

CANYONVILLE CITY COUNCIL MEETING  
REGULAR SESSION 7:00 P.M.  
MONDAY OCTOBER 16, 2023  
COUNCIL CHAMBERS

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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

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AGENDA

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE:**

**II. ROLL CALL**

**III. AGENDA REVIEW AND ADDITIONS:**

**IV. CONSENT CALENDAR:**

1. Minutes for Regular Meeting on September 18, 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. Ordinance No. 664 – Amendment to the Zoning Ordinance for Off Street Parking, Zoning Violation, and Fence Regulations
2. Change Order for Repair of First Street Water Line
3. Water Rate Increase Update
4. Final Review of Sewer Contract
5. Abatement of 410 Leland Avenue
6. Abatement of 440 Mill Street

**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, November 6, 2023  
Council Meeting, November 20, 2023

**X. MOTION TO ADJOURNMENT**

**CANYONVILLE CITY COUNCIL  
MEETING MINUTES  
REGULAR SESSION 7:00 P.M.  
MONDAY, SEPTEMBER 18, 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: Administrator/Recorder Bennett and Finance Deputy Recorder Rogers.

STAFF ABSENT: None.

**III. AGENDA REVIEW AND/OR ADDITIONS:**

Additions: None

**IV. CONSENT CALENDAR:**

Minutes for 08-21-2023 Regular Council Meeting: **Stand approved.**

**V. REPORTS**

**1. Sheriff’s office report.**

This month in Canyonville the Sherriff’s office received 329 calls for service, 27 criminal complaints, 11 citations, 22 arrests and 24 traffic stops.

**2. City Administrator Report**

City staff have been getting bids to fix the awning in the front of the city hall building. The awning companies should have a drawing for us soon. Douglas County Sheriff’s Deputies are working together with staff to enforce the homeless camping ordinance. Canyonville-Riddle Rd water leak has been repaired. City Public Works personnel will now work with the fire department when they flush hydrants in the city, to help prevent breaks in our water lines. The sewer plant operator and utility workers got one of the blowers working in the digester, this is a problem that Optimum could not figure out. The final report for Optimum will be given at the October Council Meeting.

**3. Mayor’s Report**

Mayor Morgan began her report with an apology to Councilor Andrew Mather for a remark she made publicly about him in a Facebook posting. Mayor Morgan met with Administrator Bennett for an agenda review and to talk about other City issues. These topics include the final Optimum report, the City website, and an overview of the City’s janitorial services. Mayor Morgan and Councilor Suhr attended Christine Goodwin’s Townhall meeting and the Canyonville Chamber of Commerce meeting. The City Hall Exterior and Grounds Improvement is still active and awaiting grants.

**5. Main Street Report**

No Main Street report as August meeting was cancelled.

**VI. PUBLIC HEARING**

1. Public hearing opened at 7:14pm to consider the proposed Ordinance amendment to the zoning Ordinance for off street parking, zoning violation and fence height regulation.

No conflicts of Interest or Ex-parte contacts. Janelle gave the staff report. There was no testimony from proponents and no testimony from opponents. This public hearing was closed to public comment at 7:25pm.

The council discussed changing the word Director to Administrator.

**Councilor Barton moved, and Councilor O’Sullivan seconded a motion to Adopt the Planning Commission findings and recommendation regarding all 3 legislative amendments, off street parking, violation section and fence height restriction in the front yard. Mayor Morgan, Councilors Barton, Freeman, Morgan, Mather, O’Sullivan, and Suhr voted “yes.” No “nays.” The motion carried.**

2. Public hearing opened at 7:27pm to consider the proposed Ordinance No. 662 of the Canyonville Municipal Code amending Chapter 8.24 Wrecked or Abandoned Vehicles.

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 to public comment at 7:31pm.

The council discussed that interest should be a 12% flat rate and the violation penalty charge be changed to no greater than \$500.

**Councilor O’Sullivan moved, and Councilor Freeman seconded a motion to Approve proposed ordinance 662 of the Canyonville Municipal Code amending chapter 824 Wrecked or Abandoned Vehicles and include a flat rate of up to 12% and a fine of up to \$500. Mayor Morgan, Councilors Barton, Freeman, Morgan, Mather, O’Sullivan, and Suhr voted “yes.” No “nays.” The motion carried.**

## UNFINISHED COUNCIL BUSINESS

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

Library did not receive the T-Mobile Grant. The Ford Family Foundation has permitted changes to the Good Neighbor Grant for swings and an LED sign for the library. Linda Joyce has resigned from the Library Board but will continue to help with grants. The library is having a food drive ahead of the holidays and will be having several family events during the Fall season.

2. **Public Improvement Project Status**

Canyonville Riddle Rd water leak has been completed. The engineer for the Hamlin Bridge repair has all the permits needed through DEQ and can now continue to develop bid documents. Safe Route to School, although not a City project, the City will need to keep track of this project in order to coordinate work. When talking with the County about coordinating projects, they 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. Mayor Morgan asked to meet with Planner Evans to discuss this matter further. Knoll Terrace is proposing to establish a 67,000-gallon water tank for their residents. The O’Shea raw water line was approved at a cost of \$90,776.00, this money will be coming from ARPA funds.

3. **Current Abatements**

The property at 744 Hamlin Dr is in the city’s urban growth boundary so we will need to find out if we can cite them. 123 Pruden Hill has a court date of Sept. 19, 2023. 613 N Main St has all but one car and motorhome to be moved and a pile of debris. The residents have moved out of 430 S Main St and Administrator Bennett will be speaking with the City attorney to find out how we move forward with the abatement. The owner at 623 N Main St is deceased, so staff is trying to find out who to contact for this property.

## VII. NEW COUNCIL BUSINESS

1. **Water Rate Increase Update**

Staff have been working on spread sheets for all the meter rate codes that we have active in our system. This is a very time-consuming project as there are many different rates for the various

sized meters. As the meter size increases the rate increase will create a significant jump in the water bill. This will be a long process in that we must make sure all our calculations are correct and the increase will be enough to get us where we want to be.

**2. Janitorial Request for Quote Packet Review**

At the 2023 Budget Committee Meeting it was suggested that the City go out for a bid for Janitorial Services. Administrator Bennett put together a request for quote packet that consists of qualifications and requirements. Mayor Morgan said she thought that this is something that we don't need to act on right now.

**Councilor Freeman moved, and Councilor Barton seconded a motion to approve the request for Janitorial Services form for the City of Canyonville. Mayor Morgan, Councilors Barton, Mather, Freeman, Morgan, O'Sullivan, and Suhr voted "yes." No "nays." The motion carried.**

**3. Letter from the Cow Creek Tribe**

Kyle Reed, the Wildlife Mitigation Specialist for Cow Creek band of Umpqua Indians has been assigned to help with the Tribe's "Community Wildfire Defense Grant". He is seeking letters of support for this project.

**Councilor Barton moved, and Councilor Suhr seconded a motion to send a letter of support for the Cow Creek Tribe's Community Wildfire Defense Grant. Mayor Morgan, Councilors Barton, Mather, Freeman, Morgan, O'Sullivan, and Suhr voted "yes." No "nays." The motion carried.**

**VIII. QUESTION AND COMMENTS FROM THE AUDIENCE**

No comments from the audience

**X. ANNOUNCEMENT**

Council Meeting October 16, 2023

Planning Commission October 11, 2023

**XI. ADJOURNMENT**

**Councilor Barton moved, and Councilor O'Sullivan seconded a motion to adjourn the meeting at 8:07 pm. Mayor Morgan, Councilors Barton, Mather, Freeman, Morgan, O'Sullivan, and Suhr voted "yes." No "nays." The motion carried.**

Meeting adjourned at 8:07 pm

ATTEST:

\_\_\_\_\_  
Christine Morgan, Mayor

\_\_\_\_\_  
Dawn Bennett, City Administrator/Recorder

**ADMINISTRATIVE REPORT  
OCTOBER 12, 2023**

**City Hall:** The planters in front of City Hall are ready for flowers to be planted. Big thank you to Bruce Knowles for getting them ready.

Around 1:00 Monday morning someone started the burn pile behind City Hall on fire. The fire department was called out to extinguish it. When staff arrived around 7:30 am the fire had ignited again. The staff called Ray Brown and he said it was ok to let burn if someone was present to watch it. At 4:30 pm Keith brought the vactor truck to City Hall and with the help of Chris they extinguished the fire.

**Street:** With the rain came the wind this week so the staff kept an eye on the streets for debris and when needed ran the street sweeper.

**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.

**Water:** There was a large leak found on Stanton Park Road which the staff repaired last month. A leak was found on the frontage road again and repaired.

**Sewer:** Staff checked out the city dump truck and made any repairs needed and are now using the dump truck instead of the County's dump truck. I was able to call the County to come get their dump truck and thanked them for the use of the truck and an employee to drive the truck to and from the landfill.

**Reports:** Notices for the leaf pickup program will go out in the October billing. The program runs from November 1, 2023 to December 31, 2023.

Respectfully submitted,

Dawn Bennett  
City Administrator

**WATER PLANT REPORT**  
**August 15 - September 15**  
**2023**

**Finished Water = 11,979,000 (gallons)**

**Metered Water = 9,193,503 (gallons)**

**Water Loss =23.25%**

**WTP:** Two considerable leaks were found and fixed in the system within this time period. One on Hamlin Drive and one on Frontage Rd. Another, even larger leak in a 2" line was found on Stanton Park Rd and repaired on Sept 27<sup>th</sup>. \*\*Hopefully these will account for most of the water loss for this month. However, the one on Stanton Park Rd. will contribute some to next month's total as well.

*\*\* At 60 psi a ¼ inch hole loses 393,833 gallons a month*

**City Paid Water (cubic feet):**

Pioneer Park	<b>94,791</b>
Wastewater treatment plant	<b>779</b>
Community Park	<b>0</b>
Water treatment plant	<b>7,520</b>
City Hall irrigation	<b>0</b>
D. Gross	<b>2,557</b>
City Hall domestic	<b>1,625</b>
Fire District #2 meter	<b>117</b>
Fire District #1 meter	<b>1,847</b>
Cemetery	<b>166</b>
<b>Total = 109,402 cubic feet =</b>	
<b>818,326 gallons</b>	

**Telephone Costs:**

Telephone	\$115.36
Hill Drive Telemetry	\$10.72

**Power Costs:**

Water treatment plant	\$923.12
Hill Drive pump station	\$395.00
Hill Drive reservoir	\$18.22
Generator natural gas	\$18.73

**Chemical Costs:**

**Sodium hypochlorite	\$1,428.00
Aluminum sulfate	\$726.35
MOE 108 polymer	\$153.33
N-300 polymer	\$2.05

*\*\*includes monthly delivery fee*

**Monthly Average Treated Water Statistics:**

hours  
 Ph 7.8    Temperature Celsius 19.4 C    NTU's 0.065

**Man Hours at Plant: (approx.)**

175

**Daily Average Production (gallons): 399,300**

Respectfully submitted: Chris Panner

# Memo

**To:** Mayor and City Council  
**From:** Dawn Bennett, Administrator/Recorder Interim  
**Date:** October 11, 2023  
**Re:** Current Abatement Status

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I went to court on Sept 19, 2023, with Sergeant Dan Schwenn and Gene Bailey for the nuisance violation at 123 Pruden Hill. Judge Mayfield found Gene Bailey guilty of the violation and fined him.

A second letter has been sent to 613 N. Main Street about the debris pile.

Valerie was able to talk to the daughter of the deceased owner of 623 N. Main and was given the sons name that is living there now. A letter of abatement has been mailed to the son.

A complaint came into the office regarding waste spilling out onto the ground from a mobile home in the mobile home park behind penny pincher gas station. A letter was composed and mailed to the owner of the park. A letter was also hand delivered to Mike Sprague as he is the manager of the park. Within a couple of hours Mike had peppe le pew on site for cleanup. He sent pictures after the cleanup, and it looks good.

Will be giving 670 N. Main a second letter about the vehicles and grass.

We just received a complaint on 241 Leland Avenue and a letter will be going out to clean up the debris and junk in the yard.

Comp #	Date	Location	Nature of Complaint	Action	1st letter DATE	letter 2 CERT	Council Mtg	Hearing Date	Completion Date
				<b>COMPLAINT LOG 2023</b>					
17/52	1/26/2023	325 N Main House across from OR Sunshine	Junkyard, running 4-wheelers up and down street,	Letter sent regarding junk yard and other problems. City Administrator talked with owners and they are working on cleaning it and trying to get a fence built. Have to send another letter to make sure they are working on cleaning up. Drive by on 5/5/23 found to be working in the yard.	1/31/2023	4/14/2023			
17/48	2/1/2023	271 Sunset (REOPEN)	Vehicle, manhole w/ potholes, broken hydrant	Letter was sent to property owner about vehicle, public works has been notified about the other issues and started work 2/2/23 on fire hydrant repair work - completed on 2/10/23	2/1/2023	N/A	N/A	N/A	2/10/2023
17/53	2/1/2023	Phillips St	Potholes	This St was found to be a private drive and there is nothing the city can do.	N/A	N/A	N/A	N/A	2/1/2023
17/54	1/17/2023	Johnson St	Potholes	Memo was sent to public works 1/18 and the holes have been filled.	N/A	N/A	N/A	N/A	1/20/2023
17/55	1/21/2023	430 Mont St	Drainage from neighbor going into their yard	Public works was notified and redug the ditch to the drain	N/A	N/A	N/A	N/A	1/26/2023
17/56	2/6/2023	5th & S Main	Red jeep jacked up w/ only 1 wheel attached	Contacted Sheriff's office and had vehicle towed	N/A	N/A	N/A	N/A	2/7/2023
17/57	2/7/2023	251 Sunset	Rooster Crowing	Letter send regarding city policy of no roosters in town and license for chicken keeping. Mr Potter killed the rooster.	2/8/2023	N/A	N/A	N/A	2/10/2023
17/58	2/15/2023	325 S Main St (Monkey Business)	Motorcycle parked on sidewalk	Letter sent to Monkey Business with the ordinance asking him to park off the sidewalk	2/16/2023	N/A	N/A	N/A	3/7/2023
17/59	2/15/2023	315 S Main (Pioneer Market)	Exceeds number of allowable signs	Janelle sent a letter for them to take down all signs except for the business name sign. Sending a certified letter with the penalty for not taking the signs down. 5/5/23 No changes to signage. Attorney said enofrcement would have to go to court. Signs have been taken down from the front of the building	2/16/2023	4/14/2023		enforcement will have to go through the court	N/A 8/1/2023
17/60	2/21/2023	200 Berthel Av	Grey/black water dumping on ground from camp trailer in driveway	Took both home and trailer a DEQ informational flyer. If not stopped city will contact DEQ and report. I have a complaint in to DEQ. Waiting to hear from them. DEQ said to have sheriff continue to cite them. Sheriff said in process of moving.	2/21/2023	3/9/2023	3/14/2023	Sheriff Deputy said he would visit the trailer	Seargent Scrivens called-they cited them
17/61	3/10/2023	221 2nd Street	oil/gas leaking from vehicles	phone call made to property owner 3-10-23. Inspected vehicles and area 4-3-2023. Leaks fixed		N/A	N/A	N/A	4/3/2023
17/62	3/11/2023	167 Phillips	3 complaints about RV's and vehicles blocking the street, garbage in cars, mess can't see the house	Sent letter requesting abatement of nuisance. owner called 5/26/23 and asked for a 2 week extension on deadline for cleanup. She now has until 6/14, 2023. All but a car & truck are gone. She will clean up junk.	4/18/2023	5/12/2023	N/A	N/A	9/5/2023



Comp #	Date	Location	Nature of Complaint	Action	1st letter DATE	letter 2 CERT	Council Mtg	Hearing Date	Completion Date
17/63	3/14/2023	315 S. Main (Pioneer Mkt)	Garbage piling up behind the building	Letter sent. Trash has been cleaned up.	4/10/2023	N/A	N/A	N/A	4/14/2023
17/64	3/31/2023	600 NW 1st Street	Junk vehicles in pieces	Owner has restored services to the address and is working on renovating the home and cleaning up the yard	4/18/2023	N/A	N/A	N/A	5/31/2023
17/65	4/17/2023	441 SW 4th Place	Trash piling up creating a rat problem	Sent letter requesting abatement of garbage. Residence was rechecked and found to have cleaned up the garbage	4/18/2023	N/A	N/A	N/A	5/5/2023
17/66	4/18/2023	482 4th Street	Trash piling up creating a rat problem	Sent letter requesting abatement of garbage. Rechecked on 5-5-2023 and found that the garbage had been removed	4/18/2023	N/A	N/A	N/A	5/5/2023
17/67	4/18/2023	412 S Main (Indian Taste)	Trash piling up creating a rat problem	Sent letter requesting abatement of garbage. Rechecked on 5/5/2023 and found the garbage had been cleaned up.	4/18/2023	N/A	N/A	N/A	5/5/2023
17/68	5/4/2023	561 Stagecoach Rd	People living in RV's next to residence	Two RV's found on property; both RV's appeared to be connected to water and power on 5/5/2023.	6/1/2023	N/A	N/A	N/A	7/30/2023
17/69	5/4/2023	230 Sunset Dr	People living in RV in driveway of residence	Large RV found parked in driveway hooked to water and power. There were two cars in disrepair parked in the grass on 5/5/2023. Deadline extended to July 15th. Called her 8/14/2023 to have it gone this week.	6/1/2023	N/A	N/A	N/A	8/15/2023
17/70	5/22/2023	521 Mill St	Overgrown brush and debris on roofs creating a fire hazzard	Copy of complaint given to Fire Chief Brown 6-7-2023	N/A	N/A	N/A	N/A	6/7/2023
17/71	5/26/2023	301 S Main (J Mann Realty)	Homeless sleeping in front of business	Was given copy of homeless rules from Salem and invited to attend the town hall meeting.	N/A	N/A	N/A	N/A	5/26/2023
17/72	6/9/2023	302 S Main (Fry's Auto Body)	Hosting food trucks in front of business	Letter sent by city planner explaining committees decision to NOT have food trucks within the city limits	6/12/2023	N/A	N/A	N/A	6/12/2023
17/73	6/13/2023	412 S Main St (Indian Taste)	Garbage piling up behind the building creating rat problems for neighboring businesses	Letter, pictures, and ordinances hand delivered to owner and mailed. No garbage piling up. Sent letter to get garbage can. Send a second letter about a garbage can.	6/13/2023	N/A	N/A	N/A	
17/74	6/27/2023	744 Hamlin Drive-outside city	Garbage, old cars, and dead animals on property	Determined to be outside of city limits. We sent a letter regarding the garbage with hopes that it might work to get it cleaned up. Will be citing into court. Cert mail returned.	6/29/2023	7/21/2023			
17/75	6/28/2023	5th & Main street	Van setting up a household	Homeless situation- called sheriff's office and requested that they make contact and talk to them. He talked to them 6/28/23. Meeting with Deputy Schwen about the van. 72 hr notice posted	6/28/2023	N/A	N/A	N/A	7/??/2023
17/76	7/3/2023	Huffman & Wright	Tall grass on property affecting the ability of neighboring properties to aquire insurance	Sent letter regarding weed ordinance	7/5/2023	N/A	N/A	N/A	7/15/2023
17/77	7/3/2023	5th & Main street	Van with mess around it	Homeless situation- Will contact Sheriff's office again regarding citizen concerns	7/5/2023	N/A	N/A	N/A	7/21/2023

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 keepng 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	Dawn spoke to Ray 7/25/2023 about his mothers property as Lillian is 99 and not able to do the work.	8/8/2023				
17/81	7/21/2023	613 Main St	trashpiled in yard, cars and motorhome. 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. Need a second letter to be mailed certified.	7/21/2023				
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 explianed 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			
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



## **Memo**

**To:** Mayor and City Council

**From:** Janelle Evans, City Planner

**Date:** October 11, 2023

**Re:** Ordinance No. 664 - amendment to the zoning ordinance for off-street parking, zoning violation and fence regulations.

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### **BACKGROUND:**

At the September 18, 2023, Council meeting the Council held a public hearing regarding the Planning Commission recommendation to amend Sections of the land use code. The proposed amendments were as follows:

#### **AMENDMENT #1**

1. The Commercial uses have been expanded to address the type of commercial use instead of being lumped together and a required number of spaces assigned to the uses.
2. A provision has been added to allow for the exclusion of restrooms, hallways, and storerooms from the square footage of the building.
3. The downtown core area from First Street to the bridge has been exempted from the off-street parking requirements.
4. Specific design standards for parking lots have been added.

#### **AMENDMENT #2**

This amendment repeals Chapter 18.92 Violations of the Land Use Code in its entirety. The current language makes a violation of the land use laws a misdemeanor and provides for punishment as per the state statute. The new language provided by the City Attorney establishes procedures, remedies, and fines for violations of the Land Use code.

#### **AMENDMENT#3**

This amendment will change the allowable fence height requirement for the front yard. Currently the fence height for the front yard is 42 inches (3.5 feet) the change will allow fences in the front yard up to 60 inches (5 feet) as long as they are constructed with a "see

through” composition that allows for clear vision.

The hearing was opened for public comments either in favor or opposed to the proposed changes. No one wished to speak on the issue.

Mayor Morgan commented that amendment #2 regarding violations of the land use laws refers to a director and it should say City Administrator.

Planner Evans stated she would make the changes when she prepared the Ordinance.

The Council adopted the Planning Commission’s recommendations and findings approving the amendments to the Land use section of the Canyonville Municipal Code. Staff were directed to prepare the implementing ordinance for approval at the October meeting.

Ordinance 664 has been written to specify the exact changes to be made to the sections of the land use code. It is strictly an implementation ordinance for the direction of the updated information to be changed in the Municipal Code. No public hearing is required for this ordinance. The verbiage for the director has been changed to City Administrator.

Option:

1. Adopt Ordinance 664 which implements the changes to the Land Use Section of the Canyonville Municipal code as approved at the September 18, 2023, Council meeting.

## ORDINANCE NO. 664

### AN ORDINANCE AMENDING CHAPTER 18.76 REGULATING THE OFF STREET PARKING ORDINANCE, ZONING VIOLATIONS AND FENCE HEIGHT

**WHEREAS**, the City's Municipal Land Use Code for off street parking is very generic and does not provide clear direction when establishing the required parking demand and parking lot design; and

**WHEREAS**, the City wishes to adopt a new ordinance with more flexibility and guidance when calculating the required off street parking demand and parking lot demand; and

**WHEREAS**, the new section will provide more specific language and clearer directions. and

**WHEREAS**, the Planning Commission desires to allow "see through" fences in the front yard; and

**WHEREAS**, The City Attorney has recommended that the violation section of the land use ordinance be updated to specify how violations shall be handled; and

**WHEREAS**, after holding public hearings on August 23, 2023 and September 18, 2023 on the amendments it is the City's desire to proceed with the above mentioned changes.

**NOW, THEREFORE**, the City of Canyonville ordains as follows:

**Section 1.** Section 8.76.100 Off Street Parking is amended to read as follows:

#### **18.76.100 Off Street Parking**

At the time of erection of a new structure or at the time of enlargement or change in use of an existing structure, off-street parking spaces shall be provided in accordance with this section. In an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this section. Where square feet are specified, the area measured shall be the gross floor area necessary to the functioning of the particular use but shall exclude restrooms, hallways and storage areas. Where employees are specified, persons counted shall be those working on the premises during the largest shift at peak season, including proprietors.

1. Design and improvement requirements for parking lots:
  - a. All parking areas and driveway approaches other than residential shall have a hard surface such as asphalt or concrete. Residential driveway approaches shall have a hard surface such as asphalt or concrete for a minimum distance of 15 feet back from the curb if access is from a paved street. All parking areas, except those in conjunction with a single-family or two-family dwelling, shall require grading plan approval from the City Engineer.
  - b. Parking areas for other than single and two-family dwellings shall be

designed so that no backing movements or other maneuvering within a street other than an alley shall be required.

- c. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper so placed to prevent a motor vehicle from extending over adjacent property or a public right-of-way.
  - d. Artificial lighting which may be provided shall be deflected so as to not shine into adjacent dwellings and so as not to create a hazard to the traveling public on any road.
  - e. Access aisles shall be of sufficient width for all vehicular turning and maneuvering.
  - f. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrian and vehicular traffic on the site. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated.
  - g. Standard parking spaces shall be a minimum of nine (9) feet by twenty (20) feet. Spaces for compact cars shall be a minimum of eight (8) feet by sixteen (16) feet.
  - h. No more than twenty-five (25) percent of spaces required for a structure or use shall be sized for compact cars.
  - i. All parking spaces shall be sufficiently marked with painted stripes or other permanent markings acceptable to the City.
  - j. Accessible parking spaces shall be required in accordance with ORS 447.210 to 447.280.
2. Off-street parking spaces for all uses shall be located on the same lot as the use they serve. If the lot size is inadequate, the owner may obtain the required off-street parking spaces through purchase, lease or a joint agreement with another landowner provided that:
    - a. The parking facility is located in the same or less restricted use zone.
    - b. The parking facility shall be no further than four hundred (400) feet from the building or use required to have the parking facility.
    - c. In the event of a joint agreement, owners of two (2) or more uses, structures or parcels of land may agree to use the same parking spaces jointly. Provided written proof of a lease or a joint use

agreement has been approved by the City and recorded in the County Records.

3. The provision and maintenance of off-street parking spaces and landscape are continuing obligations of the property owner. No building, zoning or other permit shall be issued until plans are presented that show parking space. The subsequent use of property for which the permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking space required by this Ordinance.
4. Should the owner or occupant of a lot or building change or increase the use to which the lot or building is put, thereby increasing by more than two (2) spaces the number of spaces needed to meet the requirements of the Ordinance, it shall be unlawful and a violation of this Ordinance to begin or maintain such altered use until the required increase in off-street parking is provided. The downtown core area on Main Street from First Street to the bridge shall be exempt from this requirement.
5. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.
6. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for the storage of vehicles or materials or for the parking of trucks used in conducting the business or use and shall not be used for sale, repair or servicing of any vehicle.
7. Space requirements for parking shall be as listed in this section. Fractional space requirements shall be counted as a whole space. When square feet are specified, the area measured shall be the gross floor area of the building excluding restrooms, hallways, and storage areas.

**Residential:**

	<u>Use</u>	<u>Space Requirement</u>
a.	Single-family and two-family dwelling	2 spaces per dwelling unit
b.	Multiple-family dwelling	2 spaces per dwelling unit
c.	Motel or hotel	1 space per guest room and 1 additional space for the owner or manager



- d. Mobile home park 2 spaces per dwelling unit and 1 guest space for each 5 mobile home spaces

**Institutional:**

- e. Hospital, nursing home 1 space per 2 beds
- f. Retirement center 1 space per 2 dwelling units
- g. Assisted living facility 1 space per 2 dwelling units

**Places of Assembly:**

- h. Church 1 space for 4 seats or every 8 feet of bench length in the main auditorium or 1 space per 50 square feet of floor area in main auditorium if there is no fixed seating
- i. Library, reading room, Museum, and art gallery 1 space per 400 square feet of floor area plus 1 space per employee
- j. Preschool, nursery, kindergarten, child care center 2 spaces per teacher; plus off-street loading and unloading facility
- k. Elementary or junior high school 1 space per classroom plus 1 space per administrative Employee or 1 space per 4 seats or every 8 feet of bench length in the main auditorium, whichever is greater
- l. High school 1 space per classroom plus 1 space per administrative Employee plus 1 space for each 6 students or 1 space per 4 seats or 8 feet of bench length in the main auditorium, whichever is greater
- m. Other auditorium, 1 space per 4 seats or every 8 feet of lodges bench length or 1 space for each 50 square feet of

floor area if there is no fixed Seating

**Commercial:**

- n. Stadium, arena, theater  
1 space per 4 seats or every 8 feet of bench length or 1 space for each 50 square feet of floor area if there is no fixed seating
- o. Bowling alley  
5 spaces per alley plus 1 space per 2 employees
- p. Dance hall, skating rink  
1 space per 100 square feet of floor area plus 1 space per 2 employees
- q. Retail store except as (R) of this section  
1 space per 200 350 square feet of floor area, plus 1 space per Employee
- r. Service or repair shop, retail store handling exclusively bulk merchandise such as automobiles and furniture  
1 space per 600 400 square feet of floor area plus 1 space per employee
- s. Bank, office (except medical and dental)  
1 space per 600 400 square feet of floor area plus 1 space per employee
- t. Medical and dental clinic  
1 space per 300 150 square feet of floor area plus 1 space per employee
- u. Eating or drinking  
1 space per 100 square feet of establishment floor area
- v. Mortuaries  
1 space per 4 seats or every 8 feet of bench length in chapels, or 1 space for each 50 square feet of chapel area if there is no fixed seating

There shall be no off street parking requirements for any property located on Main Street in the downtown area which is from First Street to the Bridge.

9. Other uses not specifically listed above shall be determined by the City Planner and such determination shall be based upon the requirements for the most comparable building or uses specified herein. A decision of the director may be appealed to the Planning Commission.
10. An engineered plan drawn to scale, indicating how the off-street parking and loading requirement is to be fulfilled, shall accompany the application for a building permit. The plan shall show all those elements necessary to indicate that these requirements are being fulfilled and shall include but not be limited to:
  - a. Access to streets, alleys and properties to be served.
  - b. Circulation area necessary to serve spaces.
  - c. Curb cuts.
  - d. Delineation of individual parking spaces.
  - e. Delineations of all structures or other obstacles to parking and circulation on the site.
  - f. Dimensions, continuity and substance of screening.
  - g. Grading, drainage, surfacing and sub grading details.
  - h. Specifications as to signs and bumper guards.

**Section 2.** Delete Section 18.76.110 parking and loading requirements in its entirety and replace with the following language:

**18.76.110 Off-Street Loading:**

- a. Schools: A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school having a capacity greater than twenty-five (25) students.
- b. Merchandise, Materials or Supplies: Buildings or structures to be built or substantially altered to receive and distribute material or merchandise by truck, shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately handle the needs of the particular use. Off-street parking areas used to fulfill the requirements of this Ordinance shall not be used for loading and unloading operations except during periods of the day when not required to take care of parking needs.
- c. Every hospital, institution, hotel, commercial or industrial building hereafter erected or established having a gross area of at least 10,000 square feet shall provide and maintain at least one (1) off-street loading space plus one (1) additional off-street loading space for each additional 20,000 square feet of gross floor area. Each loading space shall be not less than ten (10) feet wide, twenty-five (25) feet in length with 14 feet of height clearance.

**Section 3. Delete Section 18.76.120 Off Street loading and replace with the following:**

Section 18.76.120 Continuing obligation.

- a. The provisions and maintenance of off-street parking and loading spaces shall be continuing obligations of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use of off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this Ordinance.
- b. Use of property in violation hereof shall be a violation of this Ordinance. Should the owner or occupant of a lot or building change the use to which the lot or building is put, thereby increasing off-street parking or loading requirements, it shall be unlawful and a violation of this Ordinance to begin

A. Required Front Yard.

1. No sight obscuring fence, wall, railing or hedge shall exceed a height of forty-two inches above grade. A fence may be constructed to a maximum height of 5 feet if it is an open chain link or other "see-through" compositions that allow for clear vision.
2. All trees shall be limbed from ground level to a height of forty-two inches.
3. Fences, walls, railings or hedges located behind the required front yard shall not exceed six feet or seventy-two inches in height.
4. No fence, wall, railing or hedge shall exceed a height of forty-two inches above grade when in the public right-of-way adjacent to the front yard. (Fences should not be allowed in the public right of way without approval of a right-of-way use permit from the City).

B. Corner Lot.

1. No fence, wall, railing or mature hedge, located within the front yard setback shall exceed forty-two inches above grade except under the following condition:  
A fence may be constructed to a maximum height of 6 feet if it is an open chain link or other "see-through" compositions that allows for clear vision at the street intersection.
2. Fences, walls, railings or hedges located behind the front yard setback shall not exceed six feet or seventy-two inches in height.

C. Hazardous Fences.

1. No fence, wall or hedge shall contain razor wire, barbed wire, electrical current, charge of electricity, broken glass or similar hazardous materials, except under the following conditions:
  - a. Livestock Fences. Where livestock is to be contained, barbed wire and electrical fences are permitted if located five feet within the property line. If an existing fence divides two properties, an electrical or barbed wire fence may be erected on the property line under consent by both property owners.
  - b. Barbed wire fencing above six feet may be allowed for industrial storage areas upon approval of the planning commission. The planning commission shall evaluate the need for the fence and the effect on the public safety.

D. Exceptions.

1. Height limitation in this section do not apply to fences required by state law, such as laws requiring fences to surround and enclose school grounds, public playgrounds or other public reserve lands.
2. Fences and hedges used for screening or enclosing swimming pools, tool storage area or private patios may exceed six feet above grade in rear yards if considered as comprising an accessory use and meeting building and setback requirements thereof.

1. Height limitation in this section do not apply to fences required by state law, such as laws requiring fences to surround and enclose school grounds, public playgrounds or other public reserve lands.
2. Fences and hedges used for screening or enclosing swimming pools, tool storage area or private patios may exceed six feet above grade in rear yards if considered as comprising an accessory use and meeting building and setback requirements thereof.

Section 5. Chapter 18.92 Violation-Penalty shall be deleted in it's entirety and replaced with the following:

#### Chapter 18.92 - Enforcement

##### Sections:

- 18.92.100** Provisions of this Code Declared to be Minimum Requirements
- 18.92.200** Violation of Code Prohibited
- 18.92.300** Revocations of Approvals
- 18.92.400** Enforcement
- 18.92.500** Penalty
- 18.92.600** Complaints Regarding Violations
- 18.92.700** Inspection and Right of Entry
- 18.92.800** Abatement of Violations
- 18.92.900** Stop-Order Hearing

**A. Minimum requirements intended.** In their interpretation and application, the provisions of this Code shall be held to be minimum requirements, adopted for the protection of the public health, safety, and general welfare.

**B. Most restrictive requirements apply.** When the requirements of this Code vary from other provisions of this Code or with other applicable standards, the most restrictive or that imposing the highest standard shall govern.

No person shall erect, construct, alter, maintain or use any building or structure or shall use, divide or transfer any land in violation of this Code or any amendment thereto.

#### **18.92.200 Violation of Code Prohibited**

No person shall erect, construct, alter, maintain or use any building or structure or shall use, divide or transfer any land in violation of this Code or any amendments thereto.

#### **18.92.300 Revocations of Approvals**

The City Administrator may, in writing, suspend or revoke any permit or approval granted under the provisions of this Code whenever the permit or approval is granted in error on the basis of incorrect information supplied, or whenever the holder of the permit or approval violates the provisions of either this Code or the Canyonville Municipal Code.

### **18.92.400 Enforcement**

Upon request from the City Administrator, the City Attorney shall institute any necessary legal proceedings to enforce the provisions of this Code.

Enforcement of this Code shall be through the applicable procedures for abatement and violations established in the Canyonville Municipal Code. The enforcement remedies available under this Code or the Municipal Code are not exclusive and do not preclude the City from using any other remedies available by law.

### **18.92.500 Penalty**

**A. Violation.** A violation of this Code shall constitute a violation. Convictions are punishable with a fine not to exceed \$500.00.

**B. Continuing violations.** Each violation of a separate provision of this Code shall constitute a separate violation. Each day that a violation of this Code is committed or permitted to continue shall constitute a separate violation.

**C. Abatement of violation required.** Any use which is established, operated, erected, moved, altered, or maintained contrary to the regulations of this Code is unlawful and a public nuisance and may be abated as such pursuant to Canyonville Municipal Code Chapter 8.04 Nuisances. A finding of a violation of this code shall not relieve the responsible party of the duty to abate the violation. The penalties imposed by this section are in addition to any other remedies available to the City. The City has the authority to abate a violation and charge the property owner for such abatement.

**D. Responsible party.** If a provision of this Code is violated by a firm or corporation, the officer or officers, and/or person or persons responsible for the violation shall be subject to penalties imposed by this section.

### **18.92.600 Complaints Regarding Violations**

**A. Filing written complaint.** Whenever a violation of this Code occurs, or is alleged to have occurred, any person may file a signed, written complaint.

**B. File complaint with City Administrator.** Complaints, stating fully the causes and basis thereof, shall be filed with the City Administrator. The City Administrator shall record complaints, and may investigate and take action thereon as provided by this Code.

### **18.92.700 Inspection and Right of Entry**

Whenever the City Administrator or designee reasonably believes a violation of any provision of this Code has occurred, or whenever necessary to investigate an application for or revocation of any approval made under this Code, the City Administrator or designee may

enter on any site in a reasonable manner with the responsible person's consent or an administrative warrant.

### **18.92.800 Stop-Order Hearing**

**A. Stop order issued.** Whenever any work is being done in violation of the provisions of the Code or a condition of any permit or other approval granted pursuant hereto, the City Administrator will order the work stopped by notice in writing served on persons engaged in doing such work or causing such work to be done. All work under the permit or approval or being performed without required permits or approvals shall cease until it is authorized in writing by the city to continue.

**B. Appeal opportunity.** A person or organization that has been served a stop work order may appeal the decision by submitting a letter to the City Administrator requesting a hearing with the City Council. The City Council shall hold this hearing within 60 days of the receipt of the letter, and make a determination as to the violation.

**C. Stop order hearing.** The City Administrator may schedule a City Council hearing on the stop order. At the discretion of the City Administrator, such hearing may be:

1. Part of a hearing on revocation of the underlying development approval; or
2. Solely to determine whether a violation has occurred.

The City Council shall hold this hearing and shall make a determination as to the violation. Upon finding a violation, the stop-order shall continue to be effective until the violating party furnishes sufficient proof to the City Administrator that the violation has been abated.

**Section 6. Effective Date.** This ordinance shall become effective on the 30<sup>th</sup> day following its passage.

**PASSED** by the Canyonville City Council this 16th day of October 2023.

**APPROVED AND SIGNED** this 16<sup>th</sup> day of October 2023.

\_\_\_\_\_  
Christine Morgan, Mayor

**ATTEST:**

\_\_\_\_\_  
Dawn Bennett, City Recorder





# Memo

**To:** Mayor and City Council  
**From:** Janelle Evans Planner/Administrative Advisor  
**Date:** October 4, 2023  
**Re:** Change Order for Canyonville Riddle Rd. water leak.

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**Background:**

At a special Council meeting on April 10, 2023, the Council awarded the bid for the repair of the leaking service line for Forest Glen to Gosselin Construction in the amount of \$52,760.00 and authorized the use of the American Rescue and Recovery Act (ARPA) money for the project.

On May 30, 2023, Gosselin Construction entered into a contract with the City of Canyonville to abandon the 4" service line for Forest Glen that was leaking and install a new line to serve Forest Glen. Once the work was begun it was discovered that at some time prior the City had actually disconnected Forest Glen from the 4" line which was leaking and installed a new service line for Forest Glen. This changed the project completely and required a lot more investigation. At this point it was very apparent that the project would change drastically from the original design. Because the water line leak was increasing in size the City Engineer suggested that the project be done based on time and materials. Both Gosselin and the City agreed to the change and Gosselin began tracking time and materials on the project.

This project took lots of twists and turns and several different attempts at coming up with a solution. Gosselin has finally submitted their final bill of \$28,250.00 for the work done on the project. The engineer has prepared a change order for the project reducing the contract price so we can keep the paperwork accurate.

It is important to note that while we did not have to spend as much on the construction for this project, we had to spend more in engineering and parts. The actual cost of the entire project came in at \$46,978.76.

Staff recommends that Council approve the change order for Gosselin Construction reducing the contract cost to reflect the time and materials totaling \$28,240.00.

Date of Issuance: 10/3/2023	Effective Date: 10/3/2023
Owner: City of Canyonville	Owner's Contract No.:
Contractor: Gosselin Construction	Contractor's Project No.:
Engineer: The Dyer Partnership	Engineer's Project No.: 180.00D
Project: 1 <sup>st</sup> Street Emergency Water Line Repair	Contract Name: 1 <sup>st</sup> Street Emergency Water Line Repair

The Contract is modified as follows upon execution of this Change Order:

Description: During potholing of the water line it was determined that the existing valving and piping configurations were different than anticipated during design. The City directed the Contractor to pothole additional sections of water line, and provided materials for the water line repairs. As a result of the change in conditions, the project has been changed from a unit price contract to a lump sum project price, which reflects the actual costs of the Contractor's work based off of a time and material basis as supported in the attached invoices. As a result of this change:

Change the Agreement Section 00520 Article 4.02 substantial completion date to October 3, 2023.

Change the Agreement Section 00520 Article 5.01.A to read as follows:

Lump Sum Payment of \$28,250.00. Payment includes all labor, material, overhead, and costs associated with the work.

Attachments: Gosselin Construction Invoices (2)

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>52,760.00</u>	Original Contract Times: Substantial Completion: <u>30 Days</u> Ready for Final Payment: <u>30 Days</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u> :</u> \$ _____	[Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u> :</u> Substantial Completion: <u>30 Days</u> Ready for Final Payment: <u>30 Days</u> days or dates
Contract Price prior to this Change Order: \$ <u>52,760.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>30 Days</u> Ready for Final Payment: <u>30 Days</u> days or dates
[ <del>Increase</del> ] [ <del>Decrease</del> ] of this Change Order: \$ <u>24,510.00</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>October 3, 2023</u> Ready for Final Payment: <u>October 3, 2023</u> days or dates

Contract Price incorporating this Change Order:  \$28,250.00	Contract Times with all approved Change Orders: Substantial Completion: <u>October 3, 2023</u> Ready for Final Payment: <u>October 3, 2023</u> days or dates
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RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: _____	By: _____	By: _____	By: _____	By: _____	By: _____
Engineer (if required)	Owner (Authorized Signature)	Owner (Authorized Signature)	Contractor (Authorized Signature)	Contractor (Authorized Signature)	Contractor (Authorized Signature)
Title: _____	Title _____	Title _____	Title _____	Title _____	Title _____
Date: _____	Date _____	Date _____	Date _____	Date _____	Date _____

Approved by Funding Agency (if applicable)

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

# Memo

**To:** Mayor and City Council  
**From:** Dawn Bennett, City Administrator/Recorder  
**Date:** October 15, 2023  
**Re:** WATER RATE INCREASE UPDATE

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Ever since the last Council meeting, we have been working on gathering all the information needed for the Council to be able to make a confident decision on how much the water rates should be increased. There is a lot of information to review and discuss that would be better to analyze in a workshop meeting. The water rates will be the only thing Council will discuss. There will have to be a public notice posted for the workshop, the same as the regular meeting is posted.

There are several holidays in November, so we are looking at having the workshop on Thursday, October 26, or Monday, October 30, or Tuesday, October 31.

# Memo

**To:** Mayor and Council  
**From:** Dawn Bennett, City Administrator  
**Date:** September 22, 2023  
**Re:** Review of the Sewer Plant Contract with Optimum

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During the closeout period, Optimum recollected samples for the CBOD and TSS analysis, as the first samples they delivered to the URC laboratory resulted in unusable data. Also, a couple of weeks prior to the closeout period, they collected the sample for the CBOD analysis. The lab results surpassed the weekly CBOD permit limit by a large margin. Rob instructed Keith to show the Optimum workers how to clean the sampling units and collection basins. It was also suggested they do not run the screw press during sampling times as the screw press will interfere with sampling and is not representative of the normal daily process. After instruction about the screw press and proper sampling technique, samples the following week were well within the permit limit.

From the time Optimum started work at the WWTP plant until their time of close out, they were working on the issue of the polymer delivery system shutting down. With the help of Dyer and the FKC manufacturer they were able to fix the problem. They were also able to get the equipment maintenance program working and showed the operators several of the functions pertaining to the new program. Keith is performing the daily, weekly, and monthly maintenance as is required through the scheduled maintenance program. Keith has been updating the program as the maintenance is performed and is adding any additional information for future maintenance.

Optimum staff was able to complete a thorough cleaning of the following buildings: blower room, chemical room, office building, and the screw press area. Before the City entered into a contract with Optimum Tyler with Dyer had cleaned the screw press and the surrounding areas inside the screw press building. Tyler worked with FKC to adjust the screw press settings so the screw press would start working properly. Optimum staff performed regular maintenance on the UV disinfection system including cleaning and bulb replacement. Optimum also performed maintenance on the MBT blower units and repaired a broken non-potable water line on the side hill screen followed up by a repair on the polymer feed line for the screw press.

Although, Optimum was unable to determine the cause for cell #3 air diffusers of the digester that were non-operational. City staff lowered the waste level enough to determine that the diffusers were plugged with dense sludge. City staff were able to clear the blockage; resulting in proper normal operation as of now. RAS/WAS high-level and low-level alarms were also triggering all through the days and nights, staff worked on the problem for over a month and finally resolved the issue by cleaning sediment from the RAS/WAS channel and adjustment of float switches with instruction from Kubota.

There is a cost analysis included in your packet showing the cost of Tyler and Dave's time, Jeremy's overtime, Bob Dillard's time, Heard Farms sludge hauling, and Optimum's contract costs. These are the only costs that would not be part of the normal monthly operating costs of running the WWTP plant. You all know that with the unforeseen circumstances that the City encountered with both operators out on medical leave, we had no choice but to contract with the company for an operator with the DEQ required certifications.

Keith has been diligently working on daily procedures, maintaining all grounds, maintaining equipment, and troubleshooting any problems that may arise with equipment or plant process. If any problems cannot be resolved through the operation and maintenance manuals or consulting with Rob, then Rob and/or Keith will consult with the city engineer and/or the manufacturer.

Name	Type	Date	Cost	Who	Memo
Sidehill Screen	Regular Maintenance	7/19/22	\$0.00	Rob	
Sidehill Screen (Weekly)	Regular Maintenance	7/19/22	\$0.00	Rob	
Sidehill Screen (Monthly)	Regular Maintenance	7/19/22	\$0.00	Rob	
Sidehill Screen Compactor (Daily)	Regular Maintenance	7/19/22	\$0.00	Rob	
Sidehill Screen Compactor (Weekly)	Regular Maintenance	7/19/22	\$0.00	Rob	
Sidehill Screen Compactor (Monthly)	Regular Maintenance	7/19/22	\$0.00	Rob	
Sidehill Screen (Quarterly)	Regular Maintenance	7/19/22	\$0.00	rob	
Sidehill Screen Compactor (Quarter)	Regular Maintenance	7/19/22	\$0.00	rob	
Sidehill Screen	Regular Maintenance	5/8/23		JW	Test
Sidehill Screen (Weekly)	Regular Maintenance	5/8/23		JW	
Sidehill Screen (Weekly)	Regular Maintenance	6/26/23		JW/KR/Rob Df	Updated Maint Log
Sidehill Screen (Weekly)	Regular Maintenance	6/26/23		kw	
Pre-Air Blowers (Quarterly)	Regular Maintenance	6/26/23		Keith	
Grit Removal System (Monthly)	Regular Maintenance	6/26/23		Keith	
Influent/ Effluent Sampler	Regular Maintenance	6/26/23		KR	Changed tubing
Sidehill Screen (Weekly)	Regular Maintenance	6/26/23		KR	Visual inspection and cleaning
Sidehill Screen (Monthly)	Regular Maintenance	6/26/23		KR	Visual inspect and cleaning
Sidehill Screen (Quarterly)	Regular Maintenance	6/26/23		KR	Visual inspect
Sidehill Screen Compactor (Weekly)	Regular Maintenance	6/26/23		KR	Leak repaired in water plumbing
Sidehill Screen Compactor (Monthly)	Regular Maintenance	6/26/23		John W	
Sidehill Screen Compactor (Semi-A)	Regular Maintenance	6/26/23		KR	
Sidehill Screen Compactor (Weekly)	Regular Maintenance	6/26/23		KR	
Sidehill Screen (Quarterly)	Regular Maintenance	7/7/23		RS	
Sidehill Screen (Quarterly)	Regular Maintenance	7/7/23		RS	
Sidehill Screen (Weekly)	Regular Maintenance	7/7/23		RS	
Sidehill Screen (Quarterly)	Regular Maintenance	7/7/23		RS	
Sidehill Screen (Weekly)	Regular Maintenance	7/7/23		RS	
Sidehill Screen (Quarterly)	Regular Maintenance	7/7/23		iw	
Sidehill Screen Compactor (Quarter)	Regular Maintenance	7/13/23	\$0.00	KR	
Sidehill Screen Compactor (Weekly)	Regular Maintenance	7/13/23	\$0.00	KR	
Sidehill Screen Compactor (Semi-A)	Regular Maintenance	7/13/23	\$0.00	KR	
Influent/ Effluent Sampler	Regular Maintenance	7/13/23	\$0.00	KR	
Influent Screen (Weekly)	Regular Maintenance	7/13/23	\$0.00	KR	
Influent Screen (Monthly)	Regular Maintenance	7/13/23	\$0.00	KR	
Grit Removal System (Monthly)	Regular Maintenance	7/13/23	\$0.00	KR	
Grit Removal System (Bi-Annually)	Regular Maintenance	7/13/23	\$0.00	KR	
UV (Quarterly)	Regular Maintenance	7/13/23		KR	
UV (Yearly)	Regular Maintenance	7/13/23		KR	Bulbs changed, U. V. system cleaned
Screwpress (6 Month)	Regular Maintenance	7/13/23		KR	
Screw Press (Yearly)	Regular Maintenance	7/13/23		KR	
Sludge Transfer Pumps (Quarterly)	Regular Maintenance	7/13/23	\$0.00	KR	
Sludge Transfer Pumps (Semi-Ann)	Regular Maintenance	7/13/23	\$0.00	KR	
Bridge Crane (Semi-Annually)	Regular Maintenance	7/13/23	\$0.00	KR	
Headworks Crane (Semi- Annually)	Regular Maintenance	7/13/23	\$0.00	KR	
Butterfly Valves (Monthly)	Regular Maintenance	7/13/23	\$0.00	KR	
MBR Slide Gates (Quarterly)	Regular Maintenance	7/13/23	\$0.00	KR	
MBR Slide Gates (Semi-Annually)	Regular Maintenance	7/13/23	\$0.00	KR	
Generator (Weekly)	Regular Maintenance	7/13/23	\$0.00	KR	
Generator (Monthly)	Regular Maintenance	7/13/23	\$0.00	KR	
Generator (2 Year)	Regular Maintenance	7/13/23	\$0.00	KR	
Mini-Split HVAC (Weekly)	Regular Maintenance	7/13/23	\$0.00	KR	
NPW (Daily)	Regular Maintenance	7/13/23	\$0.00	KR	
Digester (Daily)	Regular Maintenance	7/13/23	\$0.00	KR	
Influent/ Effluent Sampler (Bi-Annua	Regular Maintenance	7/18/23		KR	
Digester Blowers (Quarterly)	Regular Maintenance	7/18/23		KR	
Sidehill Screen (Weekly)	Regular Maintenance	7/18/23		KR	
Sidehill Screen (Weekly)	Regular Maintenance	7/18/23		KR	
Sidehill Screen (Weekly)	Regular Maintenance	7/18/23		KR	
Sidehill Screen (Weekly)	Regular Maintenance	7/18/23		KR	
Sidehill Screen (Weekly)	Regular Maintenance	7/18/23		KR	
Sidehill Screen (Monthly)	Regular Maintenance	7/18/23		KR	
Sidehill Screen (Quarterly)	Regular Maintenance	7/18/23		KR	
Sidehill Screen Compactor (Weekly)	Regular Maintenance	7/18/23		KR	
Sidehill Screen Compactor (Monthly)	Regular Maintenance	7/18/23		KR	
Sidehill Screen Compactor (Quarter)	Regular Maintenance	7/18/23		KR	
Sidehill Screen Compactor (Quarter)	Regular Maintenance	7/18/23	\$0.00	KR	

Sidehill Screen Compactor (Semi-A	7/18/23	\$0.00	KR
Sidehill Screen Compactor (Annual	7/18/23	\$0.00	KR
Digester Blowers (Monthly)	7/18/23	\$0.00	KR
Influent/ Effluent Sampler (Bi-Annue	7/18/23	\$0.00	KR
Influent Screen (Weekly)	7/18/23	\$0.00	KR
Influent Screen (Monthly)	7/18/23	\$0.00	KR
Grit Removal System (Monthly)	7/18/23	\$0.00	KR
Grit Removal System (Bi-Annually)	7/18/23	\$0.00	KR
MBR/ Submerged Membrane Unit (l	7/18/23	\$0.00	KR
MBR/ Anoxic Mixer (Quarterly)	7/18/23		KR
Air Diffusers (Yearly)	7/19/23	\$0.00	KR
Maserator (Monthly)	7/19/23	\$0.00	KR
Maserator (Yearly)	7/19/23	\$0.00	KR
MBT Blower (Monthly)	7/19/23	\$0.00	KR
Maserator (Yearly)	7/25/23		kr
MBT Blower (Quarterly)	7/25/23		KR
MBT Blowers (Yearly)	7/25/23		KR
MBT Blower (4 Year)	7/25/23		KR
Digester Blowers (4 Year)	7/25/23		KR
Digester Blowers (Quarterly)	7/25/23		KR
Digester Blowers (Monthly)	7/25/23		KR
Bulk Storage Room (Daily)	7/25/23		KR
Outfall (Yearly)	7/25/23		KR
Digester Aeration (Yearly)	7/25/23		KR
Pre-Aeration Tank (Yearly)	7/25/23		KR
WAS/RAS Pumps (Monthly)	7/25/23		KR
MBR/MBT Covers (Yearly)	7/25/23		KR
Bulk Storage Room (Daily)	7/25/23		KR
Chemical Feed Room (Yearly)	7/25/23		KR
Chemical Feed Room (Monthly)	7/25/23		KR
Sidehill Screen (Weekly)	8/9/23	\$0.00	KR
Sidehill Screen (Weekly)	8/9/23	\$0.00	KR
Sidehill Screen (Weekly)	8/9/23		KR
Bulk Storage Room (Daily)	8/10/23		KR
Sidehill Screen Compactor (Weekly	8/10/23		KR
Influent/ Effluent Sampler	8/10/23		KR
Influent Screen (Weekly)	8/10/23		KR
MBR/ Submerged Membrane Units	8/10/23		KR
WAS/RAS Pumps (Yearly)	8/10/23		KR
MBR Blowers (Monthly)	8/10/23		KR
MBR Blowers (Quarterly)	8/10/23		KR
MBR Blowers (Yearly)	8/10/23		KR
Pre-Air Blowers (Monthly)	8/10/23		KR
MBR Blowers (2 Year)	8/10/23		KR
Pre-Air Blowers (Yearly)	8/10/23		KR
Pre-Air Blowers (2 Year)	8/10/23		KR
Permeate Pumps (Weekly)	8/10/23		KR
Permeate Pumps (Monthly)	8/10/23		KR
Permeate Pump (Quarterly)	8/10/23		KR
Permeate Pumps (Semi-Annual)	8/10/23		KR
Permeate Pumps (2 Year)	8/10/23		KR
Actuated Valves (Weekly)	8/10/23		KR
Actuated Valves (Monthly)	8/10/23		KR
MBT Permeate Pump (Weekly)	8/10/23		KR
MBT Permeate Pump (Quarterly)	8/10/23		KR
NPW (Yearly)	8/10/23		KR
Screw Press (2 Year)	8/10/23		KR
Sludge Transfer Pumps ( 2 Year)	8/10/23		KR
Headworks Crane (Monthly)	8/10/23		KR
Headworks Crane (5- Year)	8/10/23		KR
Plug Valves (Monthly)	8/10/23		KR
Headworks ARV (Monthly)	8/10/23		KR
Headworks Check Valves (Quarterl	8/10/23		KR
Generator (Weekly)	8/10/23		KR
Generator (Bi-annually)	8/10/23		KR

Exercized earlier than scheduled

Generator (Yearly)	Regular Maintenance	8/10/23	KR
Operations HVAC (Monthly)	Regular Maintenance	8/10/23	KR
Influent P/S (2 Year)	Regular Maintenance	8/10/23	KR
Operations HVAC (Annually)	Regular Maintenance	8/10/23	KR
Mini-Split HVAC (Weekly)	Regular Maintenance	8/10/23	KR
Heaters (Annually)	Regular Maintenance	8/10/23	KR
Plant Drain P/S (Monthly)	Regular Maintenance	8/10/23	KR
Plant Drain P/S (Bi-Annually)	Regular Maintenance	8/10/23	KR
Plant Drain P/S (2 Year)	Regular Maintenance	8/10/23	KR
Influent P/S (Monthly)	Regular Maintenance	8/10/23	KR
Influent P/S (Bi-Annually)	Regular Maintenance	8/10/23	KR
Permeate Pump (Yearly)	Regular Maintenance	8/10/23	KR
UV (Monthly)	Regular Maintenance	8/10/23	KR
Influent P/S (Quarterly)	Regular Maintenance	8/10/23	KR
Influent Screen (Quarterly)	Regular Maintenance	8/10/23	KR
Chemical Feed Room (Daily)	Regular Maintenance	8/10/23	KR
Bulk Storage Room (Daily)	Regular Maintenance	8/10/23	KR
Sidehill Screen (Weekly)	Regular Maintenance	8/29/23	kr
Sidehill Screen (Monthly)	Regular Maintenance	8/29/23	kr
Sidehill Screen Compactor (Weekly)	Regular Maintenance	8/29/23	kr
Sidehill Screen Compactor (Monthly)	Regular Maintenance	8/29/23	kr
Influent/ Effluent Sampler	Regular Maintenance	8/29/23	kr
Influent Screen (Weekly)	Regular Maintenance	8/29/23	kr
Influent Screen (Monthly)	Regular Maintenance	8/29/23	kr
Grit Removal System (Monthly)	Regular Maintenance	8/29/23	kr
Permeate Pumps (Weekly)	Regular Maintenance	8/29/23	kr
Actuated Valves (Weekly)	Regular Maintenance	8/29/23	kr
MBT Permeate Pump (Weekly)	Regular Maintenance	8/29/23	kr
Butterfly Valves (Monthly)	Regular Maintenance	8/29/23	kr
Generator (Weekly)	Regular Maintenance	8/29/23	kr
Generator (Monthly)	Regular Maintenance	8/29/23	kr
Mini-Split HVAC (Weekly)	Regular Maintenance	8/29/23	kr
Bulk Storage Room (Daily)	Regular Maintenance	8/29/23	kr
Chemical Feed Room (Daily)	Regular Maintenance	8/29/23	kr
Chemical Feed Room (Monthly)	Regular Maintenance	8/29/23	kr
WAS/RAS Pumps (Monthly)	Regular Maintenance	8/29/23	kr
Bulk Storage Room (Daily)	Regular Maintenance	8/29/23	kr
Bulk Storage Room (Daily)	Regular Maintenance	8/29/23	kr
Digester Blowers (Monthly)	Regular Maintenance	8/29/23	kr
Bulk Storage Room (Daily)	Regular Maintenance	8/29/23	kr
MBT Blower (Monthly)	Regular Maintenance	8/29/23	kr

checked alum level



Name	Type	Date	Cost	Who	Memo
Digester Blowers (Monthly)	Repair	10/12/23	city staff time	Keith Riddle	Cell # 3 air diffusers on the right bank were fully impacted with sludge. Jeremy, Jay and myself drained enough waste to clean air diffusers. Digeste
WAS/RAS Pumps (Yearly)	Repair	10/12/23	standard man	Keith Riddle	investigated wasting pump not working in auto. I found that the power supply in MBT computer control room. (power strip) was faulty. I changed pow
WAS/RAS Pumps (Monthly)	Repair	10/12/23		Keith Riddle	installed new pressure sensor for wasting pumps, power outages had caused sensor issues in the past. I had Hannigan Elect. Come out and install

*Newest Repairs*

Cost of Contract and Maintenance of Sewer Plant

Month	Company	Description	No.	Rate	Total
March-June	The Dyer Partnership (Tyler & Dave)	system performance coordination			\$15,908.45
March	Heard Farms	61800 Gallons Sludge hauled			\$13,596.00
March	Jeremy	City personnel overtime	54	\$21.61	\$1,166.94
March/April	Bob Dilliard	DRC/performance coordination			\$2,511.68
April	Jeremy	City personnel overtime	60	\$21.61	\$1,296.60
April	Heard Farms	35800 Gallons Sludge hauled			\$7,876.00
April	Optimum Environmental	Operations of Sewer Plant			\$3,515.00
July	Optimum Environmental	Operations of Sewer Plant			\$17,575.00
TOTAL COST					\$63,445.67

# Memo

**To:** Mayor and City Council  
**From:** Dawn Bennett, City Administrator Interim  
**Date:** 10-16-2023  
**Re:** Nuisance Violations – 410 Leland Avenue

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## History:

Staff received complaints on the property of 410 Leland Avenue alleging that the subject property violates the City's code Chapters 8.040.070B and 8.24.010 of the Municipal Code.

September 20, 2022, a letter of abatement was sent to the property owner citing the applicable nuisance ordinances, providing pictures of the nuisances and requesting the property owner to remove the nuisances by October 20, 2022.

A second letter was mailed on October 21, 2022, with more current pictures of the nuisances and providing the property owner with a deadline to abate the nuisance by October 31, 2022. After this deadline passed staff revisited the subject property and found the nuisance still existed.

On November 21, 2022, the City Council adopted Resolution No. 698 setting the date, time, and location for a hearing on the existence of a nuisance on the subject property. After providing the property owner with notice of the hearing, on December 12, 2022, the Council held a hearing on the existence of a nuisance on the subject property and received testimony and evidence.

The City Council found that there was sufficient evidence to find that a nuisance existed on subject property pursuant to the City code Chapters 8.040.070B and 8.24.010. Staff informed Council that there was not a current address for the owner to receive the notices, although notice was sent to the renter. Council requested that staff use the address that shows on the Douglas County Assessors roll to send a certified notice to the owner of the date set for the abatement of the nuisance. Council will then review the evidence and any testimony regarding the abatement at the next Council meeting on January 17, 2023.

The Council then motioned to have the City Administrator take the necessary steps to have a citation into Municipal Court for violation of Canyonville Municipal Code Chapters 8.040.070B and 8.24. The next day I gave all the information to the Sheriff's Deputy to issue a citation to the owner. It was brought to my attention a couple of months ago by Judge Mayfield that the owner had given the property to her mother through a deed. I then made the decision that we had better start over and give the new owner a chance to abate the nuisance.

The first letter was given to the new owner Vickie Barber on August 28, 2023, giving her till September 15, 2023, to abate the nuisance. Staff checked found the nuisance still existed. Another letter was sent

certified on October 3, 2023, giving her till October 15, 2023, to abate the nuisance. As of the due date the violation has not been abated.

It is now time for the Council to have a citation issued for the violation of Chapter 8.040.070B and Chapter 8.24.010 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 a citation issued for the violation of Chapter 8.040.070B and Chapter 8.24.010 of the Canyonville Municipal Code.
2. Approve an extension to abate the nuisance, by the property owner, within 20 days or by a set date.

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**Sent:** Tuesday, October 10, 2023 3:17 PM

**Subject:** 410 Leland































# Memo

**To:** Mayor and City Council  
**From:** Dawn Bennett, City Administrator Interim  
**Date:** 10-16-2023  
**Re:** Nuisance Violations – 440 Mill Street

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## History:

Staff received complaints on the property of 440 Mill Street alleging that the subject property violates the City's code Chapters 8.040.070B and 8.24.010 of the Municipal Code.

August 30, 2022, a letter of abatement was sent to the property owner citing the applicable nuisance ordinances, providing pictures of the nuisances, and requesting the property owner to remove the nuisances by September 30, 2022.

A second letter was mailed on October 10, 2022, with more current pictures of the nuisances and providing the property owner with a deadline to abate the nuisance by October 20, 2022. After this deadline passed staff revisited the subject property and found the nuisance to be cleaned up. The City Administrator did have a phone conversation with the owner that the property had to stay cleaned up or she would be in violation of the municipal code.

On February 7, 2023, the staff revisited the subject property and found that the junk yard had grown. Another letter was sent to the property owner with pictures of the junk, with a date of February 17, 2023, the violation had to be abated by.

Staff once again visited the property and found the property owner to still be in violation. A certified letter was sent on September 29, 2023, with a due date of October 15, 2023, to have the violation abated or it will go to the Council to be cited in Municipal Court.

Staff will visit the property on Monday, October 16, 2023, before the council meeting to see if the owner came in to compliance or if the Council has to approve for staff to take the necessary steps to have a citation issued for the violation of Chapter 8.040.070B and Chapter 8.24.010 of the Canyonville Municipal Code in to Municipal Court.

## OPTIONS:

1. Adopt a motion to have staff take the necessary steps to have a citation issued for the violation of Chapter 8.040.070B and Chapter 8.24.010 of the Canyonville Municipal Code.





















