

City of Sodaville
Regular Session Agenda
May 19, 2022
7:00 PM – City Hall

- 1) **Call to Order**
- 2) **Pledge of Allegiance**
- 3) **Roll Call**
- 4) **Visitors**
- 5) **Bills**

- 6) **Minutes**
 - April 21, 2022 Regular Session

- 7) **Public Comment**

This is the time to speak to the City Council or Mayor on any subject **including what is listed** on this Agenda except for Public Hearings. Time limit is 3 minutes per person.

- 8) **City Recorder’s Report**
- 9) **Public Works Report**

- 10) **New Business**
 - a) Resolution No. 22-04: Adopting Ordinance 22-01
 - b) Contract Review Board - Community Services Consortium
 - c) Contract Review Board - Ray Jackman Repair

- 11) **Old Business**
 - a) Water Waiver

- 12) **Public Comment**

This is the time to speak to the City Council or Mayor on any subject **other than what is listed** on this Agenda except for Public Hearings. Time limit is 3 minutes per person.
- 13) **Council Reports**
- 14) **Adjourn**

PUBLIC COMMENT There are two times at every regular City Council meeting when the public has an opportunity to address the City Council. The first time is reserved for questions or statements regarding items appearing on the agenda, except public hearings and the merits of land use issues. The second time is at the end of the agenda. At this time, you can address the City Council on any matter of public concern, other than an agenda item. The Mayor will announce the time for public comment, and invite persons to address the City Council. Each person has three minutes to address the City Council. ***PUBLIC COMMENT is not accepted during the meeting other than at those times.***

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 48 hours prior to the City Council meeting by calling 541-258-8882.

8. City Recorder's Report

Finance Update

The Finance Update is in the Council Packet. The bulk of work in the office has focused on writing the budget and preparing for the next fiscal year. We met State requirements to hold the Budget Committee meeting on May 25th at 6:00PM. Assuming that the Committee approves the Budget, the Council should be prepared to adopt the Budget at the June regular session.

The \$60,000 check from the Department of Administrative Services for SB 5561 funds arrived and was deposited on May 12. The check for the water meter install project will be signed on May 19.

City Ordinance Organization

It is imperative that City officials, especially staff, are familiar with existing ordinances currently enforced so that we are providing services established by the people through their elected Council as well as avoiding liability for improperly administering ordinances. I have dedicated regular time to transcribing existing City ordinances and placing them on a website where they can easily be read by members of the public. Ordinances that have been abolished are not transcribed; their replacement ordinances are instead noted on this website. Once all current ordinances have been transcribed, the City will need to review them and undertake a legal review with older ordinances to ensure compliance with state law. For example, the Council's procurement ordinance was adopted in 1994 and has not been amended since, resulting in nearly 30 years of noncompliance with statutory changes.

It is also recommended that ordinances be organized in numbered chapters based on topic; currently, ordinances are organized solely by the year they were passed. For example, ordinances passed in 1982 deal with changes to the Urban Growth Boundary, street vacation policy, state revenue sharing, zoning and development, water service, fees, and Council rules.

Other Updates

The City will purchase new state and US flags that have been flown over the Oregon State Capitol. The City will receive certificates certifying their authenticity addressed to Mayor Perry.

I toured the Lebanon Area Radio Enthusiasts (LARES) operation at the Lebanon hospital with Public Works Director Burns on May 14. We learned more about the telecommunications backend that will help provide local continuity of government options in the event of a natural disaster.

9. Public Works Report

Water

The city's wells produced	<u>522546.34</u> gallons.	
The city trucked in	<u>0</u> gallons.	
Reservoir + -	<u>0</u> gallons	
The city sold	<u>477850</u> gallons	
Difference of	<u>44696.34</u> gallons.	-8.55%

The City requested bids for hauling water for 2022. Three local companies were contacted as well as city web site posting. Two companies responded only one in the time requested.

Radio read meters to be installed May 19 and 20

New PLC conversation.

Parks

Vegetation is and has been cut down between rain showers

Tree feller came and looked at trees in the parks

There has been a request to put in a put-put disc golf course in the parks.

Streets

Tree removed from Vine and Park. With help from the Perry's and their equipment.

Misc.

On call phone please try to charge over night on Sundays. It is hard to use it and do city business with less than 10% charge.

10.a. Resolution No. 22-04 Adopting Ordinance 22-01

Staff Summary

The City Council is initiating an amendment to Ordinance 19-02, the City of Sodaville Zoning and Development Ordinance. Amendments include properly incorporating Section 4.032 as Section 3.108; revising amendment notification requirements to reflect the composition of the current Ordinance; and amending Section 3.108 (formerly Section 4.032) to include additional extension requests due to emergencies and economic hardship.

Suggested Motion: *I move to adopt Resolution 22-03.*

Resolution 22-03

A RESOLUTION ADOPTING ORDINANCE 22-01

Whereas the Sodaville City Council initiated an amendment to Ordinance 19-02 the City of Sodaville Zoning and Development Ordinance,

Resolved, the City Council Adopts Resolution 22-03 to adopt Ordinance 22-01 Amending Ordinance 19-02.

Ordinance 22-01

THE CITY OF SODAVILLE ORDAINS AS FOLLOWS:

Section 3.107.03.A. of Ordinance 19-02 is amended as follows:

- A. Notice of Hearing. Notice of time and place of the public hearing before the City Council shall be as specified in ~~Sections 8.045 and 8.046~~ **the City Charter**.

Section 4.032 (Temporary use of a Recreation Vehicle as a Dwelling While a Permanent Residence is Being Constructed) of Ordinance 19-02 is amended to have the new Section number *3.108*.

The newly renumbered *Section 3.108*. shall be amended as follows:

- A. An application for the temporary use of a recreation vehicle as a dwelling while a permanent residence is being constructed shall be filed with the City Administrator at the time of a request for a building permit or manufactured home placement permit for the permanent residence, or at a subsequent date. A filing fee shall accompany an application for the temporary use. The filing fee shall be in accordance with a fee schedule resolution adopted by Ordinance ~~#11-07~~ **17-01** of the City of Sodaville City Council. Action to approve or deny the application shall be made

either by the City Council or by the ~~City Administrator~~ **City Recorder** with notification of such decision to be submitted to the City Council.

B. The initial permit for temporary occupancy for the recreation vehicle shall remain in effect for no longer than six (6) months. If the permanent dwelling or manufactured home has not been completed within the six (6)-month time period, the City Council may consider a request for extension of the time period for an additional period, not to exceed six (6) months. Additional six (6)-month time extensions may be granted. However, final occupancy of the permanent dwelling or manufactured home shall occur within two (2) years from the time the temporary occupancy permit was first issued and the temporary occupancy shall cease as outlined in Section ~~4.032~~.

3.108(d). The City Council may consider additional 6-month extension requests if completion of the construction of a dwelling is prevented due to a natural disaster or other incident that results in a national, state, or local declaration of emergency that is ongoing upon submittal of the extension request, or occurred within the previous 12 months prior to the submittal of the original request for temporary use of a recreation vehicle as a dwelling.

C. At the end of each six (6)-month time period after the permit for temporary use has been approved and before the permanent dwelling has been completed and occupied, the applicant for the permanent building permit shall demonstrate progress in completion of the permanent dwelling. This shall be accomplished through submittal of a permit extension request as outlined in Section ~~4.032~~. **3.108(b)** and by the submittal of a written report to the City Council showing the current progress of the project, and any problems involved in completion of the project. The City Council shall review and approve the extension request and report and may attach any conditions of approval.

D. When the permanent dwelling is completed and ready for occupancy, or at the end of the time period for temporary occupancy of the recreation vehicle, the temporary occupancy shall cease and evidence of discontinued use of the recreation vehicle shall be provided to the city. All utility hookups shall be terminated. The recreation vehicle shall either be removed from the property or stored on site in such a manner that it cannot be reoccupied on the property.

E. A recreation vehicle which is used as a temporary residence in accordance with this section shall either be self-contained or connected to the on-site disposal system, and connected to the City Water system. Current license and registration must be maintained on the recreation vehicle.

F. If the temporary occupancy recreation vehicle is to be replaced on the property by another temporary occupancy recreation vehicle, the replacement recreation vehicle shall be reviewed and approved by the City Council prior to placement.

Section 3.109 shall be created as follows:

3.109 Temporary use of a Recreation Vehicle as a Dwelling Due to Economic Hardship..

A recreation vehicle may be placed on a lot while its occupant(s) are experiencing economic hardship, subject to the provisions of this section.

A. An notification of the temporary use of a recreation vehicle as a dwelling due to economic hardship shall be filed with the City Recorder upon the first business day the recreation vehicle is used for this purpose. If after 30 days the occupant(s) project that they will remain on the property, an application for the temporary use of a recreation vehicle as a dwelling due to economic hardship shall be filed with the City Recorder on the 31st day of occupation or the next business day.

The filing fee shall be in accordance with a fee schedule resolution for Temporary use of a Recreation Vehicle as a Dwelling While a Permanent Residence is Being Constructed as adopted by Ordinance 17-01 of the City of Sodaville City Council. Action to approve or deny the application shall be made either by the City Council with notification of such decision to be submitted to the City Council.

B. The initial permit for temporary occupancy for the recreation vehicle shall remain in effect for no longer than six (6) months. If the economic hardship is not mitigated to the extent that the occupant(s) obtain alternative housing within the six (6)-month time period, the City Council may consider a request for extension of the time period for an additional period, not to exceed six (6) months. Additional six (6)-month time extensions may be granted. However, final occupancy of the recreation vehicle shall cease within two (2) years from the time the temporary occupancy permit was first issued and the temporary occupancy shall cease as outlined in Section 3.109.D.

C. At the end of each six (6)-month time period after the permit for temporary use has been approved and before the permanent dwelling has been completed and occupied, the applicant for the temporary use of a recreation vehicle as a dwelling due to economic hardship shall demonstrate economic hardship in finding alternative housing. This shall be accomplished through submittal of a permit extension request as outlined in Section 3.109.B. and by the submittal of a written report to the City Council showing the current progress of the project, and any problems involved in completion of the project. The City Council shall review and approve the extension request and report and may attach any conditions of approval.

D. At the end of the time period for temporary occupancy of the recreation vehicle, the temporary occupancy shall cease and evidence of discontinued use of the recreation vehicle shall be provided to the city. All utility hookups shall be terminated. The recreation vehicle shall either be removed from the property or stored on site in such a manner that it cannot be reoccupied on the property.

E. A recreation vehicle which is used as a temporary residence in accordance with this section shall either be self-contained or connected to the on-site disposal system, and connected to the City Water system. Current license and registration must be maintained on the recreation vehicle.

F. If the temporary occupancy recreation vehicle is to be replaced on the property by another temporary occupancy recreation vehicle, the replacement recreation vehicle shall be reviewed and approved by the City Council prior to placement.

10.b. Contract Review Board - CSC

Staff Summary

Community Services Consortium in Albany provides water bill payment assistance for Linn County residents. CSC provided an explanation letter and a contract for the City Council to review at a future meeting enrolling the City in this program so that Sodaville residents who register for the program may receive water bill payment assistance. Enrollment occurs at no cost to the City, and federal funds are used to pay for water bills if a resident verifies low income eligibility with CSC. In April, the Council decided to review the agreement at a Contract Review Board session in May. Additional information answering Council questions will be provided at the May 19 Council meeting.

Suggested Motion: *I move to adopt the CONTRACT FOR WATER ASSISTANCE PROVISIONS BETWEEN COMMUNITY SERVICES CONSORTIUM AND CITY OF SODAVILLE.*

10.c. Contract Review Board - Ray Jackman Repair

Staff Summary

City Staff circulated RFP 2022-1 in accordance with the City's procurement ordinance. After reaching out to potential bidders, the City received only two bids. City staff recommend awarding a bid to Ray Jackman Repair, a sole proprietorship. This firm is owned by Councilor Ray Jackman, who will be required to abstain on the vote for this contract, and will be required to abstain on the votes for the City's 2022-2023 Budget as well as any Supplemental Budgets passed during the 2022-2023 fiscal year.

Suggested Motion: *I move to award the RFP 2022-1 to Ray Jackman Repair and adopt the POTABLE WATER TRANSPORTATION SERVICES AGREEMENT*

10.d. 2022-2023 Budget Overview & Budget Committee Appointments

Staff Summary: Budget Committee Appointments

The City of Sodaville is required by law to convene a Budget Committee every May to review a budget proposed by the City Budget Officer and pass a recommended budget referred to the City Council. The Budget Committee is composed of all five elected members of the Council and five members of the public with staggered terms. The Budget Committee currently has four seats filled for members of the public. The Council must appoint one more Committee members in compliance with local government budget law. Council members must recuse themselves from voting on nominations of immediate family members or other members of their household. Budget Committee members must be registered to vote at properties within the Sodaville City limits.

2020-2022	Peggy Bishop
2020-2022	Tammy Lewis
2021-2023	Suzie Hibbert
2021-2023	<i>Vacant</i>
2022-2024	Joe Parsons

Nominating Procedure

1. Any member of the Council may recommend an individual for nomination.
 - a. Councilor: *I recommend the appointment of John Doe.*
2. The Mayor announces the appointment of a Committee member for a specific term.
 - a. Mayor: *I appoint John Doe to the Budget Committee for the 2020-2022 term. Do any members of the Council have a conflict of interest requiring an abstention from voting for this nominee?*
3. If a Councilor has a conflict of interest voting for a Budget Committee member, they must name this prior to the vote.
 - a. Councilor Jane Doe: *I am married to John Doe, so I will abstain.*
4. Members of the Council make and second a motion to confirm the Mayor's appointment.
5. Following appointments, the City Recorder will coordinate with Budget Committee members to schedule a Public Hearing.

11.a. Water Waiver Request

Staff Summary

Ordinance 82-08 Section 5.5. establishes the following:

Special Contracts: When the applicant's requirements for water are unusual or large, such as an independent water district, or necessitate considerable special or reserve equipment or capacity, the Public Works Department, by authorization of the Common Council, reserves the right to make special contract, the provisions of which are different from and have exceptions to the regularly published water rates, rules and regulations. This special contract shall be in writing, signed by the applicant and approved by the Common Council and City Attorney and signed by the Mayor and City Recorder of the City of Sodaville.

A City resident has an unusual requirement for water use and requests that the City approve his use of a new well on his property for personal irrigation purposes. Templates for special contracts for unusual uses are unavailable at this time but the City Recorder and City Attorney can draft such a document with the consent of the Council. Administrative procedures may be put in place to allow the Public Works Director to enter into special contracts at the Council's discretion, and the Council may consider requests from this resident and others with all deliberate speed.