## Year End

We are starting our year end process and have scheduled our audit for the last week of August.

Carrie Alexandria Caster  
 Library Director  
 ccaster@ci.mt-angel.or.us  
 503-845-9291

# LIBRARY

## Summer Reading Program: “On Your Mark, Get Set...Read!”

Final preparation for our big Summer Reading program is underway! Youth Services Librarian Stephanie has scheduled outreach visits to our local schools St. Mary’s Elementary, Mount Angel Middle School and JFK where she will be promoting the great programs and events happening in June, July and August. We are especially excited that the local schools have agreed to host ice cream parties for our library Summer Reading finishers at their schools in the fall! This year we also are offering online registration through our website. We are also hosting a new special event this year: **free popsicles** for everyone who signs up for Summer Reading on our the first day of the program : **June 16th (from 1-5)**! We will also have some fun sports/activity related activities throughout the library including a guessing game and a favorite activities bracket. A complete brochure of all ages summer programs will be available next week.

Our all ages Summer Reading performers (every Tuesday at 3:30) are: Reptile Man (6/21), comedian Angel Ocasio (6/28), juggler Rhys Thomas (7/5), musician Rich Glauber (7/12), inspirational speaker Kacey McAllister (7/19), and Border Collies International (7/26). We are offering a separate slate of teen programs, as well. The program culminates in our Summer Reading Carnival finale party on Tuesday, August 2nd. Once again, ALL ages are invited to participate--and our award-winning program will be better than ever this year! Huge thanks are due to the many local business who are participating by generously donating incentives or materials this year, including Leona’s Bakery and Cafe, Old Stone Coffee & Collectibles, Mt. Angel Chamber of Commerce, Burgertime, Mt. Angel Sausage Company, Columbia Bank, and The Glockenspiel! We will also be announcing additional donors and supporters soon. Many thanks!

## Program Changes During Summer Reading

Our Family Storytime (Tuesdays at 3:30) will be on hiatus during Summer Reading to make room for our Summer Reading performances, but we will continue with our Lego Club (Tuesdays 5-6), Toddler Storytime (Wednesdays 10:30-11:30, and Indoor Playtime (Wednesdays 11:30-12:30) to maintain momentum for these popular programs.

## Adult Craft Club Returns in June

We will be hosting another Adult Craft Club afternoon on Thursday, June 9th from 3:00-5:00. This time volunteer instructor Kris Heinz will be sharing techniques for making folded paper boxes. Thanks to Kris for her willingness to share her craft skills as we work to provide more adult programs. We have had good feedback about this program thus far and hope we have attendance. We continue to recruit volunteers who would be willing to share talents and skills in this way.

## Changes to Basic cCards Coming up in July

The CCRLS library directors and council voted in May to significantly expand current levels of service for Basic level patrons who live in Polk, Marion, and Yamhill county. The current level of service allows our Basic patrons (those living outside of a CCRLS library’s city or library district limits), who are over 15 years of age, to check out only **1 item at time**. Based on a review of this long-term policy and with a renewed desire to improve access to library services and materials, it was approved that the check-out limits for Basic cards will be raised from 1 at a time to **10 at a time**. This is a significant increase in access for community

members who live outside the city limits and we are delighted that we'll soon be able to offer this expanded service. Details are still being worked out, but CCRLS intends to make this change effective July 1st, 2016. I will be working with CCRLS and our Library Advisory Board to communicate with our patrons about this increase in service, and related implications. We will continue to offer Fee cards (\$60 per year per household for up to 50 check-outs at a time--a full service card), but anticipate many people will be well served with this newly expanded Basic card service. More details will be coming soon.

#### Movie Matinees

We will continue with our popular, family-friendly 3rd Friday Movie Matinees at the library during the summer months, despite recent technical challenges with our laptop DVD player, which we have been advised we'll likely have to soon replace. We have scheduled "Zootopia" for Friday, June 17th, "Kung Fu Panda 3" for Friday, July 15th, with the movie for Friday, August 19th to be determined soon.

#### Elephant and Piggie Party

Our recent Elephant and Piggie Party attracted over 60 attendees who came to celebrate the beloved children's books by Mo Willems! Stephanie organized a fun and lively party with great activities.

#### TAB ends for Summer Months

Our Teen Advisory Board (TAB) holds its final party of the 2015-16 school year this week, celebrating together with pizza and games. TAB does not meet during the summer months, but will reconvene in the fall. Current TAB members who would like to continue in the group will be welcome and we anticipate we will gain new members as well. Application for new members will be solicited during the beginning of the school year this fall. It has been a great start to our TAB group and we expect it to grow and develop even more over the next year.

#### Circulation Stats

Items circulated in April 2016: **2755** (*April 2015: 2681*)

Patron visits in April 2016: **1092** (*April 2015: 851*)

Patron visits in March 2016: **1220** (*March 2015: 1244*)

*Michael D. Healy*  
*Chief of Police*  
mhealy@ci.mt-angel.or.us  
503-845-9294

# POLICE

Newest Police Officer:

Our newest officer, Anela Javor started with us on May 17<sup>th</sup>. She is undergoing her field training with Sgt. Charpiloz. She will attend the 16 week Basic Police Academy probably beginning in August.

Office Staff:

Lynn Jenks' last day was May 27<sup>th</sup>. Emily Marshall was hired to replace Lynn in records and evidence. She is doing well with a steep learning curve. Nann Fleck is off-duty for what could end being several weeks for recovery from a medical procedure. We are back-filling her role with part-time help as needed.

Dan Bernt  
 Public Works Superintendent  
 dbernt@ci.mt-angel.or.us  
 503-845-6260

## PUBLIC WORKS

### Water Department

- We collected water samples for VOC's , SOC's , and IOC's from wells #6 and #5. The results are back for well #6. Out of nearly 100 compounds that we tested for none were detected except sodium and fluoride. Sodium is unregulated and the amount of fluoride detected was approximately 1/8 of what the allowable level in drinking water is. The results are not yet back for well #5 as we collected those samples late in the month.
- We also collected Radiological samples for wells 5 and 6. The results for those tests are not back yet.
- We collected 4 routine water samples.
- We installed new water meters at several locations, and also replaced stopped water meters at several locations.
- We had 5 delinquency shut offs.
- We had an issue with well #6 that was checked out. We ordered replacement parts that should be here soon. The well is operational “as is” should the need arise.
- We replaced a bad water main valve at the corner of N. Garfield and Taylor streets.
- The annual drinking water consumer confidence report has been sent / delivered to users of our water, and to the State.
- We assisted the developer of Grandview Estates with required flow testing of several fire hydrants adjacent to the proposed development.

### Sewer Department

- We are currently in recirculation mode for the summer.
- The entire Public Works crew completed confined space entry training and FIT testing at the WWTP on the 12th. Three members of Public Works attended HazMat, Bloodborne Pathogen, and CPR training on the 24th. Two members of Public Works attended flagger training in Oregon City on the 17th.
- The emergency generators at the WWTP, and Wells 6 & 7 have been refilled with diesel.
- We sprayed the dikes and berms at the WWTP. We also are mowing as needed.
- Rock work on the entry road and the dike roads continues.
- Contract Trapping continues.
- Monitoring of the Sanitary Sewer Collection System continues.

### Parks Department

- Mowing continues in all parks. We are also working on vegetation control.
- The automatic irrigation systems have been activated in all areas that have them. The Humpert Park irrigation system upgrade is complete other than the automatic controller installation. Until we get

the controllers installed it takes about 5 minutes twice a day to manually operate the valves to water the park.

- We did some plumbing repairs and cleaning in the Ebner Park restroom to ready it for summer use during reserved events.
- We replaced several boards on the portable toilet shelter that were removed by unknown persons.

#### Streets Department

- Maintenance work was done on the Street Sweeper. The sweeper was in operation twice in May.
- We did tree trimming along the highway south of the fountain area. We also did trimming along several areas of the street sweeping route, And for sign visibility.
- We continue with basin clearing as needed.
- We are prepping for street painting and thermoplastic installation.
- Roadside mowing operations continue.
- We have contacted the contractors for dust control applications, and for crack sealing operations, and will be scheduling both operations soon.
- We did some rock work in the alley by the Post Office.
- We did many utility locates in May.

#### Other

- We worked with contractors / developers on several projects.
- We reposted 555 N. Main for an appeal hearing regarding that property.

Report Criteria:  
Detail report.  
Invoices with totals above \$0.00 included.  
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>911 Supply</b>						
1063	911 Supply	39141	Jacket/Snell	03/30/2016	279.99	01-02-62575 Uniforms
1063	911 Supply	39665	Uniforms/Martinez	04/26/2016	396.95	01-02-62575 Uniforms
1063	911 Supply	39669	Uniforms/Charpilloz	04/26/2016	71.98	01-02-62575 Uniforms
1063	911 Supply	39688	New hire equipment	04/27/2016	198.53	01-02-62572 Hiring Expense
Total 911 Supply:					947.45	
<b>ABIQUA LANDSCAPE PRODUCTS</b>						
12699	ABIQUA LANDSCAPE PRODUC	5445	Fill dirt for Humpert park irrigation	04/07/2016	140.00	01-06-62730 Maintenance & Supplies
Total ABIQUA LANDSCAPE PRODUCTS:					140.00	
<b>ACCESS</b>						
12971	ACCESS	20182630	Shredding services/city hall bldg	04/30/2016	18.20	01-02-62420 Supplies & Services
12971	ACCESS	20182630	Shredding services/city hall bldg	04/30/2016	18.20	01-01-62420 Supplies & Services
Total ACCESS:					36.40	
<b>AIRGAS USA, INC</b>						
1225	AIRGAS USA, INC	9050626256	(3) 150# cylinders of chlorine for WWTP	04/21/2016	1,677.60	26-26-62730 Maintenance & Supplies
1225	AIRGAS USA, INC	9051109515	One cylinder sulfur dioxide for WWTP	05/05/2016	626.11	26-26-62730 Maintenance & Supplies
1225	AIRGAS USA, INC	9051109517	One cylinder sulfur dioxide for WWTP	05/05/2016	643.48	26-26-62730 Maintenance & Supplies
1225	AIRGAS USA, INC	905119516	(2) 150# cylinders of chlorine for WWTP	05/05/2016	1,158.99	26-26-62730 Maintenance & Supplies
1225	AIRGAS USA, INC	9936140163	Cylinder rental fees/monthly(water & sewer)	04/30/2016	17.74	25-25-62730 Maintenance & Supplies
1225	AIRGAS USA, INC	9936140163	Cylinder rental fees/monthly(water & sewer)	04/30/2016	114.00	26-26-62730 Maintenance & Supplies
Total AIRGAS USA, INC:					4,237.92	
<b>Aspen Wildlife Services, LLC</b>						
1545	Aspen Wildlife Services, LLC	42	Wildlife mgmt program/monthly	05/05/2016	375.00	26-26-62730 Maintenance & Supplies
Total Aspen Wildlife Services, LLC:					375.00	
<b>AT&amp;T</b>						
1580	AT&T	36	modems/police vehicles	04/05/2016	167.36	01-02-62532 Communication Services

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
Total AT&T:					167.36	
<b>Baker &amp; Taylor Books</b>						
1710	Baker & Taylor Books	401158887	Books	04/26/2016	219.51	01-05-62461 New Books
1710	Baker & Taylor Books	4011594134	Books	05/03/2016	257.75	01-05-62461 New Books
1710	Baker & Taylor Books	4011602699	Books	05/11/2016	262.41	01-05-62461 New Books
1710	Baker & Taylor Books	4011602714	Books	05/11/2016	30.68	01-05-62461 New Books
1710	Baker & Taylor Books	T37977030	Books	04/27/2016	19.75	01-05-62461 New Books
Total Baker & Taylor Books:					790.10	
<b>Blackpoint IT Services</b>						
12688	Blackpoint IT Services	100451PDX	Computer anti-virus/backup. Annually	02/10/2016	327.00	01-01-62470 Computer Supplies & Servi
12688	Blackpoint IT Services	100451PDX	Computer anti-virus/backup. Annually	02/10/2016	250.00	01-02-62470 Computer Supplies & Servi
12688	Blackpoint IT Services	100451PDX	Computer anti-virus/backup. Annually	02/10/2016	135.00	01-05-62470 Computer Supplies & Servi
12688	Blackpoint IT Services	100451PDX	Computer anti-virus/backup. Annually	02/10/2016	25.00	11-11-62470 Computer Supplies & Servi
12688	Blackpoint IT Services	100451PDX	Computer anti-virus/backup. Annually	02/10/2016	50.00	25-25-62470 Computer Supplies & Servi
12688	Blackpoint IT Services	100451PDX	Computer anti-virus/backup. Annually	02/10/2016	50.00	26-26-62470 Computer Supplies & Servi
Total Blackpoint IT Services:					837.00	
<b>Bochsler Hardware</b>						
2090	Bochsler Hardware	MAY2016	Distilled water & blender	04/30/2016	64.77	26-26-62730 Maintenance & Supplies
2090	Bochsler Hardware	MAY2016	Hooks, trowel, spackle, gap filler	04/30/2016	25.58	25-25-62805 Building Maintenance
2090	Bochsler Hardware	MAY2016	Boots	04/30/2016	295.95	01-02-62575 Uniforms
2090	Bochsler Hardware	MAY2016	Range supplies	04/30/2016	84.79	01-02-62585 Range Supplies
2090	Bochsler Hardware	MAY2016	Lysol wipes, spackle & air freshener	04/30/2016	10.58	01-01-62420 Supplies & Services
2090	Bochsler Hardware	MAY2016	Paper towels, foil, tape	04/30/2016	8.09	01-05-62595 Childrens Program
Total Bochsler Hardware:					489.76	
<b>BRETTTHAUER OIL COMPANY</b>						
12947	BRETTTHAUER OIL COMPANY	CL36766	Public works fuel by dept.	04/30/2016	72.41	11-11-62790 Vehicle Operation
12947	BRETTTHAUER OIL COMPANY	CL36766	Public works fuel by dept.	04/30/2016	68.71	01-06-62790 Vehicle Operation
12947	BRETTTHAUER OIL COMPANY	CL36766	Public works fuel by dept.	04/30/2016	68.57	26-26-62790 Vehicle Operation
12947	BRETTTHAUER OIL COMPANY	CL36766	Public works fuel by dept.	04/30/2016	139.88	25-25-62790 Vehicle Operation
12947	BRETTTHAUER OIL COMPANY	CL36766	Police Dept fuel	04/30/2016	675.39	01-02-62790 Vehicle Operation
Total BRETTTHAUER OIL COMPANY:					1,024.96	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>BUSINESS RADIO LICENSING</b>						
12996	BUSINESS RADIO LICENSING	MAY2016	Radio licensing update fees	05/09/2016	120.00	25-25-62730 Maintenance & Supplies
Total BUSINESS RADIO LICENSING:					120.00	
<b>CARROLL CONSULTING LLC</b>						
12982	CARROLL CONSULTING LLC	ARPIL216	Background/new hire(officer)	04/07/2016	461.75	01-02-62572 Hiring Expense
12982	CARROLL CONSULTING LLC	MAY2016	Background/new hire(records clerk)	04/26/2016	496.75	01-02-62572 Hiring Expense
Total CARROLL CONSULTING LLC:					958.50	
<b>CASTER, CARRIE A</b>						
12849	CASTER, CARRIE A	APRIL16	books for collection	04/20/2016	16.49	01-05-62461 New Books
12849	CASTER, CARRIE A	APRIL16	Cake & candy for Beverly Cleary party	04/20/2016	34.98	01-05-62595 Childrens Program
12849	CASTER, CARRIE A	APRIL16	Program & cleaing supplies	04/20/2016	60.29	01-05-62595 Childrens Program
12849	CASTER, CARRIE A	APRIL16	Summer reading program prizes	04/20/2016	41.00	01-05-62715 Ready to Read Grant
12849	CASTER, CARRIE A	MAY2016	books	05/18/2016	182.83	01-05-62461 New Books
12849	CASTER, CARRIE A	MAY2016	DVD'S for collection	05/18/2016	67.97	01-05-62474 Audio Visuals and CD's
12849	CASTER, CARRIE A	MAY2016	Popcorn for movie matinees	05/18/2016	9.79	01-05-62595 Childrens Program
Total CASTER, CARRIE A:					413.35	
<b>CATHOLIC COMMUNITY SERVICES</b>						
7750	CATHOLIC COMMUNITY SERVI	49	Public restrooms/monthly	05/05/2016	315.00	11-11-62730 Maintenance & Supplies
Total CATHOLIC COMMUNITY SERVICES:					315.00	
<b>CDW Government, Inc.</b>						
2740	CDW Government, Inc.	HBJR634	Space for Vivue storage	05/04/2016	1,477.28	01-02-62470 Computer Supplies & Servi
Total CDW Government, Inc.:					1,477.28	
<b>CENTURY LINK</b>						
12583	CENTURY LINK	149	503-845-2720/WWTP long dis.	05/05/2016	.00	26-26-62430 Telephone
12583	CENTURY LINK	149	845-6260,2852,PWorks	05/05/2016	.48	25-25-62430 Telephone
12583	CENTURY LINK	149	lines,9291,9292,6261	05/05/2016	7.58	01-01-62430 Telephone
12583	CENTURY LINK	149	845-6401/library long dist.	05/05/2016	.83	01-05-62430 Telephone
12583	CENTURY LINK	149	40009294,9848, Pdept long dist	05/05/2016	18.95	01-02-62430 Telephone
Total CENTURY LINK:					27.84	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>Chemeketa Community College</b>						
2790	Chemeketa Community College	S0937965	Debt collections charges/3rd quarter	04/08/2016	17.90	01-05-62420 Supplies & Services
Total Chemeketa Community College:					17.90	
<b>City of Silverton</b>						
2960	City of Silverton	57	PD dispatch services	04/05/2016	23.12	01-02-62530 Dispatch Services
2960	City of Silverton	58	PD dispatch services	05/05/2016	23.12	01-02-62530 Dispatch Services
Total City of Silverton:					46.24	
<b>Clouser, Marilyn</b>						
3080	Clouser, Marilyn	MAY2016	Oregon library assoc. conference/bend	05/24/2016	160.00	01-05-62535 Travel,Training,Certificatio
3080	Clouser, Marilyn	MAY2016	Mileage reimbursment conference in Bend	05/24/2016	129.60	01-05-62535 Travel,Training,Certificatio
Total Clouser, Marilyn:					289.60	
<b>COMMUNITY NEWSPAPERS</b>						
12683	COMMUNITY NEWSPAPERS	APRIL2016	Woodburn Indep. subscription(2yr)	03/31/2016	56.00	01-01-62420 Supplies & Services
Total COMMUNITY NEWSPAPERS:					56.00	
<b>Complete Wireless Solutions</b>						
3200	Complete Wireless Solutions	89393	Antennae relocation	04/12/2016	1,280.00	01-02-62815 Expendable Supplies
3200	Complete Wireless Solutions	S88866	Antennae relocation	04/19/2016	306.84	01-02-62815 Expendable Supplies
3200	Complete Wireless Solutions	S88892	Portable handset radio & program	05/10/2016	899.96	01-02-62420 Supplies & Services
Total Complete Wireless Solutions:					2,486.80	
<b>Consolidated Supply Co.- Salem</b>						
3250	Consolidated Supply Co.- Salem	S7748210	(2) 2" gate valves for replacements	05/02/2016	804.36	25-25-62730 Maintenance & Supplies
3250	Consolidated Supply Co.- Salem	S7749011	Water fittings & glue	05/03/2016	176.61	25-25-62730 Maintenance & Supplies
Total Consolidated Supply Co.- Salem:					980.97	
<b>Cooke Stationery Co.</b>						
3300	Cooke Stationery Co.	488072	DVD's	03/03/2016	19.29	01-02-62420 Supplies & Services
3300	Cooke Stationery Co.	490850	New patrol room chairs(4)	04/22/2016	1,988.80	01-02-62798 Equipment
Total Cooke Stationery Co.:					2,008.09	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>COUKOULIS, LORI</b>						
12844	COUKOULIS, LORI	MAY2016	Judge services/May municipal court	05/11/2016	275.00	01-03-62525 Judge
Total COUKOULIS, LORI:					275.00	
<b>CRAM, KATHRYN</b>						
12983	CRAM, KATHRYN	APRIL2016	Refund utility deposit	04/12/2016	33.83	26-26-10800 Sewer Deposits
Total CRAM, KATHRYN:					33.83	
<b>Dad's CCR's</b>						
3500	Dad's CCR's	MAY2016	DRINKING WATER REPORT/annually	05/16/2016	100.00	25-25-62730 Maintenance & Supplies
Total Dad's CCR's:					100.00	
<b>Deitch, Howard L.</b>						
8190	Deitch, Howard L.	MAY2016	Psychological evaluation/records clerk	04/25/2016	450.00	01-02-62572 Hiring Expense
Total Deitch, Howard L.:					450.00	
<b>DEMCO</b>						
3710	DEMCO	5879041	Book jackets & supplies	05/18/2016	93.47	01-05-62462 Maintenance, Books & Exp
Total DEMCO:					93.47	
<b>Family Circle</b>						
4590	Family Circle	MAY2016	Subscription renewal/ 2 year	04/28/2016	9.99	01-05-62475 Serials & Publications
Total Family Circle:					9.99	
<b>FARMERS TOILET CO.</b>						
4610	FARMERS TOILET CO.	45	Portable toilets/Parks	05/05/2016	227.13	01-06-62760 Utilities
Total FARMERS TOILET CO.:					227.13	
<b>Fleck, Don R</b>						
4740	Fleck, Don R	2016-05	Confined space training & fit tests for PW @ WWTP	05/12/2016	425.00	26-26-62535 Travel,Training,Certificatio
Total Fleck, Don R:					425.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>GREG'S AUTOMOTIVE</b>						
5195	GREG'S AUTOMOTIVE	11531	Unit 01 oil change	03/25/2016	37.66	01-02-62550 Vehicle Repairs
5195	GREG'S AUTOMOTIVE	11587	Unit 14	04/15/2016	37.66	01-02-62550 Vehicle Repairs
5195	GREG'S AUTOMOTIVE	11589	Unit 51 oil change	04/14/2016	37.66	01-02-62550 Vehicle Repairs
Total GREG'S AUTOMOTIVE:					112.98	
<b>Hall, Michele Lynn</b>						
5350	Hall, Michele Lynn	MA042516	Contracting services/council minutes(2) MONTHS	04/25/2016	121.50	01-01-62525 Consultant Services
Total Hall, Michele Lynn:					121.50	
<b>HD SUPPLY WATERWORKS, LTD</b>						
5470	HD SUPPLY WATERWORKS, LT	F387915	Water meter installation supplies	04/22/2016	295.06	25-25-62730 Maintenance & Supplies
5470	HD SUPPLY WATERWORKS, LT	F387915	Sanitary sewer manhole cover hooks	04/22/2016	116.84	26-26-62730 Maintenance & Supplies
5470	HD SUPPLY WATERWORKS, LT	F427966	Water meter boxes for new installations	04/29/2016	196.48	25-25-62730 Maintenance & Supplies
5470	HD SUPPLY WATERWORKS, LT	F459815	Stock replacement 18 brass meter valves & 8 corp stops	05/04/2016	1,654.52	25-25-62730 Maintenance & Supplies
Total HD SUPPLY WATERWORKS, LTD:					2,262.90	
<b>JENSEN ROOFING &amp; CONSTRUCTION, INC</b>						
12994	JENSEN ROOFING & CONSTRU	1235	Roof repair @ senior center bldg	05/18/2016	400.00	01-01-62460 Building Maintenance
Total JENSEN ROOFING & CONSTRUCTION, INC:					400.00	
<b>Laborers' Local 483</b>						
6510	Laborers' Local 483	40	PW union dues,monthly/emp.paid	05/10/2016	342.38	01-00-20635 Accrued Union Dues
Total Laborers' Local 483:					342.38	
<b>LAING, STEPHANIE</b>						
12937	LAING, STEPHANIE	MAY2016	Bingo & earth day prizes	05/06/2015	33.14	01-05-62595 Childrens Program
12937	LAING, STEPHANIE	MAY2016	Teen summer reading prizes	05/06/2015	4.00	01-05-62715 Ready to Read Grant
Total LAING, STEPHANIE:					37.14	
<b>Land, Kathy</b>						
6555	Land, Kathy	MAY2016	Park Deposit Refund	05/19/2016	25.00	01-06-62528 Park Reservation Return D
Total Land, Kathy:					25.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>League of Oregon Cities</b>						
6660	League of Oregon Cities	17496	Ad for City Manager recruitment	05/09/2016	20.00	01-01-62510 City Council Expense
Total League of Oregon Cities:					20.00	
<b>Les Schwab</b>						
6740	Les Schwab	23000178348	Replacement tire for WWTP tractor	04/08/2016	122.08	26-26-62790 Vehicle Operation
Total Les Schwab:					122.08	
<b>LEUPITZ PEST CONTROL, INC</b>						
6750	LEUPITZ PEST CONTROL, INC	34553	PEST CONTROL/City Hall building/split w/Pdept	04/13/2016	58.00	01-02-62460 Building Maintenance
6750	LEUPITZ PEST CONTROL, INC	34553	PEST CONTROL/City Hall building/split w/Pdept	04/13/2016	58.00	01-01-62460 Building Maintenance
Total LEUPITZ PEST CONTROL, INC:					116.00	
<b>Marion County Building Inspect</b>						
6970	Marion County Building Inspect	05012016MA	BUILDING PERMIT FEES/April 2016	05/01/2016	1,625.81	01-04-62527 Bldg Permits Marion Count
Total Marion County Building Inspect:					1,625.81	
<b>Marion County Treasurer</b>						
7050	Marion County Treasurer	MAY2016	Court assessments/monthly	05/03/2016	120.40	01-03-62520 Assessments
Total Marion County Treasurer:					120.40	
<b>MARTINEZ, NOE</b>						
12984	MARTINEZ, NOE	APRIL2016	Car seat organizer, safety vest, handcuffs(exp reimb)	04/13/2016	98.66	01-02-62815 Expendable Supplies
Total MARTINEZ, NOE:					98.66	
<b>MASALIGIN, BASILIO</b>						
12985	MASALIGIN, BASILIO	APRIL2016	Refund/overpayment on building permit(345 Alder)	04/19/2016	8.08	01-04-62527 Bldg Permits Marion Count
Total MASALIGIN, BASILIO:					8.08	
<b>Mid-Willamette Council of Gov</b>						
7440	Mid-Willamette Council of Gov	1516324	Reg planning services(march)	04/19/2016	154.00	01-04-62515 Planning Fees
7440	Mid-Willamette Council of Gov	1516324	Var 2016-01, SDR 2016-01(555 N. Main st)	04/19/2016	57.75	01-04-62515 Planning Fees
7440	Mid-Willamette Council of Gov	1516324	PAR 2016-01(1085 Academy)billed to applicant	04/19/2016	308.00	01-04-62515 Planning Fees
7440	Mid-Willamette Council of Gov	1516335	Reg planning services(April)	05/04/2016	115.50	01-04-62515 Planning Fees

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
7440	Mid-Willamette Council of Gov	1516335	P2015-01, CUP/SDR 2015-03, CUP/SDR 2015-04	05/04/2016	38.50	01-04-62515 Planning Fees
7440	Mid-Willamette Council of Gov	1516335	Var2016-01, SDR2016-01	05/04/2016	770.00	01-04-62515 Planning Fees
7440	Mid-Willamette Council of Gov	1516336	City manager recruitment	05/04/2016	3,000.00	01-01-62525 Consultant Services
Total Mid-Willamette Council of Gov:					4,443.75	
<b>Moonlight Maintenance, Inc.</b>						
7590	Moonlight Maintenance, Inc.	140	City Hall cleaning	05/05/2016	156.00	01-01-62460 Building Maintenance
7590	Moonlight Maintenance, Inc.	141	Police Dept. cleaning/monthly	05/05/2016	196.00	01-02-62460 Building Maintenance
7590	Moonlight Maintenance, Inc.	142	Library cleaning/monthly	05/10/2016	144.00	01-05-62460 Building Maintenance
Total Moonlight Maintenance, Inc.:					496.00	
<b>MORALES, CONSTANTINA</b>						
12993	MORALES, CONSTANTINA	MAY2016	Refund: park rental deposit	04/25/2016	25.00	01-06-62528 Park Reservation Return D
Total MORALES, CONSTANTINA:					25.00	
<b>Mt Angel Police Association</b>						
12582	Mt Angel Police Association	37	Union dues/emp paid/monthly	04/10/2016	330.00	01-00-20635 Accrued Union Dues
12582	Mt Angel Police Association	38	Union dues/emp paid/monthly	05/10/2016	330.00	01-00-20635 Accrued Union Dues
Total Mt Angel Police Association:					660.00	
<b>Mt Angel Telephone Company</b>						
7820	Mt Angel Telephone Company	417	WWTP 2 lines+internet	05/05/2016	123.34	26-26-62430 Telephone
7820	Mt Angel Telephone Company	418	City Well	05/05/2016	59.23	25-25-62430 Telephone
7820	Mt Angel Telephone Company	419	PWShops 2 lines+internet/split	05/05/2016	94.22	25-25-62430 Telephone
7820	Mt Angel Telephone Company	419	PWShops 2 lines+internet/split	05/05/2016	23.56	11-11-62430 Telephone
7820	Mt Angel Telephone Company	420	City Hall Fax	05/05/2016	48.23	01-01-62430 Telephone
7820	Mt Angel Telephone Company	421	Library phone	05/05/2016	37.06	01-05-62430 Telephone
7820	Mt Angel Telephone Company	422	Pdept 911 line	05/10/2016	33.45	01-02-62530 Dispatch Services
7820	Mt Angel Telephone Company	423	City Hall, 2 lines	05/05/2016	108.01	01-01-62430 Telephone
7820	Mt Angel Telephone Company	424	Police Dept lines	05/05/2016	155.49	01-02-62430 Telephone
Total Mt Angel Telephone Company:					682.59	
<b>NAPA Auto Parts</b>						
7910	NAPA Auto Parts	MMAY2016	Tempered bolts for meter installation	04/25/2016	12.44	25-25-62730 Maintenance & Supplies

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
Total NAPA Auto Parts:					12.44	
<b>NEOFUNDS BY NEOPOST</b>						
12883	NEOFUNDS BY NEOPOST	10248030	Postage funds for postage machine	04/14/2016	500.00	01-01-62440 Postage
Total NEOFUNDS BY NEOPOST:					500.00	
<b>Northwest Natural Gas Co.</b>						
8210	Northwest Natural Gas Co.	89	City Hall bldg,split w/pdept	05/05/2016	37.77	01-01-62760 Utilities
8210	Northwest Natural Gas Co.	89	City Hall bldg,split w/pdept	05/05/2016	37.77	01-02-62760 Utilities
8210	Northwest Natural Gas Co.	90	Library building	05/10/2016	30.93	01-05-62760 Utilities
Total Northwest Natural Gas Co.:					106.47	
<b>NW Natural</b>						
12987	NW Natural	MAY2016	Refund work in ROW permit(WR 3466913)	04/29/2016	50.00	01-00-40620 ADMIN City Licenses & Fe
Total NW Natural:					50.00	
<b>OCCMA</b>						
8330	OCCMA	MAY2016	REGISTRATION/Conference(JH)	05/23/2016	162.50	01-01-62535 Travel,Training,Certificatio
8330	OCCMA	MAY2016	REGISTRATION/Conference(JH)	05/23/2016	162.50	01-04-62535 Travel,Training,Certificatio
Total OCCMA:					325.00	
<b>OGFOA</b>						
8450	OGFOA	59264	Annual membership/C.Seifried	05/18/2016	105.00	01-01-62490 Membership and Dues
Total OGFOA:					105.00	
<b>One Call Concepts, Inc</b>						
8460	One Call Concepts, Inc	6040430	Utility locating notification fees/monthly	04/30/2016	15.84	26-26-62730 Maintenance & Supplies
Total One Call Concepts, Inc:					15.84	
<b>Oprah Magazine</b>						
12988	Oprah Magazine	MAY2016	Magazine subscription(1) year	04/28/2016	15.00	01-05-62475 Serials & Publications
Total Oprah Magazine:					15.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>Oregon Department of Revenue</b>						
8610	Oregon Department of Revenue	MAY2016	State Assessments/April 2016	05/03/2016	414.60	01-03-62520 Assessments
Total Oregon Department of Revenue:					414.60	
<b>Oregon Dept of Environmental Quality</b>						
3760	Oregon Dept of Environmental Qu	WQ17DOM-00	Annual WW facilities NPDES permit renewal	05/04/2016	2,461.00	26-26-62730 Maintenance & Supplies
3760	Oregon Dept of Environmental Qu	WQ17WSC-00	Annual DEQ program support fee	05/04/2016	190.00	26-26-62730 Maintenance & Supplies
Total Oregon Dept of Environmental Quality:					2,651.00	
<b>Oregon Meter Repair</b>						
8740	Oregon Meter Repair	120251	2" water meter/replacements(2)	04/04/2016	830.00	25-25-62730 Maintenance & Supplies
8740	Oregon Meter Repair	120253	Repair & test water meter @ Mt. Angel Towers location	04/10/2016	230.00	25-25-62730 Maintenance & Supplies
Total Oregon Meter Repair:					1,060.00	
<b>Petty Cash-Nan Fleck</b>						
12807	Petty Cash-Nan Fleck	APRIL2016	Postage due @ post office	04/25/2016	73.71	01-02-62440 Postage
12807	Petty Cash-Nan Fleck	APRIL2016	Screen cleaner, canned air, package tape	04/25/2016	29.95	01-02-62420 Supplies & Services
Total Petty Cash-Nan Fleck:					103.66	
<b>PGE</b>						
9220	PGE	601	195 Main/decor lites	05/25/2016	20.66	11-11-62910 Street Lighting Contract
9220	PGE	787	905 W. Marquam/PW shops, split	05/25/2016	30.75	11-11-62760 Utilities
9220	PGE	787	905 W. Marquam/PW shops, split	05/25/2016	61.50	25-25-62760 Utilities
9220	PGE	787	905 W. Marquam/PW shops, split	05/25/2016	61.50	26-26-62760 Utilities
9220	PGE	795	200 GarfieldGazeb/decor lites	05/25/2016	20.35	11-11-62760 Utilities
9220	PGE	796	204 Humpert/Reservoir telemetry	05/25/2016	17.12	25-25-62760 Utilities
9220	PGE	797	460 E. Marquam/Well #7	05/25/2016	1,225.10	25-25-62760 Utilities
9220	PGE	798	290 E. Charles/Library bldg.	05/25/2016	233.79	01-05-62760 Utilities
9220	PGE	799	12334 Mt.Angel-Gervais/WWTP	05/25/2016	1,337.43	26-26-62760 Utilities
9220	PGE	800	615 May St/Fisher Park	05/25/2016	17.12	01-06-62760 Utilities
9220	PGE	801	700 Spruce/Ebner Park	05/25/2016	28.18	01-06-62760 Utilities
9220	PGE	803	440 Alder/Well #5	05/25/2016	49.49	25-25-62760 Utilities
9220	PGE	804	105 Church/Blinking Xwalk @214	05/25/2016	18.30	11-11-62910 Street Lighting Contract
9220	PGE	805	Well #6	05/25/2016	1,199.52	25-25-62760 Utilities
9220	PGE	806	10991 Saratoga/res. telemetry	05/25/2016	34.39	26-26-62760 Utilities
9220	PGE	807	Street Lights Contract	05/25/2016	1,617.72	11-11-62910 Street Lighting Contract
9220	PGE	808	120 Main/Fountain area	05/25/2016	125.87	11-11-62760 Utilities

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
9220	PGE	809	95 Gar./CH bldg,split w/pdept.	05/25/2016	217.27	01-01-62760 Utilities
9220	PGE	809	95 Gar./CH bldg,split w/pdept.	05/25/2016	217.27	01-02-62760 Utilities
Total PGE:					6,533.33	
<b>Pocket Press, Inc Publishing</b>						
9340	Pocket Press, Inc Publishing	84068	Pocket guide books	04/18/2016	143.84	01-02-62420 Supplies & Services
Total Pocket Press, Inc Publishing:					143.84	
<b>Postmaster</b>						
9420	Postmaster	MAY2016	PO Box Fee/library/annually	05/10/2016	110.00	01-05-62440 Postage
Total Postmaster:					110.00	
<b>RASMUSSEN, STU</b>						
12934	RASMUSSEN, STU	MAY2016	Refund deposit for facade review	05/19/2016	109.00	01-04-62527 Bldg Permits Marion Count
Total RASMUSSEN, STU:					109.00	
<b>REGIMBAL, MIKE</b>						
12986	REGIMBAL, MIKE	APRIL2016	Refund utility deposit	04/25/2016	27.13	26-26-10800 Sewer Deposits
Total REGIMBAL, MIKE:					27.13	
<b>Republic Services #456</b>						
1310	Republic Services #456	49	Garbage services/monthly	05/05/2016	92.20	25-25-62760 Utilities
Total Republic Services #456:					92.20	
<b>RUEF, MAX</b>						
12989	RUEF, MAX	MAY2016	Refund/PW type B permit deposit(12374 W. Church)	05/05/2016	393.95	01-04-62527 Bldg Permits Marion Count
Total RUEF, MAX:					393.95	
<b>Russell, Carolia</b>						
10075	Russell, Carolia	2007145	Court Intrepreter Services/May 2016	05/11/2016	48.00	01-03-62526 Interpreter Services
Total Russell, Carolia:					48.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>SALEM TROPHY CO.</b>						
10190	SALEM TROPHY CO.	18404	Name plates for council meetings(staff)	04/15/2016	80.00	01-01-62510 City Council Expense
Total SALEM TROPHY CO.:					80.00	
<b>SCHOLASTIC</b>						
12990	SCHOLASTIC	13011071	Summer reading books/RR grant	04/20/2016	450.75	01-05-62715 Ready to Read Grant
Total SCHOLASTIC:					450.75	
<b>SEIFRIED, CHAUNEE</b>						
12611	SEIFRIED, CHAUNEE	MAY2016	Quarterly finance staff meeting	05/12/2016	53.00	01-01-62535 Travel,Training,Certificatio
Total SEIFRIED, CHAUNEE:					53.00	
<b>SHAFER, DANIEL</b>						
12631	SHAFER, DANIEL	MAY2017	Mileage reimbursment/Flagger class	05/17/2016	32.40	25-25-62535 Travel,Training,Certificatio
Total SHAFER, DANIEL:					32.40	
<b>SILVERTON HOSPITAL</b>						
10650	SILVERTON HOSPITAL	2016APRIL	Hiring physical	03/31/2016	51.00	01-02-62572 Hiring Expense
10650	SILVERTON HOSPITAL	MAY2016	New hire testing & yearly hearing testing	04/30/2016	352.00	01-02-62572 Hiring Expense
10650	SILVERTON HOSPITAL	MAY216	CDL physical/JK	04/30/2016	110.00	26-26-62535 Travel,Training,Certificatio
Total SILVERTON HOSPITAL:					513.00	
<b>Silverton Sand and Gravel</b>						
10680	Silverton Sand and Gravel	55835	Project rock	05/02/2016	205.00	11-11-62730 Maintenance & Supplies
10680	Silverton Sand and Gravel	55835	Project rock	05/02/2016	205.00	25-25-62730 Maintenance & Supplies
Total Silverton Sand and Gravel:					410.00	
<b>SPEER HOYT, LLC</b>						
10795	SPEER HOYT, LLC	35214/35215	Mt. Angel telephone franchise fee agreement	04/30/2016	644.00	01-01-62500 Attorney Fees
10795	SPEER HOYT, LLC	35214/35215	Labor/LIUNA	04/30/2016	848.25	26-26-62500 Attorney Fees
10795	SPEER HOYT, LLC	35214/35215	Labor: MAPA	04/30/2016	165.60	01-02-62500 Attorney Fees
10795	SPEER HOYT, LLC	35214/35215	Labor/LIUNA	04/30/2016	848.25	25-25-62500 Attorney Fees
Total SPEER HOYT, LLC:					2,506.10	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>STEVENS WATER MONITORING</b>						
11000	STEVENS WATER MONITORIN	227159	Replacement charts for telemetry @ WWTP	05/10/2016	325.23	26-26-62730 Maintenance & Supplies
Total STEVENS WATER MONITORING:					325.23	
<b>SUPPLYWORKS</b>						
1380	SUPPLYWORKS	365589258	Street gargbage can liners, earplugs for stock	04/28/2016	160.32	11-11-62730 Maintenance & Supplies
Total SUPPLYWORKS:					160.32	
<b>SYMBOLARTS</b>						
12700	SYMBOLARTS	0255875-IN	Coins	04/14/2016	945.00	01-02-62815 Expendable Supplies
Total SYMBOLARTS:					945.00	
<b>Taser International</b>						
11150	Taser International	SI1434353	Battery packs	04/07/2016	845.59	01-02-62585 Range Supplies
Total Taser International:					845.59	
<b>TS WEST LLC</b>						
12991	TS WEST LLC	MAY2016	Refund/P2015-02 application deposit(600 W. church)	05/05/2016	269.98	01-04-62527 Bldg Permits Marion Count
Total TS WEST LLC:					269.98	
<b>US Bancorp Service Center</b>						
11810	US Bancorp Service Center	MAY2016	Naag Tag: Metal desk stands for nameplates(meetings)	04/25/2016	42.11	01-01-62510 City Council Expense
11810	US Bancorp Service Center	MAY2016	Amazon: Archive minute binder/paper	04/25/2016	244.51	01-01-62510 City Council Expense
11810	US Bancorp Service Center	MAY2016	Amazon: office supplies	04/25/2016	5.60	01-01-62420 Supplies & Services
11810	US Bancorp Service Center	MAY2016	Office Max: Hanging file frames, highlighters,newsletter paper	04/25/2016	68.70	01-01-62420 Supplies & Services
11810	US Bancorp Service Center	MAY2016	Amazon: Picture frames for councilor photos	04/25/2016	58.23	01-01-62420 Supplies & Services
11810	US Bancorp Service Center	MAY2016	Safeway: Council & budget meeting snacks	04/25/2016	25.56	01-01-62510 City Council Expense
11810	US Bancorp Service Center	MAY2016	Amazon: Adapter for surface tablet	04/25/2016	13.95	01-01-62510 City Council Expense
11810	US Bancorp Service Center	MAY2016	Officemax: Legal pads, ink refill(stamps), colored pencils	04/25/2016	18.44	01-01-62420 Supplies & Services
11810	US Bancorp Service Center	MAY2016	Membership for amazon prime acct.	04/25/2016	99.00	01-01-62490 Membership and Dues
11810	US Bancorp Service Center	MAY2016	Lowe's: Humpert park irrigation system supplies	04/25/2016	618.88	01-06-62730 Maintenance & Supplies
11810	US Bancorp Service Center	MAY2016	Ewing Irrigation: Humpert park irrigation system supplies	04/25/2016	199.66	01-06-62730 Maintenance & Supplies
11810	US Bancorp Service Center	MAY2016	Riverhouse Hotel: Lodging conference(chief)	04/25/2016	466.76	01-02-62535 Travel,Training,Certificatio
11810	US Bancorp Service Center	MAY2016	Glockenspiel: Liuna negotiations	04/25/2016	27.05	25-25-62535 Travel,Training,Certificatio
11810	US Bancorp Service Center	MAY2016	Glockenspiel: Liuna negotiations	04/25/2016	27.05	26-26-62535 Travel,Training,Certificatio
11810	US Bancorp Service Center	MAY2016	Community newspapers: Want ads for records/evidence	04/25/2016	418.00	01-02-62572 Hiring Expense

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
11810	US Bancorp Service Center	MAY2016	Amazon: office supplies	04/25/2016	96.82	01-02-62420 Supplies & Services
11810	US Bancorp Service Center	MAY2016	Glockenspiel: Interview lunch	04/25/2016	50.00	01-02-62572 Hiring Expense
11810	US Bancorp Service Center	MAY2016	Legislative counsel: code books	04/25/2016	640.00	01-02-62420 Supplies & Services
11810	US Bancorp Service Center	MAY2016	Target: Ready to read, summer reading grant	04/25/2016	35.93	01-05-62715 Ready to Read Grant
11810	US Bancorp Service Center	MAY2016	Amazon & Lakeshore Learning: Books & programs	04/25/2016	325.89	01-05-62595 Childrens Program
11810	US Bancorp Service Center	MAY2016	Bend Inn & El Kurdyla: Conference & certification	04/25/2016	195.67	01-05-62535 Travel, Training, Certificatio
11810	US Bancorp Service Center	MAY2016	Amazon: new books	04/25/2016	73.81	01-05-62461 New Books
11810	US Bancorp Service Center	MAY2016	Amazon: DVD's & audiobooks	04/25/2016	45.97	01-05-62474 Audio Visuals and CD's
11810	US Bancorp Service Center	MAY2016	Amazon: Credit	04/25/2016	16.20	01-05-62595 Childrens Program
11810	US Bancorp Service Center	MAY2016	Amazon: Maintenance, books 7 expenses	04/25/2016	14.98	01-05-62462 Maintenance, Books & Exp
Total US Bancorp Service Center:					3,796.37	
<b>USA Bluebook</b>						
11870	USA Bluebook	935607	Lab testing supplies	04/25/2016	119.60	26-26-62730 Maintenance & Supplies
11870	USA Bluebook	941919	Waste water sampling supplies	05/02/2016	108.78	26-26-62730 Maintenance & Supplies
11870	USA Bluebook	947637	New water sampling stations(5)	05/09/2016	2,391.65	25-25-64030 System Improvements
Total USA Bluebook:					2,620.03	
<b>Village Print Shop</b>						
12040	Village Print Shop	2016MAY	#10 Regular envelopes(500)	05/12/2016	60.00	01-01-62420 Supplies & Services
12040	Village Print Shop	MAY2016	New hire cards and warning stickers	05/04/2016	97.00	01-02-62420 Supplies & Services
Total Village Print Shop:					157.00	
<b>Walter E. Nelson Co</b>						
12797	Walter E. Nelson Co	35607	Garbage bags	05/03/2016	64.50	01-02-62460 Building Maintenance
Total Walter E. Nelson Co:					64.50	
<b>Waterlab Corporation</b>						
12150	Waterlab Corporation	69142	Routine water samples & arsenic & nitrate samples on 3 wells	05/06/2016	495.00	25-25-62755 Laboratory Testing
Total Waterlab Corporation:					495.00	
<b>Westech Engineering, Inc.</b>						
12260	Westech Engineering, Inc.	21370	Regular engineering services	04/30/2016	31.50	01-04-62516 Engineering Fees
12260	Westech Engineering, Inc.	21370	CUP 2015-02/SDR 2015-02(School District)	04/30/2016	1,701.00	01-04-62516 Engineering Fees
12260	Westech Engineering, Inc.	21370	VAR 2016-01/SDR 2016-01 555 N Main triplex	04/30/2016	426.00	01-04-62516 Engineering Fees
12260	Westech Engineering, Inc.	21370	P2015-01,CUP2015-03/04, SDR 2015-0304(Grandview)	04/30/2016	1,904.00	01-04-62516 Engineering Fees

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
12260	Westech Engineering, Inc.	21370	Infrastructure Task force	04/30/2016	177.50	26-26-62916 Consultant Services
12260	Westech Engineering, Inc.	21370	Infrastructure Task force	04/30/2016	177.50	25-25-62916 Consultant Services
Total Westech Engineering, Inc.:					4,417.50	
<b>Wiesner, Kay</b>						
12833	Wiesner, Kay	MAY2016	Flowers in remembrance(M. Hoffer)	05/16/2016	58.98	01-01-62510 City Council Expense
Total Wiesner, Kay:					58.98	
<b>Wilco Farmers</b>						
12310	Wilco Farmers	MAY2016	Garden hose & parts for Humpert park irrigation system	04/30/2016	65.97	01-06-62730 Maintenance & Supplies
Total Wilco Farmers:					65.97	
<b>WILSON, JESSICA</b>						
12995	WILSON, JESSICA	MAY2016	Refund/park rental deposit	04/29/2016	25.00	01-06-62528 Park Reservation Return D
Total WILSON, JESSICA:					25.00	
<b>Withers Lumber--Woodburn</b>						
12390	Withers Lumber--Woodburn	182099	Cold patch for asphalt patching	02/29/2016	119.92	11-11-62730 Maintenance & Supplies
Total Withers Lumber--Woodburn:					119.92	
Grand Totals:					62,806.31	

Dated: \_\_\_\_\_

Report Criteria:

- Detail report.
- Invoices with totals above \$0.00 included.
- Paid and unpaid invoices included.

City of Mt. Angel  
City Council Meeting Minutes

**CITY COUNCIL**

**May 2, 2016**

**7:00 PM**

The Mt. Angel City Council met in a regular session in the Community Meeting Room, 290 E. Charles Street, Mt. Angel, Oregon.

- 1. **CALL TO ORDER:** The regular session of the City Council was called to order at 7:05 p.m. by Council President Grassman.
- 2. **FLAG SALUTE:** Council President Grassman led the salute to the flag.
- 3. **ROLL CALL:**

**COUNCIL**

Andrew Otte, Mayor  
 Kelly Grassman, Council President  
 Darren Beyer, Councilor  
 Karl Bischoff, Councilor  
 Don Fleck, Councilor  
 Pete Wall, Councilor  
 Ray Eder, Councilor  
 Kelly Grassman, Council President

**STAFF**

Eileen Stein, City Manager  
 Mike Healy, Police Chief  
 Dan Bernt, Public Works Superintendent  
 Chaunee Seifried, Finance Director  
 Carrie Alexandria Caster, Library Director  
 Justin Hogue, Assistant to the City Manager

4. **PRESENTATIONS, GUESTS, AND ANNOUNCEMENTS:**

Chamber of Commerce President Pete Wall presented Library Director Carrie Caster with a \$1000 check for the library to be used for any community Library program. Mr. Wall thanked Library Director Caster for her efforts to engage the community and bring new programs to the Library. The Chamber of Commerce recognized those efforts and wanted to contribute to the continued development of the Library programs.

5. **APPEARANCE OF INTERESTED CITIZENS:**

No citizens appeared before the Council.

6. **REVIEW CORRESPONDENCE:**

City Manager Stein reviewed the invitation for the Gallon House Bridge Celebration and asked the Councilors to save the date to celebrate the 100 anniversary of the bridge.

7. **REVIEW WRITTEN STAFF REPORTS:**

Councilor Eder asked if the noise complaint had been addressed. City Manager Stein passed out the week's police log and explained that the referenced complaint is about street sweeping and garbage

collecting in the early morning hours in the downtown area. She explained that while the Code says that the noise ordinance is in effect until 7 a.m., operationally it is difficult because after 7 a.m. there is a lot of traffic in the way of the equipment. For many years, the City has operated in this fashion, taking care of the downtown streets before the morning traffic. City Manager Stein said that she needs some direction from the Council, should she address the complaint by altering the operational procedures of the City or should she explore amending the Code. The Council discussed the difficulty of running operations after 7 a.m., recognizing that it would be difficult to fulfill the City's responsibility to keep the streets clean. Councilor Bischoff reported that the garbage company had already changed the schedule in light of the complaint. City Manager Stein said there are exceptions in the Code that already exist for various reasons. She said that adding these activities into the list of acceptable noise prior to 7 a.m. would be the most appropriate modification to the Code. Councilor Grassman asked that the complainant be informed of the Council's decision based upon operational considerations.

Councilor Beyer asked about the reservoir overflow incident. City Manager Stein stated that the Study House asked for reimbursement for the damages caused by the reservoir overflowing. The telemetry system failed in the reservoir causing an overflow that was not discovered until it had inundated the building. The City's insurance has reimbursed for most of the damages, however the restoration company charges exceeded the amount that the insurance policy paid by \$1,932.79. The Study House is requesting the non-depreciated amount of the items that were not covered by the insurance. Council President Grassman asked if there is money in the budget to cover it. City Manager Stein said there is money in the budget for it and that it will be a goodwill gesture and would be appreciated. The consensus of the majority of the Council was to pay up to \$1000 for replacement costs. Councilor Fleck asked for a report on the repairs. Public Works Superintendent Dan Bernt reported that the affected systems have been repaired and that the backup system that also failed has been replaced by the City which should prevent any future problems.

Councilor Fleck asked Chief of Police Mike Healy if the receiver was still working well after it had been moved. Chief Healy reported that overall it has helped with the problem areas. He explained that the area around the high school is still a bit of a problem and he is considering what might help in that situation, such as a repeater. He explained that he believes the City is getting a good return on the investment in this system.

#### **8. REVIEW ACCOUNTS PAYABLE:**

Councilor Fleck inquired about the payment to ABC Roofing, he asked if the \$6,000 payment covered the cost of repair or just an evaluation of the roof. City Manager Stein reported that ABC Roofing completed the repair on the City Hall roof. The Finance Director's office ceiling was also fixed, which will be a separate cost and will be reimbursed through the City's insurance. During the repair process, the roof and wall connection was exposed allowing an opportunity for the building's structural integrity to be evaluated, which occurred. It was discovered that the building walls were constructed with hollow clay tile which is a fragile material. That means that the building is seismically unsound and will not withstand the seismic activity expected to be produced by the Cascadia Subduction Zone. City Manager Stein said she expects

the final report will state that the building can be seismically retrofitted. In the event of an earthquake, the exterior skin would shed off, however, the retrofit would create support for the building to remain standing. She expects the cost to run between \$300,000 and 400,000. The assessor, to the best of her understanding, said that kind of retrofitting would only make sense if the City was doing a complete remodel of the building as interior supports need to be established. Once the full written report is received she will forward the findings to the Council and the City Hall committee.

Mayor Otte arrived at the regular Council meeting at 7:47 p.m.

Councilor Fleck also asked about the charge to Oregon Sewer and Drain on page 47. He wanted to know if that was to replace a lateral and the cost would be passed on or if it was incurred by the City to find what direction the sewers were going. Public Works Superintendent Bernt said they were trying to locate the direction that the sewer was going at a certain point.

Councilor Fleck asked about the payment to Vogue magazine. Library Director Caster explained it was a Library subscription renewal.

**9. CONSENT AGENDA:**

- a. **Approve City Council Regular Meeting Minutes for April 5, 2016**
- b. **Approve Liquor License Application for Touch of Bavaria.**

Councilor Beyer moved to approve the consent agenda; Councilor Bischoff seconded.

<b>Beyer:</b>	<b>AYE</b>	<b>Otte:</b>	<b>AYE</b>
<b>Bischoff:</b>	<b>AYE</b>	<b>Grassman:</b>	<b>AYE</b>
<b>Eder:</b>	<b>AYE</b>	<b>Wall:</b>	<b>AYE</b>
<b>Fleck:</b>	<b>AYE</b>		

The motion passed unanimously.

**10. UNFINISHED BUSINESS**

- a. **Action Items discussed in Executive Session**

Councilor Beyer moved to approve a new three year collective bargaining agreement with Local 483 of the Laborer’s International Union of America from July 1, 2016 to June 30, 2019; Councilor Wall seconded.

<b>Beyer:</b>	<b>AYE</b>	<b>Otte:</b>	<b>ABSTAIN</b>
<b>Bischoff:</b>	<b>AYE</b>	<b>Grassman:</b>	<b>AYE</b>
<b>Eder:</b>	<b>AYE</b>	<b>Wall:</b>	<b>AYE</b>
<b>Fleck:</b>	<b>AYE</b>		

Mayor Otte abstained from voting as he was not able to attend the executive session and did not have knowledge of the details of the discussion.

The motion passed.

**11. NEW BUSINESS:**

**a. Appointment of Interim City Manager and Approval of Contract for Recruitment of City Manager, Recruitment Timeline, and Position Profile.**

City Manager Stein thanked the Council for their support over the past 3 years and stated it had been a pleasure to serve the City of Mt. Angel. She explained that in light of her resignation, the Mayor had suggested the appointment of Police Chief Mike Healy as Interim City Manager while the recruitment for a new City Manager is conducted.

Mayor Otte asked Chief Healy if the language in the agreement was acceptable to him. Chief Healy affirmed that it was.

Councilor Beyer moved to approve the appointment of Chief of Police Mike Healy to the position of Interim City Manager for the period of May 20, 2016 until the first day of employment of the new City Manager; Councilor Bischoff seconded.

<b>Beyer:</b>	<b>AYE</b>	<b>Otte:</b>	<b>AYE</b>
<b>Bischoff:</b>	<b>AYE</b>	<b>Grassman:</b>	<b>AYE</b>
<b>Eder:</b>	<b>AYE</b>	<b>Wall:</b>	<b>AYE</b>
<b>Fleck:</b>	<b>AYE</b>		

The motion passed unanimously.

City Manager Stein introduced Mid-Willamette Valley Council of Governments Deputy Director, Jennie Messmer, to discuss the recruitment process. Deputy Director Messmer said that she had the agreement available for the Council to approve if they wanted to move forward with the Mid-Willamette Council of Governments conducting the recruitment process.

Councilor Wall moved to approve an agreement with the Mid-Willamette Valley Council of Governments to conduct a recruitment process for the selection of a new Mt. Angel City Manager; Councilor Beyer seconded.

<b>Beyer:</b>	<b>AYE</b>	<b>Otte:</b>	<b>AYE</b>
<b>Bischoff:</b>	<b>AYE</b>	<b>Grassman:</b>	<b>AYE</b>
<b>Eder:</b>	<b>AYE</b>	<b>Wall:</b>	<b>AYE</b>
<b>Fleck:</b>	<b>AYE</b>		

The motion passed unanimously.

Deputy Director Messmer explained the process she had in mind for the recruitment of the new City Manager. She would like to update the previous information that was used in Mt. Angel’s previous recruitments. She reviewed the timeline that she had in mind to conduct the process. She also reviewed two options for the interview phase, one that includes telephone interviews and one that would not. She wanted to see if the timeline was acceptable to the Council. Mayor Otte felt that the

availability of staff was a key consideration. Council President Grassman wondered if the timeline was too aggressive. Deputy Director Messmer felt that she was able make it happen in this timeline. She designed the timeline with the idea that the Council might like to fill the position by Oktoberfest.

Deputy Director Messmer planned on posting the recruitment online tomorrow through the League of Oregon Cities. She was also thinking about posting with the International City Manager's Association (ICMA). Councilor Grassman asked if that was necessary, she thought they were a bit expensive and did not yield enough candidates to make it worth the expense.

Deputy Director Messmer wanted to request that the Council review some detail options and give her direction. First, she wanted to be able to advertise dates for the process so the applicants could plan accordingly. The Council agreed to the proposed dates. The next item was the salary range. After some discussion, the Council decided on a range of \$75,000-85,000. She also reviewed the City Manager Profile she had prepared with the Council. Councilor Grassman wanted to make sure that the candidate understood that Oktoberfest was a separate entity from the City. Councilor Bischoff asked to have the land use planning experience highlighted as a preferred quality. He also discussed his desire for the person to have grant writing experience. The Council approved the draft profile with the incorporation of the aforementioned suggestions.

Deputy Director Messmer reviewed the draft brochure with the Council. She will update the number of employees and City budget information. The Council approved the brochure. Councilor Grassman will post the brochure on Facebook with a link to the City website. Councilor Eder asked when and who would be conducting the background check. Deputy Director Messmer said that she would be doing the background check and that last time the Police Department did the criminal record check. She said they would discuss the matter more as they moved closer to selecting a candidate.

Councilor Grassman said that she felt she would like to highlight the fiscally conservative nature of the Council. Councilor Wall said that he felt that might be better addressed in the interview and not in the brochure. The Council concurred that it would be addressed in the interview. Deputy Director Messmer said she will begin the process tomorrow. She will need to meet with the Council again on June 13<sup>th</sup> at 7 p.m. in an executive session to review the applications. After some deliberation, the Council decided that phone interviews would be beneficial. Interviews will be conducted July 15-16, 2016. The Council decided not to advertise in ICMA. Councilor Wall asked if the Council would be involved in developing the interview questions and have the opportunity to review them beforehand. Deputy Director Messmer stated that in order to meet the executive session rules, the Council will need to approve the City Manager profile and offer the opportunity for public comment on the profile.

Councilor Bischoff moved to approve the recruitment timeline, recruitment ad, and brochure for the Mt. Angel City Manager; Councilor Grassman seconded.

<b>Beyer:</b>	<b>AYE</b>	<b>Otte:</b>	<b>AYE</b>
<b>Bischoff:</b>	<b>AYE</b>	<b>Grassman:</b>	<b>AYE</b>
<b>Eder:</b>	<b>AYE</b>	<b>Wall:</b>	<b>AYE</b>
<b>Fleck:</b>	<b>AYE</b>		

The motion passed unanimously.

The Council discussed the need for public comment on the City Manager Profile. City Manager Stein said that it would be appropriate to have it as an action item. It can also be posted and on the website and Facebook soliciting public input.

**b. Bank Signature Authorization**

Councilor Grassman moved to approve the attached resolution designating authorized check signers within the Council body and the City staff effective May 21, 2016; Councilor Fleck seconded.

<b>Beyer:</b>	<b>AYE</b>	<b>Otte:</b>	<b>AYE</b>
<b>Bischoff:</b>	<b>AYE</b>	<b>Grassman:</b>	<b>AYE</b>
<b>Eder:</b>	<b>AYE</b>	<b>Wall:</b>	<b>AYE</b>
<b>Fleck:</b>	<b>AYE</b>		

The motion passed.

**c. Recreational Vehicle Parking Exemption**

Chief Healy explained the citizen request in the packet for the Council to grant an exemption to the recreational vehicle (RV) ordinance. The request was received on April 11<sup>th</sup>, after the regular Council meeting. The requested starting date to park the RV for an extended period of time preceded the next Council meeting by several weeks. Chief Healy explained that this brought up an operational consideration if requests such as this one are received after a Council meeting. He suggested there might be a need for some administrative leeway in such situations.

Councilor Beyer moved to approve a resolution adopting a temporary exemption to the recreational vehicle parking prohibition contained in the Mt. Angel Municipal Code 70.56 for the 100 block of Cleveland St. effective from passage through May 4, 2016; Councilor Eder seconded.

<b>Beyer:</b>	<b>AYE</b>	<b>Otte:</b>	<b>AYE</b>
<b>Bischoff:</b>	<b>AYE</b>	<b>Grassman:</b>	<b>AYE</b>
<b>Eder:</b>	<b>AYE</b>	<b>Wall:</b>	<b>AYE</b>
<b>Fleck:</b>	<b>AYE</b>		

The motion passed.

**d. Mt. Angel Telephone Franchise Agreement**

Item moved to next meeting as it was not complete for the May 2, 2016 regular Council meeting.

**e. Approval of Façade Improvement Program Phase II Grants**

City Manager Stein explained that the City is still working with applicants. Assistant to the City Manager Justin Hogue handed out a grant application for \$9,000 from the Mt. Angel Chamber of Commerce to update the Glockenspiel. The applicants desire to add a set of military themed figurines to be rotated with the current figurines in the Glockenspiel. The Design Review Board recommended that \$5,000 be awarded toward this project. Council Bischoff asked if any of the applications have

been denied. City Manager Stein said no applicant has been officially denied. Councilor Eder asked how many had applied. Assistant to the City Manager Hogue said that there were 6 applicants, however, not all of the applicants agreed with the recommendations of the Design Review Board. Pete Wall, speaking as the Chamber President and not as a member of the City Council, explained that there is additional fundraising happening for this project. The Chamber has committed \$9,000 to the project. Mayor Otte said he would like to see the original statues back in the Glockenspiel by Oktoberfest. Chamber President Wall said that the plan is to change the statues out during the year for various events and to have the alternate statues displayed in local businesses when they are not in use in the Glockenspiel.

Councilor Grassman to approve a façade improvement grant application in the amount of \$5,000 to the Mt. Angel Chamber of Commerce; Councilor Eder seconded.

<b>Beyer:</b>	<b>AYE</b>	<b>Otte:</b>	<b>AYE</b>
<b>Bischoff:</b>	<b>AYE</b>	<b>Grassman:</b>	<b>AYE</b>
<b>Eder:</b>	<b>AYE</b>	<b>Wall:</b>	<b>ABSTAIN</b>
<b>Fleck:</b>	<b>AYE</b>		

Councilor Wall abstained as he is a member of the Chamber of Commerce, which is the organization that would receive the grant.

The motion passed.

**12. CITY MANAGER’S REPORT:**

City Manager Stein said that she has received a quote for the Senior Center roof repair. The quotes came in at \$21,000-24,000. She recommended the \$400 patch option as she believes the other roof repair assumed the \$400 fix. There is leaking in the food pantry currently that needs to be addressed immediately.

City Manager Stein commented on the street lighting fee from the Budget committee meeting. She received some feedback from the City Manager list serve as to whether to assess the fees to residential units (ERUs) or utility accounts; the results were about 50/50. She suggested that the Council think about it as they consider the master fee resolution.

Mt. Angel had applied for a national grant competition entitled Small Business Revolution. Silverton ended up being a finalist. There were only two cities chosen among several thousand.

**13. COUNCILOR/COMMITTEE REPORTS:**

Councilor Beyer thanked Eileen Stein for her service to the City of Mt. Angel as City Manager.

**14. MAYOR’S REPORT:**

The Mayor echoed the sentiment. The Mayor had no other items to report.

**15. ADJOURNMENT:**

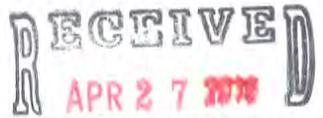
Mayor Otte adjourned the meeting at 8:52 p.m.

Respectfully submitted by:

\_\_\_\_\_  
Justin Hogue, Assistant to the City Manager

Attested by:

\_\_\_\_\_  
Andrew Otte, Mayor



# City of Mt. Angel

Approved by the City Council on: \_\_\_\_\_

## Street Closure Permit

Permit #: SC2016-01

Applicant Information

Name: NOAH KRAMER

Contact: same

Address: 185 E Charles St

Phone: same

Mt. Angel OR

Phone: 707 601 1783

1-19-1983

Street(s) to be closed: South side Cushman St & E. Charles

Date of Event: June 25th

Nature of Use: \_\_\_\_\_

Setup Date/Time: 9:00 AM 6/25/2016

Motor Cycle parking

Cleanup Date/Time: 2:00 AM 6/26/2016

- Weezels -

Please Submit:

Site plan showing proposed street closure with traffic control plan. Type/# of barricades: 2 / 1

Notification form with signatures from businesses/property owners abutting street closure

Certificate of Liability Insurance for \$1,000,000. only reserving parking spots. Not needed per chancee job

For events where Alcohol is served:

- OLCC Permit or City Alcohol Permit
- Approval from Mt. Angel City Council

Permit Fee: (\$25/day) 25.00 Paid On: 4/27/16 Receipt #: XBP

Proof of Certificate of Coverage. Received: \_\_\_\_\_

Abutting Property Notification Received: 4/27

OLCC Permit #: \_\_\_\_\_

Approval by Police Chief Mark H...

Copy to Public Works

*I have read and agree to abide by the rules and regulations attached to this application.*

Signed: [Signature]

Date: 4/27/16

Form updated 2/2012

The City of Mt. Angel is an Equal Opportunity Employer and Provider

200 "Weezels" (motorcycle group) will be coming and going from 11:00a to 2:00 am.

City of Mt. Angel  
 Notice of Street Closure Application

Please note: applicants for street closures are required to notify property owners/occupants abutting the proposed street closure only. They are not required to obtain approval.

Event Date: June 25th 2016

Event Time (beginning and end): All Day

Street to be closed ( \_\_St between \_\_St. & \_\_St.): South side curb E. Charles St  
 Between Main St. and Fairfield

Address of Abutting Property	Property Representative Name (please print)	Business Name (if applicable)	Signature	Ph #	Date
<del>115 E</del> 135 E Charles	Christiane Kraemer	Grant Co	<i>Christiane Kraemer</i>	503 845 6035	4/25/16
115 E Charles	Greg Beyer	Bochsler	<i>Gregory J. Beyer</i>	503 845 2725	4/25/16
<del>107 E</del> 195 E Charles	Jeanne Butsch	Senior Center	<i>Jeanne Butsch</i>	503 845 6998	4/25/16

If you are unable to reach a representative of the abutting property in person, an email or signed letter from the representative including all the above information is also acceptable.

Form updated 3/2012



E Charles

Garfield St



PARKING



SIDE WALK

Consolidated  
Business

Bekey

Frank-N-Stars

Senior  
Center

RECEIVED  
APR 29 2016



City of Mt. Angel

Approved by the City Council on:

BY: \_\_\_\_\_  
Permit #: SC2016-02

### Street Closure Permit

Applicant Information

Name: Mt. Angel Telephone Contact: Megan Gilliland  
Address: 155 N Garfield St Phone: 503-632-2565  
Mt. Angel, OR  
Phone: 503-845-2291

Event Details

Street(s) to be closed: Garfield and College Date of Event: 8/19/2016  
Nature of Use: Mt Angel Telephone Customer Appreciation Setup Date/Time: 8/19/2016 7:00am  
Day. Free event for the community. Cleanup Date/Time: 8/19/2016 3:00pm.

Please Submit:

- Site plan showing proposed street closure with traffic control plan. Type/# of barricades: Wood / 4
- Notification form with signatures from businesses/property owners abutting street closure
- Certificate of Liability Insurance for \$1,000,000
- For events where Alcohol is served:
  - OLCC Permit or City Alcohol Permit
  - Approval from Mt. Angel City Council

I have read and agree to abide by the rules and regulations attached to this application.

Signed: Megan Gilliland Date: 3/16/16

Permit Fee: (\$25/day ADay \$25) Paid On: 4/29/16 Receipt #: 2.123382

Proof of Certificate of Coverage. Received: 4/25/16  
 Abutting Property Notification Received: 4/25/16  OLCC Permit #: N/A

Approval by Police Chief M. H. [Signature]  Copy to Public Works

Form updated 5/2013

City of Mt. Angel  
Notice of Street Closure Application

**Please note:** applicants for street closures are required to **notify** property owners/occupants abutting the proposed street closure only. They are **not** required to obtain approval.

Event Date: 8/19/2016

Event Time (beginning and end): 7:00am-3:00pm

Street to be closed ( \_\_ St between \_\_ St. & \_\_ St.): See Map

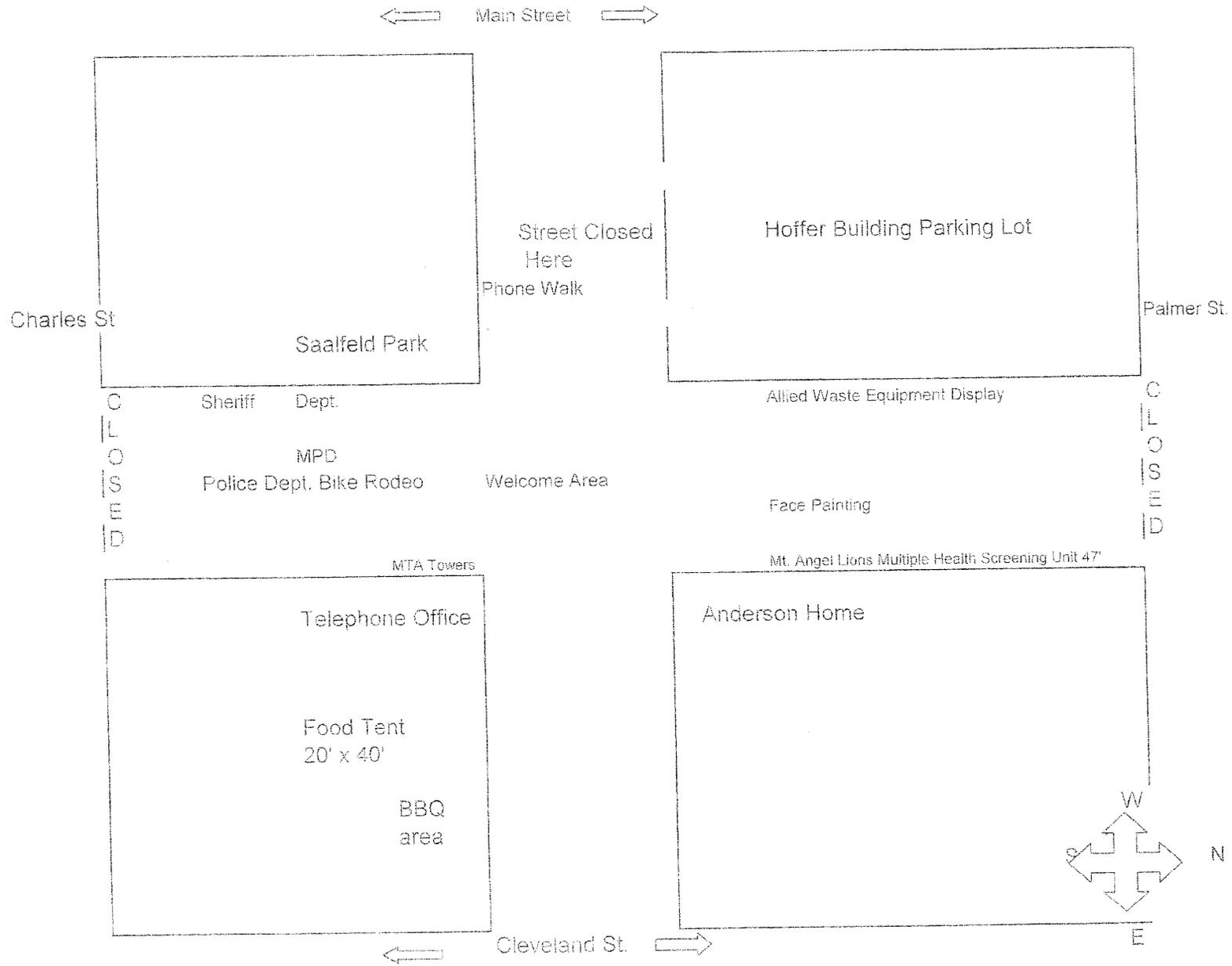
Address of Abutting Property	Property Representative Name (please print)	Business Name (if applicable)	Signature	Ph #	Date
190 Charles St	Mary Grant	Glockenspiel	via email		
190 Charles St	Dennis Kilfoil	Marion Co. Housing Auth.	via email		
330 College St	Angela Spike		via email		
295 College St	Rodriguez Home		via email		

If you are unable to reach a representative of the abutting property in person, an email or signed letter from the representative including all the above information is also acceptable.

Form updated 3/2012

MT. ANGEL TELEPHONE CUSTOMER APPRECIATION DAY -  
STREET FAIR FROM 11:00 a.m. to 2:00 p.m.

Streets Closed from 7:00 a.m. - 3:00 p.m.





# City of Mt. Angel

Approved by the City Council on:

N/A - no alcohol

## Street Closure Permit

Permit #: SC2015-03

Applicant Information

Name: Chamber of Commerce

Contact: Randy Stockdale

Address: P.O. Box 221

Phone: 503 813-1790

Mt. Angel, OR 97362

Phone: 503 845-2456

RECEIVED  
MAY 20 2015

BY: \_\_\_\_\_

Street(s) to be closed: South Garfield from Charles

Date of Event: 7/4/2015

Nature of Use: 4th of July Parade

Setup Date/Time: 7/4/2015 8AM

Cleanup Date/Time: 7/4/2015 4PM

### Please Submit:

Site plan showing proposed street closure with traffic control plan. Type/# of barricades: 18

Notification form with signatures from businesses/property owners abutting street closure

Certificate of Liability Insurance for \$1,000,000

N/A  For events where Alcohol is served: No Alcohol Served

- OLCC Permit or City Alcohol Permit
- Approval from Mt. Angel City Council

Event Details

I have read and agree to abide by the rules and regulations attached to this application.

Signed: Randy Stockdale

Date: 5/20/2015

Permit Fee: (\$25/day) 25.00 Paid On: 5/20/15 Receipt #: 2, 121198

Proof of Certificate of Coverage. Received: 5/20/15

Abutting Property Notification Received: 5/20/15  OLCC Permit #: N/A

Approval by Police Chief [Signature]

Copy to Public Works

Form updated 5/2013



City of Mt. Angel  
 Notice of Street Closure Application

Please note: applicants for street closures are required to notify property owners/occupants abutting the proposed street closure only. They are not required to obtain approval.

Event Date: JULY 4, 2015

Event Time (beginning and end): 8:00 AM - 4:00 PM

Street to be closed ( \_\_St between \_\_St. & \_\_St.): GARFIELD BETWEEN CHURCH & HWY 214

Address of Abutting Property	Property Representative Name (please print)	Business Name (if applicable)	Signature	Ph #	Date
110 S Garfield	Kim Garza	Highland Labs	Kim Garza	971-237-5356	5-8-15
240 S GARFIELD	JAY GREGG	PASTIME	Jay Gregg	503-845-6886	5-8-15
235 S GARFIELD	JOHN GREGG	PAUL'S	[Signature]	845-6102	5-8-15
105 S Gortner	Robyn Hoke	Mt Angel Gym	[Signature]	845-2322	5-13-15

If you are unable to reach a representative of the abutting property in person, an email or signed letter from the representative including all the above information is also acceptable.

Form updated 3/2012

**CITY OF MT. ANGEL**  
**REQUEST FOR COUNCIL ACTION**

<b>DATE ACTION REQUESTED: June 6, 2016</b>			
<b>Ordinance</b> <input type="checkbox"/>	<b>Resolution</b> <input type="checkbox"/>	<b>Motion</b> <input checked="" type="checkbox"/>	<b>Information</b> <input type="checkbox"/>
<b>Date Prepared: May 16, 2016</b>		<b>Department: Administration</b>	
<b>SUBJECT: City Manager Position Profile</b>		<b>Contact Person for this Item: Mike Healy, Interim City Manager, mhealy@ci.mt-angel.or.us, (503) 845-9291</b>	

**RECOMMENDATION:** Take public comment on the city manager position profile.

**BACKGROUND:** In follow up to the process for appointing a new city manager, the City Council reviewed and approved the position profile on May 2, 2016. Before the selection process can be completed, however, it is necessary to allow public comment on the position profile.

Following public comment, if there are significant changes needing to be made to the position profile, it ought to be re-approved by the Council. If this occurs, the recruiter will send the new profile to the candidate pool and staff will make sure the new profile is substituted on the City's website.

**RECOMMENDED MOTION:** If there is no public comment, no action is needed. If there is public comment resulting in the Council's desire to modify the position profile, then following motion is recommended: *"I move to approve the revised position profile for Mt. Angel City Manager"*

**ATTACHMENT A:** Mt. Angel City Manager Position Profile

# CITY OF MT. ANGEL CITY MANAGER PROFILE

May 2, 2016

*(This profile is used for preparing job announcements, screening resumes, city council review of applicants, background checks and candidate interviews. It constitutes the standards, criteria and policy directives that will be used in hiring the City Manager.)*

## **EDUCATION AND EXPERIENCE:**

Bachelor's degree in public administration or a closely related field. Master's degree preferred as is certification as an ICMA credentialed City Manager. Minimum of five years progressively responsible experience as a city manager, assistant city manager or a department head with significant management responsibility. Demonstrated successful work experience may substitute for some education or training.

## **SKILLS AND SPECIFIC EXPERIENCE:**

**1. ADMINISTRATION:** Knowledge of the principles and practices of municipal government and the role of a city manager. Excellent communication skills with the ability to assist in achieving group consensus. Goal oriented with the ability to delegate responsibility but require accountability from staff in achieving city goals and completing projects. Ability to make hard decisions in a decisive but cooperative manner. Manages time well and is able to handle multiple projects and issues concurrently. Able to take a global view of issues facing the city and develop innovative solutions to problems. Takes a long range approach to city finances to improve financial stability.

**2. BUDGET/FINANCE:** Knowledge of all aspects of municipal finance including budgets, financing and utility operations. Ability to express council goals, priorities and department needs in budget proposals while being sensitive to the public's concerns about taxes and fees. Ability to manage city finances effectively to maximize limited resources. Demonstrated previous accomplishments in obtaining and administering grants.

**3. HUMAN RESOURCES:** Thorough knowledge of labor law with experience in labor negotiations and contract administration. Ability to develop and train/assist staff in reaching professional goals. Ability to delegate assignments to staff and hold them accountable for their performance; and effectively use performance evaluations to recognize and praise good performance while providing constructive suggestions for improvement.

**4. COMMUNITY RELATIONS:** Participates in community activities such as service clubs and special events. Accessible to citizens in dealing with municipal problems and issues. Able to effectively articulate the city's position to the public on issues in a calm and positive manner. Excellent listening skills. Able to work effectively with the media. Must to work effectively with both community supporters and critics. Seeks innovative ways to obtain community input and keeps the public informed on matters of city-wide concern. Able to project a positive image of the city to the community and other units of government. The City Council places a high value on daily accessibility to the public and excellent communication skills with the public.

**5. COUNCIL RELATIONS:** Provides open and straightforward communication and relations with the entire city council. Keeps the council informed at all times on issues and problems as they arise. Is well prepared for meetings and is able to present clear and concise written and oral reports. Provides professional advice and assistance to the council in the decision making process. Accepts and implements Council policy decisions regardless of his or her own opinion. Places a high priority on council requests for information and shares information equally with all councilors.

**6. INTERGOVERNMENTAL RELATIONS:** Actively develops and maintains effective relations with other local, regional and state governments. Represents the city by serving on intergovernmental committees and programs of the League of Oregon Cities and other statewide or regional organizations. Develops working relationships with political representatives at the county, state and federal government level. Keeps the Council informed of legislative issues that may affect the city's ability to provide services in order to enable them to effectively articulate the city's position to other elected officials.

**7. OTHER KNOWLEDGE AND ABILITY:** A generalist with a broad background and understanding of land-use planning, economic development, public works operations, infrastructure, public safety and human resources. Relevant experience involving public works and infrastructure issues including planning, financing, grant writing and project management.

**8. PERSONAL QUALITIES:** Honest, straightforward with a high level of integrity. Integrates his or herself into the community as an active participant in community events. Demonstrates strong leadership qualities without being overbearing. Treats people of all backgrounds with respect and dignity. Strong sense of humor.

**CITY OF MT. ANGEL**  
**REQUEST FOR COUNCIL ACTION**

<b>DATE ACTION REQUESTED: June 6, 2016</b>			
<b>Ordinance</b> <input type="checkbox"/>	<b>Resolution</b> <input type="checkbox"/>	<b>Motion</b> <input checked="" type="checkbox"/>	<b>Information</b> <input type="checkbox"/>
<b>Date Prepared: May 17, 2016</b>		<b>Dept.: Administration</b>	
<b>Subject: Appeal of Planning Commission Decision</b>		<b>Contact Person for this Item: Justin Hogue, Assistant to the City Manager, <a href="mailto:jhogue@ci.mt-angel.or.us">jhogue@ci.mt-angel.or.us</a>, 503-845-9291</b>	

**BACKGROUND:** On April 21<sup>st</sup> the Planning Commission held a public hearing on Site Design Review 16-01 and Variance 16-01 for a triplex proposed at 555 N. Main St. The Planning Commission voted by a 3 to 2 vote to deny the application based on the finding that Mt. Angel Development Code (MADC) Section 4.5(a) was not met, which states, “The variance requested is the minimum variance which would alleviate the hardship.” The Planning Commission found that the applicant’s proposal was not the minimum variance that could be requested. They cited the applicant’s proposal for the side yard setback could have been less and still have accommodated the request to build a triplex on the subject lot.

MADC states, “The Planning Commission decision may be appealed to the City Council in accordance with Section 2.10.” Appeals must be submitted within 14 days of receiving the notice of decision. The City received an appeal on May 10<sup>th</sup>, which fell within the 14 day appeal period, to bring the application before the City Council in a public hearing.

According to MADC 2.11, The City Council has the authority to either reverse or affirm wholly or partially or modify any decision of the Planning Commission. The decision by the City Council will be the final decision for this application within City jurisdiction.

**ATTACHMENT A:** Staff report for Appeal 16-01

For the City Council Meeting of: June 6, 2016

To: City Council

Through: Justin Hogue, Assistant to the City Manager

From: McRae Carmichael, Mid Willamette Valley Council of Governments

**SUBJECT:**

Council Review of Planning Commission Decision DENYING SITE DESIGN  
REVIEW/VARIANCE NO VAR 16-1 FOR PROPERTY LOCATED AT 555 MAIN STREET

**ISSUE:**

Shall the City Council affirm, amend, or reverse the decision of the Planning Commission denying Variance case no. SDR16-01 VAR 16-01 for property located at 555 S. Main St.

**RECOMMENDATION:**

Reverse the Planning Commission denial of SDR/Variance 16-01 for property located at 555 Main Street.

**SUMMARY AND BACKGROUND**

Multi-Tech Engineering, on behalf of Lazar and Elena Kaluqin, requested a Variance to the side yard setback for a new triplex. The applicant requested to reduce the required side yard setback of 20 feet to 5 feet.

On April 21, 2016, the Planning Commission held a public hearing on this application. They voted by majority to deny the application. Written notice of the decision was issued on April 28, 2016. **(Exhibit E).**

Pursuant to MADC Section 4.5(a), the applicant has the right to appeal a decision of the Planning Commission to the City Council. The applicant filed an appeal on May 9, 2016, within the requirements of MADC Section 2.10.

**FACTS AND FINDINGS:**

***Procedural Findings:***

1. On January 20, 2016 an application was made for a SDR/VAR to construct a triplex at the subject property.
2. The application was received on January 20, 2016 and deemed complete on January 29, 2016. On April 21, 2016, the Planning Commission held a public hearing in accordance with MADC 2.2, reviewed staff's recommendation (**Exhibit D**), accepted written testimony (**Exhibit E**) and closed the hearing.
3. The Planning Commission denied the application based on MADC Section 4.5(a) (**Exhibit F**). Pursuant to MADC 2.1, the applicant has the right to appeal if done within 12 after receiving the notice of decision. The decision was issued on April 28, 2016. The applicant submitted an appeal of the decision on May 9, 2016.
4. The 120 day rule requires that a state mandated decision be rendered by May 28, 2016. The applicant waived the 120 day rule for this application to allow for their appeal to be heard at a regularly scheduled Council meeting on June 6, 2016.
5. In De Novo review all issues of law and fact are heard anew, and no issue of law or fact decided by the Planning Commission is binding on the parties in the hearing. New parties may participate, and any party may present new evidence and legal argument by written or oral testimony.

***Substantive Findings:***

6. This is an application for a Site Design Review and Variance to reduce the minimum side yard setback from 20 feet to 5 feet.
7. The approval criteria for a Variance that must satisfied in connection with the proposal are located in MADC Section 4.5 Findings establishing the proposed VAR 16-01 with the applicable approval criteria are included in staff report. Findings from the Planning Commission establishing that the proposal does not conform to the approval criteria are found in the decision dated April 28, 2016. The vote at Planning Commission was (3) yes, (2) no to DENY the application.
8. The applicant has redesigned the layout of the triplex since the Planning Commission hearing on April 21, 2016 to increase the side yard setback from 5 feet to 10 feet. This increase further reduces the impact of the reduced side yard setback on the southern portion of the property.

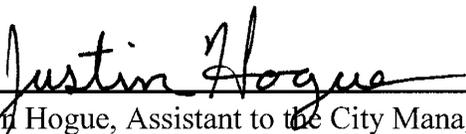
9. MADC requires the side yard setback in the Residential Commercial (RC) zone to be 20 feet for this type of development. The purpose of this restriction is to create a physical and visual separation between properties.

Staff recommends approval based on the narrow configuration of the lot and the proposed use on the property. The triplex is permitted in the RC zone and the density is permitted based on the size of the lot (square footage). The triplex is exceeding the landscaping requirement for the property and also proposes to have a 6 foot screen along the side yard in question to reduce the impact to adjacent neighbors. This property is located within several overlay zones (Infill Overlay Zone MADC 14, Bavarian Theme District MADC 15) and is subject to additional reviews (Site Development Review MADC 17).

Staff analysis found that the applicants initial proposal was the minimum variance the applicant could request based on the narrow configuration of the lot and proposal as shown. The applicant is meeting the density requirement for the property. The minimum lot area for a multi-family dwelling unit as required in MADC 6.3 (d) is 10,500 square feet. The subject lot is 12,560 square feet. Due to narrow configuration of the lot, the applicant designed the triplex in the most optimal way to maximize the site while reducing the impact. They are meeting the lot coverage requirement as specified in MADC 6.3(d) and creating landscape screens and visual buffers on the perimeter of the property.

10. In conclusion, staff suggests that the proposal satisfies the applicable approval criteria and recommends the City Council reverse the Planning Commission decision on April 21, 2016.

Signed:

  
Justin Hogue, Assistant to the City Manager

Attachments:

Exhibit A: Site Design Review and Variance Application  
Exhibit B: Assessor Map  
Exhibit C: City Engineer Comments (Westech Engineering)  
Exhibit D: Staff Report  
Exhibit E: Written Testimony  
Exhibit F: Planning Commission Notice of Decision  
Exhibit G: Appeal of Planning Commission Decision

## Site Design Review and Variance

The following statement addresses the applicable Site Design Review standards in Section 17, and the requirements under the Bavarian Theme District Section 15, the Infill Development Overlay Zone Section 14, the Residential Commercial Zone Section 6.3, and the Variance Criteria under Section 4. Information provided on the site plans for the Site Design Review application further address applicable code requirements.

In 2014, a pre-application conference was held with the applicant and City staff to discuss the development of the subject property.

**Proposal:** The subject property is located at 555 N. Main Street and identified as 061W03CD/Tax Lot 1700. The applicant is proposing to develop the site with a triplex as shown on the site plans.

The subject property is zoned RC and located within the Infill Development Overlay and the Bavarian Theme District.

### Residential Commercial Zone (RC)

**Use:** The applicant is proposing a triplex on the site. Triplex are a permitted use in the RC zone under 6.3(b)(2). See attached site plan.

**Setbacks:** All minimum setbacks to property lines are met as shown on the tentative plan, except for the side yard setback along the south property line. Side setbacks adjacent residential zones are required to be 20 feet. The applicant is proposing a 5-foot side yard setback along the south property line. Therefore, a variance to this setback has been requested as part of this application. Setbacks are shown on the tentative plan.

North:	20-foot setback (RC zoned/existing single family dwelling and existing apartments)
East:	10-foot setback (RC zoned/existing cemetery)
South:	5-foot setbacks (RC zoned/existing single family dwelling)
West:	Along Main Street, 20-foot setback (RC zoned/existing single family dwellings and existing apartments)

**Maximum Height:** Maximum building height (measured to the average height of the gable) allowed in the RC zone is 20'. The proposed buildings will be 28' measured to the highest point of the roof and 18' measured to the average height of the gable. Therefore, the building is in compliance with the building height requirements.

**Infill Development Overlay- Section 14****Residential Development Standards-Section 14.6**

**14.6(b) Building Orientation:** The main entrance for the first unit is facing the street. The side of the building facing the street will be designed to be consistent with the rest of the building; windows, offsets, and architectural features will be incorporated in the portion of the building facing the street. The portion of the building facing the street will be designed to be visually appealing. The other two units face the accessway.

**14.6(c) Garage Location:** The applicant is proposing a triplex on the site. All three units will have an attached garage for parking. The garages are located between the units, not between the units and the right-of-way. Therefore, the parking areas are in compliance with this requirement. See attached site plan.

**14.6(d) Front Porches:** The primary entrances for each individual unit is provided through a covered entry way. All building entries are clearly defined and easily accessible. The design of the building with the use of roofline offsets and covered entry ways, promote a positive sense of neighborhood.

**14.6(e) Windows:** All windows will be oriented vertically as shown on the building elevations.

**14.6(f) Trim and Details:** In order to be consistent; windows, offsets, and architectural features such as trim will be incorporated into the building.

Varied materials and textures are being used on the building facade. The applicant has provided building elevations to show how this is being complied with. The materials used on the front, rear, and side of the building are the same.

**14.6(g) Roofs:** The roof will be designed with a 4/12 pitch as shown on the plans.

**14.6(h) Parking Location:** The applicant is proposing a triplex on the site. All three units will have an attached garage for parking. The garages are located between the units, not between the units and the right-of-way. Therefore, the parking areas are in compliance with this requirement. See attached site plan.

**14.6(i) Yards:** The front yard is visually open to the street as shown on the site plans. There is no fence proposed along the street side of the site (west side).

**14.6(j) Fences/Walls:** There are no fences proposed along the street side of the site. As of now, the applicant has not indicated whether a fence will be provided along the side and rear yards. If a fence is proposed on the site, the applicant will apply with the height requirements

of the code.

**14.6(k) Development Pattern:** The proposal is for a triplex. Therefore, this requirement is not applicable.

**14.6(l) Front Yard Setback:** As shown on the site plan, a 20-foot front yard setback has been provided.

**14.6(m) Dwelling Height:** Maximum building height allowed in the RC zone and the Infill Development Overlay is 20'. The proposed triplex is one-story in height. The proposed buildings will be 28' measured to the highest point of the roof and 18' measured to the average height of the gable.

#### **Multiple Family Development Standards- Section 14.7**

**14.7(b) Scale and 14.7(c):** These standards are intended to promote building and site design that contributes positively to a sense of neighborhood and to the overall streetscape by carefully relating building mass, entries and yards to public streets.

The building on the site is over 80 feet in length. The building design does not have long flat walls or roof lines. The buildings will have an offset that breaks up the roof lines. The height and length of the building conforms to the measuring requirements in code.

The portion of the building facing the street will be designed to be visually appealing, by providing similar design as is being provided for the front building facade. In order to be consistent with the front facade of the building; windows, offsets, and architectural features will be incorporated in the portion of the building facing the street.

Varied materials and textures are being used on the building facade. The applicant has provided building elevations to show how this is being complied with. The materials used on the front, rear, and side of the building are the same. See attached building elevations.

The primary entrances for each individual unit is provided through a covered entry way. All building entries are clearly defined and easily accessible. The design of the building with the use of roofline offsets and covered entry ways, promote a positive sense of neighborhood.

**14.7(d) Main Entrance:** The main entrance for the first unit is facing the street. The side of the building facing the street will be designed to be consistent with the rest of the building; windows, offsets, and architectural features will be incorporated in the portion of the building facing the street. The portion of the building facing the street will be designed to be visually appealing.

**14.7(e) Unit Definition:** All units, street facing and interior facing, will have roof dormer that emphasizes the entry way and roof lines.

**14.7(f) Roof Lines:** The building design does not have long flat walls or roof lines. The buildings will have an offset that breaks up the roof lines. The height and length of the building conforms to the measuring requirements in code. See building elevations.

**14.7(g) Parking:** The applicant is proposing a triplex on the site. All three units will have an attached garage for parking. The garages are located between the units, not between the units and the right-of-way. Therefore, the parking areas are in compliance with this requirement. See attached site plan.

**14.7(h) Parking Lot Landscaping:** In order to take into consideration circulation, landscaping, and the requirements of the code, the site has been carefully designed. The site is landscaped as required. The 5-foot setback areas along the north and south property lines will be landscaped as required by code. See landscape plans. The landscaped areas provide for visually appealing apartment grounds.

Therefore, the parking landscape standards have been met. See attached site plans.

**14.7(i) Screening:** All equipment will be screened as required by code.

#### **Bavarian Theme District-Section 15**

The applicant has designed the triplex to meet the design standards of the Bavarian Theme District. Building elevations have been provided to show how the design has been met.

Varied materials and textures are being used on the building facade. The applicant has provided building elevations to show how this is being complied with. The materials used on the front, rear, and side of the building are the same. Shutters, window grids, roof overhangs, compatibility in materials, rain gutters, along with other materials and features have been incorporated into the triplex design to comply with the Bavarian Theme in this area. See attached building elevations.

**Variance-Section 4.5****Criteria:**

***(a) The variance requested is the minimum variance which would alleviate the hardship.***

Findings: The variance is for the minimum necessary. The variance is necessary in order to develop the site to its full potential. This is the minimum variance practical and necessary to develop this property as a triplex and satisfy the Code. The size of the lot will still allow for adequate setbacks along the north, east, and west property lines. The applicant's request is to allow a 5-foot setback along the south property line where 20 feet is required. The applicant has explored other options for development of the site. However, none are feasible or allow the site to be fully developed with permitted uses.

***(b) Exceptional or extraordinary circumstances or conditions apply to the property which do not apply generally to other properties in the same zone or vicinity; and result from lot size or shape, legally existing prior to the date of this Ordinance, topography, or other circumstances that substantially exist.***

The lot is odd in shape (long and narrow), making it difficult to locate any structure on the site and meet the setback requirements. The applicant is requesting a variance to allow a 5-foot setback along the south property line where 20 feet is required, as shown on the attached site plan.

Due to the shape of the lot and the location of the driveway, the triplex cannot comply with code. Therefore, a variance to the 20-foot side yard setback has been identified as needed.

***(c) The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located, or otherwise conflict with the objectives of any City plan or policy.***

The applicant cannot identify any adverse effects that will be created by the granting of the variance. In fact, the applicant is providing more than adequate setbacks on the site. The setbacks along the north and west portion of the site meet or exceed the setback requirements. Therefore, helping to provide adequate buffers for the residents and adjacent property owners.

The applicant has reviewed alternatives, but alternatives are not feasible. The applicant would have to reduce the development down to a single family dwelling in order to meet this requirement. Single family dwellings require the same setbacks, therefore, with the narrow lot, would still require a variance to the setback requirements. Therefore, this is not an option. So in order to develop the site as permitted under code, the site has to be developed as a duplex or triplex. Both require a variance to the setback as requested.

***(d) Such variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner that is possessed by the owners of other properties in the same vicinity or zone.***

The granting of the variance is needed for proper development of the site. As stated above, due to the shape of the lot the required 20-foot setback cannot be met. Therefore, a variance to the setback has been identified as needed.

***(e) Approval of the application does not conflict with policies and objectives of the Comprehensive Plan.***

The Mt. Angel Development Code, implements the Comprehensive Plan land use goals, and governs development of property within the city limits. The development will be reviewed for compliance with city standards and requirements contained in the Code. The proposed triplex meets all applicable provisions of the Development Code. The applicant is requesting variance to the 20-foot side yard setback along the south property line. See attached site plan.

The lot can be adequately served with water, sanitary sewer and storm drainage facilities. The triplex can also be served with other utilities appropriate to the nature of the development. Additional reviews occur at the time of building permits to assure compliance with the development code.

The subject property is designated Commercial on the Comprehensive Plan which is consistent with the zone designated of the property, RC (Residential Commercial Zone). The purpose of the RC zone and Comp. Plan designation is to encourage higher density residential and commercial uses on the site. The applicant's proposal is for triplex development. This higher density is consistent with the housing needs and density within the Comp. Plan designation and the purpose of the zoning density of the RC zone.

***(f) The circumstances or conditions applicable to the specific property involved or to the intended use or development of the specific property does not require the property to be rezoned.***

The proposed tri-plex is a permitted use in the RC zone under Section 6.3(b)(2). The setbacks imposed on this site can be relieved through the variance process. Therefore, the requested variance does not require the property to be rezoned.

***(g) That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.***

The granting of variance will not affect the public health, safety, and welfare, or the comfort and convenience of owners in the vicinity of the proposed development. The proposed triplex is one-story in height, which is similar or lower in height than adjacent structures. As stated

above, the triplex will be developed as required by code. Therefore, the requested variance will not be in violation of this or any Ordinance.

***(h) Strict adherence to the requirement or standard is unnecessary because the proposed variance will reasonably satisfy both of the following objectives:***

***(1) Granting the variance will not create significant adverse effects to the appearance, function or safety of the use or uses on the subject property; and***

***(2) Granting the variances will not impose limitations on other properties in the area, including uses which would be allowed on vacant or underdeveloped sites.***

The granting of the variance will not affect the public health, safety, and welfare, or the comfort and convenience of owners in the vicinity of the proposed development. The lot will be developed in compliance with Code. The proposed triplex is only one story in height. Allowing the variance will not increase the density or the height of the proposed triplex. The property as is could not be developed with a duplex or triplex on site. The variance allows the site to be developed. Without the variance the lot cannot be developed with the permitted uses allowed in the RC zone. All permitted residential uses in the RC zone require the 20-foot side setbacks, which is an extreme setback for such a narrow lot.

---

# TRANSMITTAL



**DATE:** January 7, 2016

**JOB #:** 5993

**To:** City of Mt. Angel  
5 N. Garfield Street  
Mt. Angel, Oregon 97362

**PROJECT:** Mt. Angel Tri-Plex

**FROM:** Brandie Dalton, Land-Use Planner

**RE:** *MT. ANGEL TRI-PLEX/SITE DESIGN REVIEW AND VARIANCE APPLICATION*

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> ENCLOSED         | <input type="checkbox"/> PLANS         | <input type="checkbox"/> FOR APPROVAL           | <input type="checkbox"/> FOR VERIFICATION |
| <input type="checkbox"/> CHECKS INCLUDED  | <input type="checkbox"/> DOCUMENTS     | <input type="checkbox"/> FOR YOUR USE           | <input type="checkbox"/> REVISE & RETURN  |
| <input type="checkbox"/> PER YOUR REQUEST | <input type="checkbox"/> FOR SIGNATURE | <input type="checkbox"/> FOR FINAL DISTRIBUTION | <input type="checkbox"/> OTHER            |

COPIES	NO.	DESCRIPTION

**MESSAGE:** ATTACHED ARE THE SITE DESIGN REVIEW AND VARIANCE APPLICATIONS FOR THE MT. ANGEL TRI-PLEX LOCATED AT 555 N. MAIN STREET (061W03CD/TAX LOT 1700). IF YOU HAVE ANY QUESTIONS OR COMMENTS, PLEASE FEEL FREE TO CONTACT US. THANK YOU.



# City of Mt. Angel

P.O. Box 960 / 5 N. Garfield Street, Mt. Angel, OR 97362  
Phone (503) 845-9291 Fax (503) 845-6261

## Site Design Review Application

Developer's Name: Lazar Kalugin Agent / Owner / Tenant  
(Circle One)

Mailing Address: 11220 Portland Rd City: Salem Zip Code: 97305

Phone: \_\_\_\_\_ Email address: \_\_\_\_\_

Property Owner's Name: (if different from above): Lazar & Elena Kalugin

Mailing Address: 11220 Portland Rd City: Salem Zip Code: 97305

Phone: \_\_\_\_\_ Email address: \_\_\_\_\_

Consultant's Name: Brandie Dalton, Land-Use Planner

Mailing Address: 1155 13<sup>th</sup> St. SE City: Salem Zip Code: 97302

Phone: 503-363-9227 Email address: bdalton@mtengineering.net

Consultant's Name: Pete Melin

Mailing Address: 1155 13<sup>th</sup> St. SE City: Salem Zip Code: 97302

Phone: 503-363-9227 Email address: \_\_\_\_\_

Location of proposed development: 555 N. Main St / 061120300/1700  
(physical address) (map tax lot #)

Current Use: Vacant

Description of proposed development: Tri-Plex

Square Footage: Proposed structure: \_\_\_\_\_ Lot Area: 0.28 acres

Zone of principle property: RC Valuation of Project: \_\_\_\_\_

Please submit for review: Vicinity Map  Site Plan  Landscape Plan   
Grading Plan \_\_\_\_\_ Traffic Impact Analysis: NA

I, (WE), THE UNDERSIGNED APPLICANT, hereby certify that all information contained in this application is complete and correct, and are the owners of record of the property, or have obtained consent to act as the agent for the owner (See attached Letter of Consent) for which the Site Design Review approval is requested. I further understand the missing or incomplete information may delay the process and the fees paid are not a guarantee of an approval.

SIGNATURE [Handwritten Signature] DATE \_\_\_\_\_  
APPLICANT/OWNER

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
APPLICANT/OWNER

SIGNATURE [Handwritten Signature] DATE \_\_\_\_\_  
OWNER

SIGNATURE [Handwritten Signature] DATE \_\_\_\_\_  
OWNER

For office use:  
Received By: \_\_\_\_\_ Date received: \_\_\_\_\_ Fees paid: \_\_\_\_\_



# City of Mt. Angel

P.O. Box 960 / 5 N. Garfield Street, Mt. Angel, OR 97362  
Phone (503) 845-9291 Fax (503) 845-6261

## Major Variance Application

Name of Developer: Lazar Kalugin Agent /  Owner /  Tenant  
(Circle One)

Mailing Address: 11220 Portland Rd City: Salem Zip Code: 97305

Phone: \_\_\_\_\_ Email address: \_\_\_\_\_

Property Owner's Name: (if different from above): Lazar & Elena Kalugin

Mailing Address: 11220 Portland Rd City: Salem Zip Code: 97305

Phone: \_\_\_\_\_ Email address: \_\_\_\_\_

Consultants Name: Brandie Dalton, Land-Use Planner

Mailing Address: 1155 13th St SE City: Salem Zip Code: 97302

Phone: 503-363-9227 Email address: bdalton@mtengineering.net

Location of proposed development: 555 N. Main St  
*(physical address or description of location)*

Map and Tax lot numbers: 061110340/1700 Zoning: RC

Are there any other land use applications affecting this property?  YES /  NO: If yes, please explain: Design Review

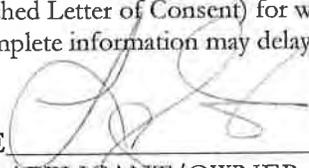
Description of proposed Variance: Sidelyard Setback Variance  
To allow a 5' sidelyard setback  
where 20' is required along the  
South property line.

Please address each of the following criteria on a separate sheet of paper to be included with this application.

- (a) The variance requested is the minimum variance which would alleviate the hardship.
- (b) Exceptional or extraordinary circumstances or conditions apply to the property which do not apply generally to other properties in the same zone or vicinity; and result from lot size or shape, legally existing prior to the date of this Ordinance, topography, or other circumstances that substantially exist.

- (c) The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located, or otherwise conflict with the objectives of any City plan or policy.
- (d) Such variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner that is possessed by the owners of other properties in the same vicinity or zone.
- (e) Approval of the application does not conflict with policies and objectives of the Comprehensive Plan.
- (f) The circumstances or conditions applicable to the specific property involved or to the intended use or development of the specific property does not require the property to be rezoned.
- (g) That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.
- (h) Strict adherence to the requirement or standard is unnecessary because the proposed variance will reasonably satisfy both of the following objectives:
  - (1) Granting the variance will not create significant adverse effects to the appearance, function or safety of the use or uses on the subject property; and
  - (2) Granting the variances will not impose limitations on other properties in the area, including uses which would be allowed on vacant or underdeveloped sites.

I, (WE), THE UNDERSIGNED APPLICANT, hereby certify that all information contained in this application is complete and correct, and are the owners of record of the property, or have obtained consent to act as the agent for the owner (See attached Letter of Consent) for which the Major Variance approval is requested. I further understand the missing or incomplete information may delay the process and the fees paid are not a guarantee of an approval.

SIGNATURE  DATE \_\_\_\_\_  
 APPLICANT/OWNER

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
 APPLICANT/OWNER

SIGNATURE 6 DATE \_\_\_\_\_  
 OWNER

SIGNATURE Elenathalyis DATE \_\_\_\_\_  
 OWNER

For office use:		
Received By: _____	Date received: _____	Fees paid: _____

**LAND USE FEE SCHEDULE ACKNOWLEDGEMENT**

Resolution No. 1239 requires a fee for land use applications to be paid at the time of filing.

Costs and time of Consultants and Staff are paid from the fees collected. If it appears the costs exceed the initial fee collected, the City Administrator may require additional fees for costs that may be incurred to complete the projects. Statements will be prepared on a quarterly basis.

The following are types of charges and amounts per hour. The Contracted Service provider fee are subject to change.

**PERSONNEL:**

City Administrator	\$50.00
Planning Assistant	\$40.00
Public Works Superintendent	\$45.00
Public Works Staff	\$40.00
Police Chief	\$52.00

**MISCELLANEOUS EXPENSE:**

Copies <i>(not including map size or special graphics)</i>	.25 cents per printed page
Mileage	Current IRS Rate
Fax	\$3.00
Legal Publication	At Cost
Long Distance Calls	At Cost
Postage	At Cost
Election	At Cost

**Outside technical, professional and other services, such as Fire District, Engineer, Planner, Surveyor, Attorney or others as identified will be invoiced at actual cost plus twenty percent (10%) to cover administrative and overhead.**

Hourly rates for professional services will be provided at the applicant's request.

---

**I have read this information and understand that the land use fee may not include all costs and I may be billed further.**

---

Applicant's Signature

---

Date

**CITY OF MT. ANGEL, OREGON  
RESOLUTION NO. 1239**

**A RESOLUTION UPDATING FILING FEES AND RELATED CHARGES FOR PROCESSING LAND USE ACTIONS.**

**WHEREAS**, the terms of Section 2.13 of the City’s Development Code provides for the setting and creating of land use fees by resolution or ordinance; and

**WHEREAS**, the City Council has determined that the City’s current land use fees do not reflect the actual cost associated with processing and analyzing land use applications;

**WHEREAS**, the City Council believes it appropriate that fees charged for land use applications reflect the true cost associated with their processing and analysis;

**WHEREAS**, under the City Council finds that the fees established by the terms of this resolution (or reflected in the Exhibit) are consistent with the provisions of ORS 227.175.

**WHEREAS**, an opportunity for interested persons to comment on the enactment of this resolution was provided consistent with the requirements imposed by ORS 294.160.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Mt. Angel:

**Section 1.** Fees related to land use actions shall be as follows:

<b>TYPE I APPLICATIONS</b>	<b>Lot Line Adjustment</b>	<b>\$300</b>
	<b>Minor Variance</b>	<b>\$400</b>
	<b>Partition w/o street frontage exception</b>	<b>\$900</b>
<b>TYPE II APPLICATIONS</b>	<b>Legal Non-Conforming Use Determination</b>	<b>\$ 300</b>
	<b>Similar Use Determination</b>	<b>\$ 300</b>
	<b>Major Variance</b>	<b>\$ 750</b>
	<b>Conditional Use Permit</b>	<b>\$ 750</b>
	<b>Adjustment to PUD</b>	<b>\$ 750</b>
	<b>Site Design Review</b>	<b>\$1,500</b>
	<b>Partition w/ street frontage exception</b>	<b>\$1,500</b>
	<b>PUD</b>	<b>\$3,000</b>
<b>TYPE III APPLICATIONS</b>	<b>Subdivision</b>	<b>\$3,000</b>
	<b>Appeal</b>	<b>\$ 400</b>
	<b>Zone Change</b>	<b>\$2,000</b>
<b>TYPE III APPLICATIONS</b>	<b>Comprehensive Plan Amendment/Zone Change</b>	<b>\$3,000</b>
	<b>Annexation</b>	<b>\$4,000</b>

**Section 2.** Should costs associated with processing/analyzing any application exceed the amounts set out under Section 1, the rates for City Consultants and/or staff shall be billed at the rates set out in Exhibit “A”.

Section 3. Staff may revise Exhibit "A" to reflect actual costs associated with staff and outside professional services.

Section 4. Should the applicant withdraw the application, they shall be charged for all actual costs incurred. Any remaining amount of the filing fee shall be refunded to the applicant. An application may not be withdrawn after the publication of the Public Hearing Notice, without consent of the City Administrator

Section 5. For Annexation applications, the petitioner shall execute consent to lien in order to secure payment of all election costs. If the deposit is insufficient to cover the petitioner's pro rata share of the actual costs, an additional sum equal to such amount shall be remitted to the City Recorder prior to the City Council considering an ordinance to adopt the resolution or no later than fifteen (15) days after notification of the City Administrator that the stated amount is due. If such amount is not paid within the fifteen (15) day period, the Administrator shall file an election cost lien in the city lien docket. The election cost lien shall have priority over all other liens, except liens for the payment of taxes, shall bear interest at the legal rate, and shall remain a lien against the property until fully paid or foreclosed, as provided by law.

Section 6. This resolution shall be effective immediately upon its passage by the City Council.

Passed by the City Council this 3<sup>rd</sup> day of March, 2008, by the following vote:

AYES: 6                      NAYS: 0

APPROVED BY THE MAYOR this 5<sup>th</sup> day of March, 2008.

Thomas C. Bauman  
Thomas C. Bauman, Mayor

ATTESTED BY:

James S. Hunt  
James S. Hunt, City Recorder/ Administrator

Filed in the City Recorder's office this 5<sup>th</sup> day of March, 2008.

REEL 3556 PAGE 257  
MARION COUNTY  
BILL BURGESS, COUNTY CLERK  
10-30-2013 11:12 am  
Control Number 349960 \$ 46.00  
Instrument 2013 00048474

RECORDING REQUESTED BY:  
Fidelity National Title Company of Oregon

GRANTOR:  
Marie M. Espericueta  
P.O. Box 272  
Mt. Angel, OR 97362

GRANTEE:  
Lazar Kalugin and Elena Kalugin, Husband and  
Wife  
555 N. Main Street  
Mt. Angel, OR 97362

SEND TAX STATEMENTS TO:  
Lazar Kalugin and Elena Kalugin  
11220 Portland Rd. NE  
Salem, OR 97305

AFTER RECORDING RETURN TO:  
Lazar Kalugin and Elena Kalugin  
11220 Portland Rd. NE  
Salem, OR 97305

Escrow No: FT130044144-FTMWV02

555 N. Main Street  
Mt. Angel, OR 97362

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Fidelity National Title 13-44144

**STATUTORY WARRANTY DEED**

Marie M. Espericueta, Grantor, conveys and warrants to

Lazar Kalugin and Elena Kalugin, Husband and Wife, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Marion, State of Oregon:

Beginning at the Northwest corner of the Catholic Cemetery in Mt. Angel, Oregon, said Northwest corner being 16 rods West along the center of the County Road and 10 rods North along the West line of said cemetery from the Southeast corner of a 2 Acre tract of land conveyed by Joseph Scharback and wife, to Archbishop Charles Segers by deed recorded in Volume 30, Page 596, Deed Records in and for Marion County, Oregon; thence South along the West line of said cemetery 73 feet; thence West parallel with the North line of said 2 acre tract 11 3/4 rods; more or less to the East line of the Silverton-Woodburn Road; thence Northeasterly along said East line 78 feet, more or less, to the North line of the aforementioned 2 acre tract; thence East along said North line 10 1/4 rods, more or less, to the place of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$43,000.00. (See ORS 93.030)

**Subject to and excepting:**

Current taxes, assessments, reservations in patents, and all agreements, easements, right-of-way, encumbrances, liens, setback lines, reservations, powers of special districts, covenants, conditions and restrictions as may appear of record.

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON**

FT130044144-FTMWV02  
Deed (Warranty-Statutory)

\* LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: 10/29/13

*Marie M. Espericueta*  
Marie M. Espericueta

State of OREGON  
COUNTY of Marion

This instrument was acknowledged before me on Oct. 29, 2013

by Marie M. Espericueta

*Joan E. Cuff*  
Notary Public - State of Oregon

My commission expires: 5/20/14



**REEL: 3556**

**PAGE: 257**

**October 30, 2013, 11:12 am.**

CONTROL #: 349960

State of Oregon  
County of Marion

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 46.00

BILL BURGESS  
COUNTY CLERK

THIS IS NOT AN INVOICE.

## Marion County Assessor's Property Records Property Summary

### Property Identification

Property ID:	R15524	Manufactured Home ID:	
Situs Address:	555 N MAIN ST MT ANGEL, OR 97362	Legal Description:	ACRES 0.28
Map Tax Lot:	061W03CD01700		

### Owner Information

Owner: KALUGIN, LAZAR &  
 KALUGIN, ELENA  
 11220 PORTLAND RD NE  
 SALEM, OR 97305

### Property Details

Year Built:		Property Code:	
Living Area:		Property Class:	100
Bedrooms:		Levy Code Area:	09115150
Bathrooms:		Zoning:	Contact local jurisdiction
Legal Acreage:	0.28	Apex Sketches:	None Available
		Property Photos:	None Available

### Value Information

RMV Land:	\$50,310	Exemption Description:	None
RMV Improvements:	\$0		
RMV Total:	\$50,310		
Assessed Value:	\$46,470		

### Tax Information

Taxes Levied 2013-14:	\$775.22	Tax Payoff Amount:	\$0.00
Tax Rate:	16.8186		

### Sales Information

Sales Date:	10/30/2013	Deed Number:	35560257
Sales Price:	\$43,000	Deed Type:	WD
Sale Type:	00		

## Property owners

Lazar & Elena Kalugin  
11220 Portland Rd NE  
Salem OR 97305

## General Contractor

Quality Plus Homes  
11220 Portland Rd NE  
Salem OR 97305

## Contacts

Lazar Kalugin	503 572-2878
Office	503 792-3686
Fax	503 792-3699
E-mail	gpiinc@aol.com

LEGEND

- LINE TYPES**
- UNLUT BOUNDARY
  - OLD PROPERTY LINE
  - VICTIMIZED RIGHT-OF-WAY
  - RAILROAD RIGHT-OF-WAY
  - STREAM LAKE ETC UNLUT BOUNDARY
  - STREAM LAKE ETC NON-BOUNDARY
  - PARTITION PLAT BOX
  - EASEMENT
  - EXISTENT
- SYMBOL TYPES**
- DMC
  - △ CONTROL POINTS
  - SURVEY MONUMENTS
  - OLD CORNERS
  - 1/4 SEC
  - 1/8 SEC
  - 1/16 SEC
  - 1/32 SEC

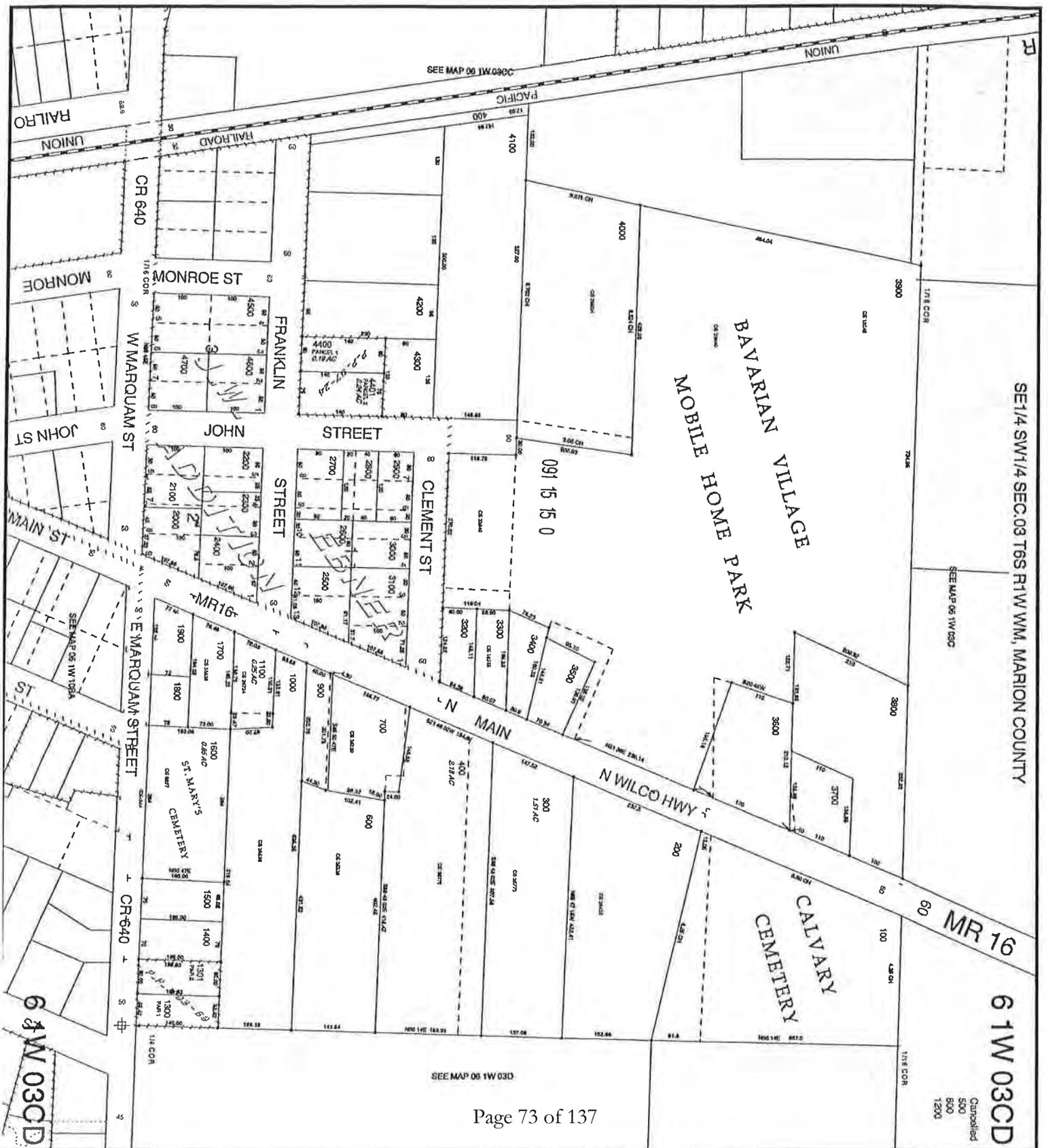
**Exhibit A**

NUMBERS  
TAX CODE NO  
000 00 00 0

**NOTICE: This map was created for Assessor's Office use ONLY.**



SCALE 1" = 100'  
OF 1:1200  
Plot file created: June 18, 2008  
Assessors Office



**LANDSCAPE NOTES:**

- General:**
- All local, municipal, state, and federal laws regarding uses, regulations, governing or relating to any portion of the work depicted on these plans are hereby incorporated into and made part of these specifications and their provision shall be carried out by the Contractor. The Contractor shall at all times protect the public throughout the construction process.
  - The Contractor shall carefully coordinate construction activities with earthwork contractor and other site development.
  - The Contractor shall verify drawing dimensions with actual field conditions and inspect related work and adjacent surfaces. Contractor shall verify the accuracy of all finish grades within the work area. The Contractor shall report to the Landscape Design & Consultants LLC (LDC) or Owner all conditions which prevent proper execution of this work.
  - The exact location of all existing utilities structures and underground utilities, which may not be indicated on the drawings, shall be determined by the Contractor. The Contractor shall protect existing structures and utility services and is responsible for their replacement if damaged.
  - Disturbance and impacts to existing native trees/shrubs shall be minimized to the greatest extent practicable.
  - The Contractor shall keep the premises free from rubbish and debris at all times and shall arrange material storage to not to interfere with the operation of the project. All unused material, rubbish, and debris shall be removed from the site.
  - All plant material and planting supplies shall be warranted for a period of not less than one year from the completion date of installation. All replacement stock shall be subjected to the same warranty requirement as the original stock. Any damage due to replacement operations shall be repaired by the Contractor. At the end of the warranty period, inspections shall be made by LDC, Owner/General Contractor. All plant and lawn areas not in a healthy growing condition shall be removed and replaced with plants and turf cover of a like kind and size before the close of the next planting season.
- Grading / Erosion Control:**
- The design and placement of the building on the site lends itself to minimal slope conditions with positive drainage being maintained around the entire building. In this case standard landscaping procedures of topsoil, lawn, and a two inch layer of bark mulch on all planting beds will be sufficient to control erosion. In the event site conditions change or there are Slopes / Bio Swale / Detention Ponds on the project with slopes greater than 30% Poly Tight Jute Netting shall be installed with anchoring pins as per manufacturers recommendations prior to planting. Recommend DeWitt PUN4216 Erosion Control Poly Jute Netting and DeWitt anchor pins or approved equal.
  - Seed recommendation is Pro Time 700 Low Profile or approved equal over the jute netting at a rate of 2 lbs. per 1000 sq. feet. The address of Pro Time is 1712 SE Ankeny, Portland OR 97214, Phone 503-239-7516. There email is [info@protimeinc.com](mailto:info@protimeinc.com)
  - The work limits shown on this plan shall clearly be marked in the field prior to construction. No disturbance beyond the work limits shall be permitted.
  - Grading shall be performed during optimal weather conditions.
  - Erosion control measures shall be constructed in conjunction with all clearing and grading activities, and in such a manner as to ensure that sediment and sediment-laden water does not enter the drainage system or violate applicable water standards.
  - Prior to the commencement of construction activities, Contractor shall place orange construction fencing around perimeters of construction impact areas, and sediment fencing at downhill portions of the site. Contractor is responsible for proper installation, maintenance, replacement, and upgrading of all erosion and sediment control measures, in accordance with local, state, and federal regulations.
- Plant Material:**
- Contractor shall verify all plant & tree quantities with LDC or Owner prior to construction.
  - In the event of a discrepancy between plants materials listed on the drawings, the drawings shall govern the plant species and quantities required.
  - Plant material shall be first quality stock and shall conform to the code of standards set forth in the current edition of the **American Standards for Nursery Stock** sponsored by the American Association of Nurserymen, Inc. (AAN).
  - Species and variety as specified on the drawings and delivered to the site shall be certified true to their genus, species and variety and as defined within the current edition International Code of Nomenclature for Cultivated Plants.
  - Obtain freshly dug, healthy, vigorous plants nursery-grown under climatic conditions similar to those in the locality for the project for a minimum of two years. Plants shall have been lined out in rows, annually

- cultivated, sprayed, pruned, and fertilized in accordance with good horticultural practice. All container plants shall have been transplanted or root pruned at least once in the past three years. Balled-and-burlapped (B&B) plants must come from soil which will hold a firm root ball. Heeled in plants and plants from cold storage are not acceptable.
- Planting stock shall be well-branched and well-formed, sound, vigorous, healthy, free from disease, sun-scaled, windburn, abrasion, and harmful insects or insect eggs, and shall have healthy, normal, unbroken root systems. Deciduous trees and shrubs shall be symmetrically developed, uniform habit of growth, with straight trunks or stems, and free from objectionable disfigurements. Evergreen trees and shrubs shall have well-developed symmetrical tops with typical spread of branches for each particular species or variety. Only vines and ground cover plants well-established shall be used. Plants budding into leaf or having soft growth shall be sprayed with an anti-desiccant at the nursery before digging.
  - Contractor shall not make substitutions of plant materials. If required landscape material is not obtainable, submit proof of non-availability and proposal for use of equivalent material. When authorized, adjustments of plant quantity (if any) will be made by change order.
  - Plant sizes and grading shall conform to the latest edition of American Standard for Nursery Stock as sponsored by the American Association of Nurserymen Inc. (AAN)
  - All vegetation shown on this plan shall be maintained in a healthy and vigorous growing condition throughout the duration of the proposed use. All vegetation not so maintained shall be replaced with new vegetation at the beginning of the next growing season.
- Planting:**
- Planting shall be installed between February 1 and May 1 or between October 1 and November 15. If planting is installed outside these time frames, additional measures may be needed to ensure survival and shall be pre-approved by the owner.
  - Plant material shall be transported to the site in a timely manner to minimize on-site storage. Where storage is required, all plants shall be kept moist and shaded.
  - Plant stock shall be handled in a manner that will not break, scrape, or twist any portion of the plant. Protect plants at all times from conditions that can damage the plant (e.g., sun, wind, freezing conditions).
  - Provide the following clearance for planting of trees where applicable:  
5 feet from all street/parking lot light standards  
10 feet from fire hydrants  
5 feet from all utility vaults, meter boxes, etc.
  - No trees or shrubs shall be planted on existing or proposed utility lines.
  - All shrub beds shall receive a minimum 2" layer of bark mulch evenly applied immediately after planting is completed. All plant beds shall drain away from buildings.
  - Excavate plant pits for shrubs and trees as follows:  
Container stock: width = 2 times the container diameter, depth = container depth.  
Bare root stock: width = 2 times the widest diameter of the root, depth = of root system.  
B & B: width = 2 times ball diameter, depth = ball depth.  
Scarify sides and bottom of plant pits to roughen surfaces.
  - Place plants plumb in the pit, Backfill with native soil or top soil mixture to the original plant soil line, and tap solidly around the ball and roots. Water plants immediately after planting if soil is not saturated to the surface.
- Lawn Areas / Hydro Seeding/Sod:**
- All lawn area shall be seeded unless otherwise directed by Owner to install Sod. Seed or Sod shall be procured through Kuenzi Turf Nursery. Seed or Sod shall be Rhizomatous Tall Fescue (RTF). Seed mix shall be applied at a rate of 10 lbs. per 1000 sq. feet. Contact Kuenzi Turf Nursery at (503)585-8337 or approved equal.
  - All areas shown on the plan shall be seeded between March 1<sup>st</sup> and May 1<sup>st</sup> or between September 1<sup>st</sup> and October 15<sup>th</sup>.
  - Scarify soil surface to a depth of 3 inches, to ensure adequate seed contact with soil.
  - Prior to seeding, clearly delineate seeding limits using flags or non-toxic paint.
  - Hydro-seed application rate shall be 60 lbs. per 100 gallons of hose work or 75 lbs. per 100 gallons of tower work.
  - If, at the end of one complete growing season, the planted and seeded area fail to exhibit well-established plant communities, or exhibit patchiness in the patterns of vegetative cover, supplemental seeding and planting shall occur.
  - Seeding of slopes greater than 30% shall be done by Hydro Seeding using a seed mix of Pro Time 700 Low Profile or approved equal at a rate of 2 lbs. per 1000 sq. feet.

**Top Soil Mixture:**

- A 2" to 4" layer of garden care compost, mushroom compost or similar material sterilized at 105 degrees Fahrenheit shall be incorporated into the existing soil prior to planting and seedling/sod lawns. Incorporate into existing soil prior to planting the following fertilizers at a rate specified per 1000 sq. ft. of planting area.  
20 lbs. 10-6-4 50% Slow Release  
30 lbs. 38-0-0 Nitroform  
10 lbs. Iron Sulfate 21%  
20 lbs. 0-18-0 Super Phosphate  
25 lbs. Dolomite Lime  
10 lbs. 13-0-11 Potassium Nitrate

**Bark Mulch:**

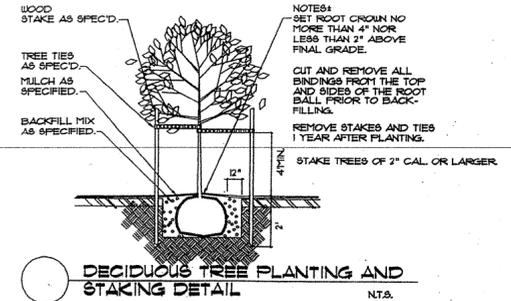
- All shrub beds shall receive a minimum 2" layer of fine hemlock or fir bark mulch evenly applied immediately after planting is completed. All plant beds shall drain away from buildings.

**Weed Control Agent:**

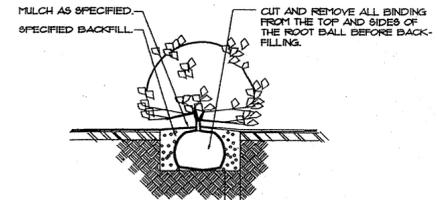
- Apply casoron as a weed control agent after planting as per manufactures specified recommendations around building or approved equal.

**Non-Native Plant Species:**

- All non-native, invasive plant species shall be removed from the site.



DECIDUOUS TREE PLANTING AND STAKING DETAIL N.T.S.

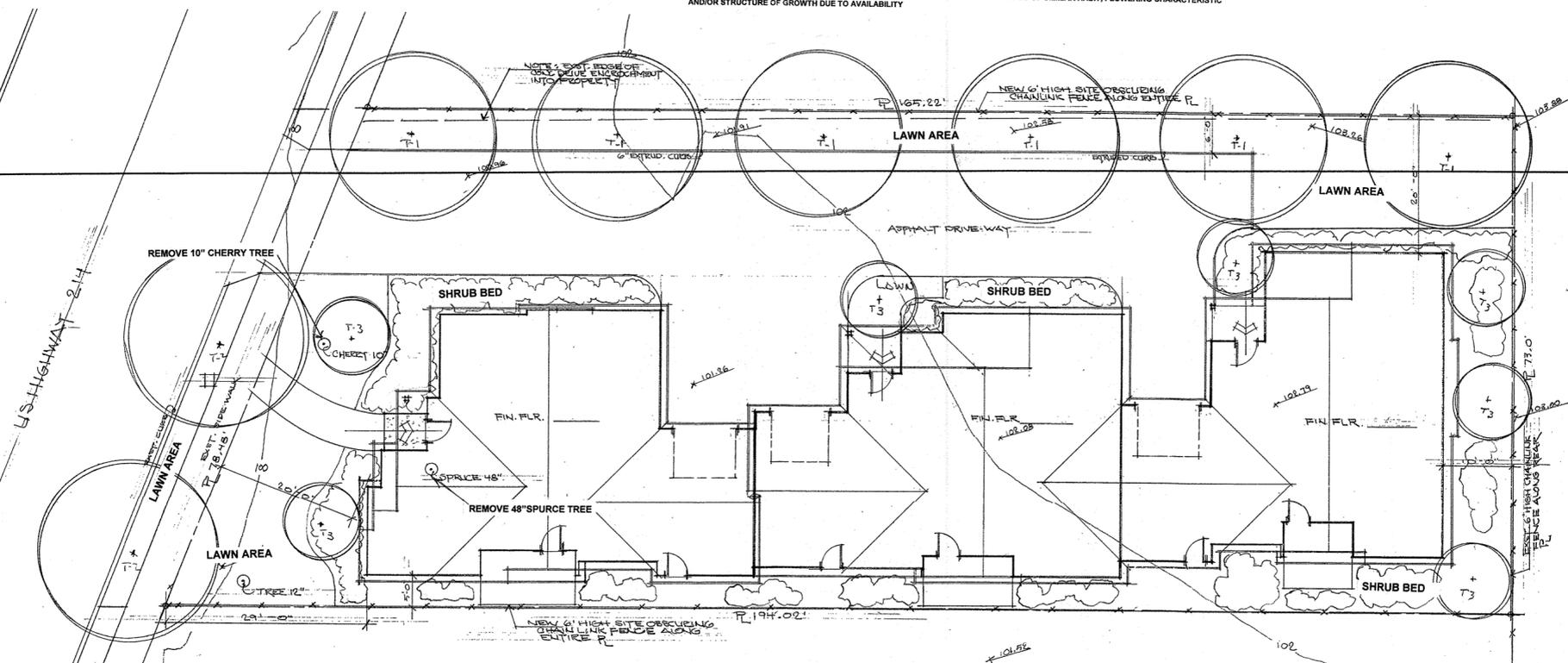


SHRUB PLANTING DETAIL N.T.S.

**PLANT PALETTE**

QTY.	SYM	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
<b>TREES</b>						
6	T-1	Acer rubrum 'Armstrong'	Armstrong Red Maple	1 1/2" - 2" cal.	B & B	6' Standard
2	T-2	Acer rubrum 'Autumn Blaze'	Autumn Blaze Maple	1 1/2" - 2" cal.	B & B	6' Standard
7	T-3	Pyrus calleryana 'Capita'	Capitol Flowering Pear	1 1/2" - 2" cal.	B & B	6' Standard
<b>SHRUBS</b>						
	S-1	Abelia grandiflora 'Ed Goucher'	Edward Goucher Abelia	2 gal.	cont.	Full
	S-2	Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Japanese Barberry	2 gal.	cont.	Full
	S-3	Calamagrostis x acutiflora 'Avalanche'	Avalanche Feather Reed Grass	2 gal.	cont.	Full
	S-4	Cornus stolonifera 'Kelsey'	Dwarf Redwing Dogwood	2 gal.	cont.	Full
	S-5	Euconymus alatus 'Compacta'	Dwarf Burning Bush	2 gal.	cont.	Full
	S-6	Pennisetum alopecuroides 'Hemeln'	Dwarf Fountain Grass	2 gal.	cont.	Full
	S-7	Pieris japonica 'M. Fire'	M. Fire Japanese Andromeda	5 gal.	cont.	Full
	S-8	Rosa 'prostrata red'	Red Prostrata Rose	2 gal.	cont.	Full
	S-9	Rhododendron 'Yaku Princess'	Yaku Princess Rhododendron	18" 24"	w/buds	Full
	S-10	Rhododendron 'PJM'	PJM Rhododendron	18" 24"	w/buds	Full
	S-11	Spiraea japonica 'Gold Flame'	Gold Flame Spirea	2 gal.	cont.	Full
	S-12	Spiraea japonica 'Goldmound'	Goldmound Spirea	2 gal.	cont.	Full

CONTRACTOR TO VERIFY ALL QUANTITIES OF PLANT MATERIALS WITH LANDSCAPE DESIGN & CONSULTANTS PRIOR TO INSTALLATION. PLANT MATERIAL SUBSTITUTIONS MAY BE MADE BY THE OWNER FOR PLANT MATERIALS OF SIMILAR HABIT, FLOWERING CHARACTERISTIC AND/OR STRUCTURE OF GROWTH DUE TO AVAILABILITY.

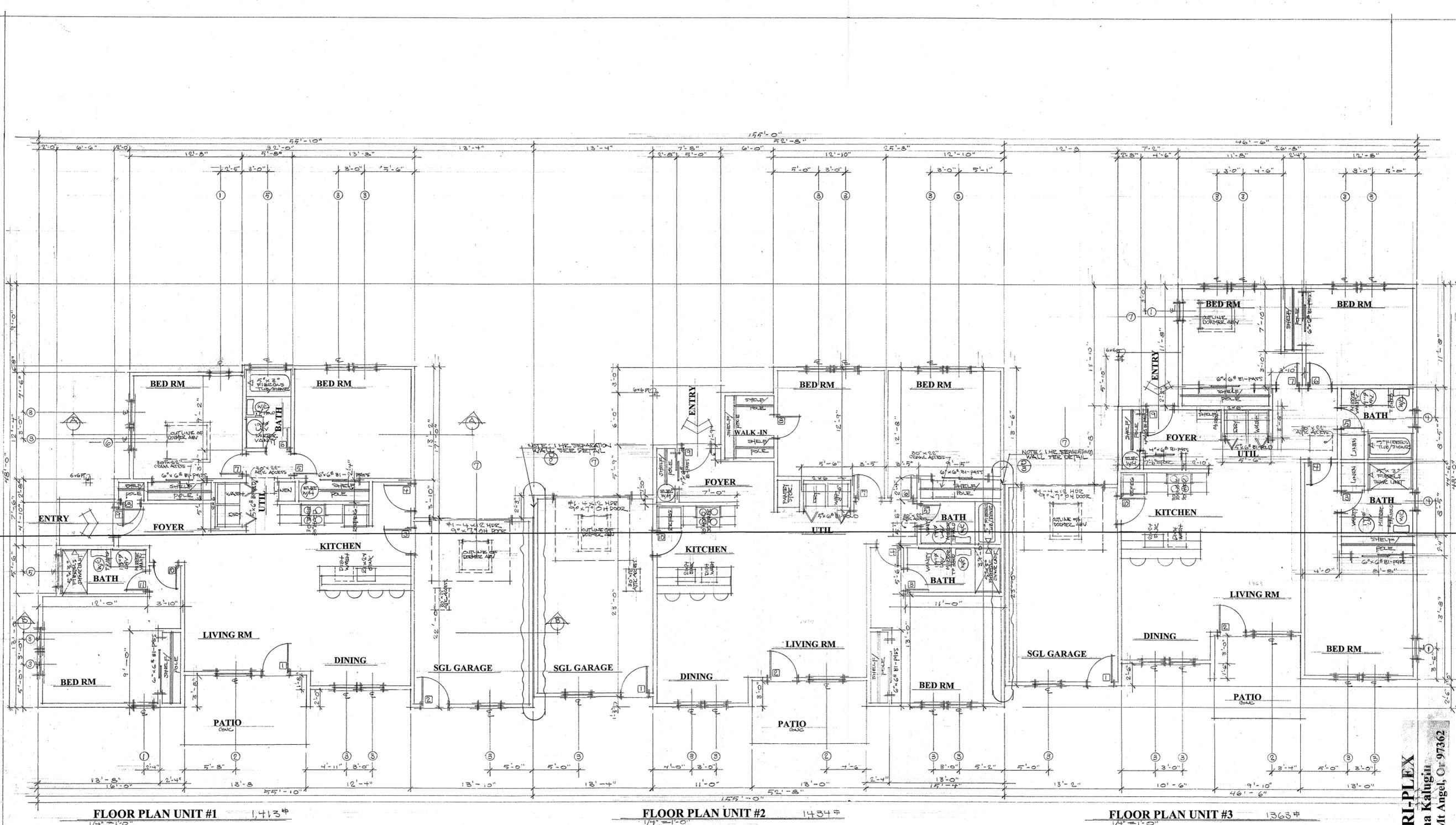


Permanent Underground Irrigation System to be installed

Scale 1/8" = 1'-0"

MOUNT ANGLE TRIPLEX SCHEMATIC LANDSCAPE PLANS

Landscape and Irrigation Designed By:  
**LANDSCAPE DESIGN & CONSULTANTS LLC**  
 Doing Business since 1985  
 620 Wermwood SE Salem, OR 97306 Phone 503-561-8590  
[lad@lmcad.com](mailto:lad@lmcad.com)



FLOOR PLAN UNIT #1 1413

FLOOR PLAN UNIT #2 1434

FLOOR PLAN UNIT #3 1363

NO.	SIZE	WINDOW SCHEDULE	Unit #1	FINISH	INSUL	REMARKS
1	12'-0" x 5'-0"	VINYL DBL HUNG	MILGARD	ALMOND	YES	W/Grid/ screen
2	24'-0" x 5'-0"	VINYL DBL HUNG	MILGARD	ALMOND	YES	W/Grid/ screen
3	32'-6" x 5'-0"	VINYL DBL HUNG	MILGARD	ALMOND	YES	W/Grid/ screen
4	42'-0" x 5'-0"	VINYL DBL HUNG	MILGARD	ALMOND	YES	W/Grid/ screen (tempered)
5	54'-0" x 11'-0"	VINYL STAT	MILGARD	ALMOND	YES	Other glass
6	64'-0" x 3'-0"	VINYL STAT	MILGARD	ALMOND	YES	W/Grid (Dormer Window)
7	73'-0" x 2'-6"	VINYL STAT	MILGARD	ALMOND	YES	W/Grid (Dormer Window)

NO.	WIDTH	HEIGHT	THK	TYP	MATL	STYL	FIN	MATL	FINISH	REMARKS
1	3'-0"	6'-8"	1 3/4"	SC	Fibreglas	A	PAINTE	WD	PAINTE	1/2 lite temp glass/thrshld/wthstrip
2	3'-0"	6'-8"	1 3/4"	SC	Fibreglas	A	PAINTE	WD	PAINTE	1/2 lite temp glass/thrshld/wthstrip
3	3'-0"	6'-8"	1 3/4"	SC	Masonite	C	PAINTE	WD	PAINTE	2 Panel w/Arched top/20minLabel/clos
4	3'-0"	6'-8"	1 3/4"	SC	Fibreglas	A	PAINTE	WD	PAINTE	thrshld/wthstrip
5	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
6	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
7	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
8	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
9	3'-0"	6'-8"	1 3/4"	SC	Fibreglas	D	PAINTE	WD	PAINTE	1/2 lite temp gbs/pan/below/thrshld/wthstrip
10	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
11	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top

NO.	SIZE	WINDOW SCHEDULE	Unit #2	FINISH	INSUL	REMARKS
1	24'-0" x 5'-0"	VINYL DBL HUNG	MILGARD	ALMOND	YES	W/Grid/ screen
2	32'-6" x 5'-0"	VINYL DBL HUNG	MILGARD	ALMOND	YES	W/Grid/ screen
3	73'-0" x 2'-6"	VINYL STAT	MILGARD	ALMOND	YES	W/Grid (Dormer Window)

NO.	WIDTH	HEIGHT	THK	TYP	MATL	STYL	FIN	MATL	FINISH	REMARKS
1	3'-0"	6'-8"	1 3/4"	SC	Fibreglas	A	PAINTE	WD	PAINTE	1/2 lite temp glass/thrshld/wthstrip
2	3'-0"	6'-8"	1 3/4"	SC	Fibreglas	A	PAINTE	WD	PAINTE	1/2 lite temp glass/thrshld/wthstrip
3	2'-4"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
4	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
5	2'-4"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
6	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
7	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
8	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
9	3'-0"	6'-8"	1 3/4"	SC	Fibreglas	D	PAINTE	WD	PAINTE	1/2 lite temp gbs/pan/below/thrshld/wthstrip
10	3'-0"	6'-8"	1 3/4"	SC	Masonite	C	PAINTE	WD	PAINTE	2 Panel w/ Arched top/20minLabel/clos

NO.	SIZE	WINDOW SCHEDULE	Unit #3	FINISH	INSUL	REMARKS
1	12'-0" x 5'-0"	VINYL DBL HUNG	MILGARD	ALMOND	YES	W/Grid/ screen
2	24'-0" x 5'-0"	VINYL DBL HUNG	MILGARD	ALMOND	YES	W/Grid/ screen
3	32'-6" x 5'-0"	VINYL DBL HUNG	MILGARD	ALMOND	YES	W/Grid/ screen
4	42'-0" x 5'-0"	VINYL DBL HUNG	MILGARD	ALMOND	YES	W/Grid/ screen (tempered)
5	73'-0" x 2'-6"	VINYL STAT	MILGARD	ALMOND	YES	W/Grid (Dormer Window)

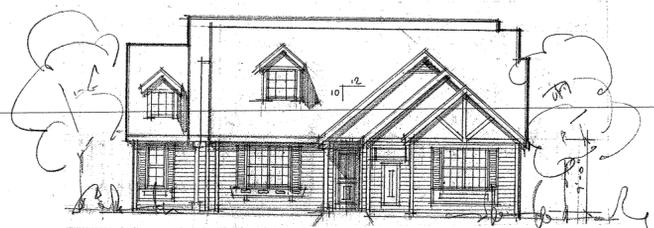
NO.	WIDTH	HEIGHT	THK	TYP	MATL	STYL	FIN	MATL	FINISH	REMARKS
1	3'-0"	6'-8"	1 3/4"	SC	Fibreglas	A	PAINTE	WD	PAINTE	1/2 lite temp glass/thrshld/wthstrip
2	3'-0"	6'-8"	1 3/4"	SC	Fibreglas	A	PAINTE	WD	PAINTE	1/2 lite temp glass/thrshld/wthstrip
3	2'-4"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
4	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
5	2'-4"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
6	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
7	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
8	2'-6"	6'-8"	1 3/8"	HC	Masonite	B	PAINTE	WD	PAINTE	2 Panel w/ Arched top
9	3'-0"	6'-8"	1 3/4"	SC	Fibreglas	D	PAINTE	WD	PAINTE	1/2 lite temp gbs/pan/below/thrshld/wthstrip
10	3'-0"	6'-8"	1 3/4"	SC	Masonite	C	PAINTE	WD	PAINTE	2 Panel w/ Arched top/20minLabel/clos

Proposed: TRI-PLEX  
for: Lazer & Elena Kalugin  
1555 N Main St. Mt. Angel, OR 97132



EXPIRES: 06-30-2017

A0.3



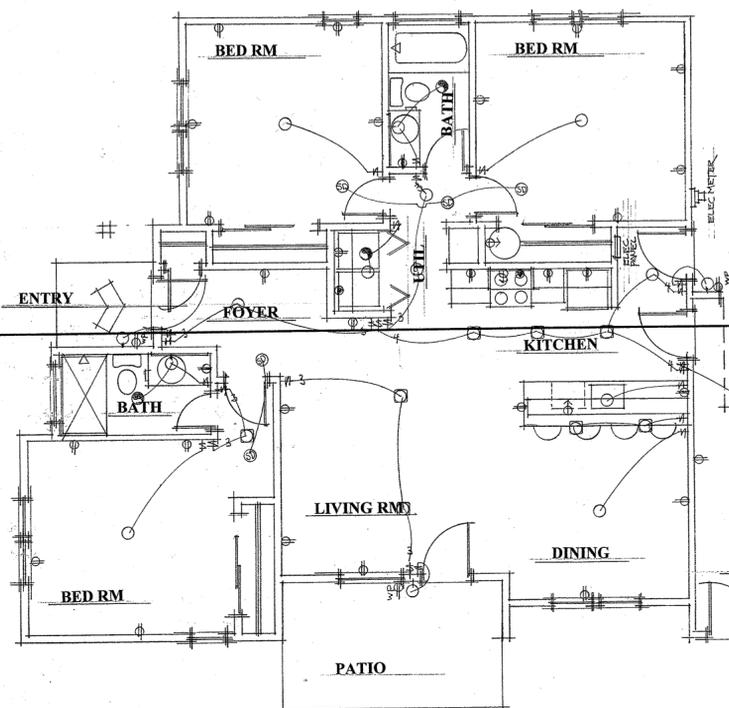
ELEVATION WEST

1/8" = 1'-0"



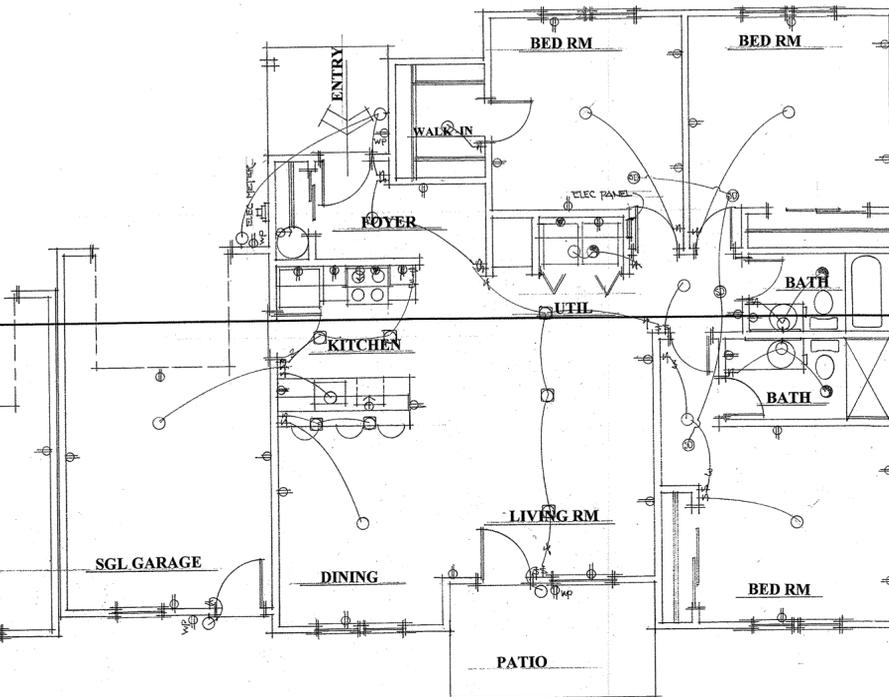
ELEVATION NORTH

1/8" = 1'-0"



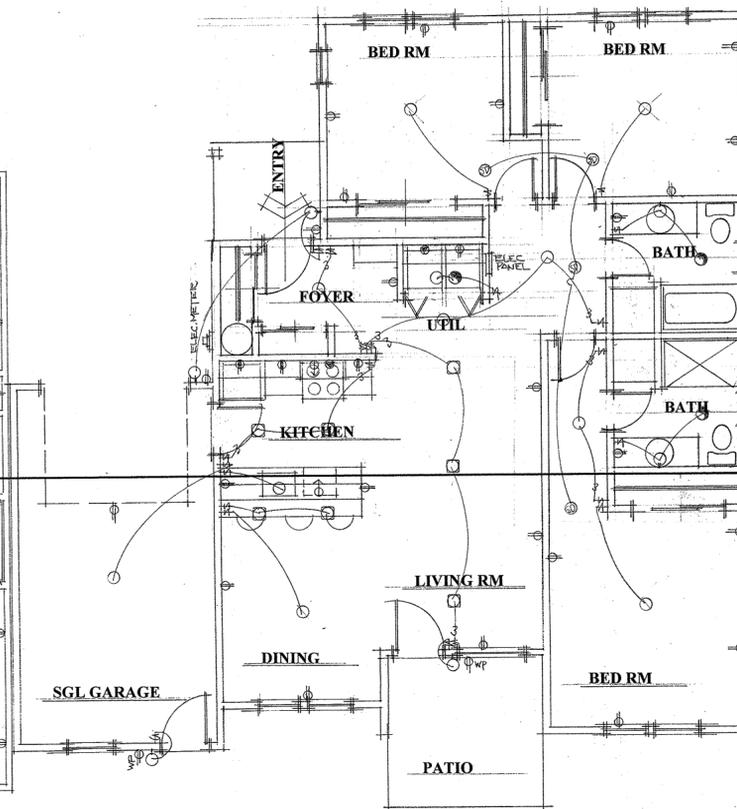
ELECTRICAL/LIGHTING PLAN UNIT #1

1/4" = 1'-0"



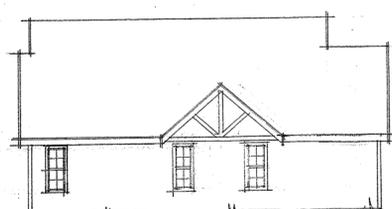
ELECTRICAL/LIGHTING PLAN UNIT #2

1/4" = 1'-0"



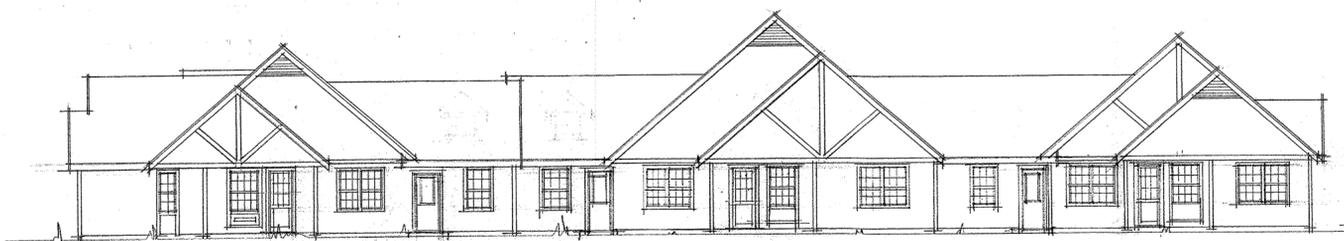
ELECTRICAL/LIGHTING PLAN UNIT #3

1/4" = 1'-0"



ELEVATION EAST

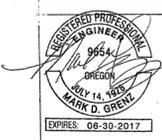
1/8" = 1'-0"



ELEVATION SOUTH

1/8" = 1'-0"

Proposed: TRI-PLEX  
for: Lazer & Elena Kalugin  
1555 N Main ST. Mt Angel, Or 97362



EXPIRES: 06-30-2017

A0.6





**WESTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS & PLANNERS

April 11, 2016

McRae Carmichael  
Land Use Planner  
Mid-Willamette Valley Council of Governments  
100 High Street SE  
Suite 200  
Salem, OR 97301

RE: 555 North Main Street Tri-Plex  
J.O. 447.1016.0

Dear McRae:

Per your request, we have reviewed the proposed Tri-Plex development located at 555 N Main Street prepared by Multi-Tech Engineering for Lazar Kalugin.

The subject property, located in the northeast quadrant of the City. The property is currently vacant. The property is located east of North Main Street (ODOT Jurisdiction) and one property north of East Marquam Street (County Jurisdiction). The project proposes a Triplex on the subject property. We have reviewed the application only with respect to infrastructure and access and offer you the following comments regarding the various facilities:

#### **I. Water**

Public water service is available via an existing 8-inch public main on the east side of North Main Street. The Triplex can be served by this water main. An existing fire hydrant is located at the SE corner of Marquam and Main Streets. The FH is located over 300 feet from the furthest point of the subject property. Written verification from the Fire District is required to insure the existing FH is adequate for the development. Fire sprinkling the development or installation of a new FH may be required by the Fire District if the existing FH does not meet the fire code for distance to the furthest point of the triplex. All work shall be coordinated with the Public Works Department and constructed in accordance with the City's Public Works Design Standards (PWDS). A permit will be required from ODOT to perform any work in ODOT right of way.

April 11, 2016  
Mc Rea Carmichael  
City of Mt Angel  
Page 2

## **II. Sanitary Sewer**

Public sanitary sewer is currently available in N Main Street. The Developer should be made aware the existing sanitary sewer is not standard PVC pipe. The proper Inserta-Tee will be required for connection into this main. All work shall be coordinated with the Public Works Department and constructed in accordance with the City's Public Works Design Standards (PWDS). A permit will be required from ODOT to perform any work in ODOT right of way.

## **III. Streets**

No new public streets are proposed with this application. The private driveway shall be constructed in accordance with ODOT Standards since N Main Street is under ODOT jurisdiction. The Applicant shall provide documentation that he has obtained a permit from ODOT for construction of the driveway prior to receipt of a Building Permit. Written verification from the Fire District shall be provided documenting adequate fire apparatus access and turnaround is provided with the proposed development.

## **IV. Drainage**

Public storm drain is located in N Main Street. The capacity of the storm drain is unknown. Connection to the storm drain system shall be in conformance with ODOT Standards. The Applicant shall provide documentation that he has obtained a permit from ODOT for discharge into ODOT's storm drain system prior to receipt of a Building Permit.

## **V. Private Utilities**

In accordance with the City's Design Standards, all private utilities must be located underground.

April 11, 2016  
Mc Rea Carmichael  
City of Mt Angel  
Page 3

## VI. General

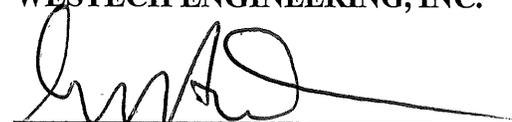
The development and use of this site shall meet all of the requirements of Federal, State County and City laws, regulations and standards unless explicitly waived in this approval. Omission of any such requirement from this approval does not constitute a waiver of that requirement. It is the Developers responsibility to determine if there are any jurisdictional wetlands on the property.

Prior to receipt of a Building Permit, the Applicant shall obtain all necessary permits from ODOT for the proposed driveway and all utility services.

Please call if you have any questions regarding this matter.

Sincerely,

**WESTECH ENGINEERING, INC.**



Steven A. Ward, P.E.

Cc: Justin Hogue

**STAFF REPORT**

SITE DESIGN REVIEW AND VARIANCE  
FOR PROPERTY LOCATED AT  
555 N Main Street

SDR 16-1/VAR16-1

Staff Report:  
Planning Commission Hearing Date: April 21, 2016

- APPLICANT:** Multi-Tech Engineering
- OWNER:** Lazar and Elena Kaluqin
- REQUEST:** Applicant is proposing a triplex in the Residential Commercial (RC) Zone. The property is also in the Bavarian Theme District, Infill Overlay Zone. The applicant is requesting a Major Variance to reduce the required setback of 20 foot to 5 foot along the southern property line.
- SUBJECT PROPERTY** 555 N Main Street.
- TAX LOT:** 061W030CD/1700
- APPLICABLE CRITERIA:** City of Mt. Angel Development Regulations - Sections 4, 6.3, 14, 15 and 17
- EXHIBITS:** Exhibit A: Applicant’s submittal  
Exhibit B: Assessor map  
Exhibit C: City Engineer (Steve Ward P.E., Westech Engineering) Comments  
Exhibit D: Written testimony from Mt. Angel resident Becki Thomas

**I. BACKGROUND**

- General The subject property is located on the east side of Main Street. The 0.28-acre site for the proposed development is located approximately 800 feet north of the intersection of E. Marquam Street and N. Main Street.
- On-site The site is currently vacant.
- Surrounding area The zoning of the land bordering the subject property is as follows:
- North: Residential Commercial

- South: Residential Commercial
- East: Public

## II. REVIEW PROCEDURE

The Planning Commission has authority to render a final decision with respect to the application after conducting a public hearing on the matter.

## III. APPEAL

The Planning Commission's decision may be appealed to the City Council in accordance with Development Code Section 2.10.

## IV. REVIEW CRITERIA AND FINDINGS OF FACT

### Section 6.3: Residential Commercial Zone

Section 6.3 (b) 2 Use: The applicant is proposing a triplex on the site.

**Finding:** Triplex is a permitted use in the RC zone under 6.3(b) (2).

Section 6.3(d) 1: Minimum Lot Area: 10,500 minimum lot area for multi-family development

**Finding:** The lot is .28 acres or 12,196 square feet. The standard is met.

Section 6.3. (d) 2(A-C): Minimum Yard Setbacks.

Front Yard	15 feet
Side Yard	20 Feet
Rear Yard:	10 Feet

**Finding:** The development has a 20 foot setback in the front yard, 20 foot side yard in the north yard, and a 10 foot side yard in the rear. These setbacks are met.  
The south yard is shown as 5 feet, and is not meeting the code.

Section 6.3 (d) 3: Landscaped Yards: All required yards adjacent to a street shall be landscaped.

**Finding:** The yard adjacent Main Street is landscaped

Section 6.3 (d) 4: Lot Width: Width at Front Line: 20 Feet, Width at Building Line: 50 Feet

**Finding:** The entire lot is 73 feet, this standard is met.

### A. Variance request

The applicant has submitted a variance request. Specifically, the request is to allow for a 5 foot setback along the southern property line where a 20 foot setback is required.

According to Development Code Section 4.4, the Planning Commission may permit and authorize a variance from a requirement of the Development Code provided each of the following criteria are met:

*(a) The variance requested is the minimum variance which would alleviate the hardship.*

**Findings:** In order to develop the lot as the applicant proposed this is the minimum variance practical and necessary to develop this property as a triplex and meet the intent and standards of the Code. The narrow dimensions of this lot (73 feet) create constraints on the build out of the lot. The depth of the lot allows for setbacks along the north, east, and west property lines to meet the Code.

*(b) Exceptional or extraordinary circumstances or conditions apply to the property which do not apply generally to other properties in the same zone or vicinity; and result from lot size or shape, legally existing prior to the date of this Ordinance, topography, or other circumstances that substantially exist.*

**Findings:** The lot is an odd shape (long and narrow), making it difficult to locate any structure on the site and meet the setback requirements. The applicant is requesting a variance to allow a 5-foot setback along the south property line where 20 feet is required.

Due to the shape of the lot and the location of the driveway, the triplex cannot meet all the setback requirements. This is the minimum request to meet the intent of the Code.

*(c) The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located or otherwise conflict with the objectives of any City plan or policy.*

**Findings:** The proposal is reducing the side setback on the southern portion of the property from 20 feet to 5 feet. The property to the south is currently developed. The applicant is proposing to build a 6 foot sight obscuring fence, and provide landscaping.

*(d) Such variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner that is possessed by the owners of other properties in the same vicinity or zone.*

**Findings:** The granting of the variance is needed for proper development of the site. As stated above, due to the narrow shape of this lot, the owner faced challenges regardless of the density to build at. Therefore, a variance to the setback has been identified as appropriate.

*(e) Approval of the application does not conflict with policies and objectives of the Comprehensive Plan.*

**Findings:** The Mt. Angel Development Code, implements the Comprehensive Plan land use goals, and governs development of property within the city limits. The development will be reviewed for compliance with city standards and requirements contained in the Code. The proposed triplex meets all applicable provisions of the Development Code. The applicant is requesting variance to the 20-foot side yard setback along the south property line.

The lot can be adequately served with water, sanitary sewer and storm drainage facilities. The triplex can also be served with other utilities appropriate to the nature of the development. Additional reviews occur at the time of building permits to assure compliance with the development code.

The subject property is designated Commercial on the Comprehensive Plan which is consistent with the zone designated of the property, RC (Residential Commercial Zone). The purpose of the RC zone and Comp. Plan designation is to encourage higher density residential and commercial uses on the site. The applicant's proposal is for triplex development. This higher density is consistent with the housing needs and density within the Comp. Plan designation and the purpose of the zoning density of the RC zone.

*(f) The circumstances or conditions applicable to the specific property involved or to the intended use or development of the specific property does not require the property to be rezoned.*

**Findings:** The proposed triplex is a permitted use in the RC zone under Section 6.3(b) (2). The setbacks imposed on this site can be relieved through the variance process. Therefore, the requested variance does not require the property to be rezoned.

*(g) That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.*

**Findings:** The granting of the variance will not affect the public health, safety, and welfare, or the comfort and convenience of owners in the vicinity of the proposed development. The proposed triplex is one-story in height, which is similar or lower in height than adjacent structures. The variance will not be in violation of this or any Ordinance.

*(h) Strict adherence to the requirement or standard is unnecessary because the proposed variance will reasonably satisfy both of the following objectives:*

*(1) Granting the variance will not create significant adverse effects to the appearance, function or safety of the use or uses on the subject property; and*

*(2) Granting the variances will not impose limitations on other properties in the area, including uses which would be allowed on vacant or underdeveloped sites.*

**Findings:** The granting of the variance will not affect the public health, safety, and welfare, or the comfort and convenience of owners in the vicinity of the proposed development. The lot will be developed in compliance with Code. The proposed triplex is only one story in height. Allowing the variance will not increase the density or the height of the proposed triplex. The narrowness of the property could not be developed with a duplex or triplex on site. The variance

allows the site to be developed. All permitted residential uses in the RC zone require the 20-foot side setbacks, which is an extreme setback for such a narrow lot.

### **B. Section 14: Infill Overlay District**

Section 14.6 and Section 14.7 are applicable to this development because the subject property is in the Infill Overlay Zone and these sections are applicable to Residential Development (Section 14.6 Residential Development Standards and 14.7 Additional Multifamily Residential Development Standards.)

**Findings:** Section 14.6 (b)-(m) have been reviewed for this development and the proposal meets these standards. Section 14.7 (a)(i) have been reviewed and the proposal meets these standards.

### **C. Section 15 Bavarian Theme District**

The applicant has designed the triplex to meet the design standards of the Bavarian Theme District. Building elevations have been provided to show how the design has been met.

Varied materials and textures are being used on the building facade. The applicant has provided building elevations to show how this is being complied with. The materials used on the front, rear, and side of the building are the same. Shutters, window grids, roof overhangs, compatibility in materials, rain gutters, along with other materials and features have been incorporated into the triplex design to comply with the Bavarian Theme in this area. See attached building elevations.

### **D. Section 17: Site Design Review**

#### Section 17.5 Residential Development

- (1) The site design shall be consistent with the dimensional standards and all other standards provided with the applicable zone.

**Findings:** The site is in compliance with all standards, except the minimum setback of 20 feet on the south property line. Applicant has requested Variance to reduce setback from 20 feet to 5 feet.

- (2) Landscaping shall be provided on a least 15 percent of the total lot area.

**Findings:** The total landscape area on the entire site is 34 percent of the total lot area.

- (3) For new developments, electrical , telephone and other utility service shall be located underground

**Findings:** All utilities will be located underground. This requirement will be met.

- (4) The site design shall comply with all other applicable requirements of the Mount Angel Development Code and the Public Works Design Standards.

**Findings:** The proposal has been reviewed for all applicable development standards. It meets all standards, except for the reduced side yard setback on the southern property line.

V. SUMMARY AND RECOMMENDATION:

The proposed development appears compatible with the existing development within the area. The proposed development meets setback and landscaping requirements.

The variance request is necessitated by the unique nature of the proposed facility and should have no adverse impacts.

Based on the findings above and in the body of this report, staff recommends **approval** of Site Design Review and Variance subject to the following conditions of approval:

- A. All signs shall comply with the requirements of Development Regulations Section 11.
- B. Prior to issuance of a building permit, the applicant will need to provide evidence of an access permit from ODOT.
- C. **Prior to final occupancy**, the applicant shall install landscaping according to the City approved plan.
- D. **Prior to final occupancy**, the subject development shall comply with all requirements of the City Engineer, in the comments dated April 11, 2016 and included as Exhibit C of the staff report dated April 14, 2016.
- E. Electric, telephone, and other utility service shall be located underground.
- F. The site design review permit shall lapse and become void unless substantial improvements related to such use are commenced within one (1) year of the date that the approval is granted. The applicant may request an extension of the approval for a period not to exceed six months. Requests for extension of approval shall be submitted, in writing, at least 30 days prior to the expiration date of the approval period.

VI. PLANNING COMMISSION ACTION

- A. Move to approve Site Design Review /Variance:
  - 1. As presented in the staff report, including the findings of fact, or
  - 2. As stated in the staff report with modifications by the Planning Commission. The motion must include the modifications and any necessary changes to the staff responses or findings of fact.
- B. Deny Site Design Review Variance (stating how the application meets the required standards).

- C. Postpone or continue this matter to a time certain, or indefinitely (considering the 120-day limit on applications).



BY: .....

Becki Thomas  
610 N Main St  
Mt Angel, OR 97362  
April 10, 2016

Gordon Bochsler, Jeffrey Wall, Ryan Kleinschmit, Greg Savage, Craig Emch  
Mt Angel Planning Commission  
City of Mt Angel  
Mt Angel, OR 97362

Dear Gordon Bochsler, Jeffrey Wall, Ryan Kleinschmit, Greg Savage, Craig Emch:

My name is Becki Thomas. I live at 610 N Main St in Mt Angel. You sent a letter regarding the property at 555 N Main St and a desire, by the owners, to build a tri-plex on this property.

I have just a little problem with this. I have some questions about the traffic or parking issues this construction may develop.

I would like to know if the proposed complex is going to address "visitor and overflow" parking in their construction plans. The reason I bring this to your attention is because currently, farther north on Main Street, there seems to be quite a parking problem on the street outside of the Bavarian Mobile Park. Cars and trucks are parked on both sides of Main Street in front of both the mobile park and a property of apartment buildings in that area.

This not only causes a problem for residents living on Main Street, trying to have some visibility to exit their property safely onto Main Street, but also it looks *trashy*. Do we really want visitors to Mt Angel to have their first impression of this city to be of vacated vehicles parked all along both sides of a state highway?

I know that the property directly across from my house- The Amben Apts- also has this policy about visitor parking. This means they have none, so visitors and extra vehicles are to park along Main Street.

Traffic on Main Street is brutal on a good day. You add more randomly parked vehicles here and there, that obscure visibility and you're looking for a nightmare.

I don't want to see this "neglected car" issue in my neighborhood. Neither do my neighbors. We have more pride in this city than that. I hope you do also.

I have enclosed photos, from the area just north of my property, of which I am referring.

Respectfully Submitted,

Becki Thomas





Printed Name	Signature	Address	Comment	Date
Nathan Fleener	<i>Nathan</i>	595 N Main St		4/10/16
April Fleener	<i>A</i>	595 N Main St		4/10/16
Kristin Rodriguez	<i>Kristin Rodriguez</i>	515 N. Main St		4-10-16
V Rodriguez	<i>V Rodriguez</i>	515 W. Main St		4-10-16
Isabel Thomas	<i>Isabel Thomas</i>	610 N Main St		4-10-16
Karen Staab	<i>Karen Staab</i>	190 Franklin St		4-10-16
Ana Garibaldi	<i>Ana Garibaldi</i>	125 Franklin St		4-10-16

**CITY OF MT. ANGEL**  
**5 Garfield Street - P O Box 690**  
**Mt. Angel, OR 97362**  
**503-845-9291**

**NOTICE OF PLANNING COMMISSION (PC) ACTION**  
**For SDR 16-01 VAR 16-01**

APPLICANT/  
OWNER: Lazar Kaluqin

PUBLIC HEARING: The purpose of the public hearing conducted April 21, 2016, was to consider a variance to reduce the required side yard setback from 20 feet to 5 feet.

LOCATION: 555 N. Main Street

TAX LOT: 6S 1W 03CD/1700

DESIGNATION/  
ZONE: Comprehensive Plan Map: Residential  
Zone District: Residential Commercial

SIZE: 12,196 square feet, .28 acre.

CRITERIA: City of Mt. Angel Development Code, Sections 4, 6.3, 14, 15 and 17

**I. DECISION AND APPEAL DATES**

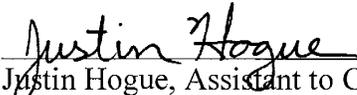
The Planning Commission **DENIED** the application on April 21, 2016 for SDR 16-01/VAR 16-01 on a Vote of **Yes (3), No (2)** based upon the following finding:

MADC Section 4.5 (a) states *the variance requested is the minimum variance which would alleviate the hardship.*

The Planning Commission found that the applicant’s proposal was not the minimum variance that could be requested. They cited the applicant’s proposal for the side yard setback could have been less and still accommodate the development request to build a triplex on this lot. The applicant did not demonstrate how this criterion was being met.

DATED at Mt. Angel, Oregon, this 28 day of April, 2016.

SIGNED:   
Ryan Kleinschmit, Commission Chairperson

SIGNED:   
Justin Hogue, Assistant to City Manager

The decision becomes final at the conclusion of the appeal period.

THIS DECISION MAY BE **APPEALED** TO THE MT. ANGEL CITY COUNCIL IN WRITING WITHIN FOURTEEN (12) CALENDAR DAYS OF THE NOTICE OF WRITTEN DECISION (Mt. Angel Development Regulations Section 2.1(b)) BASED UPON THE SIGNATURE DATE.

If there are questions regarding this application or the appeal process, please contact the City of Mt. Angel at **503-845-9291**.



# CITY OF MT. ANGEL

BY: .....

P.O. BOX 960  
MT. ANGEL, OR 97362

PHONE: (503) 845-9291  
FAX: (503) 845-6261

## APPEAL OF A PLANNING COMMISSION DECISION

DATE: 5-2-16

FILE NO: SDR 16-01/VAR 16-01

**REASON FOR APPEAL:** Please state the reason for appeal. Include the specific provision(s) of the Mt. Angel Development Code that you feel were incorrectly applied or interpreted by the Planning Commission. You may attach additional sheets of paper explaining the reason for appeal, if necessary.

See Attached

---

---

---

---

---

---

---

---

**NAME, ADDRESS AND SIGNATURE:**

Lazar Kalugin  
Name (Please print)

11220 Portland Rd  
Mailing Address

Signature

Salem OR 97305  
City State Zip

Name (Please print)

Mailing Address

Signature

City State Zip

Name (Please print)

Address

Signature

City State Zip

## **555 N. Main Street**

### **SDR 16-01/VAR 16-01 Appeal**

#### **BACKGROUND:**

On April 21, 2016, the proposal for SDR 16-01/VAR 16-01 was denied by the Planning Commission.

#### **APPEAL ISSUES:**

In summary, the Planning Commission Denied SDR 16-01/VAR 16-01 based on the proposal not being the minimum variance needed. The Planning Commission felt that the applicant could have provided a larger side yard setback to accommodate the tri-plex and therefore, did not meet the criteria under MADC Section 4.5(a).

#### **Applicant Response:**

Prior to submittal of this application, the applicant had been working with the Mt. Angel Planning Staff in order to find a layout that would make the narrow lot buildable due to the significant side yard setback requirements (20-foot side yard setbacks required). After several conversations with staff and a pre-app, the layout of the tri-plex with one variance proposed was determined to be the best proposal to move forward with. The applicant put in a lot of time and effort to find a layout that would be the minimum variance needed. The applicant feels that the Planning Commission's determination that the criterion under MADC Section 4.5(a) was not met is false.

However, after further discussions, the applicant has decided to redesign the tri-plex. The narrow lot makes it very difficult to put a standard size tri-plex on the lot without the need for several variances. Therefore, the applicant has reduced the size of the tri-plex while increasing the setbacks. This is not ideal for the applicant, but he wants to develop this lot.

Note: A revised site plan is currently being worked on, when complete the applicant will submit it to the City of Mt. Angel to be included as part of the packet of application materials for City Council.

RECEIVED BY  
MULTI TECH ENGINEERING  
MAY 02 2016

Exhibit G

Item #11a Attachment A 5993

Brandie

**CITY OF MT. ANGEL**  
5 Garfield Street - P O Box 690  
Mt. Angel, OR 97362  
503-845-9291

**NOTICE OF PLANNING COMMISSION (PC) ACTION**  
**For SDR 16-01 VAR 16-01**

APPLICANT/  
OWNER: Lazar Kaluqin

PUBLIC  
HEARING: The purpose of the public hearing conducted April 21, 2016, was to consider a  
variance to reduce the required side yard setback from 20 feet to 5 feet.

LOCATION: 555 N. Main Street

TAX LOT: 6S 1W 03CD/1700

DESIGNATION/  
ZONE: Comprehensive Plan Map: Residential  
Zone District: Residential Commercial

SIZE: 12,196 square feet, .28 acre.

CRITERIA: City of Mt. Angel Development Code, Sections 4, 6.3, 14, 15 and 17

**I. DECISION AND APPEAL DATES**

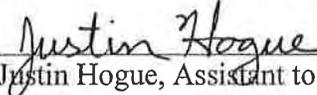
The Planning Commission **DENIED** the application on April 21, 2016 for SDR 16-01/VAR 16-01 on a Vote of **Yes (3), No (2)** based upon the following finding:

MADC Section 4.5 (a) states *the variance requested is the minimum variance which would alleviate the hardship.*

The Planning Commission found that the applicant's proposal was not the minimum variance that could be requested. They cited the applicant's proposal for the side yard setback could have been less and still accommodate the development request to build a triplex on this lot. The applicant did not demonstrate how this criterion was being met.

DATED at Mt. Angel, Oregon, this 28 day of April, 2016.

SIGNED:   
Ryan Kleinschmit, Commission Chairperson

SIGNED:   
Justin Hogue, Assistant to City Manager

The decision becomes final at the conclusion of the appeal period.

THIS DECISION MAY BE **APPEALED** TO THE MT. ANGEL CITY COUNCIL IN WRITING WITHIN FOURTEEN (12) CALENDAR DAYS OF THE NOTICE OF WRITTEN DECISION (Mt. Angel Development Regulations Section 2.1(b)) BASED UPON THE SIGNATURE DATE.

If there are questions regarding this application or the appeal process, please contact the City of Mt. Angel at **503-845-9291**.

**CITY OF MT. ANGEL**  
**REQUEST FOR COUNCIL ACTION**

<b>DATE ACTION REQUESTED: June 6, 2016</b>			
<b>Ordinance</b> <input type="checkbox"/>	<b>Resolution</b> <input checked="" type="checkbox"/>	<b>Motion</b> <input type="checkbox"/>	<b>Information</b> <input type="checkbox"/>
<b>Date Prepared: May 21, 2016</b>		<b>Dept.: Finance</b>	
<b>SUBJECT: State Shared Revenue Resolutions</b>		<b>Contact Person for this Item: Chaunee Seifried, Finance Director, cseifried@ci.mt-angel.or.us, 503-845-9291</b>	

**RECOMMENDATION:** Conduct a hearing and approve the two attached resolutions: 1) certifying that the City meets all requirements to receive State Shared Revenue for fiscal year 2016-17, and 2) electing to receive State Shared Revenue for the fiscal year 2016-17.

**BACKGROUND:** The fiscal year 2016-17 budget includes revenue and disbursements of funds from the State. In order to receive and disburse those monies the City Council elects to receive State Shared Revenue by resolution. This means that the City receives an apportionment of the Oregon Department of Administrative Services General Fund revenues derived from tax imposed on the sale of liquor as part of State Shared Revenue. This also enables the City to receive and disburse State monies like gas tax and cigarette tax revenue.

The recommended budget proposes that the State Revenue Sharing funds cover planning costs as it has in the past. Land use application costs are recovered from the applicants; however, there are costs associated with supplies, personnel, and other miscellaneous costs that have no revenue sources to cover associated expenditures.

The public hearing gives citizens of Mt. Angel the opportunity to give testimony on the proposed use of the State Revenue Sharing funds.

**RECOMMENDED MOTION:**

*“I move to approve a resolution certifying that the City meets all requirements to receive State Shared Revenue for FY 2016-17 and a resolution declaring the City’s election to receive State Shared Revenue for FY 2016-17.”*

**ATTACHMENT A:** Resolution certifying that the City meets requirements to receive state shared revenue

**ATTACHMENT B:** Resolution declaring the City’s election to receive state revenue sharing

**CITY OF MT. ANGEL  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION CERTIFYING THAT THE CITY OF MT. ANGEL MEETS ALL  
REQUIREMENTS TO RECEIVE STATE SHARED REVENUES FOR FY 2016-17.**

**WHEREAS**, ORS 221.760 provides that an officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820, and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal census, disburse such funds only if the City provides four or more of the following services:

- 1) Police protection
- 2) Street construction, maintenance, and lighting
- 3) Sanitary sewer
- 4) Storm sewer
- 5) Planning, zoning, and subdivision control
- 6) One or more utility services

**WHEREAS**, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mt. Angel City Council hereby certify;

**SECTION 1.** That the City of Mt. Angel provides the following municipal services enumerated in Section 1, ORS 221.760:

- Police protection
- Street construction, maintenance, and lighting
- Sanitary sewer
- Storm sewer
- Planning, zoning, and subdivision control
- Domestic water service

**SECTION 2.** This resolution shall become effective immediately upon its passage by the Council.

Passed by City Council this 6<sup>th</sup> day of June, 2016, by the following vote:

**AYES:**

**NAYS:**

Approved by the Mayor this 6<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Andrew Otte, Mayor

ATTESTED BY:

\_\_\_\_\_  
Mike Healy, Interim City Manager

**CITY OF MT. ANGEL  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION DECLARING THE CITY’S ELECTION TO RECEIVE  
STATE REVENUES FOR FY 2016-17.**

**WHEREAS**, the Legislature of the State of Oregon has provided for the apportionment of certain revenues to the cities of the State of Oregon; and,

**WHEREAS**, such legislation provides that a city, in order to participate in the sharing of those certain revenues, must express an election to receive such funds, which election must be made prior to July 31 of the fiscal year; and,

**WHEREAS**, the City of Mt Angel desires to receive portion of such funds.

**WHEREAS**, the City certifies that it published notice and held a public hearing before the Budget Committee on April 18th, 2016 giving citizen’s opportunity to comment on use of State Revenue Sharing; and,

**WHEREAS**, the City published notice and held a public hearing before the City Council on June 6<sup>th</sup>, 2016 giving citizens the opportunity to comment on use of State Revenue Sharing;

**BE IT RESOLVED**, that pursuant to ORS 221.770, the City of Mt Angel does hereby elect to receive its proportionate share of the revenues to be apportioned to the cities by the State of Oregon for the fiscal year 2016-2017

This resolution shall become effective immediately upon its passage by the Council.

Passed by City Council this 6<sup>th</sup> day of June, 2016, by the following vote:

**AYES:**

**NAYS:**

Approved by the Mayor this 6<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Andrew Otte, Mayor

ATTESTED BY:

\_\_\_\_\_  
Mike Healy, Interim City Manager

**CITY OF MT. ANGEL**  
**REQUEST FOR COUNCIL ACTION**

<b>DATE ACTION REQUESTED: June 6, 2016</b>			
<b>Ordinance</b> <input type="checkbox"/>	<b>Resolution</b> <input checked="" type="checkbox"/>	<b>Motion</b> <input type="checkbox"/>	<b>Information</b> <input type="checkbox"/>
<b>Date Prepared: May 21, 2016</b>		<b>Dept.: Finance Department</b>	
<b>SUBJECT: FY 2016-17 Budget Adoption</b>		<b>Contact Person for this item: Chaunee Seifried, Finance Director, cseifried@ci.mt-angel.or.us, 503-845-9291</b>	

**RECOMMENDATION:** Approve resolutions adopting the City budget for the fiscal year 2016-2017.

**BACKGROUND:** The Budget Committee met two times in April to conduct a public hearing, deliver the budget message, review and deliberate on the proposed budget and allocations for FY 2016-2017. On May 21st the Budget Committee approved the proposed budget with changes and recommended it for adoption by the City Council. Attachment A includes an updated summary of expenditures for all funds as approved by the Budget Committee. Attachment B is the resolution adopting the budget to reflect the action taken by the Budget Committee. Staff will address changes at the hearing if directed.

- The Budget Committee Approved the budget as proposed and added Decision Package #1, 2 & 4-8.
- According to Oregon budget law the City is required to identify the purpose of reserve funds. If the funds continue to be used the City must review and reauthorize them every 10 years.

**OPTIONS:**

- Approve the FY 2016-17 budget as approved and recommended by the Budget Committee
- Approve the FY 2016-17 budget as approved by the Budget Committee with amendments

Oregon Budget law allows the elected body to increase expenditures by \$5,000 or 10% (whichever the greater) of any fund without further review and approval by the Budget Committee. The Council cannot increase the tax rate or make total changes to a fund beyond 10% without re-publishing the amended budget and a second hearing before July 1<sup>st</sup>.

**RECOMMENDED MOTION:**

I move to approve a resolution adopting the budget, making appropriations and categorizing ad valorem taxes for the 2016-17 fiscal year in the City of Mt. Angel.

**ATTACHMENT A:** Summary of expenditures reflecting Budget Committee amendments

**ATTACHMENT B:** Resolution adopting the FY 2016-17 budget, making appropriations and categorizing ad valorem taxes.

**City of Alt. Angel**  
**Summary of Expenditures By Fund & Category**  
**FY 2016-17**

	Personnel Services	Material & Services	Capital	Transfers	Debt Service	Contingency	Total
<b>GENERAL FUND</b>							
Administration	85,842	83,000					168,842
Police	746,700	193,000					939,700
Court	10,050	16,700					26,750
Community Development	22,040	94,250					116,290
Library	111,650	31,750					143,400
Parks	63,007	28,150					91,157
Oktoberfest	39,975	15,450					55,425
Benefits Reserve	186,500						186,500
Capitol Outlay			18,000				18,000
Interfund Transfers				44,280			44,280
Contingency						513,208	513,208
<b>Total General Fund</b>	<b>1,265,764</b>	<b>462,300</b>	<b>18,000</b>	<b>44,280</b>	<b>0</b>	<b>513,208</b>	<b>2,303,552</b>
<b>ENTERPRISE FUNDS</b>							
Sewer Utility	319,380	104,750	133,000	383,320		66,251	1,006,701
Sewer Reserve			974,264				974,264
Sewer SDC			86,926				86,926
Sewer Sludge			1,020,077				1,020,077
Stormwater Utility			34,633				34,633
Stormwater SDC			20,623				20,623
Water Utility	314,609	139,500	11,000	137,720		74,250	677,079
Water Reserve			768,008				768,008
Water SDC			353,550				353,550
Revenue bond							0
<b>Total Enterprise Funds</b>	<b>633,989</b>	<b>244,250</b>	<b>3,402,081</b>	<b>521,040</b>	<b>0</b>	<b>140,501</b>	<b>4,941,861</b>
<b>SPECIAL REVENUE FUNDS</b>							
Capital Improvements							0
Technology Replacement			34,727				34,727
Vehicle Replacement			217,546				217,546
Building Replacement			155,100				155,100
Street	131,524	103,950		85,068		37,200	357,742
Street Reserve		12,500	158,185				170,685
Transportation SDC's			100,385				100,385
Parks							0
Park SDC's			18,582				18,582
Housing Rehabilitation			136,954				136,954
Library Endowment		2,000	7,015				9,015
Retirement Reserve							0
Saalfeld Trust							0
State Shared Revenues							0
Vehicle Replacement							0
Unemployment Reserve							0
<b>Total Special Rev Funds</b>	<b>131,524</b>	<b>118,450</b>	<b>828,494</b>	<b>85,068</b>	<b>0</b>	<b>37,200</b>	<b>1,200,736</b>
<b>DEBT SERVICE FUND</b>							
Bancroft Sinking		0					0
<b>Total Debt Svc Fund</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total All Funds</b>	<b>2,031,277</b>	<b>825,000</b>	<b>4,248,575</b>	<b>650,388</b>	<b>0</b>	<b>690,909</b>	<b>8,446,149</b>

**CITY OF MT. ANGEL  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS AND CATEGORIZING AD VALORUM TAXES FOR THE CITY OF MT. ANGEL FOR THE 2016-17 FISCAL YEAR.**

**BE IT RESOLVED**, that the Mt. Angel City Council hereby approves the annual budget as recommended by the Mt. Angel Budget Committee with adjustments for the 2016-2017 fiscal year in the total sum of \$8,446,149; now on file at City Hall, 5 N. Garfield Street, Mt. Angel, Oregon.

**BE IT RESOLVED**, that the Mt. Angel City Council hereby imposes the taxes provided for in the adopted budget at

Subject to the General  
Government Limitation

General Fund	Rate	<u>4.1918/\$1000</u>
Category Total	Rate	<u>4.1918</u>
Total Levy	Rate	<u>4.1918</u>

**BE IT RESOLVED**, by the Mt. Angel City Council that the amounts for the 2016-2017 fiscal year and for the purposes shown below are hereby appropriated as follows:

**GENERAL FUND**

Administration	168,842
Police	939,700
Court	26,750
Community Development	116,290
Library	143,400
Parks	91,157
Oktoberfest	55,425
Benefits Reserve	186,500
Capital Outlay	18,000
Interfund Transfers	44,280
Contingency	513,208
<i>Total Expenditures</i>	<u>2,303,552</u>

**LIBRARY ENDOWMENT FUND**

Materials and Services	2,000
Capital Outlay	7,015
<i>Total Expenditures</i>	<u>9,015</u>

**STREET FUND**

Personal Services	131,524
-------------------	---------

Materials and Services	103,950
Transfers	85,068
Contingency	37,200
<i>Total Expenditures</i>	<u>357,742</u>

**STREET RESERVE FUND**

Materials and Services	12,500
Capital Outlay	158,185
<i>Total Expenditures</i>	<u>170,685</u>

**TRANSPORTATION SDC FUND**

Capital Outlay	100,385
<i>Total Expenditures</i>	<u>100,385</u>

**CAPITAL IMPROVEMENT FUND**

Technology Replacement	34,727
Vehicle Replacement	217,546
Building Replacement	155,100
<i>Total Expenditures</i>	<u>407,373</u>

**UNEMPLOYMENT RESERVE FUND**

Transfers	0
<i>Total Expenditures</i>	<u>0</u>

**HOUSING REHABILITATION FUND**

Capital Outlay	136,954
<i>Total Expenditures</i>	<u>136,954</u>

**WATER UTILITY FUND**

Personal Services	314,609
Materials and Services	139,500
Capital Outlay	11,000
Transfers	137,720
Contingency	74,250
<i>Total Expenditures</i>	<u>677,079</u>

**SEWER UTILITY FUND**

Personal Services	319,380
Materials and Services	104,750
Capital Outlay	133,000
Transfers	383,320
Contingency	66,251
<i>Total Expenditures</i>	<u>1,006,701</u>

**WATER UTILITY RESERVE FUND**

Capital Outlay	768,008
<i>Total Expenditures</i>	<u>768,008</u>

**SEWER UTILITY RESERVE FUND**

Capital Outlay	974,264
<i>Total Expenditures</i>	<u>974,264</u>

**WATER UTILITY SDC FUND**

Capital Outlay	353,550
<i>Total Expenditures</i>	<u>353,550</u>

**SEWER UTILITY SDC FUND**

Capital Outlay	86,926
<i>Total Expenditures</i>	<u>86,926</u>

**STORM WATER SDC FUND**

Capital Outlay	20,623
<i>Total Expenditures</i>	<u>20,623</u>

**PARKS SDC FUND**

Capital Outlay	18,582
<i>Total Expenditures</i>	<u>18,582</u>

**SEWER SLUDGE FUND**

Capital Outlay	1,020,077
<i>Total Expenditures</i>	<u>1,020,077</u>

**STORMWATER FUND**

Capital Outlay	34,633
<i>Total Expenditures</i>	<u>34,633</u>

**TOTAL OPERATING BUDGET**

**8,446,149**

This resolution shall become effective immediately upon its passage by the Council.

Passed by City Council this 6th day of June, 2016, by the following vote:

**AYES:**                      **NAYS:**

Approved by the Mayor this 6th day of June, 2016.

\_\_\_\_\_  
Andrew Otte, Mayor

ATTESTED BY:

\_\_\_\_\_  
Mike Healy, Interim City Manager

**CITY OF MT. ANGEL**  
**REQUEST FOR COUNCIL ACTION**

<b>DATE ACTION REQUESTED: June 6, 2016</b>			
<b>Ordinance</b> <input type="checkbox"/>	<b>Resolution</b> <input checked="" type="checkbox"/>	<b>Motion</b> <input type="checkbox"/>	<b>Information</b> <input type="checkbox"/>
<b>Date Prepared: May 19, 2016</b>		<b>Dept.: Administration</b>	
<b>SUBJECT: Fee Schedule Update</b>		<b>Contact Person for this Item: Chaunee Seifried, Finance Director, cseifried@ci.mt-angel.or.us, (503) 845-9291</b>	

**RECOMMENDATION:**

Approve the proposed resolution updating fees for services provided by the City of Mt. Angel.

**BACKGROUND:**

The City maintains fees for a wide variety of services. The fee schedule details many general administrative fees and charges for services provided by the City on one document and functions as a resource for the staff in assisting citizens with information for specialized services. Fees may be reviewed at any time, but are generally reviewed annually.

FY2015-16 Goal #2 established by the City Council was to create a citizen's task force to analyze costs and revenue sources for maintaining city and possibly, county infrastructure inside city limits. This committee met and made recommendations to the Budget Committee. The Budget Committee approved the recommendations of the Task Force and recommended them to the City Council for adoption. One question asked by the Budget Committee was if there could be consideration for implementing a street lighting fee per ERU instead of per utility account. The changes that are being updated to the fee schedule are:

1. Annual business registration fee of \$50.00.
2. Monthly street lighting fee of \$2.00 per utility account.
3. Monthly stormwater fee of \$3.00 per ERU.
4. Water rate increase of 15%
5. Sewer rate increase of 10%

In addition Res #1440 was approved to phase in a two part increase for the SDC fees. July 1, 2016 is the second phase of increases. These fees will continue to be increased on or about January 1 of each year by the cost of inflation, based upon increase in the ENR/CCI (9,936 for Dec of 2014), without the need for modification of this resolution or a corresponding SDC fee increase process. The current increase is:

1. Water SDC's increase is \$696.00
2. Sewer SDC's increase is \$1620.00
3. Storm SDC's increase is \$242.00
4. Transportation SDC's increase is \$84.00

5. Parks SDC's increase is \$496.00

The fee schedule changes are indicated in red in the following Attachment B.

**RECOMMENDED MOTION:**

*"I move to approve a resolution updating fees for services provided by the City of Mt. Angel."*

**ATTACHMENTS A:** Proposed resolution

**ATTACHMENTS B:** Current fee schedule (the proposed changes are shown in red)

**CITY OF MT. ANGEL  
RESOLUTION NO. \_\_\_\_**

**A RESOLUTION ADOPTING A MASTER FEE SCHEDULE FOR SERVICES  
PROVIDED BY THE CITY OF MT. ANGEL**

**WHEREAS**, the City of Mt. Angel provides a variety of services to the public; and

**WHEREAS**, it is common for cities to charge fees for some services to help recover the costs of providing those services; and

**WHEREAS**, it is the intent of the Mt. Angel City Council to have city fees and charges in one master schedule to assist City staff and the public in quickly locating the appropriate fee or charge for service; and

**WHEREAS**, on June 6, 2016, the City Council took public comment on proposed changes in the Master Fee Schedule and took such public comment into consideration.

**NOW, THEREFORE BE IT RESOLVED:**

**SECTION 1.** The Master Fee Schedule attached as Exhibit A is hereby adopted.

**SECTION 2.** The fees established by Exhibit A of this resolution take precedence over the same fees which were previously adopted by any resolution or administrative policy.

**SECTION 3.** The City Manager and staff shall review the fees periodically and shall modify the fees based on the cost of providing the services with the approval of the City Council.

**SECTION 4.** This resolution shall be effective upon adoption.

ADOPTED by the City Council this 6<sup>th</sup> day of June, 2016 by a vote of:

**AYES:**

**NAYS:**

APPROVED BY THE MAYOR this 6<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Andrew Otte, Mayor

ATTESTED BY:

\_\_\_\_\_  
Mike Healy, Interim City Manager

Item #d Attachment B

Description	Fee
<b>Administration</b>	
<i>Photocopies</i>	
8.5 x 11 per page/side	.25¢
8.5 x 14 per page/side	.50¢
11 x 17 per page/side	\$1.00
Lien Search	\$25.00
Budget Document	\$20.00
Notary Services	\$5.00
Returned Check	\$25.00
Meeting Recording on CD	\$5.00
<b>City Maps</b>	
Property- single site	\$2.50
8.5 x 11	\$4.00
8.5 x 14	\$6.00
11 x 17	\$8.00
Administrative Fee	10%
<b>Public Records Request</b>	
Staff Time	\$15.00/per hour
Deposit	\$30.00
Council Candidate Filing Fee	\$5.00

<b>Library Fees</b>	
<i>Photocopies</i>	
8.5 x 11 black and white copy (per side)	15¢
8.5 x 14 black and white copy (per side)	15¢
8.5 x 11 color copy (per side)	50¢
8.5 x 14 color copy (per side)	50¢
<b>Scanning services</b>	
8.5 x 11 document scanned to thumb drive (per page)	25¢
<b>Library Card options for non-city residents</b>	
Local Option Use Fee	\$25.00/year
Non-Resident Use Fee	\$60.00/year
Outside of CCRLS (Polk, Marion and Yamhill counties) Use Fee	\$75.00/year
<b>Overdue fees</b>	
Overdue books (children's)	15¢/day
Overdue books (adult)	25¢/day
Overdue DVDs/Videos	50¢/day
Processing fee for accounts in collect	\$8.95

<b>Use of City Facilities</b>	
<b>Community Meeting Room</b>	
First 4 hours	\$25.00
All day	\$50.00
Civic Groups	\$10.00
Government Organizations	\$0.00
Cleaning Deposit	\$25.00
Key Deposit	\$100.00

Description	Fee
<b>City Permits &amp; Licenses</b>	
Liquor License per year	\$25.00
Gaming Permit per year	\$25.00
Sidewalk Café Permit	\$40.00
<b>Business Registration fee per year</b>	<b>\$50.00</b>
<b>Transient Merchant Permit</b>	
One day	\$30.00
One weekend (4 days)	\$50.00
Up to 30 days/yr	\$75.00
More than 30 days/yr	\$100.00
<b>Street light fee per utility acct per month</b>	<b>\$2.00</b>
<b>Stormwater fee per eru per month</b>	<b>\$3.00</b>
Sign Permit	\$40.00
Work in Right of Way	\$50.00
Street Closure Fee/day	\$25.00
Ambulance License per year	\$3,690.21

<b>Court Fees</b>	
Suspension	\$25.00
Failure to Appear	\$25.00
Failure to Appear for a Trial	\$100.00
Late Payment	\$35.00
Payment Plan	\$30.00

<b>Police Department Fees</b>	
Public Safety Reports	\$20.00
911 Tapes	NORCOM
Tow/Impound	\$150.00
Photos	\$20.00
Fingerprinting - per card	\$15.00
False Alarm Response after 2nd/yr	\$100.00
<b>Security Alarm Permit</b>	
Residential/Government	\$10.00
Business	\$15.00
Records research time:	\$25.00 per hr
Copies of audio/video files:	\$45.00 per file

<b>Park Reservation Fees</b>	
Resident, One Facility	\$25.00/day
Non-Resident, One Facility	\$40.00/day
Government Organizations	\$0.00
Additional Facility	\$10.00/day
Park Cleaning Deposit	\$25.00
Sports League (per season)	\$300.00
Sports League Deposit	\$100.00
Alcohol Permit for Park Events	\$25.00

<b>Utility Rates, Resident</b>	
Sewer Base Rate- per ERU	\$41.25
<b>Water Base Rate</b>	
Meter Size	Monthly Rate
¾"	\$12.44
1" – 1 to 3 ERU's	\$17.41
1" – 4 to 6 ERU's	\$35.80
1" – 7 or more ERU's	\$54.18
1 ½" – 1 to 3 ERU's	\$19.90
1 ½" – 4 to 6 ERU's	\$46.23
1 ½" 7 or more ERU's	\$72.57
2"	\$98.91
3"	\$373.12
4"	\$428.79
6"	\$572.11
Mt. Angel Beverage	\$2,110.78
<b>Water Consumption Rate per unit (100 cubic feet/748 gallons)</b>	
	\$2.19

<b>Utility Rates, Non-Resident</b>	
Sewer Base Rate- per ERU	\$61.88
<b>Water Base Rate</b>	
Meter Size	Monthly Rate
¾"	\$18.66
1" – 1 to 3 ERU's	\$26.12
1" – 4 to 6 ERU's	\$53.71
1" – 7 or more ERU's	\$81.27
1 ½" – 1 to 3 ERU's	\$29.84
1 ½" – 4 to 6 ERU's	\$69.35
1 ½" 7 or more ERU's	\$108.85
2"	\$148.37
3"	\$559.68
4"	\$643.18
6"	\$858.18
<b>Water Consumption Rate per unit (100 cubic feet/748 gallons)</b>	
	\$3.28

<b>Utility Fees</b>	
Sewer Account Deposit	\$50.00
Account Set-Up Fee	\$20.00
Water Reconnection Fee	\$50.00
Property Mgmt Change-Over Fee	\$10.00
Water Turn-on Afterhours	\$100.00
Late Payment Fee	Greater of \$3.00 or 1.5%
<b>Water Account Deposit- by meter size</b>	
¾"	\$25.00
1"	\$30.00
1 1/2"	\$35.00
2"	\$40.00
3"	\$45.00
4"	\$50.00
6"	\$60.00

<b>Public Works Permit Deposits (max \$5,500)</b>	
Type A Street/Utility Construction Permit (single home/business)	\$500.00
Type B Street/Utility Construction Permit (multiple home/businesses)	\$1,500.00

<b>System Development Charges</b>	
Water Reimbursement SDC	\$2,178.00
Water Improvement SDC	\$1,480.00
Water Admin Fee SDC	\$73.00
Sewer Reimbursement SDC	\$2,488.00
Sewer Improvement SDC	\$1,915.00
Sewer Admin Fee SDC	\$88.00
Storm Reimbursement SDC	\$270.00
Storm Improvement SDC	\$300.00
Storm Admin Fee SDC	\$10.00
Transportation Reimbursement SDC	\$67.00
Transportation Improvement SDC	\$1,380.00
Transportation Admin Fee SDC	\$29.00
Park Improvement SDC	\$1,028.00
Parks Admin Fee SDC	\$20.00

<b>Planning Fees and Deposits</b>	
Development Advisory	
Review Pre-Application (DARP)	\$0.00
<b>Type I (Fee)</b>	
Lot Line Adjustment	\$500.00
Minor Variance	\$500.00
Partition (minor)	\$1,000.00
<b>Type II (Deposit + Cost, max \$5,500)</b>	
Legal Non-Conforming Use	\$1,000.00
Similar Use Determination	\$1,000.00
Major Variance	\$1,500.00
Conditional Use	\$1,500.00
Adjustment to PUD	\$1,000.00
Site Design Review	\$2,500.00
Partition (major)	\$1,500.00
PUD	\$3,000.00
Subdivision	\$3,000.00
Appeal	\$500.00
<b>Type III (Deposit + Cost, no max)</b>	
Zone Change	\$2,000.00
Zone Change with Comp. Plan Amendment	\$3,000.00
Annexation	\$4,000.00

**CITY OF MT. ANGEL**  
**REQUEST FOR COUNCIL ACTION**

<b>DATE ACTION REQUESTED: June 6, 2016</b>			
<b>Ordinance</b> <input type="checkbox"/>	<b>Resolution</b> <input checked="" type="checkbox"/>	<b>Motion</b> <input type="checkbox"/>	<b>Information</b> <input type="checkbox"/>
<b>Date Prepared: April 27, 2016</b>		<b>Dept.: Administration</b>	
<b>SUBJECT: FY 2016-17 Wage Scale Adjustment Resolution</b>		<b>Contact Person for this Item: Chaunee Seifried, Finance Director, cseifried@ci.mt-angel.or.us, 503-845-9291</b>	

**RECOMMENDATION:** Approve the attached resolution implementing a 2% cost of living adjustment (COLA) for Mt. Angel non-represented employees for 2016-17 fiscal year, effective July 1, 2016. This proposed increase is consistent with the adjustment approved for represented employees within the city.

**BACKGROUND:**

The City's current collective bargaining agreements were negotiated to implement cost of living adjustments for wage scales based on the Portland/Salem CPI-U index. Those wages, which are already set, are included on the proposed resolution for reference. The most recent CPI-U Portland/Salem data for the second half of 2014 indicates a 1.1% increase. It was approved for both groups of represented employees to get a 2% for fy 16-17 and Staff recommends that the City apply this same wage adjustment to the rest of the City employees to be consistent. The proposed budget was built using a 3% assumption for wages.

Regularly updating wage scales to stay in line with the market helps in the following ways:

- Keeps existing employees satisfied and morale high and helps to prevent good employees from leaving to go to other higher paying public employers who do adjust wage scales to reflect the increasing cost of goods and services.
- Helps staff budget accurately and avoid having to make larger adjustments and increases when vacancies, union negotiations, or recruitments occur.
- Allows the City to base wage scales on standardized, data driven statistics.

Per the City Charter, the City Council sets wage scales in Mt. Angel. The City Council regularly approves wage and scale adjustments such as cost of living increases. The City Council also sets wages for new job descriptions and positions. Cost of living adjustments are not merit based; they are not in any way connected to performance. A cost of living adjustment should be viewed as an adjustment solely to reflect such things as the cost of food, gas, rent and other daily costs.

Please note: there are several staff positions that are not active positions but appear on the list. These positions are included for future use if positions become vacant, the organization is restructured or positions are reclassified.

**RECOMMENDED MOTION:**

*“I move to approve a resolution adjusting the wage scales of employees of the City of Mt. Angel effective July 1, 2016.”*

**ATTACHMENT A:** Wage scale resolution

**CITY OF MT. ANGEL  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ADJUSTING THE WAGE SCALES OF EMPLOYEES OF THE CITY OF MT. ANGEL EFFECTIVE JULY 1, 2016.**

**WHEREAS,** the City Council of Mt. Angel annually reviews existing wage scales for all general employees; and

**WHEREAS,** the City of Mt. Angel recognizes the importance of keeping wages in alignment with the market for wages in comparable Oregon local government agencies;

**WHEREAS,** the City of Mt. Angel has agreed to cost of living increases of 2% for both of its employee unions (LIUNA and Mt. Angel Police Association) beginning July 1, 2016;

**NOW THEREFORE, BE IT RESOLVED** by the City Council for the City of Mt. Angel that:

**Section 1.** All non-represented employees of the City of Mt. Angel shall receive a 2% cost of living adjustment for the fiscal year 2016-17.

**Section 2.** The wage scales reflecting proposed adjustments are as follows:

<b>POSITION (MAPA)</b>	<b>STEP 1</b>	<b>STEP 2</b>	<b>STEP 3</b>	<b>STEP 4</b>	<b>STEP 5</b>	<b>STEP 6</b>
Police Officer	3,395	3,565	3,742	3,930	4,126	4,333
Administrative Asst. (hourly)	15.45	16.23	17.03	17.89	18.78	19.73

<b>POSITION (LIUNA)</b>	<b>STEP 1</b>	<b>STEP 2</b>	<b>STEP 3</b>	<b>STEP 4</b>	<b>STEP 5</b>	<b>STEP 6</b>
Public Works Superintendent	3,575	3,754	3,941	4,138	4,345	4,562
Utility Lead Worker	3,492	3,667	3,851	4,042	4,244	4,457
Wastewater Operator	3,404	3,574	3,753	3,940	4,137	4,344
Utility Worker II (vacant)	3,016	3,167	3,325	3,491	3,667	3,849
Utility Worker I	2,765	2,903	3,049	3,201	3,361	3,529
Maintenance Worker	2,715	2,851	2,994	3,144	3,301	3,466

<b>POSITION (Non-represented)</b>	<b>STEP 1</b>	<b>STEP 2</b>	<b>STEP 3</b>	<b>STEP 4</b>	<b>STEP 5</b>	<b>STEP 6</b>
Finance Director	4,545	4,773	5,011	5,261	5,524	5,801
Assistant to the City Manager	3,495	3,669	3,853	4,045	4,247	4,459
Accounting Clerk	2,666	2,799	2,940	3,087	3,241	3,403
Accounting Clerk-Hourly	15.38	16.15	16.95	17.81	18.70	19.64
Administrative Assistant (hourly)	15.38	16.15	16.95	17.81	18.70	19.64
Receptionist Court Clerk (vacant)	12.40	13.02	13.67	14.35	15.08	15.83
Library Director	23.81	24.99	26.24	27.56	28.94	30.39
Assistant Librarian	15.32	16.09	16.89	17.74	18.63	19.55
Youth Services Librarian	12.40	13.02	13.67	14.35	15.08	15.83

Public Works Director (vacant)	4,772	5,010	5,261	5,524	5,801	6,090
Parks Maintenance Worker (vacant)	12.14	12.75	13.38	14.06	14.76	15.49
Police Chief FT(vacant)	4,882	5,126	5,382	5,651	5,933	6,230
Police Sergeant	4,504	4,730	4,966	5,214	5,475	5,749
Code Enforcement Officer (vacant)	13.98	14.68	15.41	16.19	16.99	17.84
Police Reserve (solo)	18.64					
Police Reserve (non-solo)	13.90					

PASSED AND APPROVED by the City Council this 6th day of June, 2016, by the following vote:

**AYES:**

**NAYS: 0**

APPROVED BY THE MAYOR this 6th day of June, 2016.

\_\_\_\_\_  
Andrew Otte, Mayor

ATTESTED BY:

\_\_\_\_\_  
Michael D. Healy, Interim City Manager

**CITY OF MT. ANGEL**  
**REQUEST FOR COUNCIL ACTION**

<b>DATE ACTION REQUESTED: June 6, 2016</b>			
<b>Ordinance</b> <input checked="" type="checkbox"/>	<b>Resolution</b> <input type="checkbox"/>	<b>Motion</b> <input type="checkbox"/>	<b>Information</b> <input type="checkbox"/>
<b>Date Prepared: May 19, 2016</b>		<b>Department: Administration</b>	
<b>SUBJECT: Mt. Angel Telephone Company Franchise Agreement</b>		<b>Contact Person for this Item: Eileen Stein, City Manager, estein@ci-mt-angel.or.us, 503-845-9291</b>	

**RECOMMENDATION:**

Conduct a first and second reading of an ordinance granting Mount Angel Telephone Company a non-exclusive franchise to operate a telecommunications system in the city of Mt. Angel.

**BACKGROUND:**

The franchise agreement for Mount Angel Telephone Company expires on July 1, 2016. The City Attorney has drafted a new and updated franchise agreement, reflecting the company's operations now as a telecommunications services provider (telephone, cable and Internet.)

The highlights of the new franchise agreement include:

- The franchise grants Mount Angel Telephone a franchise for ten years to operate a telecommunications system within the city of Mt. Angel.
- The effective date of the new franchise is July 1, 2016.

**RECOMMENDED MOTION:**

**"I move to conduct a first and second reading and approve AN ORDINANCE GRANTING MOUNT ANGEL TELEPHONE COMPANY A FRANCHISE TO OPERATE WITHIN THE CITY OF MT. ANGEL AND TO PLACE, ERECT, MAINTAIN, LAY AND OPERATE IN, UPON, OVER AND UNDER THE PUBLIC RIGHTS OF WAY NECESSARY WIRES AND OTHER APPURTENANCES TO PROVIDE TELECOMMUNICATIONS SERVICES WITHIN THE CITY OF MT. ANGEL.**

**ATTACHMENTS A:** Speer Hoyt Memo

**ATTACHMENTS B:** Draft Ordinance

# Local Government Law Group PC

A Member of Speer Hoyt LLC

## Memo

**To:** City Council

**From:** Christy Monson, City Attorney

**Date:** June 1, 2016

**Re:** Mount Angel Telephone Company Franchise Agreement

---

The purpose of this memo is to provide the Council with an update regarding the City's negotiations with the Mount Angel Telephone Company (MATC). The City has had a longstanding agreement with MATC which allowed them to occupy the City rights of way to provide telephone service. MATC, in return, paid the City a percentage of its phone service revenue. However, as technology progressed, MATC grew to provide internet access to Mt. Angel citizens. The City's goals in this negotiation were to: 1) secure franchise fee payments on MATC's revenue from internet access as well as phone; 2) update the general franchise terms and make them consistent with your Code and other similar franchises; 3) maintain a "good neighbor" relationship with MATC.

I'm pleased to report that the City has met all three of its goals in these negotiations. Today, MATC's attorney indicated that they would likely tentatively agree to accept the latest draft of the Franchise Agreement, which I've attached to this memo for your review. (This conciliation is likely a direct result of the big "win" that cities had in the Supreme Court last week in Comcast v. City of Eugene, which solidified our right to collect right of way franchise fees based on internet revenue.)

*However, MATC counsel did renew their request that the City consider providing MATC with some sort of cost break from the internet fees in recognition of the good relationship between the parties.* I told him I would relay this request to the City, but that the City has expressed a desire to capture more revenue. Further, I explained that the City has a legal obligation to treat all internet service providers in a substantially equal manner—and it will likely be asking other similar providers to pay on internet also. Please do consider his request and provide further guidance to your staff and me so that I can respond to him quickly.

In summary, the Franchise Agreement draft before you accomplishes the following:

- Allows MATC a 15 year, non-exclusive right to occupy the ROW to provide Telecommunication Services;

- Requires MATC to pay the City 7% of any Telecommunications Services (including all phone, VOIP, internet access, or video) provided within City boundaries;
- Clarifies that City ordinances all apply to the Franchise Agreement;
- Allows the City to audit MATC and receive compensation for underpayment;
- Protects the City's authority to manage construction, equipment and infrastructure in the right of way.

The next step for the Council is to provide guidance to your staff regarding the negotiation wrap up and MATC's request. Once we receive this guidance from the Council, I will begin to finalize the document and will provide it to the Council and to MATC for signatures and eventual adoption as an ordinance.

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE GRANTING MOUNT ANGEL TELEPHONE COMPANY A FRANCHISE TO OPERATE WITHIN THE CITY OF MT. ANGEL AND TO PLACE, ERECT, MAINTAIN, LAY AND OPERATE IN, UPON, OVER AND UNDER THE PUBLIC RIGHTS OF WAY NECESSARY WIRES AND OTHER APPURTENANCES TO PROVIDE TELECOMMUNICATIONS SERVICES WITHIN THE CITY OF MT. ANGEL.**

**THE CITY OF MT. ANGEL ORDAINS AS FOLLOWS:**

**SECTION 1. QUALIFICATIONS:** Upon careful consideration of Mount Angel Telephone Company's legal, financial and technical qualifications, the City is satisfied that all qualifications have been met.

**SECTION 2. SHORT TITLE:** This ordinance shall be known as the "MOUNT ANGEL TELEPHONE COMPANY FRANCHISE".

**SECTION 3. DEFINITIONS:** For the purpose of this ordinance, the following terms, phrases and words shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and vice versa. The word "shall" always mandatory:

- 3.1 "CITY" is the City of Mt. Angel, a municipal corporation under the laws of the State of Oregon.
- 3.2 "COMPANY" or "GRANTEE" refers to and is the Mount Angel Telephone Company and its successors and assigns.
- 3.3 "COUNCIL" is the City Council of the City of Mt. Angel, or its designated representative.
- 3.4 "FACILITIES" refer to and are all facilities used to provide Telecommunications Services into, within and through the City and include plants, works, systems, lines, cables, fiber, conduit, equipment, underground links, switches, wires and radio links.
- 3.5 "PUBLIC UTILITY COMMISSION" refers to and is the Public Utility Commission of the State of Oregon or other authority succeeding to the regulatory powers of The Public Utility Commission of the State of Oregon.
- 3.6 "GROSS REVENUES" refers to any and all revenue received, earned or derived by the Company from its operation of a Telecommunications System for the provision of Telecommunications Services to customers within the City; provided, however, that Gross Revenues shall not include: (1) any taxes, fees or assessments collected by the Company from customers for pass-through to a government agency, including, without limitation, the FCC user fee, the franchise fee, or any sales or utility taxes; (2) unrecovered bad debt; ~~or~~ (3) credits, refunds and deposits paid to customers; or (4) revenue related to directories (white page, yellow pages, etc.).

- 3.7 “INTERNET ACCESS” means Internet access as defined in ORS 305.822(1)(b).
- 3.8 “STREETS AND PUBLIC WAYS” means the surface of the space above and below any public street, sidewalk, alley, or other public way of any type whatsoever, now or hereafter existing as such within the City.
- 3.9 “TELECOMMUNICATIONS SYSTEM” means any system used to transmit telephone calls without regard to the transmission protocol employed, whether or not the transmission medium is owned by the Company itself and whether or not the transmission medium is wireline.
- 3.10 TELECOMMUNICATIONS SERVICES includes all forms of telephone services and voice-over internet protocol (VOIP) as well as internet access services or video or data provided over the internet. Telecommunication Services does not include services provided without using the Public Rights of Way. Telecommunications System does not include Cable Service.

#### **SECTION 4. GRANT OF FRANCHISE; TERM AND TERMINATION**

- 4.1 Grant. The Company is hereby granted for itself, subject to the terms and conditions of this ordinance, a non-exclusive franchise, authority from and after the effective date hereof to construct, operate and maintain a Telecommunication System within the public rights-of-way within the City, provided, however, that the terms of the franchise must be accepted by Grantee, in writing, signed by an officer of the corporation within thirty (30) days after the date this ordinance is passed by the City.
- 4.2 City Charter and General Ordinances to Apply. This Franchise is subject to the Charter and general ordinance provisions passed pursuant thereto, now in effect or hereafter made effective. Nothing in this Franchise shall be deemed to waive or alter any requirements of City codes and ordinances.
- 4.3 Use of public streets and ways. For the purpose of operating and maintaining a Telecommunications System, the Grantee may erect, install, construct, repair, replace, reconstruct, and maintain in, on, over, under, upon, across, and along the public streets and ways such wires, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliances, pedestals, attachments, and other property and equipment as are necessary and appurtenant to the operation of the Telecommunications System, and to place all equipment necessary or convenient for the transmission of signals upon the poles or in ducts either separately or in conjunction with any public utility maintaining the same in the City. Prior to construction or alteration, however, the Grantee shall in each case file plans with the appropriate City agencies, and receive written approval before proceeding.
- 4.4 Duration and effective date. The term of the franchise and all rights, privileges, obligations and restrictions pertaining thereto shall be fifteen (15) years from the effective date of the franchise unless terminated sooner as hereinafter provided. The effective date of the franchise shall be July 1, 2016 unless the Grantee fails to accept this agreement, under the provisions of Section 10, in which event it shall be null and void.

- 4.5 **Conflict Resolution and Termination.** If any dispute arises in regard to any terms or conditions of this Agreement, the Parties shall first meet and engage in good faith discussions with the objective of settling the dispute within 10 business days after either party requests such a meeting. If the good faith discussion does not resolve the dispute, the City may, after providing at least 30 days' written notice of the alleged breach as well as a reasonable opportunity for the Company to cure, terminate this agreement if the Company: a) fails file and maintain the insurance required by the Franchise; 2) repeatedly fails to meet the franchise fee payment or Facility relocation or removal obligations established in this Franchise; c) sells, leases, assigns, or transfers majority control of the Franchise in violation of this Agreement; d) repeatedly fails to safely maintain Facilities under reasonable (as determined by the standards in the industry) standards prescribed by the City.

### **SECTION 5. COMPENSATION:**

- 5.1 **Franchise Fee.** As compensation in consideration of permission to use the streets and public ways of the City for the construction, operation, maintenance and reconstruction of a Telecommunication System within the City, the Company shall pay to the City an amount equal to seven percent (7%) of the Gross Revenues derived annually from the provision of Telecommunications Services to customers within the City.
- 5.2 **Payment Schedule.** For the franchise fee owed on revenue received after the effective date of this ordinance, payment shall be due not later than sixty (60) days following the end of each calendar year quarter. Payments at the beginning and end of the term of this ordinance shall be prorated. All payments shall be made to the City.
- 5.3 **Audit and Recomputation.** No acceptance of any payment shall be construed as an accord that the amount paid, is in fact, the correct amount, nor shall such acceptance of payment be construed as a release of any claim the City may have for further or additional sums payable. All amounts paid shall be subject to audit and recomputation by the City. In the event that recomputation results in additional revenue to be paid to the City, such amount shall be paid within the first quarter of the fiscal year following the fiscal year in which Company received the revenues and shall be subject to a ten percent (10%) interest charge commencing on the first day of the fiscal year following the fiscal year in which Company received the revenues. After any final adjustments to a year's franchise fee have been made by Company, if the City has a reasonable basis for conducting an independent audit and the independent audit reveals that Company has failed to pay the City within two percent (2%) or more of the amount actually owed the City in any one fiscal year, the Company shall reimburse the City for the cost of the independent audit within sixty (60) days after the receipt of a written statement from the City. Such reimbursement shall be in addition to the regularly required franchise fee payment.
- 5.4 **Franchise Fee Payment in Lieu of Other Fees.** Payment of the franchise fee by the Company is accepted by the City in lieu of any occupancy tax, license, fee or similar tax, assessment or excise upon the privilege of doing business or in connection with the

- physical operation thereof, but does not exempt the Company from any lawful taxation upon its real property, sales and use taxes or any other tax not related to the franchise or the physical operation thereof.
- 5.5 Payment of Maximum Franchise Fee Permissible. In the event that any law shall limit or prevent the City from imposing a franchise fee in the amount provided for herein, Grantee shall pay to the City at the times provided for the maximum permissible amount. Grantee shall further make a good faith effort to obtain any possible waiver or permission to pay the full amount provided for herein. In the event the maximum permissible amount is less than seven percent (7%), and the law or rule or regulation establishing the maximum permissible amount subsequently is repealed or amended to permit a higher amount, then Grantee shall pay the higher amount.

**SECTION 6. CONDUCT OF BUSINESS:**

- 6.1 Conduct of Business. The Company may establish, from time to time, such rules, regulations, terms and conditions governing the conduct of its business as shall be reasonably necessary to enable the Company to exercise its rights and perform its obligations under this franchise; provided, however, that such rules, regulations, terms and conditions shall not be in conflict with This Agreement or the laws of the City or State of Oregon.
- 6.2 Tariffs on File. The Company shall keep on file in its office in Mt. Angel, Oregon, or other location in the vicinity copies of all its tariffs currently in effect and on file with the Public Utility Commission. Said tariffs shall be available for inspection by the public.
- 6.3 Compliance with PUC Regulations. The Company shall comply with all rules and regulations adopted by the Public Utility Commission.
- 6.4 Compliance with Company Tariffs. The Company shall furnish Telecommunication Services within the City and to all persons, businesses and industries at the rates and under the terms and conditions set forth in its tariffs on file with the Public Utility Commission.

**SECTION 7. COMPLIANCE WITH CONSTRUCTION & TECHNICAL STANDARDS:**

Company shall construct, install, operate, and maintain its system in a manner consistent with applicable City and state construction standards.

- 7.1 Underground Cable. Present and future under-grounding of cables is strongly encouraged. Cables, fibers, or conduit shall be installed underground where all existing utilities are already underground, where all utilities are placed underground, or where statute or ordinance requires utilities to be placed underground. Previously installed lines shall be under-grounded in concert with other utilities pursuant to the general ordinances of the City or applicable State law. Notwithstanding the immediately preceding, if only high voltage electric facilities remain above ground solely for safety purposes, then the Company may place its facilities above ground.

- 7.2 Location and Removal of Lines and Poles. The Company shall arrange its lines, cables, and other appurtenances, on both public and private property, in such a manner as to cause no unreasonable interference with the use of said public or private property by any person. In the event of such interference, the City may require the removal of the Company's lines, cables, and appurtenances from the property in question, which shall be done at Company's sole cost expense.
- 7.3 Construction and Use of Poles. All structures, lines and equipment erected by the Company within the City shall be located so as to cause minimum interference with the proper use of streets, alleys, easements and other public ways and places and to cause minimum interference with the rights or reasonable convenience of property owners, and the Company shall comply with all lawful ordinances of the City now and hereafter in force. Existing poles, posts, and other such structures of the electric power system or other public utility shall be used to the extent practicable.
- 7.4 Restoration. In case of any disturbance of pavement, sidewalk, driveway or other surfacing, the Company shall at its own cost and expense and in a manner approved by the City, replace and restore all paving, sidewalk, driveway or surface so disturbed in as good condition as before said work was commenced.
- 7.5 Relocation. In the event that at any time during the period of this franchise the City shall lawfully elect to alter or change any street, alley, easement or other public way requiring the relocation of the facilities of the Company, then in such event the Company upon reasonable notice by the City, shall remove, relay and relocate the same at its own expense.
- 7.6 Temporary Removal. The Company shall, on the request of any person holding a building moving permit issued by the City, temporarily raise or lower its lines to permit the moving of buildings. The expense of such temporary removal shall be paid by the person requesting the same, and the Company shall have the authority to require such payment in advance.
- 7.7 Trimming of Trees. Subject to any applicable City rules, regulations, or ordinances, the Company shall have the authority to trim trees upon and overhanging all streets, alleys, easements, sidewalks and public places of the City so as to prevent the branches of such trees from coming into contact with the facilities of the Company.
- 7.8 Facility Inspection. The City shall have the right to inspect, at all reasonable times, any portion of the Company's system.
- 7.9 Maps. The Company shall prepare and submit to the City a map showing the location of its distribution system within the City, showing location of all appurtenances incident to the distribution system, insofar as such facilities can reasonably be determined. The map shall be revised no more frequently than annually by the addition of the information hereby required as the system is extended or revised. Subject to any disclosure requirements under Oregon's Public Records law, the City agrees that any such maps shall not be used by it or disseminated to the public for use in locating underground facilities.

- 7.10 Regulation. It is hereby agreed that at all times the power and right to regulate in the public interest the exercise of the privileges permitted by this Franchise shall remain in and be vested in the Council of the City of Mt. Angel. Grantee hereby agrees that the City may regulate Grantee in a manner consistent with federal and state law. The City reserves the right to delegate authority for regulatory activity, in whatever manner the City Council or its designee deems appropriate.
- 7.11 Removal of Facilities Upon Expiration. In the event of the expiration of the term of the Franchise, unless the Franchise is renewed or extended, the rights of Grantee immediately shall be divested without further act by the City. Thereafter, Grantee shall within 180 days remove its Facilities, structures or property from the streets and public ways and shall promptly restore the streets and public ways to such condition as the City may require at Grantee's sole expense. In the event of failure by Grantee to properly and promptly perform such work, then the City may perform the work and collect the cost thereof from Grantee. The cost thereof shall be a lien upon the Telecommunications System of Grantee and may be set-off against any sums owed Grantee by City.
- 7.12 Subject to the Oregon Public Records Law, whenever, pursuant to this Franchise Agreement, Grantee shall make available for inspection by the City or submit to the City reports containing information considered proprietary by the Grantee, the City shall not disclose or release such reports or information to the public without Grantee's prior written consent provided Grantee has noted such information as proprietary in writing at the time of submission

**SECTION 8. INDEMNIFICATION OF THE CITY; INSURANCE:**

- 8.1 City Held Harmless/Insurance. Grantee shall defend, indemnify and hold harmless the City, its officers, agents and employees, from any and all liability, loss, cost, damage, or expense either to itself or to persons or property of others, including but not limited to attorney fees, which may occur as a result of or related to the exercise of the rights and privileges in this Agreement; unless such liability, loss, cost, damage or expense is caused by the negligence or willful misconduct of the City, its officers, agents or employees.
- 8.2 Grantee shall have in full force and effect, and file evidence thereof with the City, a good and sufficient policy (or policies) covering \$3,000,000 personal injury each person, \$3,000,000 personal injury each accident, and \$1,000,000 property damage with policy (or policies) to be executed by an insurance company or companies authorized and qualified to do business in the State of Oregon. This provision shall survive the expiration or termination of this Agreement.
- 8.3 Notice to Company. The City will provide notice to the Company of the pendency of any claim or action against the City arising out of the exercise by the Company of its franchise rights.
- 8.4 Reimbursement of Costs. Grantee shall pay all reasonable expenses incurred by the City, its officers, agents and employees in defending itself with regard to all damages and

- penalties mentioned in this Section 8 except those attributable to the negligence or willful misconduct of the City, its officers, agents or employees. These expenses shall include all out-of-pocket expenses, such as consultant or attorney fees.
- 8.5 Notice of Cancellation or Reduction in Coverage. The insurance policies mentioned above shall contain the following endorsement and shall be maintained throughout the duration of the Franchise:
- “It is hereby understood and agreed that, should any of the above described policies be cancelled before the expiration date thereof, the issuing insurer will endeavor to mail 30 days written notice (10 days if due to non-payment of premium) to the certificate holder, but failure to do so shall impose no obligation or liability of any kind upon the insurer, its agents or representatives.”
- 8.6 Evidence of Insurance Filed. All policies of insurance or certified copies thereof and written evidence of payment of required premiums shall be filed and maintained with the City during the term of the Franchise.

**SECTION 9. MISCELLANEOUS PROVISIONS:**

- 9.1 Assignment. The Company shall not transfer or assign any rights under this franchise to a third party, excepting only corporate reorganizations of the Company not including a third party, unless the City shall approve such transfer or assignment in writing. Approval of the transfer or assignment shall not be unreasonably withheld. Any City-approved transferee or assignee shall remain subject to the terms of this Agreement. Notwithstanding the foregoing, the Company may assign this franchise to Canby Telephone Association, an Oregon cooperative upon written notice to the City and subject to the terms of this Agreement.:-
- 9.2 Saving Clause. If any portion of this franchise ordinance is declared illegal or void by a court of competent jurisdiction, the remainder of the ordinance shall survive and not be affected thereby. In such case, the parties shall proceed with due diligence to attempt to draft provisions that will achieve the original intent.
- 9.3 Entire Agreement. This franchise agreement contains the entire agreement between the parties, supersedes all prior agreements or proposals except as specifically set forth herein, and cannot be changed orally but only by the instrument in writing executed by the parties.
- 9.4 Attorney Fees. If suit or action is instituted for any cause arising out of or in any way connected with this franchise ordinance, the prevailing party in the trial court and on any appeal shall recover reasonable attorney's fees and costs of expert witness to be set by such trial and appellate court.

**SECTION 11. WRITTEN ACCEPTANCE:** The Company shall, within thirty (30) days after passage of this ordinance, file in the office of the City Recorder of the City of Mt. Angel an acceptance of this ordinance, executed by Company in a form approved by the City. The failure on the part of Company to file such written acceptance within such time shall be deemed an abandonment and rejection of the rights

and privileges conferred hereby and this ordinance shall thereupon be null and void. Such acceptance shall be unqualified and shall be construed to be an acceptance of all the terms, conditions and restrictions contained in this ordinance.

**SECTION 12. REPEALING CLAUSE:** Ordinance \_\_\_\_ is hereby repealed and replaced.

**SECTION 13. EFFECTIVE DATE:** This ordinance shall become effective on \_\_\_\_\_ and remain in effect for the duration as stated in Section 4.4.

Passed by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2016.

*First Reading:*                      **AYES:**                      **NAYS:**

Passed by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2016

*Second Reading:*                      **AYES:**                      **NAYS:**

APPROVED BY THE MAYOR this \_\_\_\_ day of \_\_\_\_\_, 2016

ATTESTED BY:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Filed in the office of the City Recorder this \_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF MT. ANGEL**  
**REQUEST FOR COUNCIL ACTION**

<b>DATE ACTION REQUESTED: June 6, 2016</b>			
<b>Ordinance</b> <input type="checkbox"/>	<b>Resolution</b> <input type="checkbox"/>	<b>Motion</b> <input checked="" type="checkbox"/>	<b>Information</b> <input type="checkbox"/>
<b>Date Prepared: May 16, 2016</b>		<b>Dept.: Administration</b>	
<b>Subject: Council Committee Appointments</b>		<b>Contact Person for this Item: Justin Hogue, Assistant to the City Manager, jhogue@ci.mt-angel.or.us, 503-845-9291</b>	

**RECOMMENDATION:** Appoint members to the Planning Commission, Budget Committee, and Library Board.

**BACKGROUND:** Staff contacted all committee/board/commission members and the following have expressed interest in being reappointed for the following terms:

- Craig Emch and David Sylvia for the **Planning Commission** for terms expiring June 30, 2018
- John Kuppenbender for the **Budget Committee** for a term expiring June 30, 2019
- Deanna Verboort for the **Library Board** for terms expiring June 30, 2023
- Yessica Cruz for the **Park Tree Board** for a term expiring June 30, 2018

The following individuals have not expressed interest in continuing service:

- |                  |                     |
|------------------|---------------------|
| • Don Robison    | Budget Committee    |
| • Patti Eder     | Park Tree Board     |
| • Philip Waibel  | Design Review Board |
| • Shirley Manley | Library Board       |
| • Jeff Wall      | Planning Commission |

The City received an application from Henry Schacher for serving on either the Planning Commission or the Design Review Board. Staff is recommending that the applicant be appointed to the Planning Commission to occupy the vacancy left by Jeff Wall, as it is more critical at this time that the Commission opening be filled. In addition, an application was submitted by Tony Morris, who was referred by Don Robison, to serve on the Budget Committee.

Yessica Cruz expressed interest in continuing to serve as a student member on the Park/Tree Board, however the City has not yet received an application. Excluding the Council liaison, this leaves all positions vacant on the Park/Tree Board, which consists of five voting members and two ex-officio (non-voting) student members.

Additional advisory committee positions that will become vacant after June 30<sup>th</sup> includes one position on the Design Review Board and on position on the Library Board.

**PROPOSED MOTIONS:**

*“I move to appoint Craig Emch, David Sylvia, and Henry Schacher to the Planning Commission for two (2) year terms ending on June 30, 2018.”*

*“I move to appoint John Kuppenbender and Tony Morris to the Budget Committee for (3) years term ending on June 30, 2019.”*

*“I move to appoint Deanna Verboort to the Library Board for a (4) year terms ending on June 30, 2016.”*

**ATTACHMENT A:** Council committee application for Henry Schacher

**ATTACHMENT B:** Council committee application for Tony Morris

**ATTACHMENT C:** Council committee application for David Sylvia

**ATTACHMENT D:** Council committee application for Deanna Verboort

**ATTACHMENT E:** Council committee application for John Kuppenbender

**ATTACHMENT F:** Council committee application for Craig Emch

MAY 06 2016



# City of Mt. Angel

P.O. Box 960 / 5 N. Garfield Street, Mt. Angel, OR 97362  
 Phone (503) 845-9291 Fax (503) 845-6261

BY: .....

## APPLICATION FOR APPOINTMENT

Full Name: SCHACHER HENRY A  
Last First Middle Initial

Physical Address: 490 W CHURCH ST. MOUNT ANGEL, OR 97362  
Street Address

Mailing Address (if different): PO BOX 1174 MOUNT ANGEL, OR 97362

Telephone number: 503.910.0777  
Home Work / Other

Email address: HENRY.SCHACHER @ GMAIL.COM

Current Occupation: FINANCIAL CONTROLLER / CFO

Occupational Background (include volunteer experience): VOLUNTEER OREGON STATE POLICE 1996-2000. RESIDENTIAL CONTRACTOR 1998-2009. CUSTOM CABINET INSTALLER 2009-2010. AREA SPECIALIST IN HARDWARE AT WILCO FARM STORE 1 YEAR. BOOK KEEPER, OFFICE MANAGER & CONTROLLER FOR PAST 3 1/2 YEARS. 1 YEAR ASSOCIATE FOR OKTOBERFEST COMMITTEE.  
 Prior Governmental Experience (elected or appointed): NONE

What skill sets or particular interests do you possess? EXPERIENCED BUSINESS OWNER, SUBCONTRACTOR, MANAGER, & SUPERVISOR. KEEN ADMINISTRATIVE SKILLS. A REPUTATION FOR WORKING WELL WITH OTHERS TO SOLVE COMPLEX ISSUES. ACCOMPLISHED WOOD WORKER & DESIGNER.  
 Please check the box of which boards you are interested in serving:

Planning Commission (2-year term) <input checked="" type="checkbox"/>	Design Review Board (2-year term) <input checked="" type="checkbox"/>	Library Board (4-year term)	Budget Committee (3-year term)	Park Tree Board (4-year term) (2-year student term)
--	--	--------------------------------	-----------------------------------	---

(You may choose more than one; however, you may only serve on one board per term.)

Signature: [Handwritten Signature] Date: 05/07/2016



RECEIVED  
MAY 23 2016



# City of Mt. Angel

## APPLICATION FOR APPOINTMENT: .....

Full Name: Sylvia David E.  
Last First Middle Initial

Physical Address: 1030 Willow CT Mt. Angel  
Street Address

Mailing Address (if different): \_\_\_\_\_

Telephone number: (805) 302 7458  
Home Work / Other

Email address: SAttek 805 @ earthlink. net

Current Occupation: Retired

Occupational Background (include volunteer experience): \_\_\_\_\_  
GENERAL CONTRACTOR CCB # 185279  
ENTREPRENEUR

Prior Governmental Experience (elected or appointed): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

What skill sets or particular interests do you possess? Planning and  
OPERATING A BUSINESS

Please check the box of which boards you are interested in serving:

Planning Commission (2-year term) <input checked="" type="checkbox"/>	Design Review Board (2-year term)	Library Board (4-year term)	Budget Committee (3-year term)	Park Tree Board (4-year term) (2-year student term)
--	--------------------------------------	--------------------------------	-----------------------------------	---

(You may choose more than one; however, you may only serve on one board at a time.)

I certify that if appointed to the Budget Committee I will ensure that I am registered to vote at the time of my service on the Committee.

Signature: [Handwritten Signature] Date: 5/24/2016

This application will be held for consideration for one year.  
 The City of Mt. Angel is an Equal Opportunity Employer and Provider.



# City of Mt. Angel APPLICATION FOR APPOINTMENT

RECEIVED  
MAY 24 2016  
BY: \_\_\_\_\_

**Full Name:** Verboort Deanna J.  
Last First Middle Initial

**Physical Address:** 655 Birch St., Mt Angel, Ore  
Street Address 97362

**Mailing Address (if different):** \_\_\_\_\_

**Telephone number:** 503-845-6175  
Home Work / Other

**Email address:** \_\_\_\_\_

**Current Occupation:** retired

**Occupational Background (include volunteer experience):** Owned hardware store until became manager for OREC until retirement 10yrs ago

**Prior Governmental Experience (elected or appointed):** Elected to serve on City of Mt Angel Council 8yrs +

**What skill sets or particular interests do you possess?** Care very much about Library + Library gardens -

**Please check the box of which boards you are interested in serving:**

<b>Planning Commission</b> <small>(2-year term)</small>	<b>Design Review Board</b> <small>(2-year term)</small>	<b>Library Board</b> <small>(4-year term)</small> <input checked="" type="checkbox"/>	<b>Budget Committee</b> <small>(3-year term)</small>	<b>Park Tree Board</b> <small>(4-year term)</small> <small>(2-year student term)</small>
--	--	--	---	--

*(You may choose more than one; however, you may only serve on one board at a time.)*

*I certify that if appointed to the Budget Committee I will ensure that I am registered to vote at the time of my service on the Committee.*

**Signature:** Deanna J Verboort **Date:** 5-23-2016

*This application will be held for consideration for one year.  
 The City of Mt. Angel is an Equal Opportunity Employer and Provider.*



RECEIVED  
MAY 31 2016

# City of Mt. Angel APPLICATION FOR APPOINTMENT

BY: .....

**Full Name:** KUPPENBENDER JOHN A  
Last First Middle Initial

**Physical Address:** 695 E. MARQUAM STREET MT. ANGEL  
Street Address

**Mailing Address (if different):** \_\_\_\_\_

**Telephone number:** 503.845.6589 503.881.7260  
Home Work/ Other

**Email address:** KUPP51@hotmail.com

**Current Occupation:** RETIRED

**Occupational Background (include volunteer experience):** TEACHER and COACH MT. ANGEL SCHOOL DISTRICT 1976-2008, ATHLETIC DIRECTOR 1996-2001, PRODUCTION PLANNER FREIGHTLINER CORP 1973-1975

**Prior Governmental Experience (elected or appointed):** MT. ANGEL BUDGET COMMITTEE  
MT. ANGEL YOUTH COMMISSION

**What skill sets or particular interests do you possess?** PASSION FOR MT. ANGEL QUALITY OF LIFE, COLLABORATIVE INTERPERSONAL SKILLS, SOME BUDGETING EXPERIENCE

**Please check the box of which boards you are interested in serving:**

<b>Planning Commission</b> (2-year term)	<b>Design Review Board</b> (2-year term)	<b>Library Board</b> (4-year term)	<b>Budget Committee</b> <input checked="" type="checkbox"/> (3-year term)	<b>Park Tree Board</b> (4-year term) (2-year student term)
---	---	---------------------------------------	--	--

(You may choose more than one; however, you may only serve on one board at a time.)

I certify that if appointed to the Budget Committee I will ensure that I am registered to vote at the time of my service on the Committee.

**Signature:** John Kuppenbender **Date:** MAY 29, 2016

This application will be held for consideration for one year.  
The City of Mt. Angel is an Equal Opportunity Employer and Provider.



RECEIVED  
JUN 01 2010

Item #11g Attachment F

# City of Mt. Angel APPLICATION FOR APPOINTMENT.....

Full Name: EMCH CRAIG M  
*Last First Middle Initial*

Physical Address: 785 E MARQUAM ST MT ANGEL, OR 97362  
*Street Address*

Mailing Address (if different): \_\_\_\_\_

Telephone number: (503)510-8311 (503)845-6811  
*Home Work / Other*

Email address: CRAIGEMCH@HOTMAIL.COM

Current Occupation: INSURANCE AGENT

Occupational Background (include volunteer experience) : INSURANCE AGENT, FIREFIGHTER,  
INFORMATION TECHNOLOGY,

Prior Governmental Experience (elected or appointed): PLANNING COMMISSIONER;  
CITY BUDGET COMMITTEE

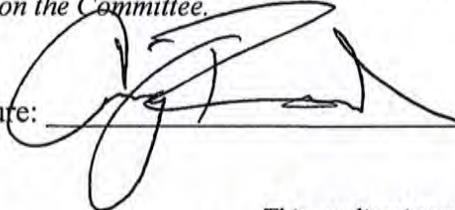
What skill sets or particular interests do you possess? MBA, WORKING KNOWLEDGE  
OF CURRENT AND PRIOR DEVELOPMENT ACTIVITY IN THE AREA AND CITY CODES.

Please check the box of which boards you are interested in serving:

Planning Commission <input checked="" type="checkbox"/> (2-year term)	Design Review Board (2-year term)	Library Board (4-year term)	Budget Committee (3-year term)	Park Tree Board (4-year term) (2-year student term)
---	---	-----------------------------------	--------------------------------------	--

(You may choose more than one; however, you may only serve on one board at a time.)

I certify that if appointed to the Budget Committee I will ensure that I am registered to vote at the time of my service on the Committee.

Signature:  Date: 6/1/10

**CITY OF MT. ANGEL**  
**REQUEST FOR COUNCIL ACTION**

<b>DATE ACTION REQUESTED: June 6, 2016</b>			
<b>Ordinance</b> <input type="checkbox"/>	<b>Resolution</b> <input type="checkbox"/>	<b>Motion</b> <input checked="" type="checkbox"/>	<b>Information</b> <input type="checkbox"/>
<b>Date Prepared: May 17, 2016</b>		<b>Dept.: Administration</b>	
<b>SUBJECT: Façade Improvement Grant Program</b>		<b>Contact Person for this Item: Justin Hogue, Assistant to the City Manager, <a href="mailto:jhogue@ci.mt-angel.or.us">jhogue@ci.mt-angel.or.us</a>, (503) 845-9291</b>	

**RECOMMENDATION:**

Award Façade Improvement Grant funding made available through the Marion County Community Grant.

**BACKGROUND:**

The City was awarded \$18,000 from Marion County to do a second round of façade improvement work. The Chamber of Commerce has also pledged to contribute \$500.00 towards each application. The City received 6 applications to participate in the Façade Improvement Grant Program.

On February 22<sup>nd</sup> the Design Review Board met to review the applications submitted, provide feedback on proposed improvements, and suggest design elements that would further enhance the structures' facades and complement the Bavarian theme. In response to the Design Review Board's suggestions, 1 applicant withdrew their application leaving 5 applicants, 4 of which provided the Board with supplemental material to comply with the Board's suggestions.

The Design Review Board met on May 12<sup>th</sup> to review the remaining applicants' supplemental material. After reviewing the applications the Design Review Board made the following recommendations:

**Burger Time** – Award funding for the development and installation of a new drive-thru sign. Project cost \$750.

**Sausage Company** – Award funding for the construction of a new entry and the production and installation of a Bavarian railing for a renovated deck. Project cost \$11,888.

**Joe Traeger** – Award funding for cleaning, sealing, and painting the façade and for adding a sign and shutters. Project cost \$3,700.

**Mt. Angel Performing Arts Center** – Award funding for vapor barrier, sheathing, and siding to repair the façade. Project cost \$11,306.

At the May 2, 2016 City Council meeting, the Council made a motion to award \$5,000 to the Chamber of Commerce to assist with the Glockenspiel's figurine project. This leaves \$15,000 to allocate amongst the 4 remaining applicants.

**RECOMMENDED MOTIONS:**

*"I move to approve a Façade Improvement application in the amount of \$250 to Burger Time for the development and installation of a new sign."*

**Item #11h**

*“I move to approve a Façade Improvement application in the amount of \$5,945 to the Sausage Company for a renovated entry and production and installation of a Bavarian deck railing.”*

*“I move to approve a Façade Improvement application in the amount of \$1,850 to Joe Traeger for cleaning, sealing, and painting the façade and for the development and installation of a new sign and shutters.”*

*“I move to approve a Façade Improvement application in the amount of \$4,955 to the Mt. Angel Performing Arts Center to repair the façade.”*

**Mt. Angel City Council**  
**Agenda Calendar**  
5/16/16

- June 13                      Executive Session: Review of Applications for City Manager
- July 5                         Noise Ordinance Amendment  
RV Parking Amendment  
Oktoberfest 2016 Operating Agreement  
Marijuana Taxation Ballot Title  
Business License Ordinance
- July 15-16                  Executive Session: City Manager Interviews & Appointment
- August 1                     City Manager Contract Approval

To Schedule/Discuss:

Review Park Tree Board Mission and Composition  
Repeal of Marijuana Taxation Ordinance

Franchise Agreements – Expiration Dates

**Republic Services** 6 year rolling agreement which began January 2006  
**Mt. Angel Telephone** agreement **expires July 2016**  
**N.W. Natural Gas** agreement expires October 2020  
**PGE** agreement expires December 2023  
**Wave Broadband** agreement expires July 2020  
**Woodburn Ambulance Service Inc.** agreement expires December 2017