

CITY OF WOODBURN

CITY COUNCIL AGENDA

SEPTEMBER 22, 2008 – 7:00 P.M.

KATHRYN FIGLEY, MAYOR
WALTER NICHOLS, COUNCILOR WARD 1
RICHARD BJELLAND, COUNCILOR WARD II
PETER MCCALLUM, COUNCILOR WARD III
JAMES COX, COUNCILOR WARD IV
FRANK LONERGAN, COUNCILOR WARD V
ELIDA SIFUENTEZ, COUNCILOR WARD VI

CITY HALL COUNCIL CHAMBERS – 270 MONTGOMERY STREET

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

Announcements:

- A. The Big Read Kick-off in the Downtown Plaza on Friday, October 3, 2008 from 3:30 – 5:00 p.m.

Appointments:

- G. None.

4. PROCLAMATIONS/PRESENTATIONS

Proclamations:

- A. **The Big Read Month 2008**

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Presentations:

- B. None.

5. COMMITTEE REPORTS

- A. None.

6. COMMUNICATIONS

None.

7. **BUSINESS FROM THE PUBLIC** – *This allows the public to introduce items for Council consideration not already scheduled on the agenda.*

8. **CONSENT AGENDA** – *Items listed on the consent agenda are considered routine and may be enacted by one motion. Any item may be removed for discussion at the request of a Council member.*

Habr  interpretes disponibles para aqu llas personas que no hablan Ingl s, previo acuerdo. Comuniquese al (503) 980-2485.

A.	Woodburn City Council minutes of September 8, 2008 Regular and Executive Session <u>Recommended Action:</u> Approve the minutes.	2
B.	Recreation and Parks Minutes September 9, 2008 minutes <u>Recommended Action:</u> Accept the minutes.	16
C.	August 2008 Claims report <u>Recommended Action:</u> Accept the report.	19
D.	Community Services August Statistics Report <u>Recommended Action:</u> Accept the report.	23
E.	Planning Commission Minutes July 24, 2008 <u>Recommended Action:</u> Accept the report.	24
F.	August 2008 Crime Statistics <u>Recommended Action:</u> Accept the report.	28
G.	August 2008 Code Enforcement Statistics <u>Recommended Action:</u> Accept the report.	33
9.	TABLED BUSINESS	
A.	Council Bill 2735 – A Resolution Approving An Adjusted Rate Schedule And Fuel Recovery Fee Surcharge For United Disposal Service, Inc; Setting An Effective Date; And Repealing Resolutions 1833 And 1843. <u>Recommended Action:</u> It is recommended the City Council consider the resolution.	34
10.	PUBLIC HEARINGS	
A.	Annexation 2008-01 and Zone Change 2008-01, Located at 2400 North Pacific Highway <u>Recommended Action:</u> Approve Annexation 2008-01 and Zone Change 2008-01 and instruct staff to prepare an ordinance to substantiate the Council’s decision.	56
11.	GENERAL BUSINESS – <i>Members of the public wishing to comment on items of general business must complete and submit a speaker’s card to the City</i>	

*Recorder prior to commencing this portion of the Council's agenda.
Comment time may be limited by Mayoral prerogative.*

- A. Council Bill 2744 - A Resolution to Initiate a Local Improvement District to Replace Street Trees and Repair Sidewalks in the Ironwood Neighborhood.** 82
Recommended Action: Adopt the attached Resolution to initiate a Local Improvement District in response to the request of the Ironwood Homeowners Association for the replacement of street trees and repairs to sidewalks. Additionally, the Council authorizes the Public Works Department to prepare an engineering feasibility report to present to Council for consideration prior to final approval of the Local Improvement District.
- B. Council Bill 2745 - A Resolution entering into an Intergovernmental Agreement with Marion county for Juvenile Probation Officer Support and Authorizing the Interim City Administrator to Sign Said Agreement.** 87
Recommended Action: Adopt the attached Resolution entering into an Intergovernmental Agreement with Marion County for Probation officer services in support of the Weed & Seed Tracker Program.
- C. Council Bill 2746 - A Resolution making a Final Determination that Claimant is Not Entitled to Relief under Measure 49, Section 9 and Voiding the City Council's Previous Decision Under Measure 37** 97
Recommended Action: Adopt the attached Resolution making a final determination that Delbert Gottsacker ("Claimant") is not entitled to relief under Section 9 of measure 49.
- D. Assertion of common law vested rights for the property located at 500-510 and 514 North Pacific Highway and identified on Marion Tax Assessor's maps as tax lot 051W17BC00200.** 102
Recommended Action: Direct staff to prepare a resolution denying the claim of common law vested rights in regards to the subject property.
- E. Award of Construction Contract for Sanitary Sewer Pipe and Manhole rehabilitation on W. Hayes St.** 133
Recommended Action: Award the construction contract for W. Hayes St. Sanitary Sewer & Manhole Improvements to Michel's

Corp. in the amount of \$39,895.00.

- F. **Award of Construction Contract for Stacy Allison Way and Lawson Ave. Resurfacing Improvements.** 135
Recommended Action: Award the construction contract for the Stacy Allison Way and Lawson Ave. resurfacing Improvements to Knife River in the amount of \$267,787.08.
 - G. **OLCC Change of Ownership – Margaritas** 137
Recommended Action: Approve a Change of Ownership application for Margarita’s Full On-Premises Sales.
 - H. **OLCC Change of Ownership – Jack’s Place LLC** 140
Recommended Action: Approve a Change of Ownership application for Jacks’s Place LLC Full On-Premises Sales.
 - I. **OLCC New Outlet – Imperial Market & Deli** 143
Recommended Action: Approve a Change of Ownership application for Imperial Market & Deli.
 - J. **Position Upgrade: Wastewater Operator II to Operator III** 146
Recommended Action: City Council authorize the upgrade of a Wastewater Division Operator II position to an Operator III position.
12. **PLANNING COMMISSION OR ADMINISTRATIVE LAND USE ACTIONS – *These are Planning Commission or Administrative Land Use actions that may be called up by the City Council.***
- A. **Planning Commission’s Approval of Design Review 2008-03, located at Highway 214 along the S-curve (approximately 1901 Newberg Highway), tax lot 052W12DA01600.** 148
Recommended Action: No action is recommended. This item is placed before the Council for information purposes in compliance with the Woodburn Development Ordinance. The council may call up this item for review if it desires.
13. **CITY ADMINISTRATOR’S REPORT**
14. **MAYOR AND COUNCIL REPORTS**
15. **EXECUTIVE SESSION**
- A. To conduct deliberations with persons designated by the

governing body to carry on labor negotiations pursuant to
ORS 192.660(2)(d).

16. ADJOURNMENT