

**CANYONVILLE CITY COUNCIL MEETING
REGULAR SESSION 7:00 P.M.
MONDAY DECEMBER 18, 2023
COUNCIL CHAMBERS**

Christine Morgan, Mayor (12-31-2024)
Louise Barton, Council President (12-31-2024)
Alan Freeman, Councilor (12-31-2024)
Jerry O’Sullivan, Councilor (12-31-2024)
Andrew Mather, Councilor (12-31-2026)

Stephen Morgan, Councilor (12-31-2026)
Luke Suhr, Councilor (12-31-2026)
Suzie Rogers, Finance Deputy Recorder
Dawn Bennett, Administrator/Recorder

AGENDA

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

II. ROLL CALL

III. AGENDA REVIEW AND ADDITIONS:

IV. CONSENT CALENDAR:

1. Minutes for Work Session on October 30, 2023
2. Minutes for Regular Meeting on November 20, 2023

V. REPORTS

1. Sheriff’s Office
2. City Administrator
3. Water and Wastewater Report
4. Mayor’s Report
5. Main Street Report

VI. UNFINISHED COUNCIL BUSINESS:

1. Canyonville Library - City Hall Renovation Project 2023-2024
2. Update on Public Improvement Projects
3. Current abatements

VII. NEW COUNCIL BUSINESS:

1. O’Shea Bid Award
2. Stagecoach hazardous tree
3. City streets asphalt patch repair
4. Employee Cell Phone Stipend and Use Policy
5. Food Truck information
6. Nuisance Violation – 430 S. Main & 110 SW 5th St.

VIII. QUESTIONS AND COMMENTS FROM THE AUDIENCE:

At this time, anyone wishing to address the City Council concerning items of interest not included on the agenda may do so. The person addressing the Council shall proceed to the podium and, when recognized by the Mayor, give his/her name and address for the record. All remarks shall be directed to the whole City Council.

IX. ANNOUNCEMENTS

Planning Commission, December 13, 2023
Council Meeting, December 18, 2023

X. MOTION TO ADJOURNMENT

**CANYONVILLE CITY COUNCIL
MEETING MINUTES
SPECIALSESSION 6:00 P.M.
MONDAY, OCTOBER 30, 2023**

SPECIAL SESSION

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

Mayor Morgan called the meeting to order at 6:00 p.m. and all joined in prayer and the Pledge of Allegiance.

II. ROLL CALL:

COUNCIL PRESENT: Mayor Morgan, Councilors Mather, Freeman, Morgan, and Suhr.

COUNCIL ABSENT: None. Councilor Mather in attendance at 7pm.

STAFF PRESENT: Administrator/Recorder Bennett and Janelle Evans.

STAFF ABSENT: None.

III. AGENDA REVIEW AND ADDITIONS: None

IV. CONSENT CALENDAR:

1. None

V. UNFINISHED COUNCIL BUSINESS

1. Water Rate Increase-Workshop Session

The Council held extensive discussion regarding the need to increase water rates. The increase is necessary to cover Water Treatment plant expenditures and for the city to be able to obtain grants and loans. The Council agreed to put an initial \$10 water rate increase per equivalent dwelling unit, as well as an increase to \$3.35 per 100 cubic feet for consumption over 1200 cubic feet, on the November 20th Council Meeting agenda for adoption.

VI. ADJOURNMENT

Councilor Barton moved, and Councilor Suhr seconded a motion to adjourn the meeting at 7:05pm. Mayor Morgan, Councilors Mather, Freeman, Morgan, and Suhr voted “yes.” No “nays.” The motion carried.

Meeting adjourned at 7:05pm

ATTEST:

Christine Morgan, Mayor

Dawn Bennett, City Administrator/Recorder

**CANYONVILLE CITY COUNCIL
MEETING MINUTES
REGULAR SESSION 7:00 P.M.
MONDAY, NOVEMBER 20th, 2023**

REGULAR SESSION

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

Mayor Morgan called the meeting to order at 7:00 p.m. and all joined in prayer and the Pledge of Allegiance.

II. ROLL CALL:

COUNCIL PRESENT: Mayor Morgan, Councilors Barton, Freeman, Morgan, Mather, O’Sullivan, and Suhr.

COUNCIL ABSENT: None.

STAFF PRESENT: [OBJ] Administrator/Recorder Bennett and Finance Deputy Recorder Rogers.

STAFF ABSENT: [OBJ] None.

III. AGENDA REVIEW AND/OR ADDITIONS:

Additions: None

IV. CONSENT CALENDAR:

Minutes for 10-16-2023 Regular Council Meeting: Stand approved with corrections. Corrected the term Multi Agency Commission in Mayor’s report.

V. REPORTS

1. Sheriff’s office report.

This month in Canyonville the Sherriff’s office took 24 reports, 60 citations, 16 arrests and 58 traffic stops.

2. City Administrator Report

The Leaf pick up program has started, Jeremy and Jay run the street sweeper when necessary to clean the storm drains and pick up leaves. Staff finished repairing a water leak on Stanton Park Rd. Suzie is starting to gather reports for the 2022-2023 audit.

3. Mayor’s Report

Mayor Morgan met with Administrator Bennett on November 13 to review the agenda and talk about other City issues. Mayor Morgan attended the Multi Agency Commission and Oregon Main Street meeting. The Christmas bulb checking party will begin on November 21 at 2pm. The planters in front of City Hall are finished until Spring. The Veterans Day event was great with 75 people in attendance and volunteers making it all happen.

4. Main Street Report

Mike Kelly stated that the new sign in front of the casino is finished and has been installed. Signups are underway for the Adopt a Block program. A regional committee is being considered for Riddle, Myrtle Creek, and Canyonville.

VI. PUBLIC HEARING

1. Public hearing opened at 7:24 pm to consider the proposed Ordinance No. 665 Establishing a new Section 12.18 Chapter 12 of the Canyonville Municipal Code. No conflicts of Interest or Ex-parte contacts. Dawn gave the staff report. There was no testimony from proponents. Testimony from

opponents given by citizens in attendance. This public hearing was closed to public comment at 7:54pm.

The council discussed waiting for additional information from CIS.

Councilor Barton moved, and Councilor O’Sullivan seconded a motion to ask staff to rewrite Ordinance No. 665 with corrections and bring it back to Council for the December 2023 meeting. Mayor Morgan, Councilors Barton, Freeman, Morgan, Mather, O’Sullivan, and Suhr voted “yes.” No “nays.” The motion carried.

2. Public hearing opened at 8:06 pm to consider the proposed Ordinance No. 666 Amending Chapter 8.04 of the Canyonville Municipal Code

No conflicts of Interest or Ex-parte contacts. Dawn gave the staff report. There was no testimony from proponents and no testimony from opponents.

This public hearing was closed at 8:08 pm.

Councilor O’Sullivan moved, and Councilor Freeman seconded a motion Councilor O’Sullivan moved, and Councilor Freeman seconded a motion to adopt Ordinance No. 666 Chapter 8.04 of the Canyonville Municipal Code with changes. Mayor Morgan, Councilors Barton, Freeman, Morgan, Mather, O’Sullivan, and Suhr voted “yes” no “nays.” The motion carried

3. Public hearing opened at 8:10 to consider the proposed Ordinance No. 667 Amending Section 13.08.050 of the Canyonville Municipal Code to increase water rates.

No conflicts of Interest or Ex-parte contacts. Dawn gave the staff report. There was no testimony from proponents. Testimony from opponents given by one citizen in attendance. This public hearing was closed to public comment at 8:17 pm.

Councilor O’Sullivan moved, and Councilor O’Sullivan seconded a motion to adopt Ordinance No. 667 Amending Chapter 13.08 of the Canyonville Municipal Code with the new water rates. Mayor Morgan, Councilors Barton, Freeman, Morgan, Mather, O’Sullivan, and Suhr voted “yes.” No “nays.” The motion carried.

VII. UNFINISHED COUNCIL BUSINESS

1. **Canyonville Library – City Hall Renovation Project 2023-2024**

No update

2. **Public Improvement Project Status**

The City Engineer is preparing bid documents for the O’Shea water line project.

3. **Current Abatements**

The debris pile at 613 N. Main was burned. The weed at 623 N. Main have been cut. A second letter has been sent to 670 N. Main. A letter was sent to 241 Leland Ave to clean up debris in the yard. A certified letter has been sent to the owner of the brown building. Complaints received regarding potholes on Oak St, a call has been made to Umpqua Paving for patching.

VIII. NEW COUNCIL BUSINESS

1. **Request for Council to hear arguments for having the planning Commission look at the policy of allowing food trucks in city limits.**

There has been some interest in having food trucks come into Canyonville. In February of 2022 it was the planning Commissions unanimous decisions that every food truck or cart would need to go through the same process as Nipa Hut and have a permanent connection to City utilities. Shannon Suhr presented to Council the reasons why she thinks that food trucks should be allowed in city

limits. There were several citizens in attendance, some shared their support and others shared their concerns. After lengthy discussion, the Council decided to table the decision until February 2024.

2. **Resolution No. 706 – Transfer the water rate increase portion to capital reserve water fund. Councilor Barton moved, and Councilor Suhr seconded a motion to transfer the water rate increase portion to capitol reserve water fund. Mayor Morgan, Councilors Barton, Mather, Freeman, Morgan, O’Sullivan, and Suhr voted “yes.” No “nays.” The motion carried.**

IX. QUESTION AND COMMENTS FROM THE AUDIENCE

No comments from the audience

X. ANNOUNCEMENT

Council Meeting December 18, 2023

Planning Commission December 13, 2023

XI. ADJOURNMENT

Councilor Barton moved, and Councilor O’Sullivan seconded a motion to adjourn the meeting at 9:37 pm. Mayor Morgan, Councilors Barton, Mather, Freeman, Morgan, O’Sullivan, and Suhr voted “yes.” No “nays.” The motion carried.

Meeting adjourned at 9:37 pm

ATTEST: [Signature]

Christine Morgan, Mayor

Dawn Bennett, City Administrator/Recorder

ADMINISTRATIVE REPORT
December 13, 2023

Street: Jeremy and Jay have been very busy with leaf pickup around town. They also cleaned up leaves around the kiosks, Veteran's Memorial, and the trees at City Hall.

Homeless Camping: Staff continue to educate citizens and business owners about calling the Sheriff's non-emergency phone number regarding the homeless camping out in front of their business or residence. There were a couple of new homeless men spotted in town this week. Staff asked Deputy Schwenn to stop by to have a talk with them.

Water: Chris and Jay were busy this week cleaning out a couple of the tanks in the plant. They had to call in Mitch from Pepe Le Pew to work on unclogging the floor drains. There was quite a bit of sludge that ended up settling all over the plant floor, which was quite a mess. Once the floor drains were opened up the sludge could flow out and the cleanup could proceed.

Office: Valerie is adding a notice of the water increase in this month's UB bills. They have also been added to the UB accounts that are signed up for paperless billing.

Suzy and I attended a Local Budget Law class on Tuesday in Roseburg. This class gave Suzy an idea of how the budget process worked and it helped me to understand when a supplemental budget should be done. We also found out any changes that had been made to the budget law.

Sewer: When staff went to the sewer plant last week, they found a tree had fallen across the road before the sewer plant. Staff were able to cut it and move it out of the way.

Park: Staff called an electrician to fix one of the lights at the park. The light stayed on during the day and night.

Respectfully submitted,

Dawn Bennett
City Administrator

Canyonville

Wastewater Treatment Plant

November 2023 Report

Process Summary

In the month of November, the wastewater treatment plant processed approximately 4.6 million gals. of treated effluent. The wastewater treatment plant Operators have processed 2.5 tons of dry bio solids and 73,000 gallons of liquid bio solids thru the screw press.

Total rainfall for the month of November was 2.52 inches.

November 5th was the highest recorded rainfall at 1.06 inches.

Maintenance

Operators completed their daily and monthly scheduled maintenance using the computer maintenance program.

Out of scope maintenance, scheduled and worked with Nor Pac Co. to do heat pump maintenance.

Met with tech to calibrate all lab instruments annually.

Worked with city crew to repair water leak on main St. at south end of town.

Assisted crew with repair of water leak on main St. in front of the grade school.

Alum day tanks and bulk tanks were washed out with hot water and chemical pumps were cleaned and shut down for winter storage.

Submitted by,

Rob Siegrist

Keith Riddle

Memo

To: City Council
From: Mayor Christine Morgan
Date: Written December 13, 2023 for December 17, 2023 Council Meeting
Re: MAYOR'S REPORT

- Due to scheduling conflicts, City Administrator/Recorder Dawn Bennett and I are meeting December 14th for our monthly Agenda Review meeting instead of our usual Monday prior to the monthly City Council meeting. Therefore, there is nothing to report as of this writing because we haven't met yet. If there are items to mention, I'll update you at our Council meeting.
 1. I again requested a video call with our attorney, Administrator Bennett and myself for clarification on a few assorted items in the City of Canyonville Employee Handbook and existing ordinances. It is my hope this gets scheduled in the next few weeks. Update: This meeting is still not scheduled but I'm hopeful for January.
- Representative Christine Goodwin's Multi-Agency Commission (MAC): Neither Dawn or myself were able to attend the TEAM video meeting on December 12th. I did speak with Days Creek Charter School Superintendent Joe La Fontaine about his experiences concerning mentoring and Councilor O'Sullivan let me know Adapt has mentoring information as well. A mentoring program in all our local schools is seen as a possible way to prevent negative practices and behaviors; instilling strong character through positive influences makes for strong communities.
- Oregon Main Street meeting November 15th: The new sign is up directing folks leaving 7 Feathers Casino to head downtown. Big Game Ink created the sign. Adopt-a-Block promotion to businesses is in full swing.
- November 21st Steve and I along with 8 more volunteers from the Canyonville Chamber of Commerce installed new bulbs in our Christmas street light ornaments. Employees of 7 Feathers Casino installed them on the poles the next day.
- The new trash cans purchased by the Chamber of Commerce are here and installation/replacement will happen soon. Thank you to the Chamber for purchasing them at a cost of \$12,745.68.
- Education of our downtown core businesses continues with regard to our Prohibitive Camping Ordinance; calls continue to be made to the Sheriff's office non-emergency line for code enforcement.
- Have a Merry Christmas! Next council meeting is Tuesday, January 16, 2024 (because of MLK Day on the 15th)

CANYONVILLE LIBRARY REPORT
December 13, 2023

Carol Hilderbrand emailed staff Wednesday that the new ADA doors for the library will be installed on Friday, January 5th, 2024.

The money for the doors comes from the Ford Foundation Grant that the library received.

Respectfully submitted,

Dawn Bennett
City Administrator

PUBLIC IMPROVEMENT PROJECT STATUS

December 13, 2023

The City's public improvements projects update:

Hamlin Bridge Repair: The engineer is developing the bid documents for the bridge repair. We are waiting to go out for bids until after January 1, 2024. It is more likely to receive lower bids after the first of the year than prior to the first of the year.

Safe route to school: This is not a City project however, the City needs to keep track of this project because we may need to coordinate work. The City's water master plan includes upgrading all the 2" water lines to 6" water lines on Johnson, Mac, Philips, Oak, Wilson and Reed Street.

I have not heard from the County engineer since he came to the office to talk with staff about the project the city needs to coordinate with the County's safe route to school project. At that time, he advised us that some of our utility lines conflict with their project and the City would be responsible for the cost of moving the utilities. I have attempted to get a price from them but their engineer hasn't been able to provide that information yet. He said he would try to get it for next month. This money is also going to have to come from the Water Capital Improvement fund also.

The City engineers have come up with a project to install water line stubs from the Main Street water main at the intersection of each of the affected streets. This will allow the City to upgrade the lines later once funding is available for the project. The engineers' estimate for this project is \$310,000.00 however if we coordinate some of the work with the County we might be able to reduce the project to \$214,300.00. This money will have to come out of the Water Capital Improvement fund.

Knoll Terrace Reservoir: Knoll Terrace is proposing to establish a 67,000-gallon water tank for their residents. The tank has an overflow into the open drainage way in Knoll Terrace which connects to the City's stormwater system. The Knoll Terrace engineer needs to provide storm water calculations for a 25-year storm event to ensure that the existing storm water retention is ok. They have been reluctant to do the calculations because they feel it is not needed.

The Engineers for the Knoll Terrace Reservoir submitted the requested storm water report on Wednesday December 13, 2023. The City engineer has reviewed the study and asked for some additional information regarding the storm water retention pond that was constructed with the original development of the park.

Storm Drain Mapping: There has been no communication from the Winston planner, or the County as it is working on the data entry for the mapping and would be letting them know where she is at in the project.

O'shea raw water line: Happy! The utility work and easement agreement has been signed and recorded. One bid came in under what the engineers bid was, and one came in over.

Respectfully submitted:

Janelle Evans
Planner



Memo

To: Mayor and City Council
From: Dawn Bennett, Administrator/Recorder Interim
Date: December 13, 2023
Re: Current Abatement Status

Officer Schwenn cited the owners of 410 Leland owner and 440 Mill Street for the nuisance violations. He went to both addresses this week to see if they had abated the nuisance. If they did not abate the nuisance, he would cite them again.

The weeds at 623 N. Main have been cut down.

Two of the three vehicles at 670 N. Main have been removed and the scrap metal pile to the right of the building will be removed after the first of the year.

241 Leland Avenue was sent a letter to clean up the debris and junk in the yard.

The U-Haul that was in the right of way beyond Leland Avenue has been moved.

Comp #	Date	Location	Nature of Complaint	Action	1st letter DATE	letter 2 CERT	Council Mtg	Hearing Date	Completion Date
17/78	7/19/2023	287 James Street	Keeping goats, chickens, and rooster	Sent letter regarding municipal code 8.04.020 and permit required for keeping of animals. Also let them know that roosters are not allowed within city limits. Rooster gone but they have to come in for a permit for animals.	7/5/2023	N/A	N/A	N/A	8/22/2023
17/79	7/19/2023	123 Pruden Hill	MESS! And fire Hazzard	Had meeting with Deputy Schwen about citing the owner. Deputy will visit residence	Cited	N/A	N/A	Court date 9/19/2023 fined	
17/80	7/21/2023	670 Main Street	Debris, weeds, junk cars trashed in yard, cars and motorhome.	Dawn spoke to Ray 7/25/2023 about his mothers property as Lillian is 99 and not able to do the work. Two of the three vehicles have been moved. Pile to right of building is a scrap metal pile. This pile will be removed after the first of the year.	8/8/2023 11/08/2023				
17/81	7/21/2023	613 Main St	9/6/2023 cars and motorhome gone. A pile of debris is in the yard yet.	Abatement letter written to property owner. Letter was returned from USPS; hand delivered by public works employee 7/28/2023	7/21/2023 9/29/2023		N/A	N/A	
17/82	7/21/2023	520 Main St	weeds & noxious growth next to road- Fire hazzard	letter written to home owner requesting abatement by Aug 4th. Owner cut down weeds.	7/21/2023	N/A	N/A	N/A	10/5/2023
17/83	7/21/2023	Reed Street	untagged car on property	spoke to property owner and the car was tagged with a 72hr notice for towing. Car moved & property maintained 7-26-23	7/20/2023	N/A	N/A	N/A	7/26/2023
17/84	7/21/2023	250 Main St	trees are overgrown, not maintained in ornamental fashion	Public Works crew was made aware and will work on this when time permits	7/25/2023	N/A	N/A	N/A	8/10/2023
17/85	7/21/2023	250 Main St	bird poop on the plaza	Public Works crew was made aware and will work on this when time permits	7/25/2023	N/A	N/A	N/A	8/??/2023
17/86	7/21/2023	Canyonville School	tall grass/ fire hazzard	A letter was written to the school district informing them of this complaint and complaint 17/87	7/21/2023	N/A	N/A	N/A	7/31/2023
17/87	7/21/2023	Canyonville School	Weeds in rocks on the street side	A letter was written to the school district informing them of this complaint and complaint 17/86	7/21/2023	N/A	N/A	N/A	8/23/2023
17/88	7/21/2023	Fry's Auto Body	Broken down car and various objects around the property	Janelle will address the issue with their conditional use permit. Called and explained situation they have put tarp over vehicle.	7/28/2023	N/A	N/A	N/A	8/17/2023
17/90	7/21/2023	Bead Mecca 423 Main St	Trash and inventory stacked in building- fire hazzard	Made a phone call to Ms. Landell 7/27/2023 regarding complaint she is going to take care of it. Sent letter. Owner hung curtains in windows.	8/15/2023	N/A	N/A	N/A	9/30/2023
17/91	7/21/2023	"brown building" (430 S Main)	Parking trailer in spots in front of building	Upon inspection there was no parking violations to report to the sheriffs office. Complaint Unfounded	N/A	N/A	N/A	N/A	N/A
17/92	7/21/2023	"brown building" (430 S Main)	debris and garbage all over the property	Letter sent to both occupants and building owner. Cert mail returned. Talking with attorney for steps to abatement.	7/25/2023	8/4/2023 RETURNED	12/18/2023		
17/93	7/21/2023	495 W 1st St (Emmert Forest Glen)	Weeds, overgrown bushes & trees, broken signage	letter written to owner requesting abatement by Aug 4th	7/21/2023	N/A	N/A	N/A	8/27/2023
17/94	7/21/2023	corner of Byron & Canyonville Riddle Rd	tall grass next to road (maybe right of way)	letter written to home owner requesting abatement by Aug 4th	7/21/2023	N/A	N/A	N/A	8/12/2023
17/95	7/21/2023	609 Canyonville-Riddle Road	tall grass next to road (maybe right of way)	letter written to home owner requesting abatement by Aug 4th. Owner was out of state but will take care of grass.	7/21/2023	N/A	N/A	N/A	8/12/2023

17/96	7/21/2023	651 Canyonville-Riddle Road	tall grass next to road (maybe right of way)	letter written to home owner requesting abatement by Aug 4th	7/21/2023	N/A	N/A	N/A	8/12/2023
Comp #	Date	Location	Nature of Complaint	Action	1st letter DATE	letter 2 CERT	Council Mtg	Hearing Date	Completion Date
17/97	7/27/2023	581 Maple Court (corner of Maple Ct and Canyon Creek Dr)	Old motor home been there for 2 weeks with people living in it. Now has sewer hose attached to trailer with the other end laying on the ground. Also all belongings in garbage bags along the fence	Letter and photos sent to property owner. Complainant called and said that the motorhome and the garbage bags of stuff have been removed 8-3-23	7/27/2023	N/A	N/A	N/A	8/3/2023
17/98	7/28/2023	Frontage road	Homeless camping in the right-of-way and local resident is worried about a fire starting	This is state owned property. Public works spoke to ODOT worker about problem and concerns and they are going to ask them to move on	7/31/2023	N/A	N/A	N/A	N/A
17/99	7/31/2023	Frontage Rd	Homeless camping in the right-of-way and local resident is worried about a fire starting	This is state owned property. Public works spoke to ODOT worker about problem and concerns and they are going to ask them to move on	7/31/2023	N/A	N/A	N/A	N/A
18/01	7/31/2023	Maniaci Building (430 S Main)	Garbage piled outside of building, rats seen	letter sent to both property owner & tenant see 17/92. This matter is out of our hands and in the county's. Talking with the attorney as to how to go forward with abatement.	7/25/2023	11/8/2023	12/18/2023		
18/02	8/21/2023	623 N Main(675 N Main)	Tall weeds that need mowed	Researched address, found owner and that he is deceased, no one can do anything with the fire danger at extreme.	9/29/2023	N/A	N/A	N/A	11/8/2023
17/39	reopen	410 Leland Av	Debris/junk all over property	reopening this old complaint due to property condition. Handed over to Sheriff's Dept to cite. They will check each week and if the nuisance has not been cleaned up they will be cited again.		9/29/2023	10/16/2023	Cited on 12/29/2023 & 12/13/2023	
17/30	reopen	440 Mill St	Debris/junk all over property	reopening this old complaint due to property condition. Handed over to Sheriff's Dept to cite. They will check each week and if the nuisance has not been cleaned up they will be cited again.		9/29/2023	10/16/2023	Cited on 12/29/2023 & 12/13/2023	
18/03	10/3/2023	153 Drifters Loop	Raw sewage leaking on ground	Letter sent to home owner, landlord, and property owner	10/3/2023	N/A	N/A	N/A	10/5/2023
18/04	10/11/2023	241 Leland Av	Junk piled up all over property	Letter sent to property owner	10/15/2023		N/A	N/A	12/14/2023
18/05	11/8/2023	484 1st St (Bills Towing)	Trucks & trailers parked on First St making it hard for motorists to see	Letter sent asking for no parking on the outside of the fence on First St	11/8/2023	N/A	N/A	N/A	11/15/2023
18/06	11/9/2023	Oak Street	3 complaints received regarding potholes on Oak st causing damage to vehicles	City Administrator spoke to public works employees regarding potholes 11/09/2023 Potholes were temporarily filled with gravel					
	10/6/2023	748/750 S Main St	Disagreement between Chambers and Kovachy about property	This was found to be a civil matter and nothing that the City has jurisdiction over.	N/A	N/A	N/A	N/A	N/A
	11/20/2023	223 James St	Shed's to close to property line	This was found to be a civil matter and nothing that the City has jurisdiction over. Mauldins talked with neighbor and matter was resolved	N/A	N/A	N/A	N/A	N/A

City of Canyonville

City of Canyonville
250 N. Main Street
P.O. Box 765
Canyonville, OR 97417

Phone 541 839 4258
Fax 541 839 4680

Memo

To: Mayor and City Council
From: Dawn Bennett, City Administrator
Date: December 13, 2023
Re: O'Shea Water Line Relocation Bid Award

BACKGROUND:

At the August Council meeting the Council approved the O'Shea Water Line Relocation project at the engineers estimated cost of \$98,184.00. We were fortunate to have received American Rescue Plan Act (ARPA) money from the Federal Government that can be used to fund this project.

The relocation of this water line requires a new easement from the property owners. The property owners requested that the city release the original easement so there are not two easements on the property. The decision was made to have the property owners and the city sign an agreement that a new water utility easement for the new line would be granted and the city would release the old easement at the completion of the project. With this agreement signed and recorded we were able to move on to getting the quote documents sent out.

Since the project was under \$100,000.00, we were not required to do a full bid process. We only had to get three quotes. The quote documents for the O'Shea Water Line Relocation were sent out to three companies: Knife River, Gosselin, and Black Pearl. Bids were received from Knife River and Black Pearl.

Knife River	Bid: \$57,314.00
Black Pearl	Bid: \$93,485.00

These bids only cover the construction cost. There are additional project costs such as engineering \$13,732.00, legal & administration \$2,060, and contingency of \$13,732.00. The total project cost with the Knife River bid would be \$86,838.00 and with the Black Pearl bid would be \$123,009.00.

The Council needs to accept the quotes from the two companies and then award a contract to LTM Inc. dba Knife River Materials in the amount of \$57,314.00.

OPTIONS:

1. The City of Canyonville Council accepts both quotes and awards the contract to the lowest bidder, LTM Inc. dba Knife River Materials, in the amount of \$57,314.00 and authorizes the Mayor to sign the contract.
2. Decline to award the bid to the lowest bidder.



THE DYER PARTNERSHIP
ENGINEERS & PLANNERS, INC.

December 7, 2023

Dawn Bennett, City Administrator
City of Canyonville
250 N Main Street
Canyonville, Oregon 97417

RE: City of Canyonville
O'Shea Emergency Water Line Replacement
Project No. 180.00D

Dear Dawn:

This letter is to recommend action by the City of Canyonville in response to the quotes received on December 6, 2023 at 2:00 PM for the above referenced project. Two quotes were received, there were no quote irregularities, and all were responsive and responsible. The quotes were in the following amounts:

1. \$57,114.00 by LTM Inc. dba Knife River Materials
2. \$93,485.00 by Black Pearl Paving and Excavation

Dyer recommends that the City of Canyonville take the following action:

1. Accept the quotes.
2. Award a contract to LTM Inc. dba Knife River Materials in the amount of \$57,114.00.

It is our opinion that LTM Inc. dba Knife River Materials has sufficient experience and qualifications to satisfactorily construct the project.

Assuming the City of Canyonville and Council concurs with our recommendation; we have enclosed a copy of the Notice of Award. A representative for the City needs to sign the copy after which the copy should be emailed to our office. (Please do not date the Notice of Award.) We will date the Award following notification that the City of Canyonville accepts the quote and is determined to award the project.

Pursuant to ORS279C.835, the Oregon Bureau of Labor and Industries requires that Form WH-81 be filled out by the contracting agency and sent to them with a copy of the first-tier subcontractor form, if applicable (ORS 279C.370), within 30 days of issuing the Notice of Award. The form is available at:
<https://www.oregon.gov/boli/WHD/PWR/docs/wh81.pdf>

The Owner is also responsible for payment of a Public Works fee to the Bureau of Labor & Industries. This payment is accompanied by Form WH-39 which is available at:
<https://www.oregon.gov/boli/WHD/PWR/docs/wh39.pdf>

Sincerely,

Blair Hopwood, PE
Project Engineer

Enclosure

1330 TEAKWOOD AVENUE
COOS BAY, OREGON 97420
TELEPHONE: 541-269-0732
FAX: 541-269-2044
WEB: www.dyerpart.com

CITY OF CANYONVILLE
O'SHEA EMERGENCY WATER LINE REPLACEMENT

NOTICE OF AWARD
SECTION 00510 – PAGE 1

**Section 00510
NOTICE OF AWARD**

NOTICE OF AWARD

Date of Issuance:

Owner:	City of Canyonville	Owner's Contract No.:	
Engineer:	The Dyer Partnership	Engineer's Project No.:	180.00D
Project:	O'Shea Emergency Water Line Replacement	Contract Name:	O'Shea Emergency Water Line Replacement
Contractor:	LTM Inc. dba Knife River Materials		
Contractor's Address:	186 Beaver State Road Roseburg, Oregon 97471		

TO CONTRACTOR:

You are notified that Owner has accepted your Quote dated December 6, 2023 for the above Contract, and that you are the Successful Contractor and are awarded a Contract for:

City of Canyonville - O'Shea Emergency Water Line Replacement.

The Contract Price of the awarded Contract is: \$ Fifty-seven thousand, one hundred and fourteen dollars and zero cents (\$57,114.00)

Three copies of unexecuted counterparts of the Agreement accompany this Notice of Award.

Three sets of the Quote Documents will be delivered separately.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner three fully executed counterparts of the Agreement, fully executed by Contractor. **All dates on the Agreement shall be left blank and the Effective Date of the Agreement will be inserted by Owner when Owner executes the Agreement.**
2. Deliver with the executed Agreements the Contract security (*performance and payment bonds*) and insurance documentation as specified in the Agreement. **All dates on the bonds shall be left blank.** A letter shall be provided, signed by both Contractor and Bonding Company, or authorized agent of Bonding company, which authorized the Owner to insert the date on the Bonds which is the same date as the Effective Date of the Agreement.
3. Parties required to be listed as insured, additionally insured, or also insured shall all be listed on the Certificates of Insurance.
4. Also, before you may start any Work at the site you must:
 - a. Submit a project work schedule.
 - b. Videotape Project area.
 - c. Receive a Notice to Proceed from the Owner.

EJCDC® C-510, Notice of Award.

Prepared and published 2013 by the Engineers Joint Contract Documents Committee.

Page 1 of 2

CITY OF CANYONVILLE
O'SHEA EMERGENCY WATER LINE REPLACEMENT

NOTICE OF AWARD
SECTION 00510 – PAGE 2

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award.

You are required to return an acknowledged copy of this Notice of Award to the Owner.

ACCEPTANCE NOTICE

City of Canyonville
(OWNER)

By _____
(AUTHORIZED SIGNATURE)

(TITLE)

Receipt of the above NOTICE OF AWARD is
hereby acknowledged by _____

this the _____ day of _____,
20____.

By: _____

Title: _____

Employer I.D. No. _____

City of Canyonville

City of Canyonville Phone 541 839 4258
 250 N. Main Street Fax 541 839 4680
 P.O. Box 765
 Canyonville, OR 97417

Memo

To: Mayor and City Council
From: Dawn Bennett, City Administrator
Date: December 18, 2023
Re: Stagecoach Hazardous Tree - Amended

BACKGROUND:

It was brought to the City Administrators attention that a tree on stagecoach road in the city right of way has part of the tree top hanging precariously on a tree limb. This is very dangerous as a strong wind could knock it lose from the limb to land on the ground, a vehicle driving by, or a pedestrian walking on the roadway. The budget for street improvements is \$15,000.00 for this year. There is another expenditure on the agenda that is quoted at \$8,474.00. These two expenditures will use up a major portion of the budget.

Staff called three tree services: Kevin's Family tree service, Limb Walker tree service, and Wrights tree service. I asked for the tree services to give the city an estimate for removing the hanging limb and removal of the entire tree. I have enclosed pictures of the hanging limb and of the row of trees for you to see which tree it is that the estimates are for.

A representative from both companies is scheduled to come look at the tree on December 14, 2023. I have received the estimate from Limb Walker Tree Service. The other tree service has not sent their quote as of today. I do feel, for safety reasons, that this needs to be taken care of as soon as possible.

The estimates have come in as follows:

	Remove limb only	Remove entire tree
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Kevin's Family Tree Service LLC	\$ 675.00	\$1,800.00
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Limb Walker Tree Service	\$ 850.00	\$3,250.00
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Wright's Tree Service	Quote was not received.	
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It is the staff's recommendation that the Council award the bid to the lowest bidder Kevin's Family Tree Service for \$_____ for the removal of the _____.

OPTIONS:

1. Award the bid to _____ for \$_____ for the removal of the _____ and authorize the Mayor to sign the bid document.
2. Decline to award the bid to any of the tree services.







City of Canyonville

City of Canyonville
250 N. Main Street
P.O. Box 765
Canyonville, OR 97417

Phone 541 839 4258
Fax 541 839 4680

Memo

To: Mayor and City Council
From: Dawn Bennett, City Administrator
Date: December 13, 2023
Re: City Streets Asphalt Patch Repair - Amended

.....
BACKGROUND:

Public Works has asked for bids on asphalt repairs to several of the city streets. The repairs need to be made due to cutting into the asphalt for utility repairs, new services crossing the roadway, or the heavy traffic use at these sections. The streets that repairs will be made on are Oak, Sunset, Main, Kramer, 4th Place, and Crest/Canyonview Streets.

These repair costs will be coming out of the street fund under the street improvement line item. The street improvement line item has a budget of \$15,000.00. These street repairs are made only once a year.

Staff asked two paving companies, Gosselin Construction and Umpqua Valley Paving, to submit bids on these street repairs. I have received the bid from Umpqua Valley Paving now, and it looks to be a little bit higher than Gosselin bid. Gosselin's bid indicates they will cut approximately 450 square feet of surface, remove pavement, and repave. Umpqua Valley Paving bid indicates they will cut approximately 913 square feet of surface, remove pavement, lay fabric, lay rock, and hot asphalt mix.

The bids have come in as follows:	Bid proposal	Sq. Ft.	Cost per Sq. Ft.
Gosselin Construction	\$8,474.00	450	\$18.83
Umpqua Valley Paving	\$8,498.00	913	\$ 9.31

It is the staff's recommendation that the Council award the repair work on the six city streets to Umpqua Valley Paving. They have in the past worked on street repairs for the city and their bid is lower per square foot of surface.

OPTIONS:

1. Award the bid to Umpqua Valley Paving for the lowest bid of \$8,498.00 for the repair to sections of Oak, Sunset, Main, Kramer, 4th Place, and Crest/Canyonview Streets and authorize the Mayor to sign the bid proposal.
2. Decline to award the bid to Umpqua Valley Paving.
3. Award the bid to Gosselin Construction for the bid of \$8,474.00 for the repair to sections of Oak, Sunset, Main, Kramer, 4th Place, and Crest/Canyonview Streets and authorize the Mayor to sign the bid proposal.



Kramer & Gross



Crest



4th



4th



4th



Sunset



Sunset



2nd



2nd

City of Canyonville

City of Canyonville
250 N. Main Street
P.O. Box 765
Canyonville, OR 97417

Phone 541 839 4258
Fax 541 839 4680

Memo

To: Mayor and City Council
From: Dawn Bennett, City Administrator
Date: December 13, 2023
Re: Employee Cell Phone Stipend and Use Policy

BACKGROUND:

During the Union negotiations the Council agreed to allow the employees to use their personal cell phones and receive a stipend of \$30.00 a month towards their cell phone bill. At that time, it was agreed that the city will create an employee cell phone policy.

I have attached the employee cell phone stipend and use policy that the city attorney established. I sent the policy to Mike Meek, the IBEW union representative to review and give me any changes he thought were necessary. He responded that it was very well written, and he agrees with the policy as written.

It is up to the Council to adopt the new employee cell phone policy as written or decline adopting it to make any changes the Council wants made to the policy.

OPTIONS:

1. Adopt the new employee cell phone stipend and use policy that has been approved by the IBEW union representative.
2. Decline to adopt the new employee cell phone stipend and use policy.

City of Canyonville
Employee Cell Phone Stipend and Use Policy
Date: 12-18-2023

I. Purpose

The purpose of this Policy is to establish the policy and procedures relating to City employees' receipt of a personal cell phone stipend and use of personal cell phones to conduct City business.

II. Application and Scope.

This Policy applies to all City employees who are authorized to use their personal cell phone to conduct City business and receive a stipend from the City for that purpose. In case of conflict with other City policy, this Policy shall control. In case of conflict with any applicable collective bargaining agreement, the collective bargaining agreement shall control.

III. Receipt of Stipend

The City, at its sole discretion, shall determine which City employees require the use of a cell phone to perform their job duties. For those employees, the City shall provide a monthly stipend. As a condition of receiving this stipend, the employees must maintain phone service, report to the City any changes in their service plans, changes in their cell phone numbers, the loss of their cell phone, or any damage to their cell phone. The City shall not be responsible for the replacement or repair of any lost or damaged cell phones. Personal cell phones remain the employees' personal property.

IV. Use of Cell Phones

An employee who is authorized to use their personal cell phone under this Policy may use that cell phone to perform job-related or otherwise conduct authorized City business, duties, and functions. These functions may include, for example:

- Receiving and transmitting job-related information.
- Accessing the employee's City email account for job-related purposes.
- Researching information for job-related purposes.
- As otherwise may be required or necessary for the employee's job duties.

Employees who use their personal cell phones for City business under this Policy are discouraged from using text messages to conduct City business. As discussed in Section V.A of this Policy, text messages are public records that the City must preserve and, upon request, disclose. City employees are encouraged to use their City email to communicate in writing instead of text messages. If an employee must send a text message, the employee should later send a copy of that text message via their City email as well.

Employees who are authorized to use their personal cell phones under this Policy must keep their personal cell phone on hand at all times during their working hours. Their personal cell phone must be charged and in operable condition. If contacted by the City for City business during working hours, employees must immediately respond if available or respond as soon as it is safe and practicable.

Employees who are authorized to use their personal cell phone to conduct City business must comply with all applicable federal, state, and local laws, rules, and regulations while using their personal cell phone for City business. Employees are specifically prohibited from using their personal cell phones to engage in illegal activity. Additionally, employees may not use their personal cell phones for the following purposes:

- Engaging in conduct prohibited by the City's Bullying and Harassment Policy.
- Engaging in conduct otherwise prohibited by City policy.
- Engaging in political activity or commercial transactions as a representative or employee of the City.
- Engaging in non-work activities during working hours.
- Using their personal cell phone while operating a City-owned vehicle or while operating a vehicle while on City business.
- Using their personal cell phone for City business outside of their scheduled working hours without permission.

V. Inspection of Personal Cell Phones.

Employees who use their personal cell phones to conduct City business acknowledge that they have no expectation of privacy in regards to the City business they conduct on their personal cell phones. Employees also acknowledge that there are circumstances in which the City has the right and obligation to inspect personal cell phones in relation to City business. The City understands and respects that employees have a privacy interest in the personal use of their personal cell phones. The following section describes the circumstances in which the City may require an inspection of an employee's personal cell phone.

A. Public Records.

Under Oregon state law, a public record is any writing that contains information relating to the conduct of the public's business. This includes emails, text messages, photographs, documents, and video footage. Employees acknowledge that they will create and possess public records through the use of their personal cell phones for City business. Employees acknowledge that the City owns all public records and, by law, must preserve and, upon request, disclose any public records that it or its employees have in their possession. As a condition of accepting a cell phone stipend under this Policy and so that the City may fulfill its legal obligations relating to public records, Employees acknowledge and agree to the following:

1. The City has the right to inspect an employee's personal cell phone for, make copies of, and disclose any public records that are responsive to a public records request that the City receives. Upon notification from the City, the employee must immediately turn over their personal cell phone for inspection and otherwise assist the City as requested.
2. The City will make every effort to respect its employees' privacy interests in their use of the personal cell phones that is not related to City business. The City's inspection of an employee's personal cell phone pursuant to a public records request will be limited only to the parameters of the specific public records request.
3. The City will make every effort to complete its inspection quickly and during the employee's regularly scheduled working hours.
4. The City will make its inspection in the presence of the employee who owns the personal cell phone.

B. Subpoenas.

A subpoena is an order from a court or a government agency that requires the recipient to appear in court or to produce certain information or records. The City may receive a subpoena for records or information in its or its employees' possession. The specific information or records to be produced is established by the terms of the subpoena. If the City receives a subpoena for records or information that is stored on an employee's personal cell phone, then it must comply with that subpoena by producing the records or information from the employee's personal cell phone. The employee must comply with and assist the City in its obligation to produce those records or information. The City will make a reasonable effort to conduct its inspection of the employee's personal cell phone in accordance with Section V.A, above, but the City must ultimately comply with the terms of the subpoena.

C. City Investigations.

An employee's use of their personal cell phone to conduct City business may be relevant to a City investigation for potential misconduct, wrongdoing, or policy violation. In such a situation, the employee must produce their personal cell phone for inspection as directed by the City. In addition to complying with any applicable procedures in any applicable City policy or collective bargaining agreement, the City will:

1. Inform the employee the reason and purpose for which it is inspecting the employee's personal cell phone and limit its inspection to the extent necessary for such purpose.
2. Conduct its inspection in the presence of the employee.
3. Conduct its inspection during the employee's regularly scheduled working hours.

Council adopted the new employee cell phone stipend on December 18, 2023.

Christine Morgan, Mayor

ATTEST:

Dawn Bennett, City Administrator/Recorder

City of Canyonville

City of Canyonville
250 N. Main Street
P.O. Box 765
Canyonville, OR 97417

Phone 541 839 4258
Fax 541 839 4680

Memo

To: Mayor and City Council
From: Dawn Bennett, City Administrator
Date: December 13, 2023
Re: Food Trucks/Carts Standards

BACKGROUND:

At the November 2023 Council meeting there was interest in having the Council look at allowing food trucks/carts to come to Canyonville. The idea was that several of the local restaurants closed a couple of days during the week which does not leave the citizens many places to eat out.

There is a great deal of details to think about before making the decision to allow or not allow food trucks/carts into Canyonville. The following is a list of standards that should be considered:

What zoning should food trucks/carts be allowed in.

What permits are required by the state and what permits should the city require.

Should an ordinance only cover food trucks/carts or should it cover vendor trucks/carts.

How many are going to be allowed in the city at one time.

How many days and length of time will they be allowed in the city.

Maximum size if any.

Accessory items, structure, & storage allowed or not allowed.

Parking surfaces and any setbacks from property lines.

Obstruction of vehicular, pedestrian, bicycle, & transit facilities regulations.

This is not a complete list of standards that should be considered but it is a good starting point when reviewing the ordinances from other cities.

I have given the Council a copy of all the ordinances I have gathered from other cities in a separate envelope. Please read through all the ordinances and highlight what you would like to see in an ordinance for Canyonville. I think the Council needs to set a date to have a

workshop to discuss the standards and regulations that need to be considered for an ordinance on food trucks/carts and/or vendor trucks/carts.

OPTIONS:

1. Support allowing food trucks/carts within the city limits and set date for a workshop to discuss standards and regulations.
2. Support allowing vendor trucks/carts within the city limits and set date for a workshop to discuss standards and regulations.
3. Decline support for allowing food trucks/carts within the city limits.

Memo

To: Mayor and City Council
From: Dawn Bennett, City Administrator Interim
Date: December 13, 2023
Re: Nuisance Violations – 430 S. Main & 110 5th Street

History:

Staff received complaints on the property of 430 S. Main & 110 5th Street (both addresses are on one lot) alleging that the subject property violates the City's code Chapters 8.040.070B and 8.04.075 of the Municipal Code.

This lot has been a problem for a couple of years now for the city. The last tenants in the upstairs apartment finally moved out and the city started sending letters of abatement. Valerie did some research and found another address for Mr. Maniaci, so the second letter was sent out on November 16, 2023, as a certified letter. We have not received the signed certified mail receipt, nor have we received the returned letter. He was requested to clean up the nuisance by November 30th, 2023, which has come and gone, and the debris and garbage are still present.

It is now time for the Council to have Mr. Maniaci cited into Municipal Court for the violation of Chapter 8.040.070B and Chapter 8.04.075 of the Canyonville Municipal Code or approve an extension of more time to abate the nuisance.

OPTIONS:

1. Adopt a motion to have staff take the necessary steps to have Mr. Maniaci cited in Municipal Court for the violation of Chapter 8.040.070B and Chapter 8.04.075 of the Canyonville Municipal Code on his 430 S. Main & 110 5th Street property.
2. Approve an extension to abate the nuisance, by the property owner, within 20 days or by a set date.

City of Canyonville

Pioneers of the Past

250 N. Main Street
PO Box 765
Canyonville, OR, 97417

Pioneers of the Future

Ph. (541) 839-4258
Fax (541) 839-4680
e-mail city@cityofcanyonville.com

November 16, 2023

Stephen Maniaci
c/o PO Box 571
Myrtle Creek OR 97457

RE: 430 S Main St. & 110 SW 5th St., Canyonville

Dear Mr. Maniaci,

We have received numerous complaints regarding your buildings at the above-mentioned addresses. As the property owner you are responsible for maintaining and upkeep of the properties in accordance with Canyonville Municipal Code. You were sent multiple letters over the last year regarding the deteriorating condition of the properties. I have included a copy of the previous letters and pictures of the condition on 11-16-2023. This letter is to inform you that the current condition of the properties violates Municipal Code 8.04.070 B and 8.04.075.

Municipal Code 8.04.070 section B states: *All accumulations of debris, rubbish, garbage, manure, and other refuse located on private property, and which has not been removed within a reasonable time and which affects the health, safety, or welfare of the city is declared to be a nuisance.*

Additionally, Municipal Code 8.04.075 states: *Any person in charge of property where domestic garbage accumulates shall place such garbage into appropriate containers and remove it from the premises at reasonable intervals. Garbage containers shall be sturdy, watertight, and rodent proof and shall be kept tightly closed.*

In accordance with Municipal Codes 8.04.070 and 8.04.075 you are directed to remove the nuisances by November 30th, 2023. If the nuisance is not abated, the City will pursue all legal remedies including a fine not to exceed three hundred dollars per day.

If you feel that a nuisance does not exist, you have the right to request a hearing before the City Council. If you wish to request a hearing, you must deliver a written notice of request for hearing within ten days from the date of this notice to abate.

Sincerely,

Valerie O'Sullivan
Utility Billing Clerk/
Administrative Assistant
City of Canyonville

From:
Sent: Thursday, November 16, 2023 10:10 AM
To:
Subject: 430 s main 4



From:
Sent: Thursday, November 16, 2023 10:09 AM
To:
Subject: 430 s main 2

