

**City of Sodaville**  
**Regular Session & Budget Hearing Agenda**  
**June 16, 2022**

**7:00 PM – City Hall 30723 Sodaville Rd, Lebanon, OR 97355**

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Visitors**
5. **Bills**
6. **Minutes**
  - May 19, 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. 2020-2021 Audit
  - b. 2022-2023 Budget Hearing
  - c. Ordinance 22-02 Amending City Water Ordinances
  - d. Ordinance 22-03 Amending Ordinance No. 10
  - e. Ordinance 22-04 Repealing Ordinance No. 31
  - f. Contract Review Board - Pacific Pride Fuel
  - g. Medical Hardship Dwelling
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.***

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 Update

### **Finance Update**

The Finance Update is in the Council Packet.

### **Conference Attendance Requests**

- August 24-26 in Salem - City/County Insurance Services Conference
- September 28-30 in Newport - Oregon Association of Municipal Recorders
- September 5-7 in Bend - League of Oregon Cities. This is the only conference for which I will require lodging.

### **Vacation Request**

The City Recorder accrues vacation time at a rate of 60 hours per 1,650 worked. While I will have only worked approximately 600 by the end of July, I would appreciate being able to take a 1-week unpaid vacation in August to rest after current main projects are completed, including the budget, ordinance digitization, and the general rebuilding efforts I have conducted since I began in March.

### **City Power Bills**

Consumers Power allows the City to pay bills via ACH rather than by check. Power bills have been paid via a single check but beginning in January, CPI applied all City payments to one account and threatened to shut off the City's streetlights and other meters due to their accounting procedures. Credits were applied to existing accounts, and separate checks are written for all meters beginning this month. The payment process can be simplified if the Council prefers by paying bills via ACH. Checks will still be written if the Council prefers not to pay via ACH.

**Suggested Motion:** *I move to pay Consumers Power bills via ACH.*

### **City Property Taxes**

In 2014 when the City traded properties with Habitat for Humanity of Lebanon, delinquent property taxes were transferred to the City of Sodaville. The individual who owned the property prior to transferring them to Habitat for Humanity did not pay their final year of property taxes, and Habitat for Humanity did not pay them. Since 2014, initial property tax liabilities transferred to the City of Sodaville have accrued interest that doubles the liabilities to a current total of \$2,569.82. A lien exists on these four properties but the County is unable to enforce them via foreclosure so the properties cannot be seized. As a result, the liability exists in procedural limbo where the City is considered liable for these unpaid taxes and interest but the County has no means of collection. At this time, Linn County Assessment and Taxation appears to have no interest in waiving the taxes. It may be necessary for the City's legal counsel to take action to remove this liability because delinquent taxes were unpaid 8 years ago by the penultimate previous owners.

## 9. Public Works

### **Water**

The city's wells produced 469741.55 gallons.

The city trucked in 0 gallons.

Reservoir + - 0 gallons

The city sold 437670 gallons

*Difference of 32071.55 gallons. Or 6.8 % loss*

We have been learning the new system and appreciating it.

Buckmasters came and looked at plumbing issues with the meters that were not swapped out they are putting together a bid.

### **Parks**

Nothing to report

### **Streets**

Nothing to report

### **Misc.**

#### **Staff Report: On-Call Administrative Procedures**

Council and staff seek clarification about administrative procedures for handling water calls when staff are out of the office.

- Staff should clarify to Councilors when on-call time begins and ends.
- Councilors need clarification as to whether they are covering emailed requests or only phone calls and texts.
- Councilors need additional info about the information provided by the new water meters and how to handle the different alerts.
- Councilors need latitude to address water calls based on their skillset. If one Councilor is unable to visit a house themselves, they need to know if another Councilor can address the issue, if the Public Works Director needs to be contacted, or if the Brownsville Public Works Department must be contacted.

## 10.a. 2020-2021 Audit

### **Staff Report**

Koontz, Blasquez & Associates has completed the draft audit of the City of Sodaville's 2020-2021 Fiscal Year. The audit is tentatively scheduled to be presented by Debbie Blasquez. The draft report is included in this packet.

## 10.b. 2022-2023 Budget

### **Staff Report**

The Sodaville Budget Committee approved the Budget Officer's proposed budget at a public hearing on May 25, 2022. The City Council will hold a public hearing on the Budget. Approval includes the adoption of Resolutions 22-05, 22-06, and 22-07. The City Council will also approve an amendment to Ordinance 17-01 in the next item.

### **2022-2023 Budget**

The 2022-2023 Budget incorporates the Budget Message and the Local Budget forms provided by the Oregon Department of Revenue.

### **Resolution 22-05 Adopting the Budget**

This document serves as a simpler summary of the City's 2022-2023 Budget.

### **Resolution 22-06 Adopting the Budget, Making Appropriations, Determining, Levying and Categorizing the Annual Ad Valorem Property Tax Levy**

This documents serves as

### **Resolution 22-07 Declaring the City's Election to Receive State Revenues**

The Council is annually required to adopt a resolution or an ordinance to receive state revenue.

### **Suggested Motion (Following Public Hearing)**

*I move to approve Resolutions 22-05, 22-06, and 22-07.*

### **Additional Resolution**

The City Council must also adopt an annual resolution certifying that the City provides at least four municipal services. Prior to 2022, this form was simply emailed to City governments. Beginning in 2022, Cities must first provide the State with the adopted resolution electing to receive state revenues, then the City will be provided with the service certification resolution which must be approved at an additional meeting. Sodaville's revenue sharing resolution will be submitted after this meeting and the Council will need to plan on holding a second meeting this month to approve the service certification meeting. The Department of Administrative Services claims that this process is, "more efficient than having emails sent to individual cities" with the form needed to pass all mandatory budget resolutions at once.

# 10.c. Ordinance 22-02 Amending City Water Ordinances

## Staff Summary

During the 2022-2023 Fiscal Year, the Water Enterprise Fund will be folded into the General Fund as the Water Enterprise Program. This ordinance amends Ordinance 82-02 to reflect this change. As Ordinance 22-02 affects water, it seems prudent to amend an antiquated provision of Ordinance 82-08 that only permits cash deposits for water bill payments at a bank that no longer exists.

In accordance with City Charter Chapter VIII Section 34(3), this ordinance may be read by title only if no Council member requests that it be read in full, or because staff have completed the requirement that a copy has been provided for each Councilor, three copies have been available for public inspection in the office of the custodian of city records, and notice of the availability of copies was given by written notice posted at the City Hall and two other public places in the City of Sodaville.

## Ordinance 22-02 Amending City Water Ordinances

Whereas beginning the 2022-2023 fiscal year, the Water Enterprise Fund will be closed and folded into the General Fund as the Water Enterprise Program,

Whereas Ordinance 82-08 only permits the City to receive water payments in cash at a bank that no longer exists,

Resolved, Ordinance 17-01 Section 4.B. is amended to read, “All receipts of the following charges, penalties and deposits listed in Section 4.C. shall be deposited in the ~~Water Utility Enterprise Fund~~ **General Fund as a resource to fund requirements in the Water Enterprise Program.**

Resolved, Ordinance 82-08 Section 12.6. is amended to read, “Method of payment: Checks or money orders will serve as receipts. Cash payments may also be made ~~at the Interstate Bank in Lebanon.~~”

## 10.d. Ordinance 22-03 Amending Ordinance No. 10

### Staff Report

In 1954, the City Council passed Ordinance No. 10, “An Ordinance defining and punishing offenses against the public peace, safety, morals, and general welfare, and declaring an emergency.” In reviewing this ordinance, several antiquated local mandates have been discovered that are not in line with current Council views on appropriate policy. Section 11 of Ordinance No. 10 was intended to impose local restrictions on individuals who were not predisposed to conform to contemporary social norms, and was passed with spelling errors that make the provision even more difficult to interpret and enforce in 2022. Additionally, ordinances have been superseded without properly amending Ordinance No. 10. It is likely that the whole of this Ordinance should be repealed, but the amendments proposed address more recent Ordinance changes that should have been made already. All existing ordinances are undergoing a review process that will likely result in the abolition of several Ordinances in their entirety, including Ordinance No. 10, but these amendments are the most pressing to bring the City in compliance with recent Council policy directives and applicable law.

In accordance with City Charter Chapter VIII Section 34(3), this ordinance may be read by title only if no Council member requests that it be read in full, or because staff have completed the requirement that a copy has been provided for each Councilor, three copies have been available for public inspection in the office of the custodian of city records, and notice of the availability of copies was given by written notice posted at the City Hall and two other public places in the City of Sodaville.

### Ordinance 22-03 Amending Ordinance No. 10

Whereas in 2018, the City Council passed RESOLUTION NO. 18-09, A RESOLUTION STATING SUPPORT OF FEDERAL AND STATE CONSTITUTIONAL RIGHTS TO KEEP AND BEAR ARMS,

Whereas in 2015, the Sodaville City Council adopted Ordinance 15-03, AN ORDINANCE PROHIBITING AND ENUMERATING THOSE NUISANCES THAT AFFECT THE PUBLIC HEATH AND SAFETY, PROVIDING A NUISANCE ABATEMENT PROCEDURE, AUTHORIZING USE OF THE CITY OF SODAVILLE ENFORCEMENT ORDINANCE TO ABATE NUISANCES AND TO ENFORCE THE PROVISIONS OF THIS ORDINANCE, AND TO REPEAL ORDINANCE NO. 11-02, AND ALL AMENDMENTS THERETO AND DECLARING AN EMERGENCY,

Whereas, the subject matter and spelling errors within Ordinance No. Section 11 make this provision difficult to interpret and enforce in 2022,

Resolved, Ordinance No. 10 Section 2 is hereby repealed,  
Resolved, Ordinance No. 10 Section 3 is hereby repealed,  
Resolved, Ordinance No. 10 Section 4 is hereby repealed,  
Resolved, Ordinance No. 10 Section 10 is hereby repealed,  
Resolved, Ordinance No. 10 Section 11 is hereby repealed,  
Resolved, Ordinance No. 10 Section 22 is hereby repealed, and  
Resolved, Ordinance No. 10 Section 27 is hereby repealed.

## 10.e. Ordinance 22-04 Abolishing Ordinance No. 31

### Staff Summary

In 1978, the City Council passed Ordinance No. 31, “AN ORDINANCE TO REGULATE SKATE BOARD USE WITHIN THE CITY OF SODAVILLE,” which ordains, “That the use of skate boards by any individual be not allowed on the city streets of Sodaville and/or on any city property.” Banning the use of skateboards provides no utility to the City of Sodaville, especially given the lack of locations where they can effectively be used. Staff recommends adopting Ordinance 22-04 Abolishing Ordinance No. 31 to ease the regulatory burden on the population.

In accordance with City Charter Chapter VIII Section 34(3), this ordinance may be read by title only if no Council member requests that it be read in full, or because staff have completed the requirement that a copy has been provided for each Councilor, three copies have been available for public inspection in the office of the custodian of city records, and notice of the availability of copies was given by written notice posted at the City Hall and two other public places in the City of Sodaville.

### Ordinance 22-04 Abolishing Ordinance No. 31

Whereas the City Council banned the use of skateboards on city streets and city-owned properties in 1978,

Whereas there is no demonstrable utility in maintaining this ordinance,

Whereas the residents of Sodaville benefit from easing regulatory burdens on personal recreation and transportation within City limits,

Resolved, Ordinance No. 31 is hereby repealed.

## 10.f. Contract Review Board

### **Staff Report - Caron**

Due to the rising cost of fuel prices, staff are unable to consistently bear the costs of purchasing fuel and submitting receipts for reimbursement later. The Portland-based company Carson, a subsidiary of Ceko, Inc. is a Pacific Pride franchisee based in Oregon. Pacific Pride customers register with franchisees but cardlock fuel services are available at all Pacific Pride locations regardless of the owning franchise. In order to initiate cardlock services, Sodaville needs to sign the following agreements with Carson: Cardlock Written Customer Agreement, EFT Agreement, and Fuel Agreement and Guaranty. Staff recommends approval.

**Suggested Motion:** *I move to approve the presented agreements with Carson.*

### **Staff Report - Wilco/Valley Agronomics LLC**

The City of Sodaville applied for a charge account in March 2022 with Wilco/Valley Agronomics LLC. Wilco accepted the application prior to the City sending in the signed Terms and Conditions agreement. The Terms and Conditions agreement had originally been sent to the City in March 2021 during a previous inquiry, but not with the March 2022 inquiry. City staff have been charging expenses to the City's account that the City has paid, but Council still needs to approve the Terms and Conditions agreement.

**Suggested Motion:** *I move to approve the CREDIT ACCOUNT TERMS & CONDITIONS INCLUDING FEDERAL TRUTH-IN LENDING DISCLOSURES with Wilco/Valley Agronomics LLC.*

### **Staff Report - Rhodes Warden Insurance Agency**

Rhodes Warden Insurance Agency is the insurance company that covers the City of Sodaville through City/County Insurance Services. Rhodes Warden requires City approval of insurance proposals prior to renewing coverage. The only substantive change in the next annual policy is \$650 in coverage for cybersecurity; previously, this has been included, but an exponential increase in municipal cyberattacks means that CIS policies need additional funding for coverage.

**Suggested Motion:** *I move to approve the proposals from Rhodes Warden Insurance Agency.*

## 10.g. Medical Hardship Dwelling Permit

### **Staff Report**

The City has received a completed Medical Hardship Dwelling Application and fee from Mr. Roger Perry at 30834 Sodaville Road. Properties within 100 feet received written notices of the Council's intent to hold a medical hardship dwelling permit mailed 10 days prior to the hearing. Staff recommends approving the application. As the applicant is the Mayor, he will be required to abstain. The presiding officer during this item will be Council President Adina Olivares.

**Suggested Motion:** *I move to approve the Medical Hardship Permit submitted for 30834 Sodaville Road.*