



150 N. 2nd St./PO Box 83
Jefferson, OR 97352
Ph: 541.327.2768
Fax: 541.327.3120

CITY OF JEFFERSON

Regular Council Meeting
January 25, 2024
6:30pm

RULES OF CONDUCT FOR PUBLIC MEETINGS

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the meeting.
2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.
3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.
4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the meeting.

The above listed meeting will be held both in person at City Hall and virtually on Zoom. To join the meeting on a PC, laptop, or other device, follow the link and enter the password provided.

To join by phone/audio, dial (253) 215 8782 and enter the same password.

<https://us06web.zoom.us/j/89788285083?pwd=ToXruUdyawfSV8lehWaWVPO3DyX5H9.1>

Meeting ID: 897 8828 5083 Password: 070440

Further accommodation requests should be made to City Hall in advance of the meeting. Meeting materials are available on the City's website: jeffersonoregon.org, or can be provided by other means upon request. Additional information may be obtained by contacting City Hall.

AGENDA

I. COUNCIL MEETING CALL TO ORDER / FLAG SALUTE

II. OLD BUSINESS

- 2.1 145 S. Main St. - Dangerous Building – Case# 2022-01

III. NEW BUSINESS

- 3.1 In-House Water/Sewer Assistance Program

IV. DISCUSSION/INFORMATION

V. CONSENT AGENDA

- Regular Council Meeting, December 14, 2023
- Accounts Payable – January 2024

VI. COMMITTEE/DEPARTMENT UPDATES

- Chamber – Keonali Hutley
- Planning – Charles Vickery
- Fire Board – Bob Rossiter
- School Board – Bob Rossiter
- Library – Chandra Cruikshank
- Landmarks – Staff/Other
- MWACT – David Watkins

Equal Opportunity Employer & Provider

-TAC – David Watkins
-City Parks – David Watkins & Bob Rossiter

VII. VISITORS

VIII. COUNCIL/STAFF COMMENTS

IX. EXECUTIVE SESSION*ORS 192.660(2)(e) – Real Property Transactions**

*Note – there will not be a vote of the Council regarding the executive session topic and will only reconvene in regular session to adjourn the public meeting.

X. ADJOURNMENT

Posted: January 19, 2024

Sarah Cook

City Manager/Recorder

OLD BUSINESS

MEMO: _____

TO: Mayor & City Council
FROM: Sarah Cook, City Manager/Recorder
DATE: January 18, 2024
RE: 145 S Main St. – Dangerous Building, Case# 2022-01

As you know, the above noted case has been ongoing since late 2022, when the City made a formal declaration of a dangerous building and issued an Order of the Council to abate it immediately. The previous owner, having delayed any sort of remedy, accrued substantial penalties and quietly sold the property just prior to the City taking further action. In light of the sale, the City's legal counsel worked with the former property owner's attorney to come to a settlement agreement on the accrued fines that would cover the City's legal fees. \$5,000 was collected on May 1, 2023 from the previous owner. The \$100 daily penalty, while still in effect until the entire Council Order is met, was reset to \$0.

Our records indicate the new owner(s) took possession of the property on April 22, 2023. City staff had been in communication with one of their representatives, Byron Hillier, during the above proceedings, as he was initially brought on by the previous owner to address some of the repairs. On May 3, 2023 a letter was sent to the new property owner(s) to formally inform them of the still active dangerous building case. A week later, Byron was contacting me about plumbing permits for one of the units (which we don't process at the City), indicating his plan to re-pipe each unit, one by one.

I am pleased to report all items in the Council's Order (Reso #1085) have been completed and a copy of the final inspection results from the building department, dated 12/15/23, reflects the "approved" result. During the course of addressing the Council's Order, the owner encountered several lengthy delays (of no fault of their own) including the availability of an engineer, availability and delivery of materials, and staffing shortages at the county, which lead to much longer permit processing times. During these long waits, which sometimes lasted a month or more, many other improvements were being made that were not part of the Council's Order. These include: a new roof, gutters, exterior paint, windows, screens, siding repair, wash & seal brick façade, parking lot grade, complete interior update to units 3 & 4, currently updating units 1, 6, & 8, in the process of installing new heaters in all units, and recently indicated plans to continue updating individual units as they became vacant or if an existing tenant would move to a newer unit.

Since the change in ownership:

- a) Substantial improvements have been made to the property, above and beyond that which was ordered as part of the dangerous building case; and
- b) Byron has maintained regular communication with staff to keep us apprised of the continuous work, any change in plans, and reason for delays; and
- c) Staff has not had a need to seek any advice from, or have any communication with, the City's legal counsel *in regard to the dangerous building case.*

The Council Order has been met, and considering the above items, it is my recommendation that no additional penalties be imposed or collected in regard to Case# 2022-01; that the Council declare Resolution# 1085 to be void; and that Case# 2022-01 be officially closed.

(Some before & after photos are included for your reference)

* COPY * original sent on letterhead

May 3, 2023

3B & L, LLC
Brian Cross
1465 Glory Ridge Ct. NW
Salem, OR 97304

Dear Mr. Cross et al,

I understand you recently acquired the property located at 145 S. Main St. in Jefferson, Oregon, locally referred to as "the Jones Building." After a public hearing, this building was declared a dangerous building by the City Council. The abatement case remains active (Case# 2022-01).

The City Council conducted a public hearing in November 2022, after receiving worrisome information about the condition of the building, following an inspection performed by the State Fire Marshal, Marion County Building Inspector, the Jefferson Fire Department and the City's Public Works staff. After reviewing their reports and hearing public testimony, the building was declared dangerous.

Please note, the Order of the Council, as written in Resolution# 1085, remains in full force and effect. (See attached resolution) I draw your attention to the highlighted Section 3, which states in part *"The owner of the property shall meet the following requirements within 30 days of this order:..."*

To date, the items requiring immediate attention by the State Fire Marshal have been completed by the previous owner; however, the items that the Marion County Building Official identified for immediate attention have not yet been addressed. (See attached letter)

Pursuant to JMC Chapter 11.08.120 you are hereby notified that a penalty of not more than \$100 per day has been accruing. The City has settled with the prior owner and received payment of the penalty amounts attributable to her time of ownership. The penalty continues to be imposed; each date is considered a separate offense according to the code. Your responsibility commenced upon your ownership or possession of the property, which ever occurred earlier.

Your immediate attention to this matter is encouraged. As you know, the dangerous conditions have gone unresolved for many months. The City was on the verge of undertaking abatement when the pending sale came to our attention. It is expected that you will immediately abate the nuisance. Failure to do so, or provide reasonable assurances to the City, will result in the City undertaking abatement under the municipal code provisions.

Kind regards,

Sarah Cook
City Manager/Recorder

Enclosures: 1.) Letter from Marion County Building Official, 2.) Resolution# 1085

COPY

Resolution #1085

A RESOLUTION DECLARING THE SHADDUCK BUILDING LOCATED AT 145 SOUTH MAIN STREET, JEFFERSON, OREGON, KNOWN AS THE JONES BUILDING, TO BE A DANGEROUS BUILDING CONSTITUTING A PUBLIC NUISANCE AND ORDERING ABATEMENT

WHEREAS, Chapter 11.08 of the Jefferson Municipal Code defines a “dangerous building” and authorizes the City Council to declare a nuisance and proceed with abatement action; and

WHEREAS, a City Official has determined that there is a dangerous building at 145 South Main Street, Jefferson, OR and has reported the same as provided in Chapter 11.08; and

WHEREAS, the City Council set and held a Public Hearing on November 17, 2022; and

WHEREAS, the City Council finds that proper notice of the Public Hearing had been given under Chapter 11.08; and

WHEREAS, the owner of the building and other persons interested in the dangerous building were provided the opportunity to be heard; and

WHEREAS, the City Council considered the report of staff, the inspection report of the Marion County Building Official dated October 13, 2022, the Notice and Order of Corrections of the State Fire Marshall’s Office dated October 6, 2022, and comments provided at the hearing;

NOW, THEREFORE, based upon the above findings which are hereby incorporated, be it resolved by the City Council of the City Of Jefferson, a Municipal Corporation of the State of Oregon:

SECTION 1:

The building located at 145 South Main Street, Jefferson, Oregon, known as the Jones Building, is found to be a dangerous building and a public nuisance requiring abatement.

SECTION 2:

The exterior deck and stairs shall be secured against unauthorized entry within five days after notice of this order and shall remain secured until fully and properly repaired or replaced. Should the City be required to secure the building, the City will place a lien against the property to recover the costs.

SECTION 3:

The owner of the property shall meet the following requirements within 30 days of this order:

1. Properly and fully repair or replace the exterior deck and stairs identified in the October 13, 2022, County Building Official Inspection report, paragraph 1.
2. Properly and fully repair or replace the guard rail and handrail system for the deck and stairs identified in the October 13, 2022 County Building Official Inspection report, paragraph 2.
3. Obtain all building permits and inspections necessary for such repair or replacement.
4. Comply with the Order of the Deputy State Fire Marshall issued October 6, 2022 and provide proof of such to the City.

SECTION 4:

Failure to meet the requirements of this Order will result in action by the City to abate the nuisance through the process set forth in JMC Chapter 11.08. Should the City be required to contract for repair or demolition of the building, the City will assess and lien the property to recover the costs. In addition to abatement by the City, a continuing violation will be subject to the penalties set out in JMC 11.08.120.

SECTION 5:

The Council hereby directs staff to provide notice of this Resolution and the Order by the Council to the owner of the building, any agent of the owner, and all persons controlling the building, by close of business the following day.

Adopted by the Council this 17th day of November, 2022.

Michael D. Myers, Mayor

ATTEST:

Sarah Cook, City Manager/Recorder

Fwd: Inspection results for 555-23-004517-STR, Job Site Address 145 S MAIN ST, JEFFERSON, OR 97352 have been posted



From Byron Hillier <byron1hillier@gmail.com>
To Sarah Cook <scook@jeffersonoregon.org>
Date 2024/01/17 10:45 am

—— Forwarded message ——

From: Marion County <MarionCountyNoReply@accela.com>

Date: Fri, Dec 15, 2023 at 1:33 PM

Subject: Inspection results for 555-23-004517-STR, Job Site Address 145 S MAIN ST, JEFFERSON, OR 97352 have been posted

To: <byron1hillier@gmail.com>

Inspection results for 555-23-004517-STR

Address: 145 S MAIN ST, JEFFERSON, OR 97352

Inspection: 1999 Final Building

Inspection Date: 12/15/2023

Result: Approved

Comments:

If you have any questions regarding this inspection, please contact the corresponding Marion County department indicated below:

Building at (503) 588-5147

Public Works at (503) 588-5036

Code Enforcement at (503) 373-4333

Thank you,

Marion County

5155 Silvertown Rd NE Salem, OR 97305

Ph: 503-588-5147 Fax: 503-588-7948

Email: building@co.marion.or.us

Web Address: www.co.marion.or.us

Before



After



Before



After



Before



After →
↓



NEW BUSINESS

MEMO:

To: Mayor & City Council

From: Brianna Hutley, City Clerk

Date: January 19, 2024

Re: Water/Sewer Assistance Program

Since March 16 2022 the City has partnered with the Mid-Willamette Valley Community Action Group who created the LIHWA (Low Income Water Assistance) program. The program pays low-income household water bills, plus a credit, within Marion County. Since the partnership, 52 Jefferson residents have received help. Due to the program being funded by COVID dollars, the funding is unstable. I have seen the impact that this program has had in our community and how helpful it has been, and would like to urge Mayor and Council to think about implementing a City Water/ Sewer Assistance Program.

One of the main concerns that I have heard when talking about an assistance program is, where the money will come from. The City partnered with Service Line Warranty in 2020, and has since been receiving annual proceeds. There was discussion, when the partnership was first being considered, about what the funds would be used for. One of the ideas was using them to give back to the community. There is currently \$3,339 in the fund, which I believe is a good starting point for an in-house water/sewer assistance program.

The program that I propose would be limited to Jefferson residents that are experiencing extenuating circumstances or are set to be shut off. With the limited funds available, we may need to cap the number of recipients per year. A Jefferson resident would only be able to apply for assistance once per year and it would be noted on their account. There are churches in the area that sometimes are able to assist customers, but it is not steady. The LIHWA program is set to expire in March of 2024 or when their funds run out. I believe implementing this type of program would benefit our community, and it would be a way for the City to give back. Before staff time is invested, I wanted to ask Mayor and Council what direction they would like to take. Thank you for your time.

DISCUSSION/INFORMATION

CONSENT AGENDA

CITY OF JEFFERSON
Regular Council Meeting & Executive Session
December 14, 2023
6:30pm

COUNCILORS PRESENT: Mayor Myers, Bob Rossiter, David Kellogg, Charles Vickery, David Watkins, Chandra Cruikshank, Keonali Hutley (zoom)
COUNCILORS ABSENT: None
STAFF PRESENT: Sarah Cook, CM/R; Jeff Buskirk, Alex Kemmer, and Kyle Ward from PW

I. CALL TO ORDER/FLAG SALUTE – Mayor Myers called the meeting to order at 6:30 and led in the flag salute.

II. OLD BUSINESS

- 2.1 Dangerous Building Update – Sarah Cook provided a brief update on the status of the case and indicated some of the additional work that had been done on the building. The owner was still awaiting final inspection from the County and upon completion, the City Manager would bring back a final report to the Council.
- 2.2 Main St. Improvements – Information from the City Engineer was provided in Council packets, which included a cost breakdown of the work that would be necessary to fully improve the street. Jeff Buskirk noted the amounts did not reflect costs for the streetscapes. Mayor Myers spoke on the possibility of grants or other funding, noting his conversation with Senator Wyden’s representative, Carina. All agreed the project would be challenging, but they needed to continue pushing ahead.

III. NEW BUSINESS

- 3.1 Annual DMV Dismantler Certificate Renewal – Councilor Rossiter moved to approve the license renewal, seconded by Councilor Watkins. All in favor: Ayes – 6, Opposed – 0. **APPROVED.**
- 3.2 4th St. Right-Of-Way – Jeff Buskirk explained the matter, noting the area was not for public travel; however, a nearby homeowner was using it for personal access, which had created a muddy mess and he did not want the City to be liable should something happen. He suggested blocking it off with jersey barriers, to which the Council agreed.
- 3.3 Rural Prosperity & Partnership Act – Mayor Myers provided background on Congresswoman Salinas bi-partisan legislature proposal for financial and technical assistance to rural communities nationwide. He sought the Council’s support via a letter of support he had prepared, that he hoped they would all sign. Councilor Watkins was in favor of the show of support and moved as such. Councilor Rossiter seconded. Discussion: Councilor Cruikshank indicated she was not ready to sign the letter without more time to research the subject. All in favor: Ayes – 5, Opposed – 1 (Cruikshank). **APPROVED.**

IV. DISCUSSION/INFORMATION

- 4.1 Letter to District Judge Hernandez Re: Dam Drawdowns – FYI - there was brief discussion about the matter, with concerns expressed about the future water levels and overall availability of water if dams were removed.
- 4.2 Emergency Op Plan Funding & Timeline – FYI – update, no discussion.
- 4.3 WWTP Inspection Results – FYI – Jeff Buskirk noted the one remark in the report had been fixed immediately, explaining that it was not ever a problem, but rather, the inspector did not see the information in the City’s document so it was noted as missing and needed to be added. There was brief discussion on another recommendation in the report and the Public Works Director indicated they were not mandates.

- V. **CONSENT AGENDA** – Councilor Rossiter moved to approve the AP; seconded by Councilor Kellogg. All in favor: Ayes – 6, Opposed – 0. **APPROVED.**

VI. COMMITTEE/DEPARTMENT UPDATES

Historical Society – Mayor thanked them for the time they made themselves and the Conser House available for tours
Planning – meeting in January
Fire Board – no new info
Parks & Rec – no new info
School Board – Providence pulled out of the plans to service the health clinic due to funding; in discussions with Samaritan now; drop in enrollment which means decreased funding, so they have consolidated some classes.
Library – no new info
Landmarks – currently reviewing City’s code in comparison to State, which will take several meetings
MWACT – no meeting
TAC – whole meeting was centered around Albany and Corvallis
City Parks – no new info; awaiting JES lease agreement; Mill St park progressing along

VII. VISITORS

Patti Ball handed out a Chamber newsletter and spoke on some highlights, including their next meeting date and a \$10k grant.

- VIII. **EXECUTIVE SESSION***ORS 192.660(2)(i)** – Performance Evaluations of Public Officers & Employees

The City Council, City Manager, and Public Works Director excused themselves to the conference room at 7:06pm following the Mayor’s announcement of the executive session authorized by the ORS provided. They reconvened in regular session at 7:24pm. Mayor Myers indicated Jeff Buskirk had reached the top of his pay scale; therefore, they were unable to provide a merit increase at that time.

However, the Council spoke very highly of his performance, noting he was certainly deserving and extremely valuable to the City. Councilor Watkins moved to approve a merit increase for Sarah Cook, expressing his appreciation to her. Councilor Rossiter seconded, adding that she always had answers to his questions and he appreciated the guidance she provided to the Council. Councilor Vickery and Kellogg offered similar sentiments, complimenting her ability to manage the day to day so well that they didn't have to worry about things. All in favor: Ayes – 6, Opposed – 0. **APPROVED.**

IX. COUNCIL/STAFF COMMENTS

Sarah Cook indicated she'd been working with Travel Salem on the ad for the Conser House, which was looking to be more spendy than first thought. Jeff Buskirk provided a brief update on the Marion County ARPA Grant, noting the City was back in the project after some internal differences with their criteria.

Mayor Myers shared an update on the visits from Senator Wyden and Congresswoman Salinas representatives, and noted an upcoming meeting with Sheriff Hunter. Further, as it was the year end, he asked the Council to come back in January with their thoughts and reflections of the year; what had been done well and what still needed work, and to be ready to share.

- X. **ADJOURNMENT** – Councilor Kellogg moved to adjourn, seconded by Councilor Vickery. All were in favor and the meeting closed at 7:38pm.

MINUTES APPROVED this 25th day of January, 2024.

Michael D. Myers, Mayor

ATTEST:

Sarah Cook, City Manager/Recorder

Report Criteria:

Detail report.
 Invoices with totals above \$0.00 included.
 Only unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Aguilera, Nicolas							
8369	Aguilera, Nicolas	881660	TRAINING REIMBURSE	12/08/2022	160.00	.00	
Total Aguilera, Nicolas:					160.00	.00	
ANKENY ELECTRIC & SOLAR LLC							
8475	ANKENY ELECTRIC & SOLAR L	1115	CITY PARK POWER	01/12/2024	3,998.61	.00	
Total ANKENY ELECTRIC & SOLAR LLC:					3,998.61	.00	
CHEMEKETA COMMUNITY COLLEGE							
1150	CHEMEKETA COMMUNITY COL	S1149940	CCRLS DEBT COLLECTION	01/09/2024	9.85	.00	
Total CHEMEKETA COMMUNITY COLLEGE:					9.85	.00	
MID-WILLAMETTE VALLEY COUNCIL							
3890	MID-WILLAMETTE VALLEY COU	DECEMBER 2	Contract Planning Services	01/08/2024	619.80	.00	
3890	MID-WILLAMETTE VALLEY COU	DECEMBER 2	Contract Planning Service	01/08/2024	619.80	.00	
3890	MID-WILLAMETTE VALLEY COU	DECEMBER 2	Contract Planning Service	01/08/2024	619.80	.00	
3890	MID-WILLAMETTE VALLEY COU	DECEMBER 2	Contract Planning Service	01/08/2024	619.81	.00	
Total MID-WILLAMETTE VALLEY COUNCIL:					2,479.21	.00	
OREGON HEALTH AUTHORITY							
4570	OREGON HEALTH AUTHORITY	JANUARY 202	N. AGUILERA TRAINING	01/18/2024	45.00	.00	
Total OREGON HEALTH AUTHORITY:					45.00	.00	
OWEN EQUIPMENT COMPANY							
4810	OWEN EQUIPMENT COMPANY	NOVEMBER 2	sweeper parts	12/29/2023	69.69	.00	
4810	OWEN EQUIPMENT COMPANY	NOVEMBER 2		12/29/2023	69.69	.00	
4810	OWEN EQUIPMENT COMPANY	NOVEMBER 2		12/29/2023	15.50	.00	
Total OWEN EQUIPMENT COMPANY:					154.88	.00	
PACIFIC POWER							
4860	PACIFIC POWER	2023 DEC USA	Street Lights	01/03/2024	1,782.65	.00	
4860	PACIFIC POWER	2023 DEC USA	Swr Plnt/Rest Area	01/03/2024	3,486.32	.00	
4860	PACIFIC POWER	2023 DEC USA	Wtr Plant/pumps	01/03/2024	3,624.26	.00	
4860	PACIFIC POWER	2023 DEC USA	Cemetery	01/03/2024	27.05	.00	
4860	PACIFIC POWER	2023 DEC USA	City Hall	01/03/2024	348.29	.00	
4860	PACIFIC POWER	2023 DEC USA	Library	01/03/2024	348.28	.00	
Total PACIFIC POWER:					9,616.85	.00	
PEAK INTERNET							
4990	PEAK INTERNET	2024 JANUAR	HOSTED EMAIL	01/01/2024	5.00	.00	
Total PEAK INTERNET:					5.00	.00	
SHAWN'S PROFESSIONAL WINDOW CLEANING							
8185	SHAWN'S PROFESSIONAL WIN	FEBRUARY 20	City Hall/Library Cleaning Svc	01/18/2024	300.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total SHAWN'S PROFESSIONAL WINDOW CLEANING:					300.00	.00	
Smooth Green Yard Services LLC							
7166	Smooth Green Yard Services LLC	FEBRUARY 20	City Lawn Service	01/18/2024	450.00	.00	
Total Smooth Green Yard Services LLC:					450.00	.00	
TRUAX CORPORATION							
6852	TRUAX CORPORATION	DEC 2023 CH	Fuel	12/31/2023	48.65	.00	
6852	TRUAX CORPORATION	DEC 2023 CH	Fuel	12/31/2023	218.93	.00	
6852	TRUAX CORPORATION	DEC 2023 CH	Fuel	12/31/2023	218.93	.00	
Total TRUAX CORPORATION:					486.51	.00	
U.S. POSTAL SERVICE - PRESORT							
6300	U.S. POSTAL SERVICE - PRESO	JANUARY 202	Pre-Sort Bulk Mail	01/18/2024	275.00	.00	
6300	U.S. POSTAL SERVICE - PRESO	JANUARY 202	Pre-Sort Bulk Mail	01/18/2024	275.00	.00	
Total U.S. POSTAL SERVICE - PRESORT:					550.00	.00	
USA BLUE BOOK							
6460	USA BLUE BOOK	INV00230245	Misc Lab Supplies	12/26/2023	70.51	.00	
6460	USA BLUE BOOK	INV00233546	Lab Supplies	01/02/2024	1,035.89	.00	
Total USA BLUE BOOK:					1,106.40	.00	
WATERLAB CORP.							
6640	WATERLAB CORP.	89733	ROUTINE WATER TESTS	01/08/2024	140.00	.00	
Total WATERLAB CORP.:					140.00	.00	
Grand Totals:					19,502.31	.00	

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Only unpaid invoices included.

Invoice Number	Sequence Number	Description	Type	Invoice Date	Due Date	Invoice Amount	Discount Amount	Net Invoice Check Amount	GL Account Number
Total 10:						1,723.09	.00	1,723.09	
Total 14:						358.13	.00	358.13	
Total 16:						3,998.61	.00	3,998.61	
Total 21:						683.95	.00	683.95	
Total 23:						6,188.57	.00	6,188.57	
Total 24:						4,740.26	.00	4,740.26	
Total 25:						1,809.70	.00	1,809.70	
Total :						19,502.31	.00	19,502.31	
Grand Totals:						19,502.31	.00	19,502.31	

Summary by General Ledger Account Number

GL Account Number	Debit	Credit	Net
Grand Totals:	19,502.31	.00	19,502.31

Summary by General Ledger Posting Period

GL Posting Period	Debit	Credit	Net
Grand Totals:	19,502.31	.00	

COMMITTEE/DEPARTMENT UPDATES