

**COUNCIL MEETING MINUTES  
FEBRUARY 14, 2022**

**DATE COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, FEBRUARY 14, 2022**

**CONVENED** The meeting convened at 6:36 p.m. with Mayor Swenson presiding.

**ROLL CALL**

Mayor Swenson	Present
Councilor Carney	Present
Councilor Cornwell	Present -via video conferencing
Councilor Schaub	Absent
Councilor Swanson	Present
Councilor Puente	Absent
Councilor Cabrales	Present -via video conferencing

**Staff Present:** City Administrator Derickson, City Attorney Shields, Assistant City Administrator Row, Economic Development Director Johnk, Police Chief Pilcher, Community Development Director Kerr, Finance Director Turley, Public Works Director Stultz, Assistant City Attorney Granum, Human Resources Director Gregg, City Recorder Pierson

**EXECUTIVE SESSION**

Mayor Swenson entertained a motion to adjourn into executive session under the authority of ORS 192.660(2)(g), ORS 192.660 (2)(h), ORS 192.660 (2)(f), and ORS 192.660(2)(e).

**Carney/Swanson...** move into executive session under the authority of ORS 192.660(2)(g), ORS 192.660 (2)(h), ORS 192.660 (2)(f), and ORS 192.660(2)(e). The motion passed unanimously. The Council adjourned into executive session at 6:37 p.m. and reconvened at 7:11 p.m. Mayor Swenson stated that no action was taken by the Council while in executive session.

**APPOINTMENTS**

**Carney/Swanson...** approve the appointment of Richard Irish to the Woodburn Parks and Recreation Board. The motion passed unanimously.

**PRESENTATIONS**

**COVID-19 Update-** Community Services Director Cuomo provided updated information on COVID-19 in Woodburn.

**Use of Force Report-** Police Chief Pilcher provided information on the Woodburn Police Departments 2021 Use of Force report.

**BUSINESS FROM THE PUBLIC**

Newberg Mayor Rick Rogers presented Mayor Swenson and the City of Woodburn an award from the Mid-Willamette Valley Council of Governments for their leadership during the COVID-19 pandemic.

Karen Linton stated that ODOT is having another public hearing on February 17, on the infrastructure funding they have to allot around the state and that having someone from the City sign-up to speak about the sound wall during this hearing would be appreciated. She added that she was told the City purchased traffic trailers and that they would be placed on Country Club and Umpqua and she has not seen them yet. City Administrator Derickson answered that these were not speed trailers but rather flashing speed signs and they will be placed once the weather gets better.

# COUNCIL MEETING MINUTES

## FEBRUARY 14, 2022

### CONSENT AGENDA

- A. Woodburn City Council minutes of January 24, 2022,
  - B. Acceptance of the dedication of a street reservation and public easement at 2145 Molalla Rd NE (Woodburn Eastside Apartments), Woodburn, OR 97071 (Tax Lot 051W09B000900),
  - C. 2022 OLCC Renewal,
  - D. Liquor License Application for Los Hermanos Chapin Inc.,
  - E. Liquor License Application for Huerta's Market LLC.,
  - F. Acknowledgement of Change in Operating Name Involving Cable Television Franchisee Wave,
  - G. Building Activity for January 2022.
- Carney/Swanson...** adopt the Consent Agenda. The motion passed unanimously.

### FY 2022/23 FINANCIAL PLAN

City Administrator Derickson and Finance Director Turley provided a staff report. City Administrator Derickson stated that the budget policies have changed very little and noted that the most significant change to the policies is that the investment strategies have been broken out and have been included as an exhibit to the document. **Carney/Swanson...**adopt the attached FY 2022/23 Financial Plan (Budget Policies and Fiscal Strategy). The motion passed unanimously.

### LOW INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM

Assistant City Administrator Row provided staff report. **Carney/Swanson...** authorize the City Administrator to sign the enclosed Low Income Household Water Assistance Program Agreement between the City of Woodburn, the Mid-Willamette Valley Community Action Agency (MWVCAA), and the Oregon Housing and Community Services Department. The motion passed unanimously.

### AUTHORIZATION TO AMEND UGB TO INCLUDE URA

Community Development Director Kerr provided a staff report. **Carney/Swanson...** Authorize the Community Development Director to begin the process of including the Urban Reserve Area (URA) in the Woodburn Urban Growth Boundary (UGB). The motion passed unanimously.

### PROJECT GAMOS – COMMUNITY SERVICE FEE AGREEMENT

City Administrator Derickson provided a staff report. **Carney/Swanson...** approve the attached Community Service Fee Agreement with Chewy, Inc.; place a deadline for the acceptance of the terms of the agreement no later than February 28, 2022, and authorize the City Administrator to countersign the agreement and; direct the City Administrator report back to the City Council as to the status of the agreement during the Council's February 28, 2022, meeting. The motion passed unanimously.

### CITY ADMINISTRATOR'S REPORT

The City Administrator reported the following:

- The City received a \$500,000 infrastructure grant for 219 at the s-curve.
- League of Oregon Cities conference will take place in Hermiston on April 21 & 22.
- There has been an uptick in graffiti around town and this past week eight individuals have been arrested for graffiti one from Gatch to Young Street.
- Annual hearing on rent burden impacts in Woodburn took place with the Woodburn Planning Commission. Community Development Director Kerr provided information on the rent burden meeting they are required to have yearly. He noted that they received two letters on the subject, they also had six individual renters who came in and spoke about some of the hardships they were going through. He added that at the end of these meetings

**COUNCIL MEETING MINUTES**  
**FEBRUARY 14, 2022**

the City provides a list of support services in the community. He stated that the City does many things to reduce the overall costs of housing and that a big part of it is increasing supply and having more diverse types of housing.

- Bringing the Community Center Project back up to speed. Assistant City Administrator Row stated that they are working on activating the Community Center Advisory Committee again and will discuss the funding the City received with them that they may not be aware of. He also stated that costs have escalated since they received the last cost estimate and that ultimately a bond measure is going to be necessary but they are also working on a capital campaign to try to supplement the funds with some local and private foundations funds.

**MAYOR AND COUNCIL REPORTS**

Councilor Carney stated that he is generating a letter in response to an article that appeared in the Oregonian and the Bulletin a few weeks ago, that implied that cities, like Woodburn, gave financial incentives to Amazon. He noted that with the letter he hopes to clear the air so that people do not think that we in the City of Woodburn offered financial assistance to Amazon.

Councilor Cornwell thanked Community Development Director Kerr for his report on the rent burden meeting and would like to hear more about this in the future and how we are helping these people out.

Council Cabrales thanked those who came to the capital today in support of a Day Without an Immigrant.

Councilor Swanson stated that she is seeing a lot of graffiti in her neighborhood and would like to remind people to reach out to their neighbors and pay attention to what's happening in our neighborhoods. She also thanked Councilor Carney for writing the letter. She added that she had an experience with the Woodburn Police today that was wonderful.

Mayor Swenson gave kudos to the police officers who joined the small memorial for the person who passed away just outside of the city limits. He added that he would like to have a work session on what cities can do to help those who are rent burdened. He stated that the Fire District Awards Banquet was very moving. He also reported that the BBC was in town, the Woodburn Arts Center had an art sale he was able to attend, and on Wednesday morning he is on a Mayor's panel that is speaking to the Mid-Valley Realtors Association.

**ADJOURNMENT**

**Swanson/Carney**...move to adjourn. The motion passed unanimously. Mayor Swenson adjourned the meeting at 8:40 p.m.

APPROVED \_\_\_\_\_  
ERIC SWENSON, MAYOR

ATTEST \_\_\_\_\_  
Heather Pierson, City Recorder  
City of Woodburn, Oregon

**EXECUTIVE SESSION MINUTES  
FEBRUARY 14, 2022**

**DATE COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, FEBRUARY 14, 2022**

**CONVENED** The meeting convened at 6:37 p.m. with Mayor Swenson presiding.

**ROLL CALL**

Mayor Swenson	Present
Councilor Carney	Present
Councilor Cornwell	Present- via video conferencing
Councilor Schaub	Absent
Councilor Swanson	Present
Councilor Puente	Absent
Councilor Cabrales	Present- via video conferencing

Mayor Swenson reminded Councilors and staff that information discussed in executive session is not to be discussed with the public.

**Media Present:** None.

**Staff Present:** City Administrator Derickson, City Attorney Shields, Assistant City Attorney Granum, Economic Development Director Johnk, City Recorder Pierson

The executive session was called:

To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations pursuant to ORS 192.660 (2)(g)

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

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

To conduct deliberations with persons designated by the governing body to negotiate real property transactions pursuant to ORS 192.660(2)(e).

**ADJOURNMENT**

The executive session adjourned at 7:11 p.m.

APPROVED \_\_\_\_\_  
Eric Swenson, Mayor

ATTEST \_\_\_\_\_  
Heather Pierson, City Recorder  
City of Woodburn, Oregon



# Agenda Item

March 14, 2022

TO: Honorable Mayor and City Council through City Administrator

FROM: Curtis Stultz, Public Works Director

SUBJECT: **Purchase and Acceptance of a Public Utility Easement at 1315 W. Hayes Street, Woodburn, OR 97071 (Tax Lot 05S1W07CC05900)**

**RECOMMENDATION:**

Authorize the purchase and acceptance of a Public Utility Easement granted by Claudia Schiedler and David Schiedler, property owners of the property located at 1315 W. Hayes Street, Woodburn, OR 97071 (Tax Lot 051W07CC05900).

**BACKGROUND:**

In order to construct the W. Hayes Street Improvements, a 5-foot wide Public Utility Easement is required along the frontage of 1315 W. Hayes Street. The value of the Public Utility Easement was proportionately determined from the latest land value information provided by the Marion County Assessor's property records. Total costs for Public Utility Easements are calculated at 50% of the most current land assessment values.

**DISCUSSION:**

The 5-foot wide Public Utility Easement is located along the property frontage, adjacent to W. Hayes Street. The acquisition of this easement will allow completion of the W. Hayes Street Improvements Project. The Public Utility Easement will allow a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate and maintain public utilities on the described land.

**FINANCIAL IMPACT:**

The cost to the City for the Public Utility Easement is \$1,639.00 and will be taken from the approved W. Hayes Street Improvements Project budget.

**ATTACHMENTS**

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

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A Copy of the properly signed public utility easement documents is included in Exhibit "A" and Exhibit "B".

AFTER RECORDING RETURN TO:

Woodburn City Recorder  
City of Woodburn  
270 Montgomery Street  
Woodburn, OR 97071

**CITY OF WOODBURN, OREGON  
PUBLIC UTILITY EASEMENTS**

Claudia Schiedler and David Schiedler GRANTORS, grants to the CITY OF WOODBURN, OREGON, hereinafter called CITY, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain public utilities on the following described land:

*See attached Exhibit "A" Legal Description of Permanent Easement and attached Exhibit "B" Sketch for Legal Description of Permanent Easement which are by this reference incorporated herein*

GRANTOR reserves the right to use the surface of the land for any purpose that will not be inconsistent or interfere with the use of the easement by CITY. No building or utility shall be placed upon, under, or within the property subject to the foregoing easement during the term thereof, however, without the written permission of CITY.

Upon completion of the construction, CITY shall restore the surface of the property to its original condition and shall indemnify and hold GRANTOR harmless against any and all loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is one-thousand six hundred and thirty nine (\$1,639.00) dollars, and other valuable consideration, the receipt of which is acknowledged by GRANTOR.

GRANTOR covenants to CITY that GRANTOR is lawfully seized in fee simple of the above-granted premises, free from all encumbrances and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to CITY against the lawful claims and demands of all persons claiming by, through, or under GRANTOR.

DATED this 8th day of February, 2022.

BY: Claudia Schiedler, owner

BY: David Schiedler, owner

PERSONAL ACKNOWLEDGEMENT

STATE OF OREGON, County of Marion ss.

The foregoing instrument was acknowledged before me this February 8 day of \_\_\_\_\_, 2022 by \_\_\_\_\_

David Schiedler and Claudia Schiedler

Miranda Lee Taylor

NOTARY PUBLIC FOR OREGON

My Commission Expires: 3/4/23



City of Woodburn  
270 Montgomery Street  
Woodburn, OR 97071

(Grantee's Name and Address)

By Signature below, the City of Woodburn, Oregon,  
Approves and Accepts this Conveyance Pursuant to  
ORS 93.808.

City Recorder:

\_\_\_\_\_  
Heather Pierson



**EXHIBIT A**

**City of Woodburn**  
Public Utility Easement  
SEPTEMBER 9, 2020

**PUBLIC UTILITY EASEMENT**

A parcel of land lying in the SW 1/4 of the SW 1/4 of Section 7, Township 5 South, Range 1 West, W.M., Marion County, Oregon and being a portion of that property described in that Statutory Bargain and Sale Deed to David and Claudia Schiedler recorded September 27, 2013 in Instrument 2013 00044004, Marion County Records; the said parcel being that portion of said property included in a strip of land 5.00 feet wide lying on the North side of the center line of West Hayes Street, which center line is described as follows:

Beginning at the center line intersection of Cascade Drive and West Hayes Street at Engineer's center line Station 13+36.84, said station being the southwest corner of the George Leasure D.L.C. No 78; Thence South 86°56'07" East, 2,603.38 feet to the center line intersection of Settlemier Street and West Hayes Street at Engineer's Station 39+40.22.

Center line Stationing is based upon Survey 39225, Marion County Survey Records.

The said 5.00 foot wide strip of land lays south of the following described line:

Station	to	Station	Width on North Side of Center Line
28+65.00		30+00.00	30.00'

This description contains 554 Square Feet, more or less.

Except that portion laying within the existing right of way of West Hayes Street.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



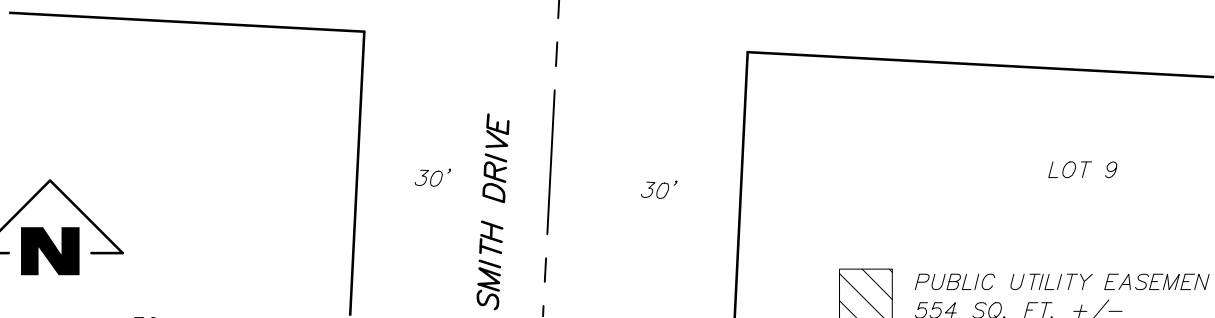
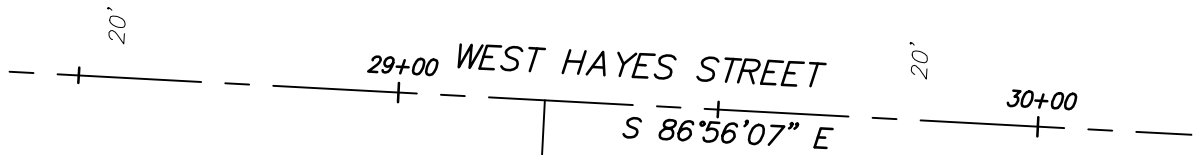
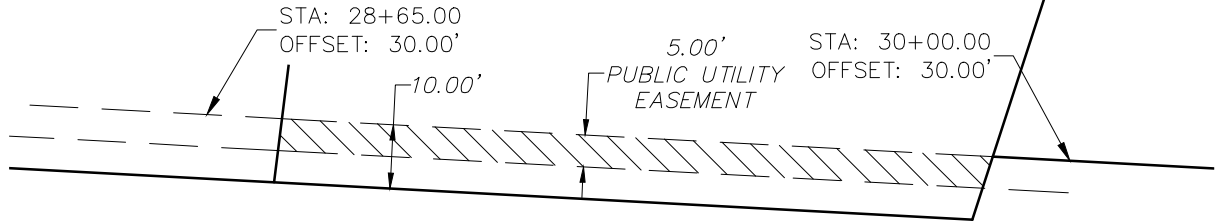
OREGON  
JULY 12, 2005  
ERIC D. LYNCH  
56544

EXPIRES 12-31-20

HALL'S HOME TRACTS

LOT 13      LOT 12

TAX MAP 051W07CC  
LOT 5900  
INST. 2013 00044004  
MARION COUNTY, OREGON



SCALE: 1" = 30'

 PUBLIC UTILITY EASEMENT  
554 SQ. FT. +/-

BASIS OF BEARINGS AND CENTER LINE STATIONING IS PER SURVEY 39225, MARION COUNTY SURVEY RECORDS.

PROJECT NO. 0492-016  
 ORIG. DATE: 9/9/2020  
 DRAWN BY: EDL  
 SHEET No. 2 OF 2

**EXHIBIT "B"**  
**PUBLIC UTILITY EASEMENT**  
 CITY OF WOODBURN  
 WOODBURN, OREGON

**EMERIO**  
*Design*

6445 SW FALLBROOK PLACE, SUITE 100  
 BEAVERTON, OREGON 97008  
 TEL: (503) 515-5528  
 FAX: (503) 639-9592  
 www.emeriodesign.com



# Agenda Item

March 14, 2022

TO: Honorable Mayor and City Council through City Administrator

FROM: Curtis Stultz, Public Works Director

SUBJECT: **Purchase and Acceptance of a Dedication Deed for Right-of-Way at 1315 W. Hayes Street, Woodburn, OR 97071 (Tax Lot 05S1W07CC05900)**

**RECOMMENDATION:**

Authorize the purchase and acceptance of a Right-of-Way Dedication Deed granted by Claudia Schiedler and David Schiedler, property owners of the property located at 1315 W. Hayes Street, Woodburn, OR 97071 (Tax Lot 051W07CC05900).

**BACKGROUND:**

In order to construct the W. Hayes Street Improvements, an 5-foot wide right-of-way dedication along the frontage of 1315 W. Hayes Street is required. The value of the right-of-way dedication was proportionately determined from the latest land value information provided by the Marion County Assessor's property records

**DISCUSSION:**

The 5-foot wide Right-of-Way dedication is located along the property frontage, adjacent to W. Hayes Street. The acquisition of this right-of-way will allow completion of the W. Hayes Street Improvements Project.

**FINANCIAL IMPACT:**

The cost to the City for the Right-of-Way Dedication is \$3,278.00 and will be taken from the approved W. Hayes Street Improvements Project budget.

**ATTACHMENTS**

A Copy of the Dedication Deed document is included in Exhibit "A" and Exhibit "B".

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

After Recording Return to:  
City Recorder  
City of Woodburn  
270 Montgomery Street  
Woodburn, Oregon 97071

Send Tax Statements to:  
City Recorder  
City of Woodburn  
270 Montgomery Street  
Woodburn, Oregon 97071

**DEDICATION DEED**  
(RIGHT OF WAY)

Claudia Schiedler and David Schiedler

1315 W. Hayes Street, Woodburn, OR 97071

, **Grantor**, does hereby grant to the **CITY OF WOODBURN**, a municipal corporation of the State of Oregon, **Grantee**, the following real property situated in the County of Marion, State of Oregon, to be used and held by the City of Woodburn for public street, road, right-of-way, and utility purposes, bounded and described as follows:

See attached **EXHIBIT A** Legal Description; and

See attached **EXHIBIT B** Drawing for Legal Description.

The true consideration for this conveyance is: \$ 3,278.00 , the receipt and sufficiency of which is hereby acknowledged by GRANTOR

GRANTOR hereby covenants to GRANTEE that GRANTOR is the fee title owner of the above described real property, free from all encumbrances, that GRANTOR has the right to convey the property to GRANTEE, and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the title to the property against all lawful claims and demands whatsoever.

Dated this 24<sup>th</sup> day of February, 2022

GRANTOR

Claudia Schiedler, owner  
David Schiedler, owner

By: [Signature]  
Title: n/a

State of Oregon )  
County of Marion ) ss.

This instrument was acknowledged before me on this 8<sup>th</sup> day of February, 2022  
by Claudia Schiedler and David Schiedler, as owner/grantor  
of Woodburn, Marion County, Oregon



Miranda Lee Taylor  
Notary Public for Oregon  
My Commission Expires 3/4/2023

**GRANTEE'S ACCEPTANCE**

By Signature below, the City of Woodburn, Oregon, hereby accepts this dedication pursuant to ORS 92.014.

By: \_\_\_\_\_  
Title: \_\_\_\_\_

State of Oregon )  
County of Marion ) ss.

This instrument was acknowledged before me on \_\_\_\_\_, \_\_\_\_\_, by Scott Derickson, City Administrator of the City of Woodburn, acting under authority granted to him by the Woodburn City Council.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires \_\_\_\_\_

**EXHIBIT A**

**City of Woodburn**  
Right of Way Dedication  
SEPTEMBER 9, 2020

**RIGHT OF WAY DEDICATION**

A parcel of land lying in the SW 1/4 of the SW 1/4 of Section 7, Township 5 South, Range 1 West, W.M., Marion County, Oregon and being a portion of that property described in that Statutory Bargain and Sale Deed to David and Claudia Schiedler recorded September 27, 2013 in Instrument 2013 00044004, Marion County Records; the said parcel being that portion of said property included in a strip of land lying on the North side of the center line of West Hayes Street, which center line is described as follows:

Beginning at the center line intersection of Cascade Drive and West Hayes Street at Engineer's center line Station 13+36.84, said station being the southwest corner of the George Leasure D.L.C. No 78; Thence South 86°56'07" East, 2,603.38 feet to the center line intersection of Settlemier Street and West Hayes Street at Engineer's Station 39+40.22.

Center line Stationing is based upon Survey 39225, Marion County Survey Records.

The said strip of land lays south of the following described line:

Station	to	Station	Width on North Side of Center Line
28+65.00		30+00.00	25.00'

This description contains 549 Square Feet, more or less.

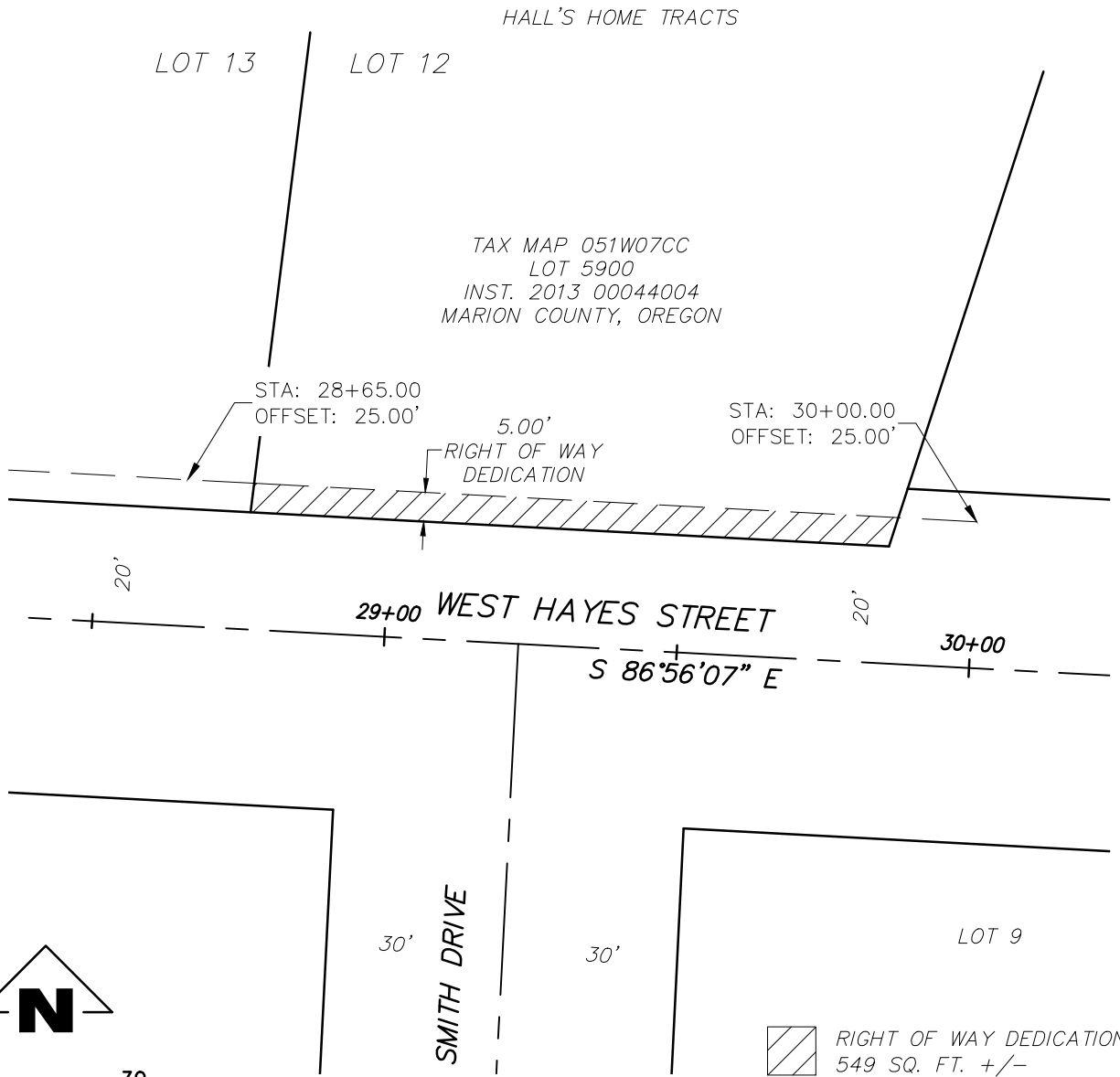
Except that portion laying within the existing right of way of West Hayes Street.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 12, 2005  
ERIC D. LYNCH  
56544

EXPIRES 12-31-20



BASIS OF BEARINGS AND CENTER LINE STATIONING IS PER SURVEY 39225, MARION COUNTY SURVEY RECORDS.

PROJECT NO. 0492-016  
ORIG. DATE: 9/9/2020  
DRAWN BY: EDL  
SHEET No. 2 OF 2

**EXHIBIT "B"**  
**RIGHT OF WAY DEDICATION**  
CITY OF WOODBURN  
WOODBURN, OREGON

**EMERIO**  
*Design*

6445 SW FALLBROOK PLACE, SUITE 100  
BEAVERTON, OREGON 97008  
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# Agenda Item

March 14, 2022

TO: Honorable Mayor and City Council through City Administrator  
THRU: Martin Pilcher, Chief of Police  
FROM: Keith Kimberlin, Lieutenant  
SUBJECT: **Liquor License Application**

## **RECOMMENDATION:**

Recommend that the OLCC approve the **Liquor License Application** for S & J Holdings LLC. (End Zone Bar and Grill)

## **BACKGROUND:**

Applicant: S & J Holdings LLC- (End Zone Sports Bar and Grill)  
980 N. Pacific Hwy  
Woodburn, OR 97071  
503-930-6356

Point of  
Contact: John Joseph Enyeart  
715 SE Peacock Land  
Portland, OR 97214  
503-519-5695

Business: End Zone Sports Bar and Grill  
980 N. Pacific Hwy  
Woodburn, OR 97071  
503-982-3309

Owner(s): John Enyeart & Sherman Harris

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_



License Type(s):

**Full On-Premises, Commercial** - May sell and serve distilled spirits, malt beverages, wine, and cider for consumption at the business location. May sell malt beverages for off-site consumption in securely covered containers provided by the customer. May sell cocktails and wine to-go in sealed containers as of June 11, 2021. Food service required. Must purchase distilled liquor only from an Oregon Liquor store, or from another full On-Premises Sales licensee who has purchased the distilled liquor from an Oregon Liquor store.

On January 24, 2022, the Woodburn Police Department received an application for Full On-Premises commercial sales for the End Zone Bar and Grill. The business currently operates as a Sports Bar and Grill located at 980 N. Pacific Highway.

The hours of operation are 9 AM to 1 AM Sunday through Saturday. There is noted entertainment planned at the business to include Recorded Music, Coin-Operated Games, Pool Tables, and Video Lottery Machines. The Woodburn Police Department has not received any communication from the public or surrounding businesses in support of or against the proposed change.

**DISCUSSION:**

The Police Department has completed a background investigation of S & J Holdings LLC. (End Zone Sports Bar and Grill), and the listed owners, Sherman Harris and John Enyeart, through various police databases and business related databases. John Enyeart holds a valid Oregon driver's license, and Sherman Harris holds a valid Washington driver's license. Nothing of concern was located for Sherman or Harris.

Woodburn Police responded to five reports of fights, including one where a gun was waved at customers, as well as two DUIL's directly related to the End Zone in the 2021 calendar year.

**FINANCIAL IMPACT:**

None



# Agenda Item

March 14, 2022

TO: Honorable Mayor and City Council  
FROM: N. Robert Shields, City Attorney  
SUBJECT: **Government Law Section Executive Committee**

**RECOMMENDATION:**

Receive the report.

**BACKGROUND/DISCUSSION:**

McKenzie Granum, Assistant City Attorney, was recently elected to the Executive Committee of the Government Law Section of the Oregon State Bar.

The Government Law Section has a membership of approximately 500 government lawyers and is governed by its 16 member Executive Committee. It was quite a professional honor for McKenzie to be selected by the Government Law Section members to sit on this statewide committee. Since this will also be of benefit to the City, I wanted to bring it to your attention.

**FINANCIAL IMPACT:**

None.

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_x\_\_\_

**CITY OF WOODBURN**  
**Economic and Development Services Department**

**MEMORANDUM**

270 Montgomery Street

Woodburn, Oregon 97071

(503) 982-5246

**Date:** March 1, 2022  
**To:** Chris Kerr, Community Development Director  
**From:** Melissa Gitt, Building Division  
**Subject:** Building Activity for February 2022

	2020		2021		2022	
	No.	Dollar Amount	No.	Dollar Amount	No.	Dollar Amount
Single-Family Residential	0	\$0	23	\$5,913,459	33	\$10,176,266
Multi-Family Residential	0	\$0	0	\$0	2	\$2,506,880
Assisted Living Facilities	0	\$0	0	\$0	0	\$0
Residential Adds & Alts	1	\$3,000	3	\$64,068	4	\$151,048
Industrial	0	\$0	0	\$0	0	\$0
Commercial	3	\$460,574	2	\$105,041	4	\$1,130,808
Signs and Fences	0	\$0	0	\$0	0	\$0
Manufactured Homes	0	\$0	0	\$0	0	\$0
<b>TOTALS</b>	4	\$463,574	28	\$6,082,568	43	\$13,965,002
<b>Fiscal Year to Date (July 1 – June 30)</b>		<b>\$15,018,651</b>		<b>\$29,879,984</b>		<b>\$514,433,996**</b>

- Totals calculated from permit valuation

**\*\*Project Basie (Amazon) permit valuation is \$451,339,834**



# Agenda Item

March 14, 2022

TO: Honorable Mayor and City Council through City Administrator

FROM: Curtis Stultz, Public Works Director

SUBJECT: **Placement of Stop Signs at Street Connections to Woodland Avenue and Willow Avenue**

**RECOMMENDATION:**

Adopt the attached resolution authorizing the installation of stop signs and stop pavement marking lines on Willow Avenue, Nekia Street, Jory Street, Steven Street and Camas Street which connect to Willow Avenue and Woodland Avenue.

**BACKGROUND:**

The concern is that traffic has increased since the reconfiguration of the Woodland Avenue/Myrtle Avenue intersection and the completion of the I-5 Interchange Project. Because left turns are no longer permitted on Myrtle Avenue, more vehicles have been using the residential streets mentioned above.

Woodland Avenue is an access street that will carry more traffic as the recently annexed and under construction Woodland Crossing Apartments property develops in the next year. Staff reviewed the existing conditions and recommends the installation of stop signs and stop pavement marking lines at these locations.

**DISCUSSION:**

The Manual of Uniform Traffic Control Devices (MUTCD) states that stop signs can be warranted on streets that enter a through street or with the intersection of a less important road with a main road. The Woodburn Transportation System Plan (WTSP) classifies Woodland Avenue as an access street, and connection streets as local residential streets.

**FINANCIAL IMPACT:**

Estimated cost for installation of stop signs and stop lines is \$4500. All estimated costs include materials and labor, which will be funded from the regular Street Maintenance Budget.

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Agenda Item Review: City Administrator  City Attorney  Finance

COUNCIL BILL NO. 3173

RESOLUTION NO. 2183

**A RESOLUTION DIRECTING THAT STOP SIGNS AND STOP PAVEMENT MARKINGS BE INSTALLED ON WILLOW AVENUE, NEKIA STREET, JORY STREET, STEVEN STREET AND CAMAS STREET WHICH CONNECT TO WILLOW AVENUE AND WOODLAND AVENUE**

**WHEREAS**, ORS Chapter 810 grants the City of Woodburn, the authority to install stop signs at various locations within the City limits, and

**WHEREAS**, the City Council has received and considered the attached staff report recommending that STOP signs and STOP PAVEMENT MARKING LINES be placed on Willow Avenue, Nekia Street, Jory Street, Steven Street and Camas Street which connect to Willow Avenue and Woodland Avenue; **NOW THEREFORE**,

**THE CITY OF WOODBURN RESOLVES AS FOLLOWS:**

**Section 1.** That STOP SIGNS and STOP PAVEMENT MARKING LINES be installed on Willow Avenue, Nekia Street, Jory Street, Steven Street and Camas Street which connect to Willow Avenue and Woodland Avenue as shown in "Figure 1", which is attached to this resolution.

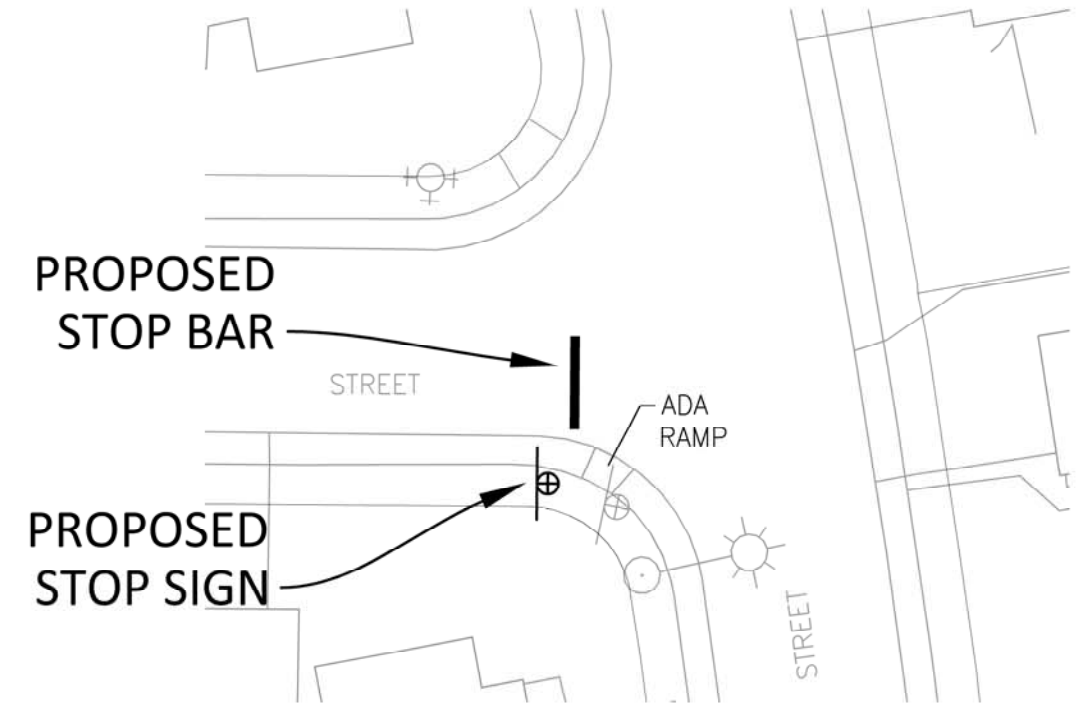
Approved as to form: \_\_\_\_\_  
City Attorney Date


Approved: \_\_\_\_\_  
Eric Swenson, Mayor

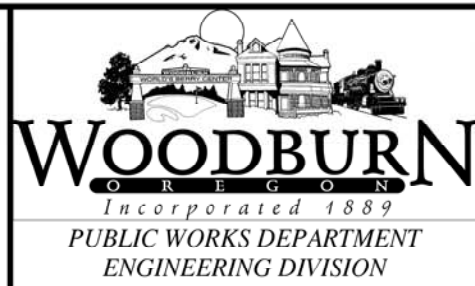
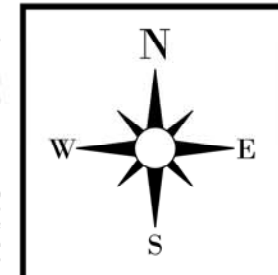
Passed by Council \_\_\_\_\_  
Submitted to the Mayor \_\_\_\_\_  
Approved by the Mayor \_\_\_\_\_  
Filed in the Office of the Recorder \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Heather Pierson, City Recorder  
City of Woodburn, Oregon

# FIGURE #1



 AT EACH LOCATION (9)  
PROPOSED STOP SIGN  
AND STOP BAR, TYPICAL.



PROJECT TITLE: WOODLAND & WILLOW AVE STOP SIGNS	
DRAWING NAME: PROPOSED STOP SIGN LOCATIONS	
PROJ. NO: 12-2021	DESIGNED: GK
DWG. NO: P-1	DRAWN BY: GK
DATE:	REVIEWED: DG
SCALE: NTS	APPROVED:



# Agenda Item

March 14, 2022

TO: Honorable Mayor and City Council through City Administrator

FROM: Curtis Stultz, Public Works Director

SUBJECT: **Placement of Stop Signs at Street Intersection of Harvard Drive and Newly Constructed Ben Brown Lane.**

**RECOMMENDATION:**

Adopt the attached resolution authorizing the installation of stop signs and stop pavement marking lines on Harvard Drive North and South of Ben Brown Lane.

**BACKGROUND:**

The concern is that traffic has increased since the development of the Smith Creek Subdivision. This particular intersection currently has stop signs installed only on the east bound and west bound traffic. Traffic traveling north and south does not stop. Stubb Road will soon be improved and continue to be connected to Parr Rd.

Stubb Road, Harvard Drive and Ben Brown Lane are all access streets that will carry more traffic as the recent subdivision develops in the next year. Staff reviewed the existing conditions and recommends the installation of stop signs and stop pavement marking lines at these locations.

**DISCUSSION:**

The Manual of Uniform Traffic Control Devices (MUTCD) states that stop signs can be warranted on streets that enter a through street or with the intersection of a less important road with a main road. The Woodburn Transportation System Plan (WTSP) classifies these streets as access streets and placement of stop signs is intended to help drivers and pedestrians at an intersection.

**FINANCIAL IMPACT:**

Estimated Cost for installation of stop signs and stop lines is \$4500. All estimated costs include materials and labor, which will be funded from the regular Street Maintenance Budget.

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Agenda Item Review: City Administrator  City Attorney  Finance

COUNCIL BILL NO. 3174

RESOLUTION NO. 2184

**A RESOLUTION DIRECTING THAT STOP SIGNS AND STOP PAVEMENT MARKINGS BE INSTALLED ON HARVARD DRIVE NORTH AND SOUTH OF BEN BROWN LANE**

**WHEREAS**, ORS Chapter 810 grants the City of Woodburn, the authority to install stop signs at various locations within the City limits, and

**WHEREAS**, the City Council has received and considered the attached staff report recommending that STOP signs and STOP PAVEMENT MARKING LINES be placed on Harvard Drive North and South of Ben Brown Lane; **NOW THEREFORE**,

**THE CITY OF WOODBURN RESOLVES AS FOLLOWS:**

**Section 1.** That STOP SIGNS and STOP PAVEMENT MARKING LINES be installed on Harvard Drive North and South of Ben Brown Lane as shown in "Figure 1", which is attached to this resolution.

Approved as to form: \_\_\_\_\_  
City Attorney Date

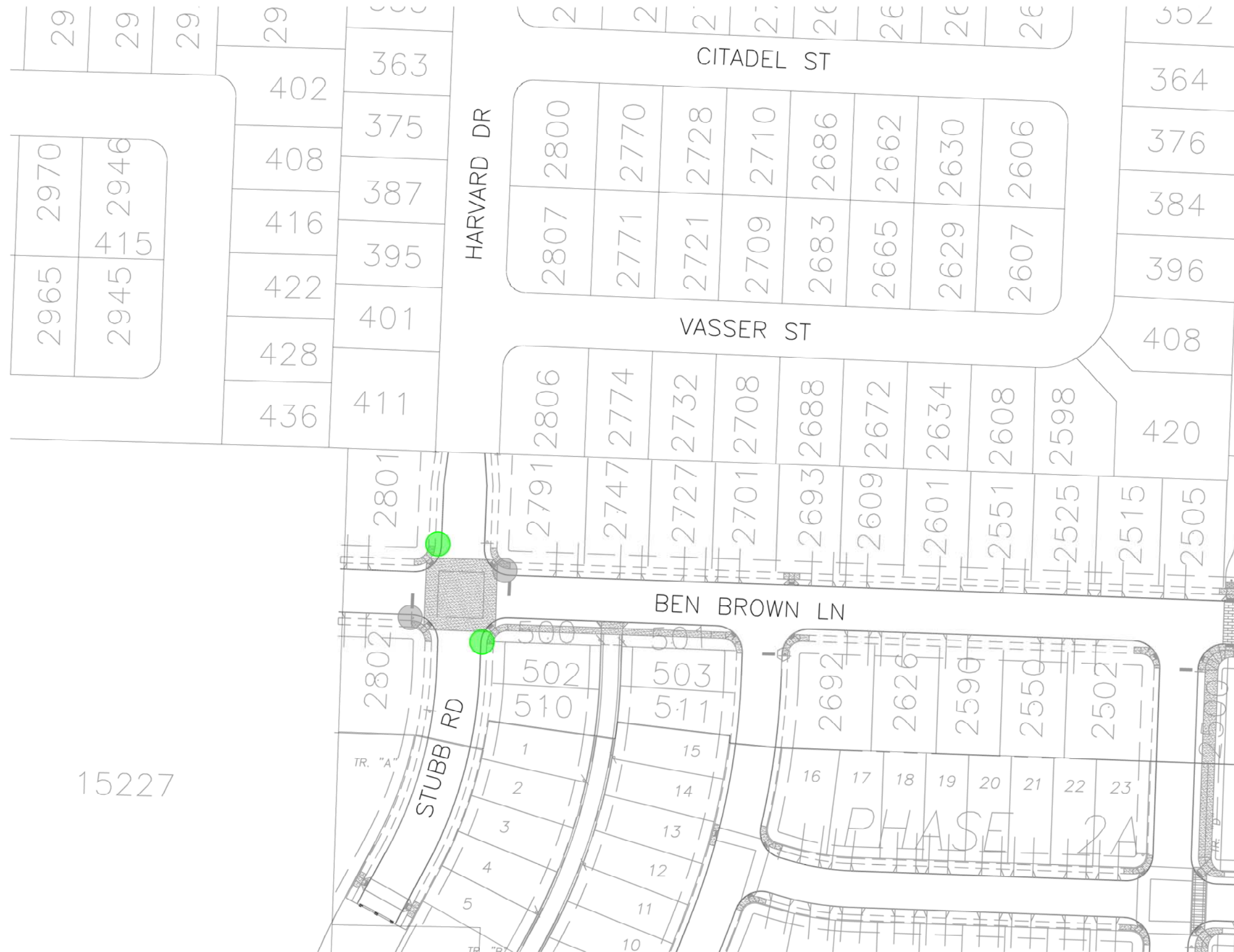
Approved: \_\_\_\_\_  
Eric Swenson, Mayor

Passed by Council \_\_\_\_\_  
Submitted to the Mayor \_\_\_\_\_  
Approved by the Mayor \_\_\_\_\_  
Filed in the Office of the Recorder \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Heather Pierson, City Recorder  
City of Woodburn, Oregon

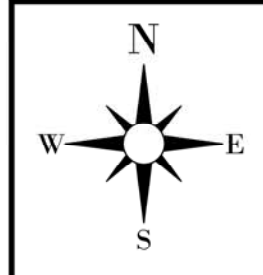


Figure 1



**NOTE:**  
 INSTALL NEW POLE AND SIGN  
 AT MARKED LOCATIONS,  
 PER MUTCD REQUIREMENTS

- INSTALL NEW STOP SIGN
- EXISTING STOP SIGN



PROJECT TITLE: SMITH CREEK – STOP SIGNS	
DRAWING NAME: PROPOSED SIGN LOCATIONS	
PROJ. NO: 1-2022	DESIGNED: GK
DWG. NO: P-1	DRAWN BY: GK
DATE:	REVIEWED: DG
SCALE: NTS	APPROVED:



# Agenda Item

March 14, 2022

TO: Honorable Mayor and City Council through City Administrator  
FROM: Curtis Stultz, Public Works Director  
SUBJECT: **Placement of Stop Signs Relocation at the Street Intersection of Austin Avenue and McLaughlin Drive**

## **RECOMMENDATION:**

Adopt the attached resolution authorizing the installation of stop signs and stop pavement marking lines on Austin Avenue east and west of McLaughlin Drive, and the removal of stop signs on McLaughlin Drive north and south at the same location.

## **BACKGROUND:**

The concern is that traffic has increased since the development of the Smith Creek Subdivision. This particular intersection currently has stop signs installed on the north and south bound McLaughlin Drive. New Traffic traveling east and west does not stop on Austin Drive, which to the east was a dead end street until Austin Drive was completed into the new Smith Creek Subdivision.

Staff reviewed the existing conditions and recommends the installation of stop signs and stop pavement marking lines at this location be modified to best reflect traffic on a local through street.

## **DISCUSSION:**

The Manual of Uniform Traffic Control Devices (MUTCD) states that stop signs can be warranted on streets that enter a through street or with the intersection of a less important road with a main road. The Woodburn Transportation System Plan (WTSP) classifies these streets as access streets and placement of stop signs is intended to help drivers and pedestrians at an intersection.

## **FINANCIAL IMPACT:**

Estimated Cost for installation of stop signs and stop lines is \$4500. All estimated costs include materials and labor, which will be funded from the regular Street Maintenance Budget.

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

COUNCIL BILL NO. 3175

RESOLUTION NO. 2185

**A RESOLUTION DIRECTING THAT STOP SIGNS AND STOP PAVEMENT MARKINGS BE INSTALLED ON AUSTIN AVENUE EAST AND WEST OF MCLAUGHLIN DRIVE AND DIRECTING THE REMOVAL OF STOP SIGNS ON MCLAUGHLIN DRIVE NORTH AND SOUTH AT THE SAME LOCATION**

**WHEREAS**, ORS Chapter 810 grants the City of Woodburn, the authority to install stop signs at various locations within the City limits; and

**WHEREAS**, the City Council has received and considered the attached staff report recommending that STOP signs and STOP PAVEMENT MARKING LINES be placed on Austin Avenue east and west of Mclaughlin Drive and directing the removal of stop signs on Mclaughlin Drive north and south at the same location.; **NOW THEREFORE**,

**THE CITY OF WOODBURN RESOLVES AS FOLLOWS:**

**Section 1.** That STOP SIGNS and STOP PAVEMENT MARKING LINES be installed on Austin Avenue east and west of Mclaughlin Drive and directing the removal of stop signs on Mclaughlin Drive north and south at the same location as shown in "Figure 1", which is attached to this resolution.

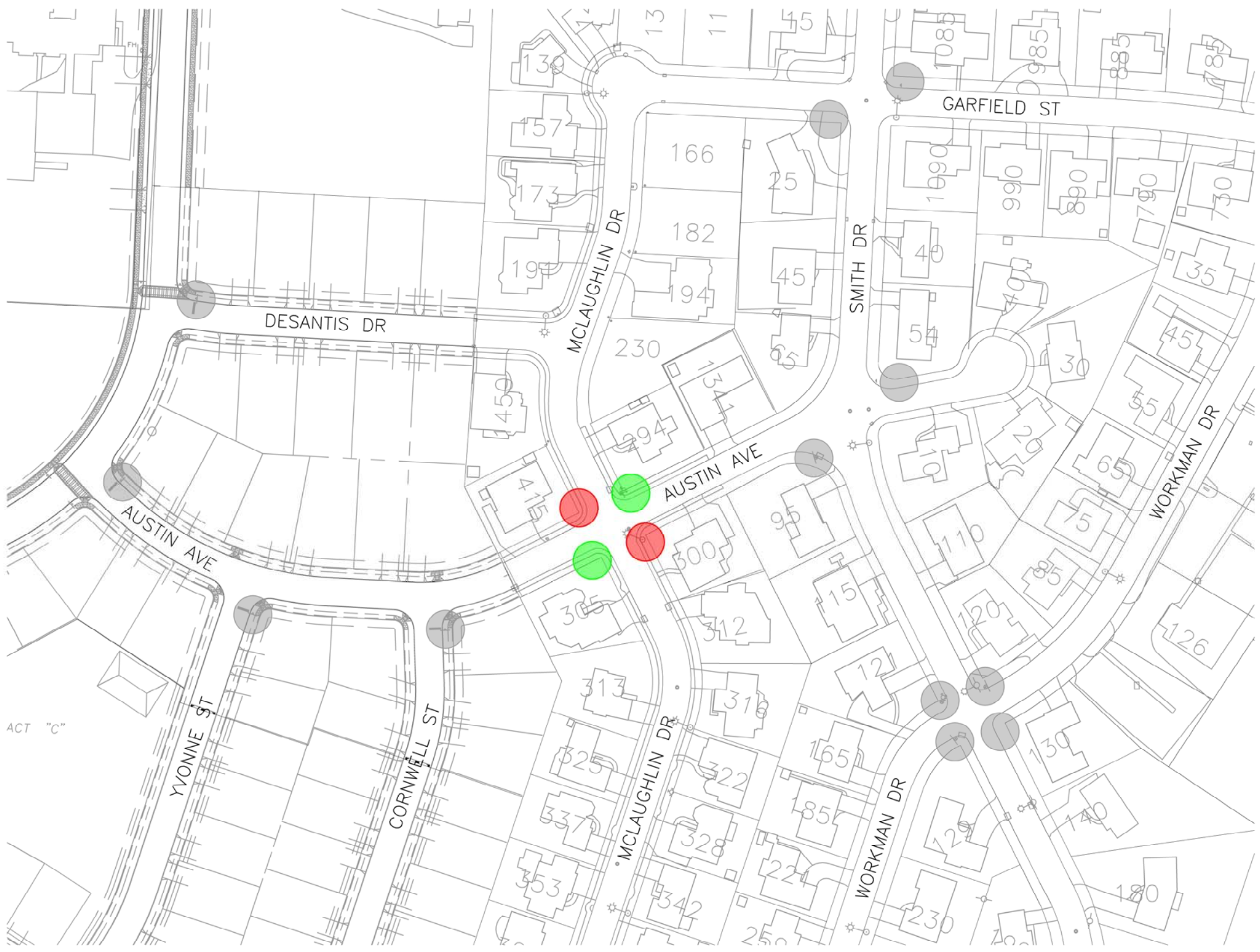
Approved as to form: \_\_\_\_\_  
City Attorney Date

Approved: \_\_\_\_\_  
Eric Swenson, Mayor

Passed by Council \_\_\_\_\_  
Submitted to the Mayor \_\_\_\_\_  
Approved by the Mayor \_\_\_\_\_  
Filed in the Office of the Recorder \_\_\_\_\_

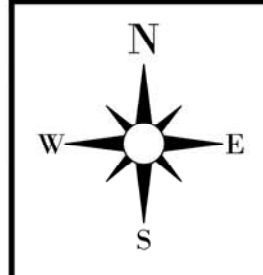
ATTEST: \_\_\_\_\_  
Heather Pierson, City Recorder  
City of Woodburn, Oregon

Figure 1



**NOTE:**  
 INSTALL NEW POLE AND SIGN  
 AT MARKED LOCATIONS,  
 PER MUTCD REQUIREMENTS

- INSTALL NEW STOP SIGN
- REMOVE EXISTING STOP SIGN
- EXISTING STOP SIGN



PROJECT TITLE: SMITH ADDITION – STOP SIGNS	
DRAWING NAME: PROPOSED SIGN LOCATIONS	
PROJ. NO: 1-2022	DESIGNED: GK
DWG. NO: P-1	DRAWN BY: GK
DATE:	REVIEWED: DG
SCALE: NTS	APPROVED:



# Agenda Item

March 14, 2022

TO: Honorable Mayor and City Council (acting in its capacity as the Local Contract Review Board) through City Administrator

FROM: Kathleen McClaskey, Transit Manager

SUBJECT: **Award of Contract for Transit Vehicle Purchases**

**RECOMMENDATION:**

Authorize the City Administrator to purchase two Cut-A-Way vehicles from Creative Bus Sales for \$282,264 pursuant to the ODOT vehicle procurement program.

**BACKGROUND:**

The City's Transit Division identified a need to replace two of the oldest Cut-A-Way transit vehicles in its fleet, the 2008 Ford and 2011 Chevy Cut-A-Ways. The vehicles, which have 100,000 miles and 80,000 miles, respectively, are driven on the City's Dial-A-Ride paratransit routes. Both vehicles exceed the Oregon Department of Transportation's (ODOT) useful life standard of five years. In recent years, the Cut-A-Ways have had more significant and costly repairs, contributing to their need for replacement.

Staff completed an ODOT-approved vehicle procurement process for the Cut-A-Ways and the ARBOC Spirit of Independence was determined to be the best Cut-A-Way vehicle for the Transit Division's need. It is available from the Creative Bus Sales vendor. The current Cut-A-Ways and the ARBOC vehicles are small, gasoline-fueled, light-duty buses with a similar numbers of seats. The ARBOC has 10 passenger seats with two ADA mobility device stations. The new vehicles will have useful lives of at least 4 years, or 100,000 miles. The City is familiar with the ARBOC vehicle make; Transit's fleet currently includes an ARBOC that runs well and requires few repairs. The ARBOC Independence includes a low-floor feature to accommodate passengers, an upgraded A/C system, safety signage, a security camera system, an LED destination sign to help passenger identify the bus route, and a walker/grocery area to store these items out of the way.

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Agenda Item Review: City Administrator  City Attorney  Finance

**DISCUSSION:**

This purchase is consistent with the 2010 Transit Plan, which recommends the purchase of low-floor vehicles. Low-floor vehicles offer several advantages over standard high-floor buses including faster boarding and de-boarding, especially for the elderly or individuals with mobility devices. Low-floor buses have more reliable and easier-to-operate ramp mechanisms for boarding and de-boarding passengers in wheelchairs or mobility devices. Low-floor buses also facilitate easier boarding for children, passengers carrying groceries, strollers, and other large loads. Low-floor buses also tend to be more “modern” and can help enhance the image of transit in the community.

**FINANCIAL IMPACT:**

The purchase price for the two vehicles will be \$282,264. The City will use ODOT-administered Statewide Transportation Improvement Funds (STIF) for the purchase.

Vehicle expenditures will also include snow tires and vehicle graphics estimated at \$13,000 or less. The City will use STIF funds for these purchases.

Bus production and delivery currently have long lead times due, in part, to pandemic-related workforce issues and a worldwide microchip shortage. Because of this, payment will likely occur in about 12 months, after a spring 2023 delivery.

Attachments

- Creative Bus Sales' Response to Request for Transit Vehicle Price Quote (RFQ)
- ARBOC Spirit of Independence Floor Plan



**Buyer's Order Contract**

<b>Date:</b>	February 17, 2022	<b>Unit #(s):</b>	TBD
<b>Customer Name:</b>	City of Woodburn		
<b>Contact:</b>	Kathleen McClaskey	<b>Phone:</b>	503.982.5245
<b>Address:</b>	270 Montgomery St.	<b>Fax:</b>	
<b>City, State, Zip:</b>	Woodburn, OR 97071	<b>E-Mail:</b>	<a href="mailto:kathleen.mcclaskey@ci.woodburn.or.us">kathleen.mcclaskey@ci.woodburn.or.us</a>
<b>Sys2K Entity #:</b>		<b>Salesperson:</b>	Ken Jarmer
<b>Ship To Address:</b>	Attn: Kathleen McClaskey - City of Woodburn - 270 Montgomery St.		
<b>Ship To Address Cont'd:</b>	Woodburn, OR 97071		
<b>Ship To Phone:</b>	503.982.5245	<b>Ship To Email:</b>	kathleen.mcclaskey@ci.woodburn.or.us
<b>Finance Source:</b>		<b>Contact:</b>	
<b>Address:</b>		<b>Phone:</b>	
<b>City, State, Zip:</b>		<b>Fax:</b>	
<b>Description of Vehicle:</b>	ARBOC Spirit of Independence		
<b>VIN #:</b>			
<b>Engine Type:</b>	Gas	<b>FOB Terms:</b>	Shipping
<b>Number of Passengers:</b>	10	<b>Wheelchair Positions:</b>	2
<b>Estimated Delivery Date:</b>	September 9, 9999	<b>Payment Terms:</b>	
		Unit Price	\$ 141,409.00
		Delivery	\$ -
<b>Possession State:</b>	<b>OR</b>	Incentive (Non-Taxable)	\$ -
		Rebates (Taxable)	\$ (1,000.00)
		Doc Prep Fee (Taxable)	\$ -
		<b>Base Selling Price</b>	<b>\$ 140,409.00</b>
		Total Taxable Amount	\$ 135,909.00
		<b>Sales Tax</b>	<b>\$ -</b>
<b>0.000%</b>	<b>OR - Exempt</b>	Veh Priv Tax:	\$ 679.55
<b>Notes:</b>	Sales tax is calculated based on the state or country in which customer takes possession of vehicle. Sales tax will be charged to customers taking possession in AZ, CA, CO, FL, IN, NM, NV, OK, OR, SC, TX, WA, Canada, and Mexico. All rebates and incentives will be signed over to Creative Bus Sales California State Tire Fee of \$1.75 per tire applies to all new vehicle purchase or leases.		
		Oregon Trip Permit:	\$ 43.00
			\$ -
		DMV Estimated Fees	\$ -
		DMV Electronic Filing Fee	\$ -
		Tire Fee	\$ -
		<b>Fees Sub-Total</b>	<b>\$ 722.55</b>
		<b>Total Price Per Unit</b>	<b>\$ 141,131.55</b>
		Quantity	2
		<b>Contract Total</b>	<b>\$ 282,263.10</b>
		<b>0.00</b>	
		Customer Net Trade	\$ -
		Customer Deposit	\$ -
			\$ -
		<b>Balance Due</b>	<b>\$ 282,263.10</b>

**Remit To:** Creative Bus Sales, Inc. 14740 Ramona Ave, Chino CA 91710

**Terms:** The deposit if indicated above is due with this signed contract. The balance due indicated above is due before vehicle(s) will be released to the Customer. If the vehicle(s) is not accepted by the Customer, the vehicle will be available for sale to other customers. The vehicle(s) will not be titled to the Customer until the contract total indicated above plus any interest charges indicated herein are paid in full. There is no "cooling off" or other cancellation period for vehicle sales. Therefore, you cannot later cancel this contract without the agreement of the Dealership, or for legal cause. The tax and fees reflected on this agreement are based on the regulations applicable at the time of drafting this contract. The actual amounts due will be based on the regulations applicable at the time title for each vehicle transfer.

**Buyer's Signature:** \_\_\_\_\_

**Creative Bus Sales:** Ken Jarmer \_\_\_\_\_ **2/17/2022**

**CBS Signature:** \_\_\_\_\_

\*PRELIMINARY DESIGN SCHEME: TO BE CONFIRMED AT ENGINEERING REVIEW COMPLETION, OR DESIGN COMPLETION OF CHANGE ORDER\*

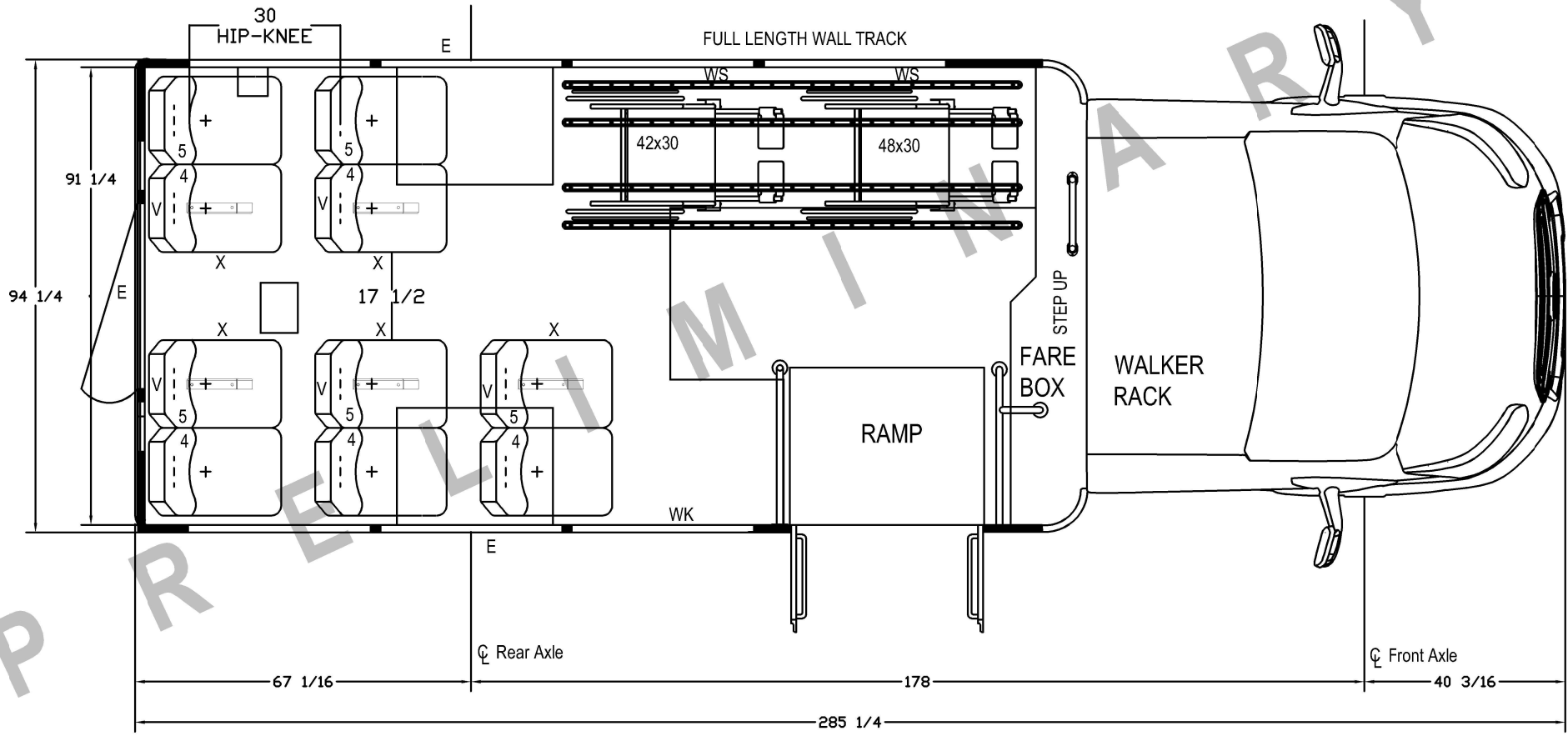
DEALER SIGNATURE:

DATE:

NOTES:

- 1. E - EGRESS WINDOW
- 2. V - GRAB HANDLE
- 3. X - US ARMREST
- 4. MID BACK DBL FIXED SEAT
- 5. USR DBL SEATBELT
- 6. WK - WALKER HOLDER
- 7. WS - WALL STORAGE

REVISIONS				
REV	DESCRIPTION	BY	DATE	CHECKED BY
-	-	-	-	-







# Agenda Item

March 14, 2022

TO: Honorable Mayor and City Council through City Administrator

FROM: Chris Kerr, Community Development Director *CK*

SUBJECT: **Call-Up Briefing: Planning Commission approval of a Preliminary Subdivision and Variance application package for 913 & 959 Hardcastle Avenue (SUB 21-01 and VAR 22-02)**

## **RECOMMENDATION:**

Staff recommends no action and briefs the Council on this item pursuant to Woodburn Development Ordinance (WDO) Section [4.02.02](#). The Council may call up this item for review if desired and, by majority vote, initiate a review of this decision.

## **BACKGROUND:**

The Planning Commission held a public hearing via the GoToMeeting teleconference platform on February 24, 2022 and unanimously approved the Preliminary Subdivision (SUB) and Variance (VAR) application package with the conditions recommended by staff through the staff report. No public testimony was received, only the applicant spoke during the hearing.

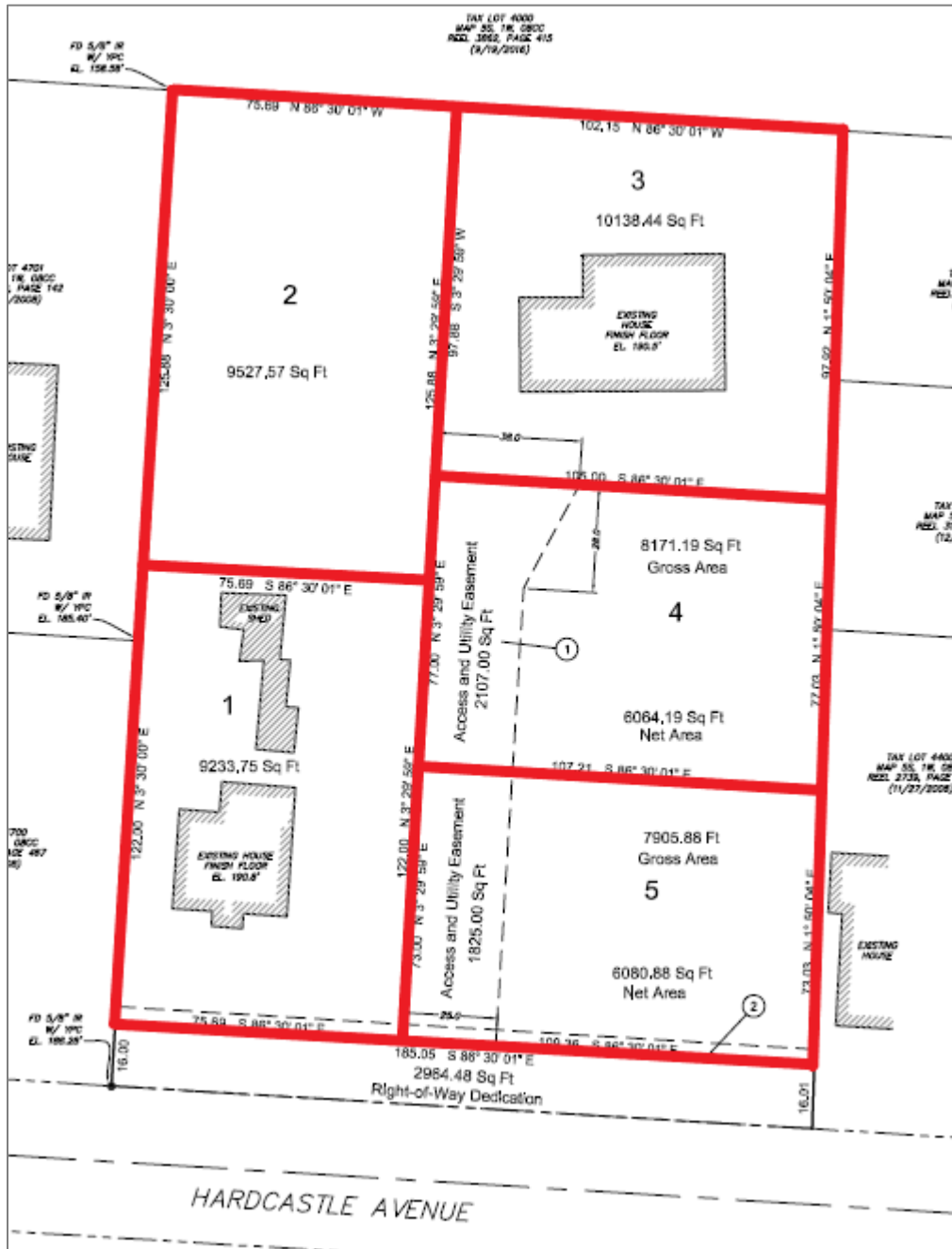
The subject properties are 913 & 959 Hardcastle Avenue, a site totaling 1.17 acres in the Single-Family Residential (RS) zoning district. There are two existing single-family detached dwellings, one on each property. The applicant proposed to subdivide the site into five lots; the existing dwellings will occupy two of the new lots and the applicant proposed to construct three new single-family detached dwellings for the other three lots.

The applicant included a single variance request regarding the definition of Front Lot Line and how it is used to measure lot depth, specifically for Lots 4 and 5. The request was to change the front lot line for these two lots to be the lot line

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_

abutting and most nearly parallel to the private shared driveway. The Commission approved this variance request.



Subdivision plan with new lots outlined in red



# Agenda Item

March 14, 2022

TO: Honorable Mayor and City Council through City Administrator  
FROM: Chris Kerr, Community Development Director *CK*  
SUBJECT: **Call-Up Briefing: Planning Commission approval of a Design Review application for 185 W. Hayes Street (DR 22-01)**

## **RECOMMENDATION:**

Staff recommends no action and briefs the Council on this item pursuant to Woodburn Development Ordinance (WDO) Section [4.02.02](#). The Council may call up this item for review if desired and, by majority vote, initiate a review of this decision.

## **BACKGROUND:**

The Planning Commission held a public hearing via the GoToMeeting teleconference platform on February 24, 2022 and unanimously approved the Design Review (DR) application with the conditions recommended by staff through the staff report. No public testimony was received, only the applicant's architect spoke during the hearing.

The subject property is 185 W. Hayes Street, within the Downtown Development and Conservation (DDC) zoning district. It is currently occupied by Trapala Restaurant.

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_



*Street view of Trapala Restaurant (photo taken 02/04/2022)*

The project approved by the Planning Commission is to demolish the existing outdoor seating area and construct an expansion of the building within this area.



*Artistic rendering of the proposed expansion*