

City of Sodaville
Regular Session Agenda
7/21/2022
7:00 PM – City Hall

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Visitors**
- 5. Bills**
- 6. Minutes**
 - 6/16/2022
 - 6/23/2022
- 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**
 - City Finances
 - City Update
- 9. Public Works Report**
 - Water Update
- 10. New Business**
 - A. Ordinance 22-05 & Committee Appointments
 - B. Ordinance 22-06
 - C. Contract Review Board: 2021-2022 Audit
- 11. Old Business**
- 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.*** The Council reserves the right to enter into Executive Session as needed to conduct City business in accordance with Oregon Public Meeting Law as clarified in the Oregon Attorney General’s Public Records and Meetings Manual or advised by counsel.

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.

“The City of Sodaville is an equal opportunity provider and employer.”

8. City Recorder's Report

Staff Summary: League of Oregon City Legislative Priorities

The League of Oregon Cities annually requests that Cities identify legislative priorities. Proposals are reviewed by Councilors and preferences are often tabulated by staff before being submitted to LOC by every member city's chief executive officer. The City Recorder requests designation to vote on the following proposals presented by the League of Oregon Cities:

1. **Infrastructure Finance and Resilience.** *The LOC will support state funding for infrastructure needed to support needed housing.* This proposal was at the bottom of the list for all participating Councilors, but it is the only proposal that has unanimous support, so it is ranked #1.
2. **Return to Work.** *Eliminate the sunset on the ability of retirees to return to work.* Score of 1.
3. **Property Tax Reform.** *The LOC will advocate for constitutional and statutory reforms to the property tax system to enhance local choice, equity, fairness, and adequacy.* Score of 1.25. Special Staff Note: This proposal is regularly put before cities to formally endorse the repeal of Measure 5, which limits property taxes to \$5 per assessed \$1,000, and Measure 50, which limits the increase of assessed value per year.
4. **Marijuana Tax.** *The LOC will continue to advocate for increased revenues from marijuana taxes. This may include proposals to restore state marijuana tax losses related to Measure 110 (2020) distribution changes, and to increase the current 3% cap on local marijuana taxes so local voters may choose a rate that reflects the needs of their community.* Score of 1.5.
5. **Place-Based, Water Resource Planning (Program Support).** *The LOC will advocate for the funding needed to complete existing place-based planning efforts across the state and identify funding to continue the program for communities that require this support.* Score of 2.5.

Suggested Motion: *I move to designate the City Recorder to submit the City's legislative priorities vote to the League of Oregon Cities.*

Oregon Cascades West Council of Governments

Sodaville has been a member of the Oregon Cascades West Council of Governments since 1980. The City's dues are covered by Linn County due to Sodaville's small size. This entity is governed by a Board of Directors comprising one elected official from every member government. Sodaville needs to designate a member of the Council charged with attending board meetings every other month. While the Council may designate a member, this member is authorized to ask the Mayor or an employee to participate on their behalf as long as the request is submitted in writing.

Suggested Motions:

- Mayor Perry: *I nominate [Council Member] to serve on the OCWCOG Board of Directors*
- Council Member: *I move to confirm [Council Member].*

9. Public Works Director's Report

City Water Policy

Councilors and staff have met with all Democratic and Republican candidates to represent Sodaville to the United States Congress, Oregon Legislative Assembly, and Linn County Board of Commissioners (except for one legislative candidate whose schedule is yet to be determined). The City will need to establish firm plans on the future of water by the end of the year in order to ensure that elected officials can submit funding requests or letters of support for legislation. Staff continue to review options but the Council should determine the best direction for the City to go so that we can work with partners to succeed. Options discussed so far include:

- Digging additional wells and investing in long-term storage facilities
- The InterTie Project with Lebanon
- Cooperating with the City of Waterloo to participate in the Lebanon InterTie project
- Build a treatment center in Waterloo to provide water to that City and then build an InterTie from Waterloo to Sodaville

10.A. Ordinance 22-05 & Committee Appointments

Staff Summary: Ordinance 22-05

Use of Sodaville's municipal parks is governed by Resolution 12-11 Park Rules. The City's rules for use of the park were not enacted to ensure sufficient regulation of park use. The Rules themselves were not adopted as an ordinance, so a violation of the Park Rules cannot be referred to the Justice of the Peace for the Lebanon Justice Court. Ordinance 22-05 is drafted primarily to codify the current park rules into a document that can be enforced, as well as provide for fees to use City Facilities in the City's Fee Ordinance, and require additional provisions for use of the facilities. An emergency declaration as per the City Charter is incorporated due to the potential liability the City faces under current regulation of municipal park use.

Ordinance 22-05 Adopting City Park Rules & Declaring an Emergency

The following rules and regulations are hereby established, and are to be observed and enforced for the conduct of persons using or frequenting the Sodaville Park in the City of Sodaville:

- (a) No person shall build a fire except in fireplaces or grilles as provided.
- (b) No person shall ride, lead or drive any horse, mule or livestock or permit any horse, mule or livestock to go upon any portion of the park.
- (c) Dogs must be on a six-foot leash, and in the control of a capable individual who must immediately remove any feces.
- (d) Flowers, shrubs, foliage, trees or plant life shall not be picked, cut, mutilated or removed.
- (e) No person shall mutilate, deface, damage or remove any table, bench, building, sign, marker, monument, fence, fountain, faucet or other structure.
- (f) No person shall dig up, deface, or remove any dirt, stones, rocks, or other substance whatsoever.
- (g) No person shall erect or place any signs, markers, memorials or inscriptions of any type without written permission of the City Recorder.
- (h) The City adopts by reference the Sweet Home/Lebanon Downtown Farmers' Market Market Guidelines 2022, and automatically adopts by reference all annual updates thereafter. Accordingly, no person in the park may, without written permission of the City Recorder:
 - Operate a concession, either fixed or mobile.
 - Solicit, sell or offer for sale, peddle, hock, or vend any goods, wares, merchandise, food, liquids or services.
 - Participate in the above activities without indemnifying and holding harmless the City; providing proof of liability insurance; paying a facility use fee as established in the current City fee use ordinance; and signing a document acknowledging the rules in this Ordinance and agreeing to obey them
 - Advertise any goods or services by any means whatsoever or distribute any circular, notices, leaflets, pamphlets or written or printed information of any kind

except on the community board. The City Recorder is authorized to waive this provision for government agencies or associations in which the City is a member.

- (i) No bottles, cans, ashes, wastepaper, garbage, sewage, or other rubbish shall be left in the park except in receptacles designated for that purpose.
- (j) No overnight camping will be permitted.
- (k) Motor vehicles are required to park only in designated areas.
- (l) No person shall hunt, pursue, trap, kill, injure, mutilate or disturb the habitat of any bird or animal.
- (m) No person shall discharge firearms, fireworks, air guns, bow and arrows, slingshots or other types of weapons.
- (n) It shall be unlawful for any person to haul household or yard garbage, rubbish or trash to the park and deposit the same in the park or City Hall trash containers.
- (o) No person shall use abusive, threatening, boisterous, vile, obscene or indecent language or gestures, nor shall any person cause, attempt to cause or bring about any public demonstration or disturbances on or in any way create a public nuisance.
- (p) No person shall clean fish in the park.
- (q) Except as authorized by the City Recorder, no person shall use any device that amplifies sound, nor project sound at a volume which could disturb other people.
- (r) The consumption of alcoholic beverages is prohibited without the permission of the City Administrator. The City Recorder may grant permission to consume alcoholic beverages during special events for a specific purpose. The City Recorder will require proof of liability insurance prior to granting permission to consume alcoholic beverages within the park.
- (s) The Park will be closed from dusk until dawn 7 days a week. There is to be no persons in the park from 9:00 pm until 6:00 am April 1 to September 30 and from 8:00 pm until 7:00 am October 1 to March 31.
- (s) No person shall plant any bushes, trees, flowers or other landscaping without written permission from the City Recorder.
- (t) In accordance with the Comprehensive Plan as amended, the Council reaffirms the duties and the composition of the Recreation and Community Affairs Committee as they pertain to the operation of the City's parks.

It is hereby declared that conditions in the City of Sodaville are such that this Ordinance is necessary for the immediate preservation of the peace, health, safety and general welfare of the City and the residents thereof, and an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the City Council and signing by the Mayor.

Staff Summary: Committee Appointments

The City Charter empowers the Council to create Committees with members nominated by the Mayor and approved by the Council. The City website describes a Parks Committee created in conflict with the Comprehensive Plan. As per the adoption of the Comprehensive Plan, the Council is to appoint a Recreation and Community Affairs Committee with the responsibilities and composition listed below. It is recommended that the Council consider the appointment of Committee members given community interest in organizing events at City parks.

- Oversee the tree planting program along the Lane Greenways.

Sodaville City Council 7/21/2022

- Maintain the Sodaville Park and Spring Hall.
- Recommend land acquisitions and improvements to the Sodaville Park.
- Evaluate the long term prospects of the City and Sodaville School District acquiring a site and constructing a swimming pool.
- Continue evaluation of a community arena and grounds for outdoor meetings, junior rodeo, flea market or farmers market.
- Work with the Sodaville Evangelical Church and the Sodaville School District to set up recreation and educational programs for children, teenagers, adults, seniors, and visitors as well as pre-school and kindergarten *[sic]* programs.
- Sponsor community events and fund raisers.
- Evaluate the feasibility of cable information and entertainment utility.
- Establish a community information and resource center which would: put out a community newsletter; finish compiling the local history; display local historical artifacts; set up a skills bank; provide planning, housing rehabilitation and social services information; serve as a substation of a County Library district.
- Reserve spots for a teenager, a senior and the school superintendent on the Recreation and Community Affairs Committee.
- Allow one person from outside the City proper to serve as a member.

10.B. Ordinance 22-06 Amending Fees & Declaring an Emergency

Staff Summary

The City's current fee schedules are codified in Ordinance 17-01. The City's water use fees contain an apparent error, decreasing the price of water use for 5,001 to 10,000 gallons during water restriction periods. The City also does not currently have facility use fees, which are a standard feature for municipalities. Ordinance 22-06 amends City water use rates during water restriction periods and enacts facility use fees for the City Park.

Ordinance 22-06 Amending Ordinance 17-01 and Declaring an Emergency

Section 4.C.3.b. is amended to read, "5,001 to 10,000 gallons in a month ~~\$16.12~~ **\$18.86** per 1,000 gallons."

Section 5 is re-numbered as Section 6., and Section 6 is re-numbered as Section 7.

The new Section 5 is created and adopted:

Section 5. City Facility Use Fees.

A. Sales At City Parks

1. In accordance with and as described in the City Ordinance adopting Park Rules, the City Recorder shall collect a fee for use of the City parks for an entity that wishes to sell, vend, etc. any item prior to approval of the use of City parks for this purpose. Fees shall be considered part of the Administrative Service Charges/Lien Search resource in the General Fund. For residents within the City limits, businesses owned by residents within the City limits, and nonprofits registered within the city limits, the fee for sales is \$25 per occasion. For residents outside the City limits, businesses owned by residents outside the City limits, and nonprofits registered outside the City limits, the fee for sales is \$50 per occasion.

B. City Hall

The City Recorder shall collect a fee for use of City Hall for an entity other than the City that wishes to utilize the facility for any purpose. Fees shall be considered part of the Administrative Service Charges/Lien Search resource in the General Fund. For residents within the City limits, businesses owned by residents within the City limits, and nonprofits registered within the city limits, the fee for sales is \$25 per occasion. For residents outside the City limits, businesses owned by residents outside the City limits, and nonprofits registered outside the City limits, the fee for sales is \$50 per occasion. The City Recorder is authorized to waive this fee for use by a council of governments established in ORS 190, other government agencies, associations in which the City is a member, and other events formally sponsored by the City.

10.C. Contract Review Board: 2021-2022 Audit

Staff Summary

The City received an engagement letter from Koontz, Blasquez & Associates, PC to perform an audit of the 2021-2022 fiscal year. Copies of the engagement letter are attached.

Suggested Motion: *I move to accept the engagement letter from Koontz, Blasquez & Associates, PC.*