

CITY OF SILVERTON
CITY COUNCIL REGULAR MEETING – 7:00 p.m., Monday, November 5, 2018

Silverton Community Center – Council Chambers – 421 South Water St.

Americans with Disabilities Act – The City of Silverton intends to comply with the A.D.A. The meeting location is accessible to individuals needing special accommodations such as a sign language interpreter, headphones, or other special accommodations for the hearing impaired. To participate, please contact the City at 503-874-2204 at least 48 hours prior to the meeting.

A copy of the full packet is available for review Monday through Friday 8:00 am to 5:00 pm in the City Manager's Office at the Silverton City Hall, located at 306 South Water Street. All documents will be available on our website at www.silverton.or.us.

AGENDA

- I. OPENING CEREMONIES – Call to Order, Pledge of Allegiance and Roll Call**
- II. APPROVAL OF MINUTES** – Minutes from the Work Session held on October 16, 2017, the Special Meeting held on October 23, 2017, the Work Session held on September 17, 2018, the Regular Meeting held on October 1, 2018, and the Work Session held on October 15, 2018
- III. OATHS OF OFFICE/PUBLIC RECOGNITION** – None Scheduled
- IV. PUBLIC COMMENTS** – This is a business meeting of the City Council. The City values and welcomes public input. Please address the Council as a whole and not individual Council Members. Do not address Staff or members of the audience. Council action on items brought up in Public Comment is limited by the Open Meeting Law. The Council may direct Staff to study the matter and reschedule for further consideration at a later date. Items on the agenda will not be heard or discussed during Public Comment, but will be accepted at that place on the Agenda. Individuals are limited to three (3) minutes.
- V. SCHEDULED PRESENTATIONS**
 - 5.1 Silverton Chamber of Commerce Monthly Update – Stacy Palmer**
 - 5.2 Coolidge-McClaine Park Amphitheater Concept – Jim DeSantis**
 - 5.3 Commercial Air Service in Salem – Art Bobrowitz, Salem Airport Commercial Aviation Committee**
- VI. PUBLIC HEARING** – None scheduled
- VII. CONSENT AGENDA**
 - 7.1 Return Activated Sludge Pump Replacements (2) for the Wastewater Treatment Plant**
- VIII. DISCUSSION/ACTION ITEMS**
 - 8.1 Ordinance No. 18-25 – Adding Transitional Housing Standards to Chapter 15 of the Silverton Municipal Code**
 - 8.2 Ordinance No. 18-26 – Regulating the use of single use plastic bags**
 - 8.3 Ordinance No. 18-27 – Prohibiting the use of polystyrene foam containers**
 - 8.4 Resolution No. 18-24 – Supporting the Establishment of a City of Silverton Mayor's Youth Council and authorizing the City Manager to enter into a Memorandum of Understanding with the Silver Falls School District**

8.5 Resolution No. 18-25 – Approving a temporary recycling surcharge by Republic Services

8.6 Contract award for former Eugene Field School demolition and deconstruction

IX. CITY MANAGER UPDATE

X. COUNCIL COMMUNICATIONS

XI. ADJOURNMENT

1 CITY OF SILVERTON
2 **CITY COUNCIL WORK SESSION MINUTES**

3 **Silverton Community Center – Council Chambers – 421 South Water St.**

4
5 **October 16 2017, 6:00 PM**

6
7 **I. OPENING CEREMONIES – Call to Order, Pledge of Allegiance & Roll Call**

8
9 Mayor Palmer called the meeting to order at 6:00 p.m.

Present	Absent	
X	_____	Mayor Kyle Palmer
X	_____	Council President Jason Freilinger
X	_____	Jim Sears
X	_____	Matt Plummer
X	_____	Dana Smith
X	_____	Laurie Carter
X	_____	Rhett Martin

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27 Staff Present:

28 City Manager, Christy Wurster; Chief of Police, Jeff Fossholm; Public Works Director, Christian Saxe;
29 Finance Director, Kathleen Zaragoza; City Attorney, Heather Martin; and City Clerk, Lisa Figueroa

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31 **II. DISCUSSION ITEMS**

32
33 Mayor Palmer indicated they would move agenda item 2.1 to just after agenda item 2.5, in order for the
34 City Attorney to be present.

35
36 **2.2 Update on Eugene Field Property Abatement Costs**

37 Public Works Director Christian Saxe provided an update on the Eugene Field property abatement costs.
38 He indicated that the City contracted with Terracon Consulting to perform an Environmental Assessment
39 and Hazardous Material Survey. The results indicated the presence of hazardous materials (asbestos
40 and lead paint) in and on the structure as well as an external Underground Storage Tank (UST) which
41 must be removed with the surrounding soils. Following the receipt of these reports, the Public Works
42 Department met with multiple abatement contractors in order to get informal pricing for the necessary
43 work to address these environmental concerns. The initial estimates for the abatement of the asbestos
44 are in the \$150,000 range and the removal of the UST is approximately \$30,000. Due to the excessive
45 quantity and locality of lead paint that was shown in the hazardous material survey, all attending
46 abatement contractors stated that it would be financially and physically unfeasible to remove all of the
47 lead paint and as a result declined to provide an informal proposal. Commercial demolition contractors
48 are able to remove and dispose of the structure, without lead abatement, by utilizing a dedicated
49 receiving station. The Council discussed the option to abate the building and asked clarification
50 questions. Council discussed possible items located in the building that could be salvaged. City Manager
51 Christy Wurster indicated that staff will be providing a staff recommendation at the next City Council
52 meeting.
53
54

1 **2.3 Ordinance No. 17-XX – Prohibited Public Acts**

2 City Attorney Heather Martin indicated that at the last meeting when this item was discussed there were a
3 number of questions that arose. She has tried to address some of those issues in the draft ordinance.
4 The first item is the definition of a public place, which has been defined to be anyplace that is open and
5 available to the public. It would not include someone sunbathing on their lawn. Ms. Martin added
6 exemptions to the definition for people in dressing rooms, bath houses, etc. The definition of nudity has
7 been defined by using a combination of definitions located in ORS. The draft ordinance includes both
8 nudity and urination/defecation as prohibited acts. Council discussed why this ordinance has been drafted
9 and the need for addressing public concerns regarding public urination/defecation, but not the nudity
10 aspect. Police Chief Jeff Fossholm indicated that this would give the police department another tool to
11 stop certain acts from happening. There was Council consensus to proceed with an ordinance that
12 prohibits public urination/defecation only.
13

14 **2.4 Consideration of an Ordinance to ban certain activities in City Parks adding language to**
15 **prohibit smoking and vaping**

16 City Manager Wurster provided the staff report and indicated that the draft ordinance would ban smoking
17 and vaping in City parks. The Council discussed the proposed ordinance and whether vaping should be
18 included. Council asked staff to draft the ordinance with vaping included for discussion purposes and at
19 that time Council will either adopt it as written or strike vaping from the language.
20

21 **2.5 Consideration of an Ordinance Prohibiting Smoking and Vaping in the Downtown Core**

22 The City Council discussed the potential boundaries for this ban and the signage that would need to be
23 installed. City Manager Wurster indicated that the Municipal Judge recommended the signage be
24 installed at 50-ft. intervals for enforcement purposes. This length is the same as no parking signs. Council
25 discussed the cost to install the signage and how to promote the prohibition. The potential boundary could
26 be the walk your wheels zone and Council discussed those boundaries and if they should be adjusted.
27 Each Councilor stated their preference of where the potential zone boundaries should be. Public Works
28 Director Saxe reviewed the preferences and will present the following three zone options to Council at a
29 later date:

- 30 1. Both sides of High Street to both sides of Main Street and both sides of S 1st to both sides of
31 Water Street.
- 32 2. The south side of Park Street to the Hartman Building.
- 33 3. Both sides of Park Street down to both sides of Jersey Street.
34

35 Council asked that staff research the signage requirements and look into what other cities have done.
36 The Council asked if the definition of Downtown Core matches the Walk Your Wheels area and if they are
37 defined differently somewhere else in the code. City staff will make sure there isn't a conflict between the
38 definitions.
39

40 **2.1 Consideration of Expansion of Utility Assistance Program (UAP)**

41 Finance Director Kathleen Zaragoza said the UAP is budgeted at \$1,800 and was implemented in May of
42 2015. She said the money is provided to Silverton Area Community Aid (SACA) who allocates the money
43 to customers that receive a shut off notice. In 2016 an agreement was developed that placed restrictions
44 to the program and payment limitations. A copy of the agreement is located in the Council packet.
45

46 She indicated to expand the program, the City could:

- 47 1. Give more money to the program; or
- 48 2. Modify the agreement so some of the funding is available for those who need help paying their bill
49 and are not on the shut-off list, but meet low-income criteria.
50

51 SACA does receive other money to help with additional assistance for water bills and other utilities.
52 Finance Director Zaragoza explained the shutoff process and SACA's role in the program. Council
53 discussed using marijuana revenue to expand this program. Ms. Zaragoza indicated that some cities
54 have dedicated that money for a specific purpose, but she recommends it be placed in the General Fund.
55 Council discussed how an expansion of the program could look if a shutoff notice wasn't required. The
56 City sends out approximately 3,400-3,600 utility bills per month. Councilor Plummer suggested adding an

1 assistance fee onto the water bill where each household would pay a small amount into the fund. Staff
2 said that they would have to research the legality of that concept. Council would like to see more
3 education materials regarding water conservation available to the public. Councilor Carter indicated that
4 she is most concerned about the households that use the minimum amount of water, but still struggle to
5 pay the base water/sewer rate and it's likely that they would need assistance more than just one time per
6 year. She indicated that she is opposed to adding an assistance fee. Councilor Smith suggested setting a
7 monthly cap of \$50 and an annual cap for each household. She would like to see what SACA proposes
8 before setting the caps. Mayor Palmer said he would like to see the one time assistance per year lifted
9 and does not want to see another fee tacked onto the bill. He would rather see a voluntary checkbox.
10 Councilor Carter recommended the minimum increase from \$125 to \$150 and annual fund increase to
11 \$5,000.

12 Council took a break at 8:10 p.m. and reconvened at 8:15 p.m.

13 **2.6 Discussion on recommendation for radar sign – Speed Traffic Calming Device(s), and moving** 14 **forward with a Resolution to transfer funds to purchase**

15 Chief of Police Jeff Fossholm explained that this staff report is follow-up to the August 7, 2017 City
16 Council meeting when Council was presented with options to purchase either a Radar Speed Reader
17 Trailer or Portable Speed Signs. He said the recommendation is for the City to purchase two radar board
18 signs, which cost the same as one trailer. He presented a promotional video to the Council. Chief
19 Fossholm said staff could bring back a transfer resolution or budget it for next year. The Council indicated
20 they would like to see it come through immediately.

21 **2.7 Review and Consideration of Proposed Financial Policies**

22 Finance Director Zaragoza explained that Council passed Resolution 04-18 which established the value
23 for fixed asset capitalization; she is recommending expanding on that resolution. Another Resolution is
24 recommended to establish a Fund Balance Reserve and Contingency Policy. Ms. Zaragoza explained the
25 difference between reserves and contingency and the importance of the two. She will present information
26 regarding how much money is needed to get to a solid reserve and contingency fund built up at the
27 beginning of the fiscal year. She said the Council could modify the Resolution to set the contingency
28 amount to be between 10-15 percent in order to allow more flexibility.

29 **2.8 Update Long-Range Financial Plan**

30 Finance Director Zaragoza said that one of the Council Goals is to provide a long-range financial plan.
31 Provided in the packet is a previous Five-Year Forecast that she put together and is seeking input from
32 Council on if a similar updated version of the FY 2009-2014 forecast would meet their goal. The Council
33 indicated that a similar forecast would meet their needs, but would like to see staffing levels included in
34 the updated forecast and see it extend further than five years.

35 **III. COUNCIL DISCUSSION**

36 City Manager Christy Wurster indicated that staff is working on a fact sheet regarding the gas tax
37 measure, but it will need to be reviewed by the Secretary of State's Office for compliance with elections
38 law. Council discussed key points that should be included in the fact sheet.

39 **IV. ADJOURNMENT**

40 The meeting adjourned at 8:57 p.m.

41 Respectfully submitted by:

42 /s/Angela Speier, Assistant to the City Manager/City Clerk

1 CITY OF SILVERTON
2 **CITY COUNCIL SPECIAL MEETING MINUTES**

3 **Silverton Community Center – Council Chambers – 421 South Water St.**

4
5 **October 23 2017, 7:00 PM**

6
7 **I. OPENING CEREMONIES – Call to Order, Pledge of Allegiance & Roll Call**

8
9 Mayor Palmer called the Special Meeting to order at 7:00 p.m.

Present	Absent	
X		Mayor Kyle Palmer
X		Council President Jason Freilinger
X		Jim Sears
X		Matt Plummer
X		Dana Smith
X		Laurie Carter
X		Rhett Martin

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27 Staff Present:

28 City Manager, Christy Wurster; Chief of Police, Jeff Fossholm; Public Works Director, Christian Saxe;
29 Community Development Director, Jason Gottgetreu; and City Clerk, Lisa Figueroa

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31 **II. PUBLIC COMMENT**

32
33 There were no comments.

34
35 **III. DISCUSSION/ACTION ITEMS**

36
37 **3.1 Discussion on the purchase of the Eugene Field property, comprising of approximately 3.46
38 acres [five tax lots] at 410 North Water Street, Silverton, OR**

39 Public Works Director Christian Saxe provided the staff report. He said that the City entered into a
40 Purchase and Sale Agreement (PSA) with the Silver Falls School District for the purchase of the Eugene
41 Field School property effective July 7, 2017. Paragraph 5.3 of the PSA for the Eugene Field property
42 includes a provision that all Phase 1, 2, and 3 investigations, remediation and abatement shall not exceed
43 \$400,000. Following the approval of the PSA the City has expended \$19,000 in investigative costs. In
44 addition to the \$19,000, staff has secured informal quotes in the amount of \$430,000 for asbestos
45 abatement, underground storage tank decommissioning, and lead paint removal. In accordance with the
46 PSA, the City has the option to: 1) elect to pay the additional costs; 2) terminate the agreement in which
47 event the earnest money shall be returned to the buyer; or 3) work with the seller to amend the
48 agreement whereby both parties will mutually agree on payment for additional costs.

49
50 Mayor Palmer opened the floor for public comment.

51
52 Robert Wild, 1204 Pine Street. Mr. Wild moved to the community for its small town charm, the historic
53 culture, and the community spirit. He is opposed to tearing the building down and believes that the City
54 should renovate it for a Senior Center, Police Department, or a small business promotion site. He said

1 that he believes the building has historical value. Mayor Palmer indicated that the City is pursuing the
2 property with the intention of using it for a Civic Center.
3

4 Leigh Harrod. Ms. Harrod said that she has been a geologist for 40 years and has worked on similar
5 projects. She does not support the purchase of the building, because it is in the floodplain. The City is
6 moving forward without a plan and needs to update the Comprehensive Plan to year 2035 and include
7 the Eugene Field property. She feels the purchase is too risky.
8

9 Gene Pfeifer, 1392 S. Water Street. Mr. Pfeifer indicated that Eugene Field is part of Silverton's heritage
10 and is well liked in the community. He provided Council with a document which included a letter from
11 Dalke Construction indicating the building can be fixed for \$4 million. He also reviewed a business plan
12 for a senior housing facility.
13

14 Kimberlee McDermott, 923 Pioneer Drive. Ms. McDermott said that it is a very important property and
15 very large. She does not want to see the property in the hands of a developer who would increase the
16 density in the downtown area. She encouraged Council to keep the property.
17

18 Charles Baldwin, 3301 Seminole Road. Mr. Baldwin supported the purchase of the property and
19 continues to be enthused about the idea of a Civic Center there. He questioned whether the City
20 considered Mr. Pfeifer's recommendation on how to remediate the lead paint. He inquired if the City is
21 going to multipurpose the land and if that could result in a cost savings to the City. Mayor Palmer said that
22 concept has been discussed, but the public is going to need to be a part of that discussion through a
23 public process. The discussion tonight is to authorize the City Manager to continue with the purchase and
24 sale agreement. In the future, Councilor Freilinger is envisioning an extensive community visioning
25 process with what can be done with the property. Mr. Baldwin reiterated that he does think that this is an
26 ideal site for a Civic Center, but Council needs to figure out a way to do it with the least tax impact to the
27 citizens.
28

29 Connie Yoder, 630 Schemmel Lane. Ms. Yoder asked how the purchase would be paid for. Mr. Saxe
30 reviewed the option available to the City for the purchase. She asked for clarification on the associated
31 costs. After further discussion, she supported the City Council and said they should move forward with
32 the purchase.
33

34 Stu Rasmussen, 313 N. James Street. Mr. Rasmussen asked Council to clarify if they are planning on
35 making the decision to purchase and demolish Eugene Field tonight? Mayor Palmer explained why they
36 had to call the special meeting, to give staff direction prior to the closing of the due diligence period. Mr.
37 Rasmussen said that he recommends the City move forward with the purchase of the property, because it
38 is a key piece of property in Silverton. Mr. Saxe explained the evaluation report and the process so far.
39 City Manager Christy Wurster said that she spoke to the realtor representing the School District about
40 extending the due diligence period and the response was they could extend it for three days.
41

42 Michael Finkelstein, 304 Adams Avenue. Mr. Finkelstein said he thinks that the City should purchase the
43 property. It would be nice for the City to have control of the project, because it could be a very nice asset
44 to downtown.
45

46 Steve Marineau, 501 Chester Street. Mr. Marineau thinks that the City should purchase the property and
47 feels that it is in the City's best interest.
48

49 Discussion ensued about what the City could include as abatement costs in order to renegotiate with the
50 seller due to the lead paint estimate being provided only if the building were to be demolished. Ms.
51 Wurster provided the appraisal figures.
52

53 Kimberlee McDermott clarified that she doesn't think that the City should purchase the property to just
54 turn around and sell it. The City needs to keep the property and use it for the citizens.
55

56 Leigh Harrod said that she would prefer that the City purchase the land and remove the building.

1
2 City Manager Wurster noted for the record that the City received written comments from Richard Carlson,
3 Ron Bell, Leigh Harrod and Becky Ludden.
4

5 The Council discussed the importance of the property for the City and the downtown, as well as the need
6 to build a new Police Facility per the federal mandate. The purchase price was good and the feedback
7 Council has received has been supportive of the City moving forward with the purchase of the Eugene
8 Field property. The Council expressed their excitement for the visioning process moving forward and
9 hearing the community's ideas on how to best utilize the property.
10

11 Councilor Freilinger made a motion directing the City Manager to issue a suitability notice signifying the
12 City's intent to proceed with the acquisition of the property. Councilor Carter seconded the motion. There
13 was no discussion and the motion passed unanimously.
14

15 Councilor Freilinger moved to authorize the purchase of the property if all the conditions precedent to the
16 closing and purchasing and sale agreement are met. Councilor Carter seconded the motion. There was
17 no discussion and the motion passed unanimously.
18

19 Mayor Palmer invited the community to Main Street Bistro tomorrow night in celebration of World Polio
20 Day.
21

22 **IV. ADJOURNMENT**
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24 The meeting adjourned at 8:18 p.m.
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26 Respectfully submitted by:
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28 /s/Angela Speier, Assistant to the City Manager/City Clerk
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1 CITY OF SILVERTON
2 **CITY COUNCIL WORK SESSION MINUTES**

3 **Silverton Community Center – Council Chambers – 421 South Water St.**

4
5 **September 17, 2018, 6:00 PM**

6
7 **I. OPENING CEREMONIES – Call to Order, Pledge of Allegiance & Roll Call**

8
9 Mayor Kyle Palmer called the Work Session to order at 6:00 PM.

Present	Absent	
X	_____	Mayor Kyle Palmer
X	_____	Council President Jason Freilinger
X	_____	Jim Sears
X	_____	Matt Plummer
X	_____	Dana Smith
X	_____	Laurie Carter
X	_____	Rhett Martin

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27 Staff Present: City Manager, Christy Wurster; Community Development Director, Jason Gottgetreu;
28 Public Works Director, Petra Schuetz; Police Chief, Jeff Fossholm; Assistant to the City Manager/HR
29 Coordinator, Elizabeth Gray; and Assistant to the City Manager/City Clerk, Angela Speier

30
31 **II. DISCUSSION ITEMS**

32
33 **2.1 Revisit Noise Ordinance exception for sounds caused by business operations in the**
34 **commercial and industrial zones**

35 Councilor Freilinger arrived at 6:01 p.m.

36
37 Community Development Director Jason Gottgetreu explained that businesses operating in the
38 commercial zone are currently exempt from the noise ordinance. He described the subjective nature of
39 noise ordinances and why at the time Council chose to exempt businesses. Noise levels created within
40 the industrial zones must be in compliance with Chapter 2.4 of the Silverton Development Code (SDC).
41 Mr. Gottgetreu said that Council could choose to keep the exception as is, regulate businesses in in the
42 commercial zone similar to the industrial zone, or limit the hours that the commercial exception exists.
43 Councilor Carter voiced her opinion that the noise ordinance is fine the way it is. She doesn't want to
44 strangle some of the businesses in town and feels that these types of noises are typical with living
45 downtown.

46
47 Council discussed enforcement mechanisms such as measuring the decibel level and what equipment
48 the City currently has, which does not have the ability to measure the length of noise. Councilor Sears
49 indicated that he would like to find a balance between the commercial and residential areas and would
50 like to see the City do something. Councilor Smith suggested limiting the hours for businesses on the
51 commercial fringe similar to construction project limitations. Councilor Plummer said that the materials in
52 the packet are based on one specific complaint, that doesn't really even seem like a noise issue. It seems
53 that the specific business is taking steps to lessen the noise impact and general disturbance to the
54 neighborhood. Councilor Freilinger said that he is fine leaving it the way it is, but could be swayed to look

1 into the commercial fringe hours of limitation. The downtown core needs to stay the way it is. Councilor
2 Martin indicated that he agrees with Councilors Smith and Freiling and feels like this is a resistance to
3 change not really a noise issue.
4

5 City Manager Christy Wurster indicated that she has heard from one neighbor who is supportive of the
6 gym and feels that it is an asset to the community. She has not received any additional complaints. There
7 have also been complaints regarding the municipal pool and the city has taken steps to reduce the noise
8 level through the speaker system. Mayor Palmer noted that he would like to leave the code as is.
9

10 Councilor Smith indicated that the parking discussion was interesting. The City gives free parking passes
11 for residential parking in the commercial fringe area and other areas where there are businesses that
12 have a lot of visitors, such as the hospital.
13

14 Council discussed the idea of gathering more information and decibel readings before making a decision.
15 Chief Fossholm noted that if Council would like to see police officers perform more readings, the City
16 would need to purchase six handheld devices, one for each vehicle on duty. Councilor Plummer
17 suggested working with the gym owners to see where their noise levels are currently. Typically the
18 measurements are taken at the property line, but can vary depending on the standard.
19

20 Councilor Carter asked to be excused from the meeting due to not feeling well and left at 6:38 p.m. She
21 feels that the code should stay as is. The majority of the City Council decided not to take any additional
22 action at this time.
23

24 **2.2 Placement of bike racks in the downtown core**

25 Community Development Director Jason Gottgetreu reviewed the map of the current location of the bike
26 racks in the downtown core. There are currently six individual bike racks in the downtown and two corrals.
27 The current bike racks have been installed in yellow lined no parking areas in order to avoid conflicts with
28 parked cars and meters. The Downtown Master Plan does not have a specific level of detail on how many
29 amenities should be located on the sidewalk; just that they should be near the curb. City staff has
30 received a request from a business owner to install a bike rack in front of the business. This particular
31 area has continuous parking and parking meters, street trees, utility vaults, and outdoor seating. Mr.
32 Gottgetreu provided a picture of the potential location and how a bike rack might fit there.
33

34 Staff is looking for Council direction on how to respond to business owner's requests to install bike racks
35 in front of their business when they are not located in front of a yellow marked no parking area. Council
36 discussed the potential location and the difficulties with getting out of the rear of the vehicle when a bike
37 is there. There are a number of competing obstacles on the sidewalks downtown. Any item placed on the
38 sidewalk needs to maintain a five foot clearance. Councilor Sears inquired if there is a shortage of the
39 racks currently and how staff could determine the need.
40

41 Council indicated that they are in favor of encouraging additional bike racks in the downtown. There was
42 Council consensus to keep the bike racks on the sidewalk where there is a yellow curb which indicates no
43 parking as much as possible.
44

45 **2.3 Placement of historic plaques in the downtown core**

46 Public Works Director Petra Schuetz said that Victor Madge was not available to present to Council. Ms.
47 Schuetz reviewed the locations of the proposed historic plaques. She indicated that the committee is
48 going to be looking into changing the materials of the current plaques to make them easier to maintain.
49 Councilor Sears asked what the long term goal/plan is and if they are planning on installing new plaques
50 every year. He suggested placing the plaques on the actual building. Council is concerned about adding
51 more obstacles on to already cluttered sidewalks downtown and would like to see a more detailed plan on
52 how many historic plaques will be placed and the costs associated with them. Councilor Sears would also
53 like to see the verbiage on the plaques in order to gauge the historic significance. Ms. Schuetz will relay
54 the information and questions to Mr. Madge.
55
56

1 **2.4 Mayor's proposal on formation of a Youth Council**

2 Mayor Palmer and Councilor Martin have been working on this idea over the last year. Mayor Palmer said
3 that Silverton High School has a Government and Politics Club with about 20 active members. He would
4 like to see if this Club could act as an advisory group to City Council. They would stay on top of City
5 Council activities and provide recommendations to the Council. The Council could hold joint meetings
6 with them and/or they could provide a monthly report to Council.
7

8 Council discussed how this concept would work. They would be copied on the monthly City Council
9 packets so they could stay on top of the issues and present feedback on the issues that are important to
10 them. The presentations could be limited to three minutes. Councilor Martin said that there are a number
11 of many directions that a Youth Council could go; each community does it a little different. The club meets
12 every week which is when they could review the council agenda. Elizabeth Gray, Assistant to the City
13 Manager/HR Coordinator would attend the club meetings on a monthly basis to serve as a liaison
14 between the club and the city. There was general Council support pending further details.
15

16 **III. CITY MANAGER UPDATE**

17
18 City Manager Christy Wurster noted that the FEMA national emergency test has been rescheduled for
19 October 3, 2018. Staff will update the website and social media letting people know it is just a test. Mayor
20 Palmer requested getting a reminder Friday, September 28, 2018.
21

22 Ms. Wurster provided a status update on the Eugene Field demolition/deconstruction, following the walk
23 through of the site. Staff is recommending that the City pull the current bid process and re-advertise the
24 project after the outcome of asbestos and underground storage tank removal. There were a number of
25 items brought forward at the walk through that need to be addressed in the bid documents. City staff is
26 monitoring the abatement process on a daily basis. This will be an entirely new bid process and require
27 another walk through with potential contractors. It was determined that staff could remove the
28 nonstructural recyclable materials. Council discussed allowing a nonprofit to remove materials from the
29 building. City Manager Wurster said that would be hard for the City to manage the site and would be a
30 liability if there was not a certified contractor at the site. It would also delay the demolition project and cost
31 more money. City staff is anticipating releasing the new bid on October 16, 2018 and Council could award
32 the bid at the November 5, 2018 City Council meeting. This will allow for additional time to see how the
33 environmental work evolves. The timeframe for the demolition/deconstruction would be 60 days after the
34 bid is awarded.
35

36 Public Works Director Schuetz explained the new bid concept and using an add alternate bid process to
37 determine the cost of demolition verses deconstruction in order to save the timbers and other salvageable
38 materials. The City can always choose not to accept the bid alternates if the cost is too high. It is likely
39 that the timbers will be contaminated. Councilor Sears voiced his concern about the potential high cost
40 with having a salvage component.
41

42 **IV. COUNCIL COMMUNICATIONS**

43
44 Councilor Plummer asked about City participation in the Great Oregon Shakeout on October 18, 2018.
45 The City Manager noted that staff will participate and update Council at the next meeting.
46

47 **V. ADJOURNMENT**

48
49 The meeting adjourned at 7:52 p.m.
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51 Respectfully submitted by:
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53 /s/Angela Speier, Assistant to the City Manager/City Clerk
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1 CITY OF SILVERTON
2 **CITY COUNCIL MINUTES**

3 **Silverton Community Center – Council Chambers – 421 South Water St.**

4
5 **October 1, 2018, 7:00 PM**

6
7 **I. OPENING CEREMONIES – Call to Order, Pledge of Allegiance & Roll Call**

8
9 Mayor Palmer called the meeting to order at 7:00 p.m.

Present	Absent	
X	_____	Mayor Kyle Palmer
X	_____	Council President Jason Freilinger
X	_____	Jim Sears
X	_____	Matt Plummer
X	_____	Dana Smith
X	_____	Laurie Carter
X	_____	Rhett Martin

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27 **Staff Present:**

28 City Manager, Christy Wurster; Police Chief, Jeff Fossholm; Public Works Director, Petra Schuetz;
29 Community Development Director, Jason Gottgetreu; Assistant to the City Manager/HR Coordinator
30 Elizabeth Gray; Finance Director, Kathleen Zaragoza; and Assistant to the City Manager/City Clerk,
31 Angela Speier

32
33 **II. APPROVAL OF MINUTES**

34
35 Councilor Freilinger made a motion to approve the minutes from the Special City Council meeting held on
36 August 20, 2018, the Town Hall held on August 30, 2018, and the regular City Council meeting held on
37 September 10, 2018. Councilor Sears seconded the motion. Councilor Carter asked that the commas be
38 removed from the August 20, 2018 meeting minutes on page 3, Section II beginning on line 35. There
39 was no further discussion and the motion passed unanimously.

40
41 **III. OATHS OF OFFICE/PUBLIC RECOGNITION – None scheduled.**

42
43 **IV. PUBLIC COMMENTS**

44
45 Lennie Martin, 218 Sweden Circle. Ms. Martin said that she is in support of banning plastic bags. She
46 explained that the impact plastic bags have on the environment is well documented. She would like to see
47 Silverton join with the other communities in the State and enact a ban. Staff indicated that the ordinance
48 will be before City Council at that November 5, 2018 meeting.

49
50 Robin Kuhn, 1386 S Water Street. Ms. Kuhn provided a letter from the Silverton Grange #748 supporting
51 the Ordinance banning plastic bags. She indicated that a number of cities are ahead of Silverton and it is
52 important for the environment to move forward with a ban.
53

1 Gene Pfeifer, 1392 S Water Street. Mr. Pfeifer provided comments regarding the Oregon Garden and
2 Marion County forgiving the amount of debt that they are owed. He suggested that the City consider
3 giving the County some money and asking for an assignment of the contract. He said that he looked at
4 907 Reserve Street residence and feels that it could be easily fixed and put to good use until the City
5 needs the land. He said that the new police station will cost approximately \$15 million based on the
6 27,000 square foot recommendation in a 2007 report and he doesn't think that the City can afford it and
7 people will not vote for it. The possible location for the new station is in the inundation zone and the same
8 report indicated that a primary facility should not be located in such a zone. Lastly, he said that Silverton
9 Dam is failing and if there is an earthquake the new building would be flooded. Councilor Plummer
10 thanked Mr. Pfeifer for his comments and would appreciate having an informed conversation about
11 options related to Silverton Dam.

12
13 Councilor Carter said that there has been a lot of misinformation about the Eugene Field property and
14 that the city has never said that they are going out for a bond issue. City Manager Christy Wurster said
15 that staff will be bringing a finance plan to the City Council for consideration once the public has identified
16 what they would like to see on the site. That will allow Council to look at all the options and determine
17 how they would like to proceed.

18 19 **V. SCHEDULED PRESENTATION**

20 21 **5.1 Silverton Chamber of Commerce Monthly Update – Stacy Palmer**

22 Stacy Palmer, Executive Director distributed her monthly report and noted that the summer season has
23 slowed down in regards to visitor traffic. She reviewed the monthly visitor statistics from September. She
24 provided an update on the entry sign restoration. She thanked all the volunteers who helped with that
25 project. Judy's Party will be occurring on Saturday, October 13, 2018, it is a great fundraiser and way to
26 give back to the community. The Goblin Walk will occur on Halloween throughout downtown and the
27 Chamber is still looking for volunteers to help watch the cross walks in order to keep people safe and
28 traffic moving. The Chamber is signing people up for the Shop Hop and 11 businesses from Mt. Angel will
29 be participating this year. She reminded everyone about garland orders which need to be in by November
30 5, 2018. The Chamber will be hosting a Candidate Forum for those running for City Council and three of
31 the candidates have confirmed their participation. Councilor Sears thanked Ms. Palmer for taking the lead
32 on sprucing up the entry ways into Silverton.

33 34 **5.2 Presentation of National WaterReuse Association Community Water Champion Award to the 35 City of Silverton – Steve Starner**

36 Steve Starner, Water Quality Supervisor explained how water reuse helps communities that face water
37 shortages. He described the project the City has developed with the Oregon Garden to cool treated
38 wastewater while irrigating the garden. This venture has put Silverton into the national spotlight. On
39 September 10, 2018 the City was awarded as a water champion at the National WaterReuse Conference in
40 Austin, Texas. Mr. Starner showed a video about the project. Council discussed how the Oregon Garden
41 was formed and who worked with the Nurseryman's Association to sell the property.

42
43 Barbara Dahlum, 1111 N Water Street. Ms. Dahlum indicated that she was on the City Council at the time
44 and it was the City Manager Mike Scott's idea to sell the property to the Nurseryman's Association.

45 46 **VI. PUBLIC HEARING**

47 48 **6.1 Ordinance No. 18-24 – Public Hearing to consider an annexation application to annex 440 49 Eureka**

50 Mayor Palmer provided an overview of the public hearing process and read the notice advising the
51 audience of the steps to establish the right to appeal this matter to the Land Use Board of Appeals. Mayor
52 Palmer opened the public hearing on Ordinance No. 18-24, to consider an annexation application to
53 annex 440 Eureka Avenue at 7:37 p.m. No members of the Council wished to abstain, declare a conflict
54 of interest, or exparte contact. No members of the audience wished to challenge the Council for
55 jurisdiction to hear this matter or challenge any individual councilors.

1 Community Development Director Jason Gottgetreu explained that the property is approximately 12,000
2 square feet in area and is zoned single family residential. The property is already connected to city water
3 and needs to be connected to City sewer due to a failing septic system. The property owner is aware that
4 in order to connect to the City sewer the main line will need to be extended to the far end of the property.
5 It will require a Marion County right of way permit which means they may lose one of their driveway
6 access points. Eureka does not have sidewalks, so a waiver of remonstrance will be required. The
7 property is contiguous to the city limits and within the urban growth boundary.
8

9 Applicant testimony: Dixon Bledsoe, 1309 Frontier Street, indicated that the property will go into
10 foreclosure if the sale is not completed by November 6, 2018. Mr. Bledsoe is the real estate broker and is
11 representing the seller of the property. The potential buyer is interested in performing improvements and
12 bringing the home back to its original glory. Marion County will not allow the replacement of the septic
13 system. Mr. Bledsoe provided cost estimates for the new sewer line. The buyers are well qualified and
14 going to buy under a conventional rehab loan.
15

16 Opposition Testimony – none
17

18 Neutral Testimony – none
19

20 Rebuttal Testimony – none
21

22 Councilor Smith made a motion to close the public hearing. Councilor Sears seconded the motion. There
23 was no discussion and Mayor Palmer closed the public hearing at 7:49 p.m.
24

25 Councilor Carter moved to have the first reading of Ordinance No. 18-24, by title only. Councilor Smith
26 seconded the motion and it passed unanimously.
27

28 City Manager Wurster read Ordinance No. 18-24, by title only. Councilor Carter moved to pass Ordinance
29 No. 18-24 on its first reading. Councilor Freilinger seconded the motion and it passed unanimously.
30

31 Councilor Carter moved to have the second reading of Ordinance No. 18-24, by title only. Councilor Smith
32 seconded the motion and it passed unanimously. City Manager Wurster provided the second reading of
33 Ordinance 18-24 by title only.
34

35 Councilor Carter moved to adopt Ordinance No. 18-24 on its second and final reading. Councilor
36 Freilinger seconded the motion and it passed unanimously.
37

38 VII. CONSENT AGENDA 39

40 There was no public comment related to the Consent Agenda. Councilor Freilinger made a motion to
41 approve the consent agenda, which included agenda items 7.1, 7.2, 7.3, and 7.4. Councilor Sears
42 seconded the motion. There was no discussion and the motion passed unanimously.
43

44 **7.1 Community Center Lease Agreement with Silverton Area Community Aid**

45 **7.2 Agreement with Silver Falls School District for video production services**

46 **7.3 Resolution No. 18-22 – Approving an addition to the City’s Stormwater Capital Improvement
47 Program**

48 **7.4 Approval to Rebuild Wastewater Treatment Plant (WWTP) Secondary Clarifier Gear Drive Unit**
49

50 Council took a break at 7:52 p.m. and returned to regular session at 7:59 p.m.
51

52 VIII. DISCUSSION/ACTION ITEMS 53

54 **8.1 Ordinance No. 18-22 – Development Code Amendment relating to transitional housing**
55 **accommodations by creating a definition, determining where and how such a use could**
56 **locate, and drafting regulations and standards for approval**

1
2 Mayor Palmer indicated that there have been three public hearings related to Ordinance No. 18-22 and at
3 the last meeting Council made substantial changes to the language. Staff has made the suggested
4 changes for Council review. Councilor Sears said that he feels the new language reflects what was
5 agreed upon by Council at the last meeting and that it is a good way to address both sides of the issue.
6 Councilor Smith inquired about Section T and if "one person" should be changed to "one adult", which is
7 what was reflected in the minutes. Council discussed the discrepancy and decided to keep the language
8 as written as one person.
9

10 Councilor Carter moved to have the first reading of Ordinance No. 18-22, by title only. Councilor Sears
11 seconded the motion. There was no discussion and the motion passed unanimously.
12

13 City Manager Wurster read Ordinance No. 18-22 by title. Councilor Carter moved to pass Ordinance No.
14 18-22 on its first reading. Councilor Smith seconded the motion. Mayor Palmer summarized the changes
15 in the ordinance that were discussed at the September City Council meeting. There was no further
16 discussion and the motion passed unanimously.
17

18 Councilor Carter moved to have the second reading of Ordinance No. 18-22, by title only. Councilor Smith
19 seconded the motion. There was no discussion and the motion passed unanimously. City Manager
20 Wurster provided the second reading of Ordinance No. 18-22 by title only.
21

22 Councilor Freilinger moved to adopt Ordinance No. 18-22, on its second and final reading. Councilor
23 Smith seconded the motion. Mayor Palmer described his experience at the Annual League of Oregon
24 Cities (LOC) Conference in Eugene where homelessness was a topic and he toured transitional housing
25 facilities that the City of Eugene has public private partnerships with. He thanked Council for their work on
26 the issue. There was no further discussion and the motion passed unanimously.
27

28 **8.2 Resolution No. 18-23 - Amending the Business License Fee Schedule**

29 Community Development Director Gottgetreu reviewed the history of the fee schedule for transient
30 businesses; currently mobile food vendors (MVF) are paying \$800 per year. Council directed staff to draft
31 language that would separate MVFs from the transient business license, due to the fact that some are not
32 temporary in nature. A number of the vendors are located on one site with a one year lease. The proposal
33 before Council tonight would be to allow a Transient Merchant MVF to apply for a permit and prepay for
34 three renewals, provided they submit a minimum one year lease as part of the application. This means
35 that only one staff review would need to occur instead of four under the current fee schedule. The
36 proposed annual fee would be \$200 for the permit plus an annual \$250 Street Maintenance Fee. The
37 total annual fee for a Transient Merchant MVF that locates on a site for at least one year, as evidenced by
38 a lease for a minimum of one year, is proposed at \$450. Resolution No. 18-23 amends the fee schedule
39 without having to amend the ordinance.
40

41 Councilor Plummer asked if the vendor could still be mobile and move around locations within the city as
42 long as they are paying the street maintenance fee. Staff said that the intent is for this to be applied for
43 food vendors that are located at one site for a year. It wouldn't matter if they went to a different site
44 outside the city limits and returned. Staff will clarify that the permit is for one site only in the fee schedule.
45

46 Gerald Williams, owner of Old Oak Oven on Jersey Street. Mr. Williams stated that he is still concerned
47 about the cost of the fees being higher than a business license. Mayor Palmer explained that the \$250
48 Street Maintenance Fee is assessed in lieu of the Transportation System Development Charge that would
49 have been paid if a brick and mortar restaurant was built. This ensures that the business is paying into
50 the system for the additional traffic generated. Council discussed how to prorate the fees paid by the MFV
51 for their current license. Finance Director Kathleen Zaragoza explained the business license program and
52 current transient license fee schedule. It was decided to prorate the MFVs that have more than 30 days
53 left on their current transient merchant license.
54

55 Stacy Palmer, 426 S Water Street. Ms. Palmer indicated that she is representing the Chamber of
56 Commerce and voiced her concern about the business license fee being different for MVFs. She said that

1 these MVFs have showed their dedication to the community and should be charged the annual fee that
2 regular businesses pay. She understands the need for the Street Maintenance Fee. Staff indicated that
3 there is additional review (site plan review and background checks) that occur for transient merchants
4 verses a regular business license. Council discussed the idea of charging \$200 for the MVF license the
5 first year and then the regular business license fees thereafter if nothing has changed. The current mobile
6 vendors would be grandfathered in and would pay the regular business license fee moving forward.
7

8 Councilor Freilinger made a motion to amend Resolution No. 18-23 to indicate that MVFs would pay an
9 initial fee of \$200 for the first year and then thereafter the amount would be the same as a standard
10 business license fee and the license would apply for one site only. Councilor Smith seconded the motion
11 and it passed unanimously.
12

13 Councilor Plummer asked about the \$50 surcharge on the tobacco stores and would like to see the fee
14 applied to all businesses that sell tobacco products and possibly even a higher fee. Staff explained the
15 history of the tobacco tax and indicated that Marion County Board of Commissioners recommended it be
16 implemented statewide instead of at the county level. Staff will follow-up with Marion County Tobacco
17 Prevention to assess the likelihood of action at the state level. If there isn't going to be action anytime
18 soon then Council could conduct a Work Session to decide further local action.
19

20 **8.3 Authorize the City Manager to enter into a MOU and Transient Tax Grant for continued** 21 **operation of the Oregon Garden**

22 Finance Director Zaragoza explained that Marion County has proposed to forgive all remaining revenue
23 bond principal and interest. She walked through the MOU and the TOT agreement and indicated that
24 minor modifications may need to be made to the agreement. Marion County's goal is get creditors paid
25 and ensure that the Oregon Garden Foundation is stable. This agreement would also allow the City to be
26 paid back what it is owed at a much sooner rate than the previous payment structure. Councilor Carter
27 pointed out other key pieces in the agreement including freezing the interest rate.
28

29 Christine Diacetus, 537 Eureka Ave. Ms. Diacetus is representing Moonstone Management and indicated
30 that they are supportive of the changes to the agreement and see the long term benefit to the City and the
31 Oregon Garden Foundation. She noted that in Section D. 11 Moonstone Management would like to see
32 the lease agreement with the pavilion separate from the Second Restated Management Agreement.
33

34 Councilor Freilinger moved to authorize the City Manager to complete both agreements, assuming it is
35 substantively similar given the changes discussed. Councilor Sears seconded the motion. There was no
36 discussion and the motion passed unanimously.
37

38 **8.4 Change order to contract with NorthStar CG, LP for the Civic Center Property Asbestos** 39 **Abatement and UST Decommissioning and Removal project**

40 Public Works Director Petra Schuetz announced that the abatement process is approximately 50 percent
41 complete. The City is looking at a substantial amount of additional material that is going to need abated.
42 Ms. Schuetz reviewed the proposed changes outlined in the memo that was distributed to Council prior to
43 the meeting. Staff requested approval for a change order. The budget line item does have a sufficient
44 appropriation amount, but staff needs Council approval to spend that money. Staff is requesting approval
45 of a change order with NorthStar in the amount of \$201,206, as well as \$15,000 to Terracon for additional
46 testing work. City Manager Wurster walked through the dollar amounts of what has been paid to date and
47 the amount that is still needed to complete the entire abatement process.
48

49 Ms. Schuetz explained why additional material is being identified as contaminated and said that city staff
50 is monitoring the progress on a daily basis. The change order before Council is the worst case scenario
51 and staff is looking into ways to reduce the costs, such as removing the underground tank separately.
52

53 Councilor Sears made a motion to approve additional funding in the amount up to \$15,000 for Terracon.
54 Councilor Plummer seconded the motion. There was no discussion and the motion passed unanimously.
55

1 Councilor Sears made a motion to approve additional funding in the amount up to \$201,206 for NorthStar
2 Environmental. Councilor Plummer seconded the motion. There was no discussion and the motion
3 passed unanimously.
4

5 **IX. APPOINTMENTS TO COMMITTEES AND ADVISORY GROUPS**
6

7 **9.1 Appointments to the Selection Committee for the City Flag Contest**

8 Councilor Smith made a motion to appoint Stacy Palmer, Gus Frederick, Liz McIntire, Councilor Plummer,
9 and Councilor Freilinger to the Selection Committee for the City Flag Contest. Councilor Carter seconded
10 the motion. There was no discussion and the motion passed unanimously.
11

12 **X. CITY MANAGER UPDATE**
13

14 City Manager Wurster congratulated the City, the Mid-Willamette Valley Council of Governments,
15 Silverton business partners, and the Public Works Department for submitting a grant to the Federal
16 Economic Development Administration. The Secretary of Commerce announced that the City has been
17 awarded a \$1.15 million grant to build a new intake pump station and pipeline from Silver Creek to the
18 Water Treatment Plant. On October 3, 2018 there will be a nationwide emergency alert test at 11:18 a.m.
19 The City will be participating in the Great American Shakeout on October 18, 2018. Council was given
20 updated water consumption data and it appears that the voluntary water restrictions were successful. Mr.
21 Gottgetreu was notified by DLCD that the City will receive \$36,000 from the Quick Response Grant, with
22 no match required from the City, for the Eugene Field public outreach process. Staff will draft a press
23 release announcing that voluntary restrictions are complete. Council suggested staff set aside money in
24 the FY 2020 budget to fund water conservation products for residents, such water efficient showerheads.
25

26 **XI. COUNCIL COMMUNICATIONS**
27

28 Councilor Smith asked about the progress regarding the housing needs analysis. Mr. Gottgetreu
29 responded that he applied for a grant, but it was not funded. He said that he would proceed with
30 preparing a draft statement of work within the next three months. Councilor Smith reported that the EMC
31 is working with Sustainable Silverton to create an Energy Plan. She asked about the TMDL
32 implementation section of the Public Works report and why the City of Aurora is mentioned. Staff
33 indicated that they would follow up with more information.
34

35 Councilor Carter congratulated staff for the grants received and thanked them for their hard work on the
36 agreement with the Oregon Garden.
37

38 Mayor Palmer invited the public to attend the installation of two adaptive swings at Pioneer Park on
39 Saturday, October 6, 2018 at 10:00 a.m. He reported on the LOC Conference and presented staff with a
40 Silver Safety Award from CIS. He shared that he met with the Silverton High School Principal, the Politics
41 and Government Advisor, the President of the Politics and Government Club, and City staff regarding the
42 Government Club serving as a Youth Council. He spoke at the North Willamette Relators Association and
43 presented data regarding development in the city. He thanked Marion County to have the foresight to
44 waive millions of dollars of debt to make the agreement with Oregon Garden happen.
45

46 **XII. ADJOURNMENT**
47

48 Councilor Sears made a motion to adjourn the meeting. Councilor Carter seconded the motion. Mayor
49 Palmer adjourned the meeting at 10:11 p.m.
50

51 Respectfully submitted by:
52

53
54 /s/Angela Speier, Assistant to the City Manager/City Clerk

1 CITY OF SILVERTON
2 **CITY COUNCIL WORK SESSION MINUTES**

3 **Silverton Community Center – Council Chambers – 421 South Water St.**

4
5 **October 15, 2018, 7:00 PM**

6
7 **I. OPENING CEREMONIES – Call to Order, Pledge of Allegiance & Roll Call**

8
9 Mayor Kyle Palmer called the Work Session to order at 7:07 PM.

Present	Absent	
<u> X </u>	<u> </u>	Mayor Kyle Palmer
<u> X </u>	<u> </u>	Council President Jason Freilinger
<u> X </u>	<u> </u>	Jim Sears
<u> X </u>	<u> </u>	Matt Plummer
<u> X </u>	<u> </u>	Dana Smith
<u> </u>	<u> Excused </u>	Laurie Carter
<u> X </u>	<u> </u>	Rhett Martin

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27 Staff Present: City Manager, Christy Wurster; Community Development Director, Jason Gottgetreu;
28 Public Works Director, Petra Schuetz; Finance Director, Kathleen Zaragoza; and Assistant to the City
29 Manager/City Clerk, Angela Speier

30
31 **II. DISCUSSION ITEMS**

32
33 **2.1 Debt Owed to the Sewer Reimbursement SDC Fund**

34 Finance Director Kathleen Zaragoza said that there is an \$881,000 debt owed to the Sewer
35 Reimbursement SDC Fund. She explained that this money was used for the purchase of the Pettit
36 property and has been an ongoing issue since 2002. City Council decided to sell 2.28 acres of the Pettit
37 property to a private developer for \$300,000. The development was supposed to be an Inn and Pub,
38 which would have generated new Transient Occupancy Tax (TOT) money. At the time that the TOT was
39 implemented City Council determined that it should be used for sewer debt. This money has been
40 accumulating in the Sewer Debt Reserve Fund. In 2017, the 2.28 acres of Pettit property was purchased
41 back by the General Fund in the sum of \$300,000.

42
43 Finance Director Zaragoza is proposing that the City use the money built up in the Sewer Debt Reserve
44 Fund (approximately \$661,000) from the TOT transfers and an additional \$235,000 that was transferred
45 from the Sewer Fund to reimburse the Sewer Reimbursement SDC Fund. This would still leave enough
46 money in the Sewer Debt Reserve Fund to meet debt bond requirements. From 2002-2008 there had
47 been transfers occurring from the Sewer Fund to the Sewer Debt Reserve Fund in the amount of
48 \$235,000. So that coupled with the \$661,000 would get the Sewer Reimbursement SDC Fund paid back.
49 This could be placed in the budget for the fiscal year 2019-2020. Council discussed the various funds and
50 where the money came from.

51
52 Discussion ensued about the original purchase of the property and how this property became sewer debt.
53 The Sewer Fund owns virtually all the property at the Oregon Garden which is why this property was likely
54 purchased the way that it was. Council does not want to use money from sewer operations to pay for the

1 debt. Ms. Zaragoza explained that this debt does not impact sewer rates, but there is still debt that is
2 owed by the Sewer Fund and it needs to be paid. After the debt is paid then it could be bought by the
3 General Fund or the Parks Fund. In order for Parks SDC's to be used for the development of the property
4 it needs to be included in the Parks Capital Improvement Plan.
5

6 Councilor Freilinger said that Silverton residents are looking to get their money back and are not going to
7 be happy that the Sewer Fund continues to own the Pettit property. After the master planning process
8 there is an expectation that the property will no longer be owned by the Sewer Fund and it will be
9 reimbursed and given back to the citizens in the form of lower sewer rates. Ms. Zaragoza said that the
10 property was not purchased by sewer rate payers. It was paid for with SDC money paid by developers
11 and the money that has been put in the Sewer Debt Reserve Fund has come from TOT paid by hotel
12 stays.
13

14 Mayor Palmer noted that this issue pre-dates his time on Council, but has always been interrupted as the
15 "blunder that needs to be fixed" and that the community is not happy about it. This is the first step for
16 Council and staff to ultimately fix the problem that has been inherited from a previous body. Councilor
17 Sears asked about it being structured so the \$235,000 eventually gets reimbursed by TOT funds, so no
18 sewer funds would be spent to pay back the debt. Council would like to move forward with staff's
19 recommendation to add this into the FY 2020 budget process for additional discussion.
20

21 **2.2 Building Code Standards for Transitional Housing Units**

22 Community Development Director Jason Gottgetreu and Building Official Daryl Jones provided an
23 overview of the building code standards for transitional housing units. The City Council recently amended
24 the Development Code to allow transitional housing through the Conditional Use process on Religious
25 Institution properties. The State did provide a Transitional Housing Standard Guidance in 2017; however,
26 cities can be more or less restrictive with their local standards. In general the State is requiring the
27 buildings be weather tight, have a fire extinguisher, have no generators, have two exits (a door and
28 window), have a clear floor area of a 5' diameter circle, have a smoke detector and a carbon monoxide
29 alarm, have a built in heat source (which will likely require electricity), be insulated, have a foundation and
30 footings, be structurally sound, have approved conventional floors, walls, and a roof, and any plumbing
31 and electrical must be installed per code. The City will need to adopt their own building and permit fees.
32

33 City staff is looking at developing alternate methods and materials to include with the State's Oregon
34 Transitional Housing Standard. The City is not looking to deviate from the State requirements, except in
35 regards to the foundation standards. This would allow the applicants to propose an alternative to
36 foundation requirements in the state standard. Mr. Jones explained that it is typical for a building code to
37 include an Administrative Chapter that gives building officials legal guidance, this section was omitted
38 from the transitional standards. The State decided to let local governments write their own alternative
39 methods and materials. Staff is looking for direction from Council to see if there is anything that they
40 would like to see included in the alternative methods and materials. Through the alternative methods and
41 materials the City would not be creating the standard, but would provide an avenue for the applicant to
42 submit to the City their ideas for an alternative foundation and/or other components.
43

44 City Manager Christy Wurster asked Council for their thoughts on the state standard regarding the heat
45 source as it pertains to the transitional housing standards. Discussion ensued on ideas for alternative
46 heat sources besides electricity wired to each unit. Council would like see the heat source added into the
47 alternative methods and materials. The Council sees these units as being temporary in nature. Council
48 gave the Building Official the authority to draft alternative methods and materials to be included with the
49 state standards. Staff will draft an ordinance for Council review at the November 5, 2018 City Council
50 meeting.
51

52 **2.3 Silver Trolley Service Increase**

53 Community Development Director Jason Gottgetreu said that the City operates the Silver Trolley. He
54 explained that it is a dial-a-ride service where residents call to make an appointment and the Trolley picks
55 them up at their residence and drives them to their destination and then takes them back to their
56 residence. The rides are scheduled in 15 minute increments, which can accommodate 30-35 riders per

1 day. He explained that the state passed a transportation bill that implemented a payroll tax to help fund
2 transit services. The initial estimate for what Silverton will receive is an additional \$130,000 per year. This
3 amount doubles the current funds available. Staff would like to receive input on how to best utilize the
4 additional money. One option is to hire a transportation consultant to perform a public outreach process in
5 order to hear what residents that use the trolley would like to see, such as a deviated fixed route. It isn't a
6 use it or lose it program, so the funds roll over each fiscal year. Staff estimated the hiring a consultant
7 would approximately cost \$50,000 - \$75,000. Currently the trolley operates on an ODOT grant that the
8 City reapplies for every two years; however, the funds are dedicated to rural cities based on a formula.
9 Staff is not concerned that the current program will be discontinued. Council discussed possible routes
10 and who to include in the public outreach process. Staff indicated that the funds could also be used to
11 purchase a fuel efficient bus.

12 **III. CITY MANAGER UPDATE**

13 City Manager Christy Wurster said that the City will be participating in the Great Oregon Shakeout and
14 encouraged families and other organizations to participate. The Town Hall has been scheduled for
15 December 10, 2018. Council decided that the Town Hall will replace the December Work Session. The
16 School District would like to schedule a joint Work Session with Council on either Monday, January 28,
17 2019 or Monday, February 25, 2019. Council indicated that they would prefer to hold the meeting on
18 Monday, January 28, 2019 which will replace the January Work Session. Staff will solicit agenda items for
19 that joint Work Session. Ms. Wurster updated Council regarding 907 Reserve Street; Silverton Sheltering
20 Services has declined the use of the property and the Fire District has decided to no longer perform a
21 burn-to-learn on the property. Staff will plan on moving forward with a demolition contract. Kate Schlee
22 will begin as the City's new Planning and Permit Assistant tomorrow. Lastly, PGE will be downtown
23 performing tree trimming tomorrow.

24 **IV. COUNCIL COMMUNICATIONS**

25 Councilor Sears indicated that he and Public Works Director Schuetz will be meeting with ODOT to
26 discuss the S. Water Street Improvement Project. City Manager Wurster said that the new project
27 manager has reached out to her to introduce himself. Councilor Sears inquired about the status of the
28 Eugene Field project. Staff indicated that Council will be awarding the demolition contract at the
29 November 5, 2018 City Council meeting.

30 Councilor Freilinger asked when Republic Services will be presenting to City Council. Councilor Smith
31 said they will be talking to the Environmental Management Committee tomorrow regarding the surcharge.
32 He indicated that he will not be voting for the surcharge due to there being so little that can be recycled;
33 the service should be one can per month.

34 Mayor Palmer indicated that he had previously signed a Proclamation proclaiming October 21-27, 2018
35 as GFWC Advocates for Children Week and read the proclamation. He said Councilor Carter asked him
36 to bring up a potential wetland in the Oregon Garden that could be considered for a reservoir, to be used
37 for irrigation purposes in the dry months. Staff will need to provide input and review what the reservoir
38 need is prior to moving forward. He thanked the participants and volunteers at Judy's Party.

39 **V. ADJOURNMENT**

40 The meeting adjourned at 8:33 p.m.

41 Respectfully submitted by:

42 /s/Angela Speier, Assistant to the City Manager/City Clerk

Agenda Item 5.2 Coolidge-McClaine Park Amphitheater Concept

SUMMARY - Basic Proposal

The Silverton Amphitheater Team would like to propose the construction of a timber frame amphitheater in Coolidge-McClaine Park, to be located south of the fountain and utilizing the existing electrical upright. This amphitheater will provide a performance space for a variety of different groups and events, and serve as a gathering place for locals and a tourist attraction. It is our desire that the project includes a component of education, and we hope to involve interested community members, specifically high school shop students, in the construction of the timber frame.

Silverton Amphitheater Team:

Jim DeSantis
Beth Carey
Charles Lobdell
Victor Madge
Mary Jane Schaffer
Gus Frederick

Budget

Local contractors have been consulted in creating the attached budget estimate. This budget is based on the attached concept, and is intended to give the city a rough idea of what such a structure would cost on the open market.

Fundraising

Our preliminary research suggest that there are ample opportunities for receiving grant money for the project, specifically tourism-related grants such as TOT. We are also receiving overwhelmingly positive feedback from members of the community regarding the project, and expect that private donations from citizens and local businesses will contribute a significant share of funding.

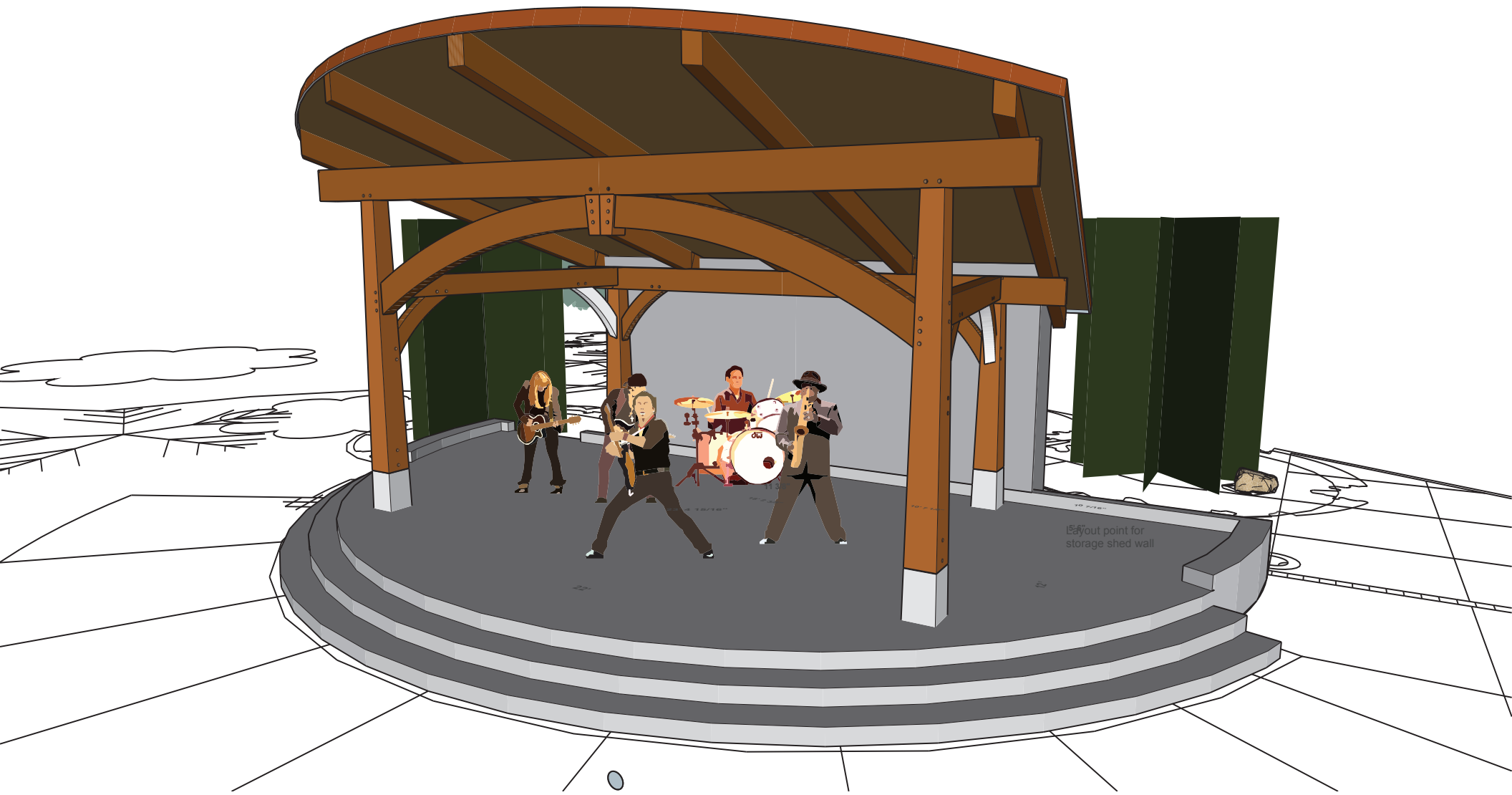
We are aware that an amphitheater in this location is itemized in the Urban Renewal Policy and Parks Master Plan, and it's our understanding that this makes the project eligible for some degree of city funding.

Timeframe

Once we have an approved design and sufficient funding, we will apply for permitting and complete the project within the required timeframe. Our team has the professional connections, building experience and administrative skills to run this project smoothly to a timely completion.

Guidance from the City

We have several design questions for the city, and look forward to working with city officials to create a design that works for Silverton. We also need to clarify any liability issues related the project.

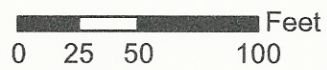


Layout point for storage shed wall

City of Silverton



: 2018



Disclaimer:
This map was published by the City of Silverton Community Development Department as a general planning tool. Due to the differing quality of source data, the Department cannot accept responsibility for any omissions, and therefore, there are no warranties which accompany this material.

ESTIMATING & BUDGETING WORKSHEET

DESCRIPTION	SUBCONTRACTOR/CONTRACT OR	ESTIMATED COST		
		LABOR	MATERIALS	TOTAL
GENERAL REQUIRMENTS				\$ -
Plans and Specifications				\$ 3,700.00
Plan Review				\$ -
Permits: Zoning, Building, Environmental, Other				\$ -
Administrative Costs				\$ -
Engineering Fees				\$ 2,500.00
Other				\$ -
Subtotal		\$ -	\$ -	\$ 6,200.00
SITE PREP				\$ -
Job-Site Access				\$ -
Job-Site Security				\$ -
Dumpster & Removal				\$ -
Storage On Site				\$ -
Portable Toilet				\$ -
Temporary Power				\$ -
Scaffolding Rental				\$ 350.00
Tool/Equipment Rental				\$ 1,500.00
Other				\$ -
Subtotal		\$ -	\$ -	\$ 1,850.00
ON-SITE WATER/SEWER				\$ -
Dry Well				\$ 750.00
Other				\$ -
Subtotal		\$ -	\$ -	\$ 750.00

ESTIMATING & BUDGETING WORKSHEET

DESCRIPTION	SUBCONTRACTOR/CONTRACT OR	ESTIMATED COST		
		LABOR	MATERIALS	TOTAL
UTILITIES				\$ -
Electrial: Permit, Connection Fee, Installation				\$ -
Other				\$ -
Subtotal		\$ -	\$ -	\$ -
EXCAVATION & EARTHWORK				\$ -
Trenching For Utility Hookups				\$ -
Foundation Excavation & haul off				\$ 1,800.00
Top Soil				\$ 500.00
Finish Grading				\$ 500.00
Seeding/Sod				\$ 500.00
Other				\$ -
Subtotal		\$ -	\$ -	\$ 3,300.00
FOUNDATION				\$ -
Foundation walls/piers				\$ 7,500.00
Slabs & gravel fill				\$ 9,500.00
Concrete Ramp				\$ 1,600.00
Other				\$ -
Subtotal		\$ -	\$ -	\$ 18,600.00
FRAMING				\$ -
Storage framing and finishing				\$ 7,000.00
Sheathing	2x6 decking, roof - 1700lf			\$ 4,050.00
Timber Frame Fabrication	Doug fir timber, 2500bf			\$ 24,000.00
Frame raising				\$ 3,500.00
Other	H/W - pegs, screws, and bolts			\$ 1,000.00
Subtotal		\$ -	\$ -	\$ 39,550.00
ROOFING				\$ -
Roofing Installation	7 squares			\$ 4,200.00

ESTIMATING & BUDGETING WORKSHEET

DESCRIPTION	SUBCONTRACTOR/CONTRACT OR	ESTIMATED COST		
		LABOR	MATERIALS	TOTAL
Gutters & Downspouts				\$ 500.00
Other				\$ -
Subtotal		\$ -	\$ -	\$ 4,700.00
ELECTRICAL				\$ -
Service Panel, Sub-Panels				\$ -
Wiring				\$ 2,500.00
Lighting Fixtures				\$ 1,200.00
Low-Voltage Fixtures/transformers				\$ -
Exterior Lighting				\$ -
Other				\$ -
Subtotal		\$ -	\$ -	\$ 3,700.00
TOTAL CONSTRUCTION COSTS				\$ 78,650.00



SLE

- 5,811-foot runway with full ILS.
- Can handle 737 jets
- Air traffic control tower
- GPS navigational capabilities. Garmin Industries is located at the Salem Airport
- Part 139 certified (Category 4 w/ ability to move to Cat. 3)
- ARFF Index B
- Finalized security plan and TSA federalized
- **Terminal Expansion:** The Salem Airport expanded and remodeled its passenger terminal. The Passenger terminal was doubled in size in 2011 to 13,600 Sq.

Bring Back Sustainable Commercial Air Service to Salem

It has been over 10 years since Salem has had regular commercial air service and Salem is in a prime position to bring it back.

2nd Largest City in Oregon, 167,419

Neighboring city Keizer has 38,980

Total of Salem/Keizer is 206,399

420,200 Marion & Polk Counties (Salem MSA)

Over 530,000 people live within a 25 mile radius of Salem

Another 100,000 people are expected in the next 15 –20 years

A thriving economy including:

- Amazon locating in Salem bringing 1,000 new jobs
- A building boom in downtown Salem
- A consistently booked convention center
- An almost full Mill Creek Corporate Center
- Salem Hospital Expansion
- A Tourism Destination

Oregon State Capital

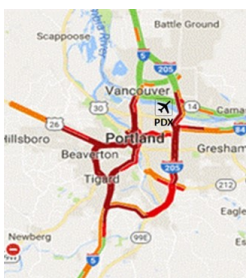
6 area colleges and universities

Several national and international employers



Salem Catchment area has 579,000 people
90% live closer to Salem than other airports

It can work: When Delta/SkyWest was in Salem, it was their most successful start up and was considering adding Seattle before the economy crashed in 2008. Over 33,000 enplanements occurred in 15 months, achieving an average 64% load factor with strong summer peaks.



Consider the costs of flying from PDX

\$24.00 per day to park (Possible free parking in Salem)

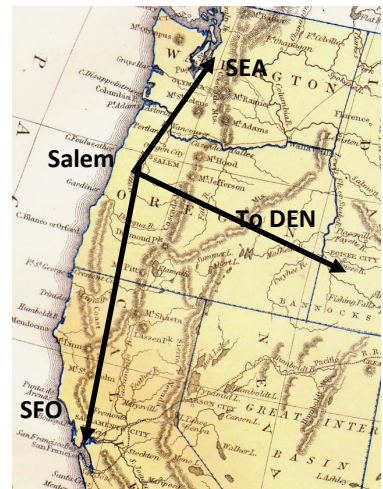
\$72.15 for round trip mileage reimbursement

Additional costs for overnight hotel stays

Over 3 hours (and usually more) of lost productivity and additional stress of navigating Interstates 5 and 205

Proposed tolling on Interstate 5

Service to Seattle and San Francisco are the best choices. Denver is a third.



Passenger Statistics

Salem generates over 1.1 Million Origin & Destination passengers annually (93% through PDX, 5% through EUG and 2% through SEA)

More than 1/3 of passengers destined for west coast locations

Los Angeles is the top destination with 163,000 passengers annually

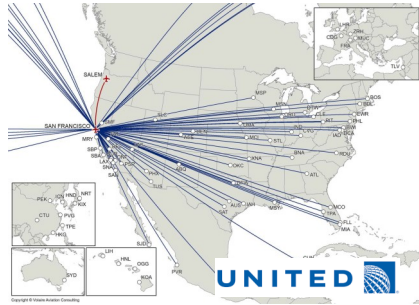
Las Vegas 2nd rank location at over 82,000 passengers annually

San Francisco is 3rd and Phoenix is 4th.

Several day trips occur between Seattle on Salem using I-5.
Silvertown City Council Meeting 11-5-18

The possibilities are endless with connections to either Seattle, San Francisco or Denver

San Francisco



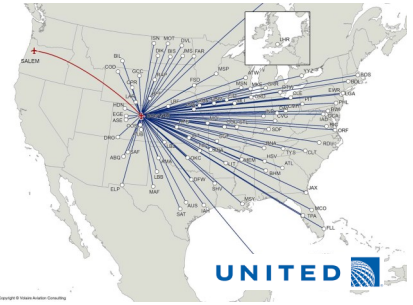
76 one-stop cities + partners
6.7% capture—flights 85%

Seattle

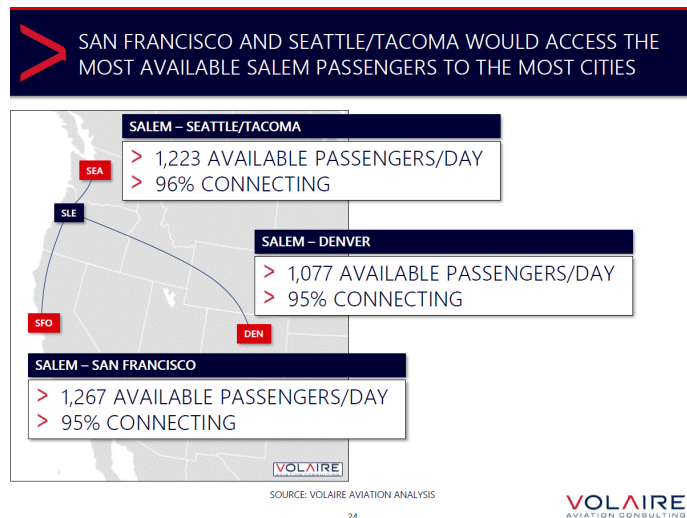


72 one-stop cities + partners
10.5% capture -fill flights 85%

Denver



89 one stop cities + partners
7.9% capture -fill flights 85%



What will it take?


It takes a significant amount of resources for an airline to begin service to a new location. Even though we think Salem has the ability to support service, airlines will want some “skin in the game” from a city to offset any potential losses. For Salem to seriously be considered, we want to create a risk mitigation target of \$1.7 to \$2.0 Million. This would be through a combination of local funding and a Small Community Air Service Development Grant.

Timeline

- Summer 2018: Develop Local Funding
 - Fall 2018: Airline Meetings
 - Fall 2018: Submit Small Community Air Service Development Grant
 - Winter 2018/19: Additional Airline Meetings
- Earliest potential start date: Late 2019/2020

It will take broad community support to attract an airline and support the service once it arrives in Salem.

Are you on board?

	Agenda Item No.:	Topic:
	7.1	Return Activated Sludge Pump Replacements (2) for the Wastewater Treatment Plant
	Agenda Type:	
	Consent Agenda	
	Meeting Date:	
November 5, 2018		
Prepared by:	Reviewed by:	Approved by:
Steve Starner	Petra Schuetz	Christy Wurster

Recommendation:

A motion to authorize the City Manager to approve the purchase of two (2) Return Activated Sludge (RAS) Pumps, for the Wastewater Treatment Plant, per the written quote from APSCO, LLC, in the total amount of \$49,000 (plus \$1,000 for freight delivery).

Background:

The Return Activated Sludge Pumps were installed and placed into service in November, 1999. The pumps run 24-hours per day; returning settled activated sludge from the secondary clarifier to the activated sludge basins. Pump No. 1 has reached the point of complete failure. Estimates for repairs (\$20,020) are 82% of the cost of a new pump (\$24,500), which includes factory warranty. Pump No. 2, designed to deliver up to 1,040 gallons per minute (gpm), has a worn impeller and casing (volute) and is capable of delivering a maximum of only 230 gpm. An impeller is designed to impart energy to a fluid so that it will flow, or, if it is already flowing, undergo some increase in its elevation or pressure, so it has a significant effect on the efficiency, maintenance, and reliability of the pump.

Operation of the RAS pumps is vital to the balance of activated sludge between the aeration basin and the secondary clarifier. Proper distribution helps to maintain the biomass population necessary to stabilize the wastewater pollutants, keeping the bulk of the biomass in the aeration basin where the treatment occurs. The daily process control strategy attempts to optimize the RAS flow rate to achieve both a minimum sludge detention time in the clarifier and a maximum RAS microorganism concentration.

The adopted 2018-2019 budget included funding in the amount of \$55,000 for the anticipated replacement of both RAS pumps.

Budget Impact	Fiscal Year	Funding Source
\$50,000	2018-2019	030-030-81003

Attachments:

1. Motions for the May 17, 2018 Budget Committee Meeting.
2. Purchase Order Requisition Form, including written quote from APSCO, LLC.

Motions for May 17, 2018 Budget Committee MeetingPages 61-63 - Street Fund

MOTION: I move to increase contingency 020-010-90001 by \$60,000,
decrease Building/Grounds Maintenance 020-020-61043 by \$75,000
and increase Capital - Replacement 020-020-81003 by \$15,000

Expenditures	2018-2019		
	Proposed	Change	New Amount
Street Administration			
020-010-90001 Contingency	129,056	60,000	189,056
Street Maintenance			
020-020-61043 Building/Grounds Maintenance	95,000	(75,000)	20,000
020-020-81003 Capital - Replacement	1,000	15,000	16,000

*asphalt
Change
of allocation*

Pages 81-85 - Sewer Fund

MOTION: I move to increase Beginning Fund Balance 030-000-49090 by \$140,000,
decrease contingency 030-010-90001 by \$27,200,
increase Sewer Operations Capital - Replacement 030-030-81003 by \$137,200 and
increase Sewer Maintenance Capital - Replacement 030-035-81003 by \$30,000

Revenue	2018-2019		
	Proposed	Change	New Amount
030-000-49090 Beginning Fund Balance	1,250,748	140,000	1,390,748
Expenditures			
Sewer Administration			
030-010-90001 Contingency	487,963	(27,200)	460,763
Sewer Operations			
030-030-81003 Capital - Replacement			
Building Sealing and Coating	30,000		30,000
DAFT Air Return Pump	25,000		25,000
Facilty Cart	5,000		5,000
Lime Silo Control Cabinet	20,000		20,000
Asphalt overlay	70,000		70,000
Ras Pump (1)	35,000		35,000
Additional RAS Pump		20,000	20,000
RAS pump VFD (2)		14,000	14,000
Oregon Garden Effluent flow meter		6,200	6,200
April Lane lift station pumps and control panel		20,000	20,000
Silver Avenue lift station pump		7,000	7,000
No. 1 Secondary Clarifier		70,000	70,000
Subtotal	185,000	137,200	322,200
Sewer Maintenance			
030-035-81003 Capital - Replacement	1,600	30,000	31,600

asphalt



City of Silverton

306 S. Water Street
 Silverton, OR 97381
 503-873-5321

PURCHASE ORDER REQUISITION FORM

Requisition form to be completed for any single item or if the total purchase exceeds \$1,000

Date:	8-12-2018				
Requested By:	Steve Starnier				
Department:	PW				
Procurement Method:	Written quotes (attached)				
Vendor:	Apsco LLC				
Vendor Number:					
Contact:	Jerrod Callis				
Billing Address:	PO Box 2639				
City, State, Zip:	Kirkland WA 98083				
Phone:	425-822-3335	Fax:			
Email:					
Project/Activity Number:					
Project Name:	WWTP UV RAS pump replacement				
Description:	Replace two 19-year old return activated sludge (RAS) pumps				
Fund:	GL #	030-030-81003	AMT	\$50,000.00	
	GL #		AMT		
	GL #		AMT		
	GL #		AMT		
	GL #		AMT		
Total Amount:	\$50,000.00				
Dept. Director approval:				Date:	
City Manager approval:				Date:	

Comments/Explanation:

Two RAS pumps provide continuous flow from settled sludge in the secondary clarifier to the aeration basin. The pumps run 24-hours per day. The return flow from the clarifier is essential to prevent sludge build-up in the clarifier, and provide an ongoing source of healthy microorganisms for the activated sludge treatment process. The quote to repair the existing RAS pumps is \$40,040.00. This PO will provide two new pumps to replace the existing pumps with factory warranty equipment and 20-year design life span.

Updated 8/15

Quote Form
Public Works Department
Water Quality Division

Small Procurements:

\$250-\$499 - Web or Phone Quotes

\$500-\$4,999 - Written Quotes from Vendors

Intermediate Procurements:

\$5,000 - \$10,000 - Informal Written Solicitation and Quotes

Prepared by: Brad

Fund(s): _____

Approved by: _____

Description:

Direct Replacement of Ras Pump

Vendor	No.1	No.2	No.3
Subtotal	\$24,500.00	\$33,625.00	\$27,250.00
Shipping	\$500.00	\$500.00	\$500.00
TOTAL	\$25,000.00	\$34,125.00	\$27,750
Quote Date	3/27/2018	3/27/2018	3/14/20418
Vendor Name	Apsco	Rpm Electric Motor service	Electric Motor and Machine
Street Address	PO Box 2639	1400 Timber St. SE	12th St.
City, State, Zip	Kirkland, WA 98083	Albany, OR 97322	Salem, OR 97302
Phone Number	4258223335	5419267763	5033633919
Fax Number	4258276171	5419265430	
Contact			
Email Address			

Selected Vendor



State reason if no vendors are solicited:

Comments:

Pump Tech declined to bid. Apsco is provider of Ingersoll Dressor Pumps..



APSCO, LLC
 PO Box 2639 • Kirkland, WA 98083-2639
 PH: (425) 822-3335 • FAX: (425) 827-6171
 EMAIL: apSCO@apSCO-llc.com
 www.apSCO-llc.com

Quote

Date	Quote #
3/27/2018	4026

Invoice/Bill To
City of Silverton 306 S. Water Street Silverton, OR 97381

Ship To
City of Silverton 400 Schemmel Land Silverton, OR 97381

Contact:	Payment Terms	FOB
Brad Jensen	Net 30	Taneytown, MD

Item	Description	Qty	Lead Time	Cost	Total
Duplicate Bare... Freight	Model: 8MF13 Duplicate Bare Pump of SN: 9911MS000711-1/3 <<<<<Freight>>>>>>>PENDING - PREPAY & ADD	1	16 weeks	24,500.00	24,500.00T

Prices are subject to change without notice.	Subtotal	\$24,500.00
	Sales Tax (0.0%)	\$0.00
	Total	\$24,500.00

FISHER'S



1400 Timber St. SE

Albany, OR 97322

Phone: 541-926-7763

Fax: 541-926-5430

Email: jcallis@fisherrpm.com

bev@fisherrpm.com

To: Brad Jensen, City of Silverton

From: Jerrod Callis

Subject: New Pump Quote

Date: 3/27/18

The following quote is for the new purchase of an Ingersoll-Dresser (now a Flowserve company) model 8MF13-FR4T Ras Pump. The pump will be a duplicate of pump S/N 9911MS000711-1/3. Purchase price of this pump is \$33,625.00 plus freight and has a lead/build time of approx. 18-20 weeks. This quote does not include installation, laser alignment or initial vibration analysis of this pump. If purchase is desired ½ the sum of the purchase price will be due upon issuance of a purchase order by The City of Silverton, with the balance due upon receipt of pump. Once the order for this has been made it cannot be canceled and the pump cannot be returned.

Quotation

To: City of Silverton
Waste Water Treatment Plant
Attn: Brad

From: Electric Motor & Machine Co.

Date: March 14, 2018

Re: Ingersoll-Dresser Pump

After dismantling your pump and evaluating the damage and repairs needed. After weeks of haggling with APSCO back and forth over factory parts and pricing, we are pleased to present you with the quote that follows:

Option #1:

1. Build up main pump shaft & re-machine for new impeller
2. Clean all parts
3. Bore out casing (volute) to accommodate cast iron insert
4. Fabricate cast iron insert to accommodate new casing wear ring
5. Replace factory impeller, impeller retaining plate and bolt
6. Replace factory stainless steel wear rings for impeller and casing
7. Replace bearings, seals and gaskets
8. Replace stainless steel seal sleeve on shaft
9. Labor to assemble pump
10. Hot and cold laser alignment on jobsite
11. Vibration analysis of pump and motor on job site

- Total cost for parts and materials \$10,250.00
- Total cost of labor \$5,120.00
- Total pump repair cost \$15,370.00
- 8-week delivery time

Option #2:

- Substitute labor and materials for line item #3 and #4 for complete new factory casing (volute); all other items are the same as above.

- Total cost of parts and materials \$16,500.00

Brad Jensen

From: Jeff Weekly <jweekly@pumptechnw.com>
Sent: Monday, March 26, 2018 3:25 PM
To: Brad Jensen
Cc: Hope Turner; Caitie Mooers; Mike Lee
Subject: City of Silverton Repair Quote Request
Attachments: Doc1.docx; Bid Info.docx

Brad,

Thank you for the request attached, but we will have to decline to bid. The Ingersoll Dresser Pump that you have referenced is handled by APSCO, and they are going to be the best opportunity for the repairs. Please keep us in mind for other pump brand repairs or new pump options.

APSCO Contact Information: Joe Pitzler, 425-822-3335, parts@apsco-llc.com

Best regards,


Jeff Weekly

Jeff Weekly | *Inside Sales* | PumpTech, Inc. | 321 South Sequoia Parkway Canby, OR 97013
Tel: 503-659-6230 x17 | Cell: 971-272-4049 | Fax: 503-659-8718 | Email: jweekly@pumptechnw.com



Disclaimer:

This message contains confidential information and is intended only for bjensen@silverton.or.us, hturner@pumptechnw.com, Receptionist.Canby@pumptechnw.com, mlee@pumptechnw.com. If you are not bjensen@silverton.or.us, hturner@pumptechnw.com, Receptionist.Canby@pumptechnw.com, mlee@pumptechnw.com you should not disseminate, distribute or copy this e-mail. Please notify jweekly@pumptechnw.com immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. Jeff Weekly therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version.

	Agenda Item No.:	Topic:
	8.1	Ordinance No. 18-25 Adding Transitional Housing Standards to Chapter 15 of the Silverton Municipal Code
	Agenda Type:	
	Discussion/Action	
	Meeting Date:	
November 5, 2018		
Prepared by:	Reviewed by:	Approved by:
Jason Gottgetreu	Christy S. Wurster	Christy S. Wurster

Recommendation:

Conduct first reading regarding Ordinance No. 18-25.

Background:

The City of Silverton recently amended the Development Code to allow Transitional Shelter Communities through the Conditional Use process on sites currently in use as a Religious Institution. The Code provisions require the units to be “approved structures”.

The State of Oregon Building Codes Division adopted the Oregon Transitional Housing Standard in 2017 and is available for adoption by municipalities for the purpose of providing accommodations in the form of living units located on transitional housing parcels to be used by one or more individuals or by families as authorized by ORS 446.265.

The 2017 Oregon Transitional Housing Standards have been modified to include additional administrative provisions that allow for permits, inspections, fees, and alternate materials and methods.

Budget Impact	Fiscal Year	Funding Source
None	2018-2019	N/A

Attachments:

1. Ordinance No. 18-25 Adopting Transitional Housing Standards

CITY OF SILVERTON
ORDINANCE
18-25

AN ORDINANCE OF THE SILVERTON CITY COUNCIL AMENDING SILVERTON MUNICIPAL CODE TITLE 15 TO ADD A NEW SECTION CONCERNING TRANSITIONAL HOUSING STANDARDS

WHEREAS, the City Council adopted changes to the Silverton Municipal Code to allow transitional shelter communities; and

WHEREAS, the City Council met in a work session on October 15, 2018 to discuss the Building Code Standards the transitional shelter communities would be subject to; and

WHEREAS, the City Council desires to adopt the 2017 Oregon Transitional Housing Standards with modifications.

NOW, THEREFORE THE CITY OF SILVERTON ORDAINS AS FOLLOWS:

Section 1: The Silverton Municipal Code is amended as set forth in the attached Exhibit A:

Section 2: The Transitional Housing Standards 2017, as adopted by State of Oregon Building Codes Division, as amended by the City of Silverton, is attached as “Exhibit B”.

Section 3: This Ordinance shall be effective upon and from 30 days of its passage.

Ordinance adopted by the City Council of the City of Silverton, this 5th day of November, 2018.

Mayor, City of Silverton
Kyle Palmer

ATTEST

City Manager/Recorder, City of Silverton
Christy S. Wurster

Exhibit A

(Additions in *italics*, deletions in ~~striketrough~~)

Chapter 15.20 is amended to add a new section as set forth below:

“15.20.140 Transitional Housing Standards. The Oregon Transitional Housing Standard 2017 adopted by the State of Oregon Building Codes Division is modified and adopted by City Council as set forth in Exhibit B to the ordinance codified in this chapter.”

Exhibit B

As amended by the City of Silverton
(additions in underline, deletions in ~~strikethrough~~).

2017

**OREGON
TRANSITIONAL
HOUSING
STANDARD**

PREAMBLE

- i) **Background.** The *Oregon Transitional Housing Standard* is adopted by the State of Oregon Building Codes Division and is available for adoption by municipalities for the purpose of providing accommodations in the form of living units located on transitional housing parcels to be used by one or more individuals or by families as authorized by ORS 446.265.

This standard does not limit the authority of a municipality to enact separate regulations providing for transitional housing units in accordance with ORS 466.265. Separate regulations can address utility connections, foundations, fire resistive construction, fire sprinkler systems, room sizes, structural components and other matters not covered by the *Oregon Electrical Specialty Code*, the *Oregon Plumbing Specialty Code* and the *Oregon Mechanical Specialty Code*.

- ii) **Adoption. Effect on Municipality.** The provisions contained in this standard are not mandatory unless specifically referenced in the municipal adopting ordinance.

Nothing in this standard is intended to confer any power to a municipality that the municipality does not already possess under Oregon law. Ordinances should include requirements for:

- a) Fees, permits, plan review, inspections (including frequency of inspections), action on appeals, requests for interpretation, and customer contacts regarding the local adoption of this standard.
 - b) *Locating transitional housing units* only on parcels established by the municipality in accordance with its adopted ordinance and ORS 446.265.
 - c) Oversight and on-going inspections, if any, of the transitional housing parcels for abatement of nuisances and dangerous conditions as well as maintenance.
- iii) **State Building Code.** The *Oregon Transitional Housing Standard* is separate from, and not a part of, the *State Building Code*. All work completed under this standard shall be performed by appropriately licensed workers.
- iv) **Local Modifications.** Municipalities may adopt modifications which contain more or less restrictive construction requirements than those established in this standard. At a minimum, local modifications shall comply with:

- a) The *Oregon Electrical Specialty Code*;
- b) The *Oregon Plumbing Specialty Code*; and
- c) The mechanical and fuel gas requirements of the *Oregon Residential Specialty Code*. Local modifications may not alter any licensing requirements.

- v) **Inspector Competency.** The building official shall ensure that persons possess appropriate knowledge prior to allowing the individual to perform plan reviews and inspections on *transitional housing units*.

vi) **Referenced Specialty Codes.**

- a) Electrical installations not covered in this standard shall be in conformance with the *Oregon Electrical Specialty Code*. The licensing requirements of OAR Chapter 918, Division 30 apply. See Chapter 6 of this standard.
- b) Plumbing installations not covered in this standard shall be in conformance with the *Oregon Plumbing Specialty Code*. The licensing requirements of OAR Chapter 918, Division 30 apply. See Chapter 7 of this standard.
- c) Mechanical and Fuel Gas installations not covered in this standard shall be in conformance with the *Oregon Residential Specialty Code*. See Chapter 8 of this standard.

- vii) **Campgrounds or Transitional Housing Parcels.** *Campgrounds or transitional housing parcels* providing transitional housing accommodations described under this standard may be operated by private persons or nonprofit organizations and may be located within an urban growth boundary.

Transitional housing campgrounds or parcels do not constitute recreational vehicle or manufactured housing parks. *Transitional housing units* are not authorized for use outside of *transitional housing campgrounds or parcels* established under ORS 446.265.

Version 1.3

Revisions

The revision log identifies those made to the original version of the standard.

Section 307.2 revised as follows:

March 15, 2018
Errata

307.2 Portable Fire Extinguishers. Each *transitional housing unit* equipped with fuel-burning equipment or 120/240-volt electrical system shall be provided with a *listed* portable fire extinguisher with a minimum rating of ~~5-B-C~~ **1-A:10-B:C** as defined in NFPA 10-2013, Standard for Portable Fire Extinguishers. The fire extinguisher shall be installed in accordance with its listing and ~~Section 4-6~~ **Chapter 6** of NFPA 10-2013, Standard for Portable Fire Extinguishers, and shall be located within the *transitional housing unit* interior within 24 inches (609 mm) **horizontally** of the opening for the primary means of exit.

CHAPTER 1 ADMINISTRATION

SECTION 101 General	1
SECTION 102 Applicability	1
SECTION 103 Permits (Reserved)	1
SECTION 104 Prohibited Installations <u>Duties and Power of the Building Official</u>	1
SECTION 105 Construction Documents (Reserved)	42
SECTION 106 Fees (Reserved)	42
SECTION 107 Inspections (Reserved)	43
SECTION 108 Stop Work Order	3

CHAPTER 2 DEFINITIONS

SECTION 201 General	24
SECTION 202 Definitions	24

CHAPTER 3 BUILDING PLANNING

SECTION 301 Interior finish	35
SECTION 302 Glazing	35
SECTION 303 Exits	35
SECTION 304 Stairways And Access Ladders	46
SECTION 305 Handrails/Guardrails	46
SECTION 306 Minimum Space Requirements/ Usability	46
SECTION 307 Hazard Detection/Suppression Equipment	57
SECTION 308 Ceiling Height	68
SECTION 309 Light, Ventilation, And Heating	68
SECTION 310 Lofts	68
SECTION 311 Insulation	68

CHAPTER 4 PLACEMENT

SECTION 401 General	79
SECTION 402 Site Preparation	79
SECTION 403 Foundation Systems	79
SECTION 404 Materials	79
SECTION 405 Footings	810
SECTION 406 Foundation Walls	810
SECTION 407 Protection Of Wood And Wood Based Products Against Decay	4012
SECTION 408 Crawl Space	4214

CHAPTER 5 CONSTRUCTION

SECTION 501 Materials	4315
-----------------------	------

SECTION 502 Structural Design Requirements	4315
SECTION 503 Floor Construction	4315
SECTION 504 Wall Construction	4416
SECTION 505 Roof Construction	4517
SECTION 506 Porch Construction	4517

CHAPTER 6 ELECTRICAL

SECTION 601 General	4820
SECTION 602 Requirements	4820

CHAPTER 7 PLUMBING

SECTION 701 General	4921
SECTION 702 Requirements	4921

CHAPTER 8 MECHANICAL, FUEL SYSTEMS AND EQUIPMENT

SECTION 801 General	2022
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CHAPTER 1 ADMINISTRATION

SECTION 101 GENERAL

101.1 Title. These provisions shall be known as the *Oregon Transitional Housing Standard*, and shall be cited as such and will be referred to herein as “this standard.”

101.2 Scope. The provisions of this standard shall apply to the construction, location, and use of detached, single story *transitional housing units*.

101.2.1 Limitations. The use of *transitional housing units* described in this standard shall be limited to persons who lack permanent shelter and cannot be placed in other low-income housing. A municipality may limit the maximum amount of time that an individual or a family may use the accommodations. This standard only applies to transitional housing units located in a transitional housing campground

101.2.2 Utility Connections. This standard contains requirements for *transitional housing units* attached to a foundation with utility connections consistent with the requirements of the *Oregon Residential Specialty Code*.

101.3 Campgrounds. *Transitional housing units* may only be located in *campgrounds* as set forth in this section. *Campgrounds* shall be established by the municipality in conformance with ORS 446.265.

101.3.1 Campground Parcels. *Campgrounds* established for providing transitional housing accommodations shall be allowed in accordance with ORS 446.265.

101.3.2 Shared Facilities. *Campgrounds* providing transitional housing accommodations described under this standard may provide access to water, toilet, shower, laundry, cooking, telephone or other services either through separate or shared facilities. Shared facilities are subject to regulation under all state building codes described under ORS 455.010(7) and the recreation park specialty code described under ORS 446.310 (Definitions for ORS 446.310 to 446.350) to 446.350 (Tourist Facility Account). The transitional housing standards shall not be used for shared facilities located on parcels established under ORS 446.265.

101.3.3 Parking Facilities and Walkways. Site amenities for *campgrounds* shall include parking facilities and walkways.

SECTION 102 APPLICABILITY

102.1 Other Laws. The provisions of this standard shall not be deemed to nullify any provisions of local, state, or federal law.

102.2 Partial Invalidity. In the event any part or provision of this standard is held to be illegal or void, this shall not have the effect of making illegal or void any of the other parts or provisions.

102.3 Additions, Alterations, or Repairs. (*Note: This section may be amended by the municipality*) Additions, alterations, or repairs to any structure shall conform to the requirements for a new structure. Additions, alterations, or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded, will not provide adequate egress in compliance with the provisions of this Standard, or will obstruct existing exits, create a fire hazard, reduce required fire resistance, or otherwise create conditions dangerous to human life.

SECTION 103 PERMITS (Reserved)

(Reserved to be completed by the municipality)

103.1 Required. Any owner or authorized owners agent who intends to construct, alter, or make repairs to a transitional housing unit or shared facility shall first make application to the building official and obtain the required permit.

103.2 Application for permits. To obtain a permit, the applicant shall first file an application in writing on a form furnished by the building department.

103.3 Time and limitations of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

103.4 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the municipality shall not be valid. The issuance of permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is authorized to prevent occupancy or use of a structure where in violation of this code.

SECTION 104 PROHIBITED INSTALLATIONS DUTIES AND POWER OF THE BUILDING OFFICIAL

104.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions.

104.2 Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection, and alteration of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.3 Notices and orders. The building official shall issue necessary notices or orders to ensure compliance with this code.

104.4 Inspections. The building official shall make the required inspections, or the building official shall have the authority to accept reports of inspections by approved agencies or individuals.

104.5 Prohibited Installations.

104.5.1 Gasoline and Diesel Fuel Systems. Transitional housing units shall not be equipped with gasoline or diesel fuel storage and fuel transfer or dispensing systems.

104.5.2 Internal Combustion Engine Generators. Transitional housing units shall not be equipped with internal combustion engine generators or preparations for the later installation of an internal combustion engine generator.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition that is contrary to or in violation of this code that makes the structure or premises unsafe, dangerous or hazardous, the building official or designee is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner; the owner's authorized agent, or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

104.7 Department records. The building official shall keep records. Such records shall be retained in the official records for the period required for the retention of public records.

104.8 Liability. See ORS 30.265 for regulations relating to liability.

104.9 Approved materials and equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

104.10 Modifications. Where there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find special

individual reason makes the strict letter of this code impractical and modification is in compliance with the intent and purpose of this code and such modification does not lesson health, life and fire safety or structural requirements. The details of action granting modifications shall be recorded and entered in the municipality's files.

104.11 Alternate Materials design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of code, and the materials, method or work offered is, for the purpose intended, not less than the equivalent prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

**SECTION 105
CONSTRUCTION DOCUMENTS (Reserved)
(Reserved to be completed by the municipality)**

105.1 Plans and documents. Submittal documents consisting of construction documents and other data shall be submitted in two or more sets with each permit application. The construction documents shall be drawn to scale and show enough detail to show compliance with code.

105.2. Information on construction documents. Construction documents shall be drawn upon suitable material. Electronic media documents are permitted to be submitted where approved by the building official. Construction documents shall be of sufficient clarity to indicate the location nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations.

105.2.1 Site Plan or Plot plan. The construction documents submitted with the application for permits shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines. The building official is authorized to waive or modify the requirements for a site plan where the application for a permit is for alterations or repair or where otherwise warranted.

**SECTION 106
FEES (Reserved)
(Reserved to be completed by the municipality)**

106.1 Fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fees are paid.

106.2 Plan review fees. Permit and plan review fees shall be as per adopted by the municipality.

SECTION 107
INSPECTIONS (Reserved)
(Reserved to be completed by the
municipality)

107.1 Inspection. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or ordinances of a municipality. Inspections presuming to give authority to violate or cancel the provisions of this code shall not be valid. It shall be the duty of the of permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the city shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

107.2 Inspection requests. It shall be the duty of the permit holder of the building permit or their duly authorized agent to notify the building department when the work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspection of such work that are required by this code.

SECTION 108
STOP WORK ORDER

108.1 Authority. Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.

108.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or the person doing the work. In addition the property shall be posted with a stop work notice. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume. The lifting of the stop work shall only be done by the building official after the cited work has been corrected.

CHAPTER 2 DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this Standard, have the meanings indicated in this chapter.

201.2 Interchangeability. Words used in the present tense include the future, words in the masculine gender include the feminine and neuter, the singular number includes the plural and the plural, the singular.

201.3 Terms Defined in Other Codes. Where terms are not defined in this standard and are defined in the *Oregon Electrical Specialty Code*, *Oregon Residential Specialty Code*, *Oregon Mechanical Specialty Code* or *Oregon Plumbing Specialty Code* such terms shall have meanings ascribed to them as in those codes.

201.4 Terms Not Defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. Words of common usage are given their plain, natural, and ordinary meanings. Words that have well-defined legal meanings are given those meanings.

SECTION 202 DEFINITIONS

APPROVED. Acceptable to the code official or authority having jurisdiction.

ACCESSIBLE LOFT SPACE. Floor space located in the *loft area* that has a ceiling to floor height of less than 5 feet (1524 mm).

CAMPGROUND. A *campground* established by a municipality to be used for providing transitional housing accommodations in accordance with ORS 446.265.

COMBUSTIBLE MATERIAL. Materials made of, or surfaced with, wood, compressed paper, plant fibers, or other material that will ignite and burn. These materials shall be considered as combustible even though flame proofed, fire retardant treated, or plastered.

COMPARTMENT. A completely enclosed volume designed to provide for a separate area.

CYLINDER. (*Propane*) A portable container constructed in accordance with U.S. Department of Transportation Specifications/or LP-Gas *Cylinders* (49 CFR).

FUEL SYSTEM. Any arrangement of *pipe*, tubing, fittings, connectors, tanks, controls, valves, and devices designed and intended to supply or control the flow of fuel.

HABITABLE ROOM. A room or enclosed floor space arranged for living, eating, cooking, or sleeping purposes, but not including bathrooms, closets and hallways.

HEAT-PRODUCING APPLIANCE. An appliance which produces heat by utilizing electric energy or by burning fuel.

INTERIOR FINISH. The exposed interior surface in combination with the substrate to which it is applied. *Interior finish* shall include any material (such as paint, wallpaper, decorative panels, etc.) which is affixed to such surfaces by permanent or semi-permanent means.

LABELED. Equipment or materials to which has been attached a label, symbol, or other identifying mark of an organization acceptable to the authority having jurisdiction and concerned with product evaluation, that maintains periodic inspection of production *labeled* equipment or materials and by who's labeling the manufacturer indicates compliance with appropriate standards or performance in a specified manner.

LISTED. Equipment or materials included in a list published by an organization acceptable to the authority having jurisdiction and concerned with product or service evaluation, that maintains periodic inspection of production of *listed* equipment or materials or periodic evaluation of services and whose listing states either that the equipment or material meets appropriate designated standards or has been tested and found suitable for use in a specified manner.

LOFT AREA. Any accessible partial floor level located above the main floor that provides either a *habitable room* or *accessible loft space*.

PIPE. Rigid conduit of iron, steel, copper, brass, aluminum, or plastic.

PIPING. The tubing or conduit of the system. There are three general classes of *pipng* as follows:

Branch (Lateral) Lines. Those sections of the *pipng* system that serve a room or group of rooms on the same story of the facility.

Main Lines. Those parts of the system that connect the source (pumps, receivers, etc.) to the risers or branches, or both.

Risers. The vertical *pipes* connecting the system main line(s) with the branch lines on the various levels of the facility.

PORCH. *Porch* shall refer to an exterior floor area, with or without a roof, that is not enclosed in any manner with the exception of guardrails and roof supports.

PROPANE. (Liquefied Petroleum Gas, LP-Gas, LPG) Any material having a vapor pressure not exceeding that allowed from commercial *propane* composed predominantly of the following hydrocarbons, either by themselves or as mixtures: *propane*, propylene, butane (normal butane or iso-butane), and butylene.

READILY ACCESSIBLE. Able to be located, reached, serviced or removed without removing other components or parts of the apparatus and without the need to use special tools to open enclosures.

TRANSITIONAL HOUSING UNIT. A single story, detached structure providing transitional housing accommodations for use as temporary living units by one or more individuals or by families.

CHAPTER 3 BUILDING PLANNING

SECTION 301 INTERIOR FINISH

301.1 Interior Finish Flame Spread Limitations. *Interior finish* of walls, partitions, ceilings, exterior passage doors, cabinets, habitable areas, hallways, and bath or water closet rooms, including shower/tub walls shall be of materials whose flame spread classification does not exceed 200 when tested in accordance with ASTM E84 or ANSI/UL 723. Cabinet door and drawer faces, exposed cabinet bottoms and end panels, and tub/shower walls shall be permitted to obtain a radiant panel index of the same value as determined in accordance with ASTM E162, Test for Surface Flammability of Materials Using a Radiant Heat Energy Source.

Exception: These flame-spread limitations do not apply to moldings, decorative trim, furnishings, windows, doors, skylights or their frames and casings, interior passage doors, countertops, cabinet rails, stiles, mullions, toe kicks and padded cabinet ends.

301.2 Use of Cellular Foam or Foamed Plastic Materials. Cellular foam or foamed plastic materials shall not be used for *interior finish*.

301.3 Interior Finish of Fuel-Fired Furnace and Water Heater Enclosures. Walls, doors, and ceilings of fuel-fired furnace or fuel-fired water heater enclosures shall be finished in materials whose flame spread classification does not exceed 25 when tested in accordance with NFPA 255, The Standard Method of Test for Surface Burning Characteristics of Building Materials and which provide fire protective characteristics equivalent to $\frac{5}{16}$ -inch (7.9 mm) gypsum or better. All openings, including those for *pipes* or vents, in furnace or water heater *compartments* shall be tight-fitted or fire-stopped.

301.4 Protection of Cabinets above the Cooking Range. Combustible vertical cabinet face(s) and door(s) directly above the range or range space shall be protected for the full width of the range by a hood with a metal eyebrow extending not less than $2\frac{1}{2}$ inches (63.5 mm) measured horizontally out from the cabinet face.

Exception: The metal hood may be omitted when an appliance or equipment designed and *listed* for this purpose is installed between the range and the overhead cabinet.

SECTION 302 GLAZING

302.1 Glazing Materials. All interior glazing materials with an exposed area exceeding 431 square inches (278,064 mm²) shall comply with ANSI Z97.1, *Safety Glazing Materials Used in Buildings — Safety Performance Specifications and Methods of Test*, or equal requirements and shall be so identified by the manufacturer of the glazing.

SECTION 303 EXITS

303.1 Minimum Number of Exits. Each *transitional housing unit* shall have a minimum of two unobstructed exits located

remote from each other and so arranged as to provide a means of unobstructed egress to the exterior. Each bedroom and area designed for sleeping shall have at least one unobstructed exit and at least one alternate exit. The width of the unobstructed exit shall comply with Section 306.2 and shall not require passing any designated exit to gain use of another designated exit except when any part of a bed in its normal sleeping configuration is within 24 inches (609.6 mm) of the plane of the nearest designated exit as projected across the unit.

303.2 Access to Alternate Exits. The path leading to an alternate exit, shall be not less than 13 inches (330 mm) wide at the narrowest point and, as a minimum, shall extend vertically from the supporting surface below the alternate exit to the top of the alternate exit. The supporting surface shall be not more than 3 feet (0.9 m) below the bottom of the alternate exit and shall be capable of supporting a weight of 300 lb (136 kg).

303.3 Operation of Exits. The latch mechanism of any required exit facility shall be operable by hand, and shall not require the use of a key or special tool for operation from the inside. No more than 20 pounds of force (89N) shall be required to open a required exit.

303.4 Size of Alternate Exits. The alternate exit, if not an exterior passage door, shall provide an opening of sufficient size to permit unobstructed passage, keeping a major axis parallel to the plane of the opening and horizontal at all times, of an ellipsoid generated by rotating about its minor axis an ellipse having a major axis of 24 inches (610 mm) and a minor axis of 17 inches (432 mm). An exterior passage door if used for an alternate exit shall provide an unobstructed opening with a minimum horizontal dimension of 18 inches (457 mm) and a minimum vertical dimension of 48 inches (1219 mm) (See Figure 303.4).

303.5 Marking of Alternate Exits. Alternate exits other than exterior passage doors shall be identified by a waterproof label with the word "EXIT" in a minimum size 1-inch (25.4 mm) red letters on a contrasting background. Labels shall be placed on the interior wall surface above or below the exit on the interior ceiling surface within 8 inches (203 mm) of the opening in an unobscured visible location, or shall be installed in the interior of the exit frame, or on the moveable portion of the exit approximately midway between the sides.

303.6 Identification of Exit Handles. Handles that must be operated to open alternate exits shall be colored red.

Exceptions:

1. Exterior and interior passage door handles need not be colored.
2. On alternate exit windows in which normal horizontal or vertical slider operation results in an opening size that complies with Section 303.4 and does not require any other operation to comply, latches, locks, or handles need not be colored.

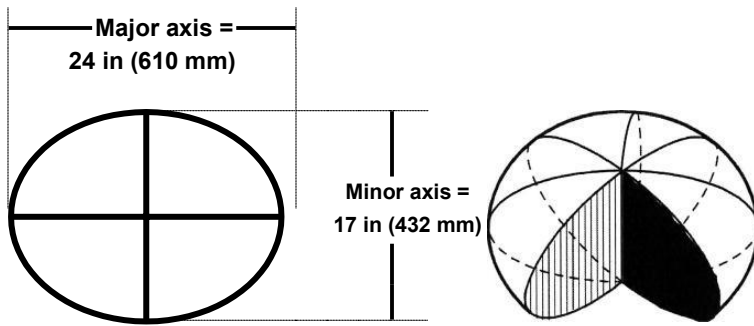


FIGURE 303.4

SECTION 304 STAIRWAYS AND ACCESS LADDERS

304.1 Size Requirements for All Stairways.

304.1.1 Width. Stairways shall not be less than 17 inches (432 mm) in clear width at all points at or above the permitted handrail. The minimum width below the handrail height shall not be less than 20 inches (508 mm).

304.1.2 Treads and Risers. Treads shall be a minimum of 7 inches (178 mm) and risers shall be a maximum of 12 inches (305 mm). Tread depth and riser height shall be permitted to be calculated based upon the following formula:

Minimum tread depth = 20" (508 mm) minus $\frac{4}{3}$ riser height

OR

Maximum riser height = 15" (381 mm) minus $\frac{3}{4}$ tread depth

304.1.3 Uniformity of Treads and Risers. The greatest riser height within any flight of stairs, other than the top riser, shall not exceed the smallest by more than $\frac{3}{8}$ inch (10 mm).

304.2 Special Stair Requirements.

304.2.1 Winder Stairs. Winder stairs shall be permitted provided that the width of the tread at a point not more than 12 inches (305 mm) from the side where the treads are narrower is not less than 10 inches (254 mm) and the minimum width of any tread is not less than 6 inches (152 mm). A continuous handrail shall be provided on the side where the tread is narrower.

304.2.2 Spiral Stairs. Spiral stairs shall be permitted, provided the minimum width shall be 26 inches (660 mm) with each tread having a $7\frac{1}{2}$ inches (190 mm) minimum tread width at 12 inches (305 mm) from the narrow edge. All treads shall be identical, and the rise shall be installed in accordance with the manufacturer's instructions or calculation. Calculations shall include concentrated loads totaling actual dead load plus 250 pounds (93kg).

304.2.3 Alternating Tread Devices. Alternating tread devices shall be permitted, provided the width complies with Section 304.1.1, the handrail complies with Section 305.1, have a minimum projected tread of $8\frac{1}{2}$ inches (216 mm), a minimum tread depth of $10\frac{1}{2}$ inches (266.7 mm), and a maximum tread rise of 8 inches (204 mm).

304.3 Access Ladders.

304.3.1 Size and Capacity. Ladders supplied for access to a loft shall have 12 inches (305 mm) minimum rung width and 10 inches (254 mm) to 14 inches (356 mm) spacing between rungs. Ladders shall support a 300-pound (136 kg) load. Rung spacing shall be uniform within $\frac{3}{8}$ inches (9.5 mm).

304.3.2 Stability. Ladders shall be designed to prevent lateral movement in excess of 2 inches (50.8 mm) when in use and ladders shall be designed to be installed at 70 to 80 degrees (1.22 to 1.40 rad).

SECTION 305 HANDRAILS/GUARDRAILS

305.1 Handrails. Handrails having minimum and maximum heights of 30 inches and 38 inches (762 mm and 965 mm), respectively, measured vertically from the nosing of the treads shall be provided on at least one side of stairways of three or more risers. Spiral stairways shall have the required handrail located on the outside radius. All required handrails shall be continuous the full length of the stairs. Ends shall be returned or shall terminate in newel posts or safety terminals. Handrails adjacent to a wall shall have a space not less than $1\frac{1}{2}$ inches (38 mm) between the wall and the handrail.

Exceptions:

1. Handrails shall be permitted to be interrupted by a newel post at a turn.
2. The use of a volute, turnout, or starting easing shall be allowed over the lowest tread.

305.2 Handrail Grip Size. Handrails shall have either a circular cross-section with a diameter of $1\frac{1}{4}$ inches (32 mm) to 2 inches (51 mm) or a non-circular cross-section with a perimeter of at least 4 inches (102 mm) but not more than $6\frac{1}{4}$ inches (159 mm) and a largest cross-section dimension not exceeding $2\frac{1}{4}$ inches (57 mm). Edges shall have a minimum radius of $\frac{1}{8}$ inches (3.2 mm).

305.3 Guardrail Requirements. Guardrails on open sides of stairways, raised floor areas, lofts, or balconies, shall have intermediate rails or ornamental closures, which do not allow passage of an object 4 inches (102 mm) or more in diameter. Raised floor surfaces located more than 30 inches (762 mm) above the floor below shall have guardrails not less than 36 inches (914 mm) in height or one-half ($\frac{1}{2}$) the maximum clear height to the ceiling, whichever is less. Open sides of stairs with a total rise of more than 30 inches (762 mm) above the floor or grade below shall have guardrails not less than 34 inches (864 mm) in height measured vertically from the nosing of the treads.

Exception: The triangular opening formed by the riser, tread, and bottom rail of a guard at the open side of a stairway may be of such a size that a sphere 6 inches in diameter (152 mm) cannot pass through.

SECTION 306 MINIMUM SPACE REQUIREMENTS/USABILITY

306.1 General. All *transitional housing units* shall be provided with the minimum space requirements required by this section.

306.2 Circulation. An interior route is required to connect all rooms. An interior route cannot pass through bathrooms or closets in order to get to living areas. The interior route must be at least 36 inches (914 mm) wide. The width of the interior route may reduce to 32 inches (813 mm) wide for a distance of no more than 24 inches (610 mm) (such as doorways or between fixtures).

306.3 Clear Floor Space. Each room providing living space in a *transitional housing unit* must include at least one clear floor space providing either of the following dimensions:

1. **Circular Space:** A floor area of 60 inches (1524 mm) in diameter, or
2. **T-Shaped Space:** The T-shape 60 inches (1524 mm) on long side, 36 inches (914 mm) on other “T” sides with at least 12 inches (305 mm) clearance on either side, and a “T” depth of at least 36 inches (914 mm).

306.4 Clear Floor Space at Appliances, Fixtures, and Operable Equipment. A clear floor space measuring 30 inch × 48 inch (762 mm × 1219 mm) minimum is required to be adjacent to all appliances, fixtures, and operable equipment. The clear space may provide for either a front or side approach.

306.5 Kitchen Countertops. Kitchens must have countertops mounted at a maximum height of 34 inches (864 mm) above the floor at both the sink and at a 30-inch-wide (762 mm) kitchen work surface adjacent to the range.

306.6 Bathrooms. A clear 30 inch × 48 inch (762 mm × 1219 mm) floor space shall be provided for each individual fixture. The clear space may provide for either a front or side approach. Clear floor spaces may overlap, but doors may not swing into the clear floor space unless there is a 30 inch × 48 inch (762 mm × 1219 mm) clear floor space outside of the swing of the door.

306.6.1 Water Closets/Lavatories. The specific clear floor spaces and the size of the clear floor space may vary depending on the location of the lavatory. If the lavatory is outside of the water closet clear floor space, then the size of the clear floor space is 60 inches (1524 mm) wide minimum by 56 inches (1422 mm) deep minimum. The water closet must have a centerline positioned 18 inches (457 mm) from the side wall surface.

An arrangement where the lavatory is adjacent to the water closet and overlaps the water closet clear floor space is permitted if the depth of the water closet clear floor space is increased to 60 inches × 66 inches (1524 mm × 1676 mm).

306.6.2 Blocking. Blocking must be included in bathroom walls at specific heights to support grab bars in accordance with this section. It is not required that grab bars be installed.

306.6.2.1 Water Closet. Blocking shall be installed at a height spanning from 32 inches (813 mm) to 40 inches (1016 mm) above the floor on both the near side wall and the rear wall of the water closet, for a distance of 48 inches (1219 mm) and 60 inches (1524 mm) from the corner respectively.

306.6.2.1.1 Blocking Type. Blocking shall be of one of the following types:

1. 2-inches × 10-inches (50.8 mm × 254 mm) board or ³/₄-inch (19.1 mm) thick plywood mounted between the studs and under the gypsum board wall surface.
2. Sixteen-gauge metal sheet blocking able to withstand a 250-pound load applied to the grab bar in any direction.

306.6.2.2 Showers and Tubs. Blocking for grab bars at showers and tubs shall be provided at the locations specified in ANSI A117.1 for the intended installation.

306.7 Pipe Protection. *Pipe* protection is required to protect residents from contact with hot water *pipes* and abrasive or sharp surfaces under all sinks and lavatories. Sinks must have the drain opening at the rear of the sink. If a garbage disposal is installed, it must also not intrude into the knee and toe clearance.

306.8 Controls. Thermostat controls, locations for HVAC filters, controls for fans and lighting, as well as the electric panel breaker boxes, must be between 15 inches and 48 inches (381 mm and 1219 mm) above the floor.

306.9 Doors. Doors allowing passage into a space or room must provide a clear opening width of 32 inches (813 mm) minimum and must also be a minimum of 80 inches (2032 mm) tall. At a swinging door, the actual dimension of the clear opening is measured between the face of the door opened to 90 degrees (1.57 rad) and the face of the stop. The clear door opening may not be less than 32 inches (813 mm). At a pocket door or sliding door, the actual dimension of the clear opening is measured from the edge of the door fully retracted to the face of the stop. The opening with the door fully retracted must have a clear width of 32 inches (813 mm).

306.9.1 Door hardware. The operable parts of the hardware, including deadbolts, must be mounted at a height between 34 inches (864 mm) minimum and 48 inches (1219 mm) maximum above the floor.

306.9.2 Threshold Profile. A threshold up to ¹/₄ inches (6.4 mm) high can simply be a vertical face and does not require any bevel. Thresholds taller than ¹/₄ inches (6.4 mm) and up to ¹/₈ inches (3.2 mm) high can have a beveled profile that combines a ¹/₄ inches (6.4 mm) vertical face with 1:2 sloped beveled edges and a flat top. Thresholds of any height are allowed when sloped for its entire length at a 1:12 slope or less.

SECTION 307 HAZARD DETECTION/SUPPRESSION EQUIPMENT

307.1 Smoke Alarms. Smoke alarms shall be installed in accordance with the *Oregon Residential Specialty Code*.

307.1.1 Installation of Smoke Alarm. The smoke alarm shall be installed in accordance with its listing.

307.2 Portable Fire Extinguishers. Each *transitional housing unit* equipped with fuel-burning equipment or 120/240-volt electrical system shall be provided with a *listed* portable fire extinguisher with a minimum rating of 1-A:10-B: C as defined in NFPA 10-2013, Standard for Portable Fire Extinguishers. The fire extinguisher shall be installed in accordance with its listing and Chapter 6 of NFPA 10-2013, Standard for Portable Fire Extinguishers, and shall be located within the *transitional*

housing unit interior within 24 inches (609 mm) horizontally of the opening for the primary means of exit.

307.4 Carbon Monoxide (CO) Alarms. All *transitional housing units* shall be equipped with a carbon monoxide alarm listed under the requirements of UL 2034 and installed according to the terms of its listing.

SECTION 308 CEILING HEIGHT

308.1 Minimum Height. Every *habitable room* and bathroom shall have a minimum ceiling height of not less than 6 feet 6 inches (1982 mm) for a minimum of 50 percent of the room's floor area. The remaining area may have a ceiling with a minimum height of 6 feet (1829 mm).

SECTION 309 LIGHT, VENTILATION, AND HEATING

309.1 Habitable Rooms. *Habitable rooms* shall be provided with exterior windows, skylights, or doors having a total glazed area of not less than 8 percent of the room gross floor area. An area equivalent to not less than 4 percent of the room gross floor area shall be openable for ventilation.

309.2 Bathrooms. Each bathroom shall be provided with artificial light and, in addition, be provided with external windows or vents having not less than one square foot of fully openable area except where a mechanical ventilation system to the exterior is provided capable of producing a change of air every 12 minutes.

309.3 Required Heating. Every *transitional housing unit* shall be provided with heating facilities capable of maintaining a minimum room temperature of 68°F (20°C) at a point 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in all *habitable rooms* at the design temperature. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

SECTION 310 LOFTS

310.1 General Requirements. Only one *loft area* is allowed in a *transitional housing unit*. The *loft area* shall comply with the provisions in this section.

310.2 Loft Areas. The *loft area* shall be provided with exterior windows, skylights, or doors having a total glazed area of not less than 8 percent of the gross floor area. An area equivalent to not less than 4 percent of the loft gross floor area shall be openable for ventilation.

310.3 Means of Escape. The *loft area* shall have a minimum of one exit in addition to the staircase or ladder into the *loft area*. This exit shall provide direct access to the exterior and comply with Sections 303.2 through 303.6.

310.4 Fire Detection. In addition to the smoke alarm(s) located on the main floor, the *loft area* shall have at least one smoke alarm installed that shall comply with the requirements listed in Section 307.1.

310.5 Adjacent Loft Areas. Light, ventilation, exit, and fire detection requirements may be combined with adjacent areas if a clear opening between the two areas of at least 60 inches (1524 mm) in width and the full height floor to ceiling in the *loft area* is provided.

SECTION 311 INSULATION

311.1 General. Insulation shall be rated by the insulation manufacturer.

311.2 Floor Cavity. A minimum of R-5 is required in floor cavities.

311.3 Wall Cavity. A minimum of R-5 is required in wall cavities.

311.4 Ceiling Cavity. A minimum of R-7 is required in ceiling cavities.

311.4.1 Condensation Control. Ceiling cavities shall have a vapor barrier having a permeance no greater than 1 perm (dry cup method) on the interior side of (under) the insulation.

Exception: Ceiling panels faced with polyvinyl chloride film of at least 4 mils in thickness (0.1 mm) shall be deemed to meet this requirement.

CHAPTER 4 PLACEMENT

SECTION 401 GENERAL

401.1 Other Laws. Each site shall be suitable for its intended use and shall comply with applicable federal, state, and local laws.

401.2 Applicable Standards. All *transitional housing units* shall be attached to a foundation. Foundation systems shall be designed and constructed in accordance with Section 403.

SECTION 402 SITE PREPARATION

402.1 Unforeseen Factors. When, during preparation of the site, unforeseen factors such as rock formation, high ground water levels, springs, or biological generated gasses are encountered, corrective work shall be taken prior to the siting of the *transitional housing unit*.

402.2 Grade. Grades shall slope downward away from patios, walls, foundations, and water supply wells.

402.3 Site Grading and Drainage. Site grading and drainage shall:

1. Provide a diversion of any surface water away from the *transitional housing unit*, accessory building, and structures except as necessary for controlled irrigation; and
2. Prevent standing water and soil saturation from becoming detrimental to structures and site use.
3. Grading, plantings, or drainage systems shall be constructed to prevent erosion of the *transitional housing unit* foundation from high velocity water runoff.
4. Where natural soils or controlled fill (free of grass and organic material) are used, such soils or fill shall support the loads imposed by the support system of the *transitional housing unit* placed thereon.
5. Up to 6 inches (152 mm) of non-compacted crushed rock or gravel, no smaller than $\frac{3}{4}$ inch (19mm) minus, may be placed on a *transitional housing unit* foundation base without affecting the soil bearing capacity of the foundation.

SECTION 403 FOUNDATION SYSTEMS

403.1 Application. The provisions of this section shall control the design and construction of the foundation and foundation spaces for *Transitional Housing Units*. Conformity to the specifications herein or the use of other materials or methods of construction accomplishing the purpose intended by this standard and *approved* by the building official shall be accepted as complying with this Standard.

403.2 Requirements. The foundation and its structural elements shall be capable of accommodating all lateral loads, superimposed live, dead, and other loads as required by the

adopting municipality and in accordance with the provisions of this standard or accepted engineering design practice. Fills which support footings and foundations shall be designed, installed and tested in accordance with accepted engineering practice.

403.3 Drainage. Lots shall be provided with adequate drainage and shall be graded so as to drain surface water away from foundation walls. The grade away from foundation walls shall fall a minimum of 6 inches (152 mm) within the first 10 feet (3048 mm), except as restricted by lot lines where the fall will be a minimum of 6 inches (152 mm) regardless of the horizontal distance available.

403.4 Soil tests. In areas likely to have expansive, compressible, shifting, or other unknown soil characteristics, the building official may require a soil test to determine the soil's characteristics at a particular location. The building official may require that this determination be made by an *approved* agency using an *approved* method.

403.5 Expansive, Compressible, or Shifting Soil. When top or subsoils are expansive, compressible or shifting, such soils shall be removed to a depth and width sufficient to assure stable moisture content in each active zone and shall not be used as fill; or stabilized within each active zone by chemical, dewatering, pre-saturation or equivalent techniques when *approved* by the building official; or remain where footings, foundations and foundation slabs are designed in accordance with *approved* methods to prevent structural damage and excessive differential movement.

SECTION 404 MATERIALS

404.1 Wood Foundations. Wood foundation systems shall be designed and installed in accordance with the provisions of this Standard.

404.1.1 Fasteners. Fasteners used below grade to attach plywood to the exterior side of crawlspace wall studs, or fasteners used in knee wall construction, shall be of Type 304 or 316 stainless steel. Fasteners used above grade to attach plywood and all lumber-to-lumber fasteners except those used in knee wall construction shall be of Type 304 or 316 stainless steel, silicon bronze, copper, hot-dipped galvanized (zinc coated) steel nails, or hot-tumbled galvanized (zinc coated) steel nails. Electro galvanized steel nails and galvanized (zinc coated) steel staples shall not be permitted.

404.1.2 Wood Treatment. All lumber and plywood shall be pressure-preservative treated and dried after treatment in accordance with AWPA U1 (Commodity Specification A, Use Category 4B and Section 5.2), and shall bear the label of an accredited agency. Where lumber or plywood is cut or drilled after treatment, the treated surface shall be field treated with copper naphthenate, the concentration of which shall contain a minimum of 2 percent copper metal, by repeated brushing, dipping or soaking until the wood absorbs no more preservative.

404.2 Concrete. Concrete subject to weathering shall have a minimum specified compressive strength of f'_c , and be air entrained as specified in **Table 404.2**. The maximum weight of fly ash, other pozzolans, silica fume, slag or blended cements that is included in concrete mixtures for slabs and for exterior porches, carport slabs and steps that will be exposed to deicing chemicals shall not exceed the percentages of the total weight of cementitious materials specified in Section 4.2.3 of ACI 318. Materials used to produce concrete and testing thereof shall comply with the applicable standards listed in Chapter 3 of ACI 318 or ACI 332.

**SECTION 406
FOUNDATION WALLS**

406.1 Concrete and Masonry. Foundation walls shall be constructed in accordance with the provisions of this section with footings as shown in **Figure 405** and in accordance with ACI 318, ACI/ASCE 530, or NCMA TR68-A.

406.2 Backfill Damage. Foundation walls shall extend at least 8 inches (203 mm) above the finished grade adjacent to the foundation at all points. Backfill adjacent to the wall shall not be placed until the wall has sufficient strength or has been sufficiently braced to prevent damage by the backfill.

406.3 Masonry or Concrete Foundation. Masonry and concrete foundation walls shall be constructed as set forth in **Table 406.3**.

**TABLE 404.2
MINIMUM SPECIFIED COMPRESSIVE STRENGTH OF CONCRETE**

TYPE OR LOCATIONS OF CONCRETE CONSTRUCTION	MINIMUM SPECIFIED COMPRESSIVE STRENGTH ^a (f'_c)		
	Weathering Potential ^b		
	Negligible	Moderate	Severe
Foundations not exposed to the weather	2,500	2,500	2,500 ^c
Interior slabs on grade, except garage floor slabs	2,500	2,500	2,500 ^c
Foundation walls, exterior walls, and other vertical concrete work exposed to the weather	2,500	3,000 ^d	3,000 ^d
Porches, carport slabs and steps exposed to the weather and garage floor slabs	2,500	3,000 ^d	3,000 ^d

- a. At 28 days psi.
- b. Weathering potential as prescribed by the authority having jurisdiction.
- c. Concrete in these locations that may be subject to freezing and thawing during construction shall be air-entrained concrete in accordance with Footnote d.
- d. Concrete shall be air entrained. Total air content (percent by volume of concrete) shall be not less than 5 percent or more than 7 percent.

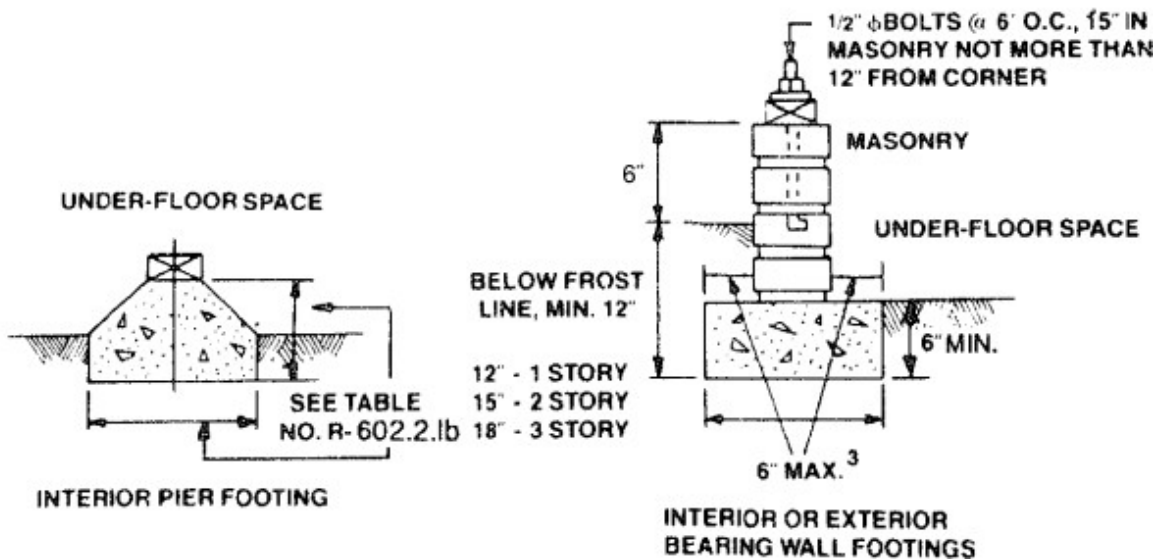
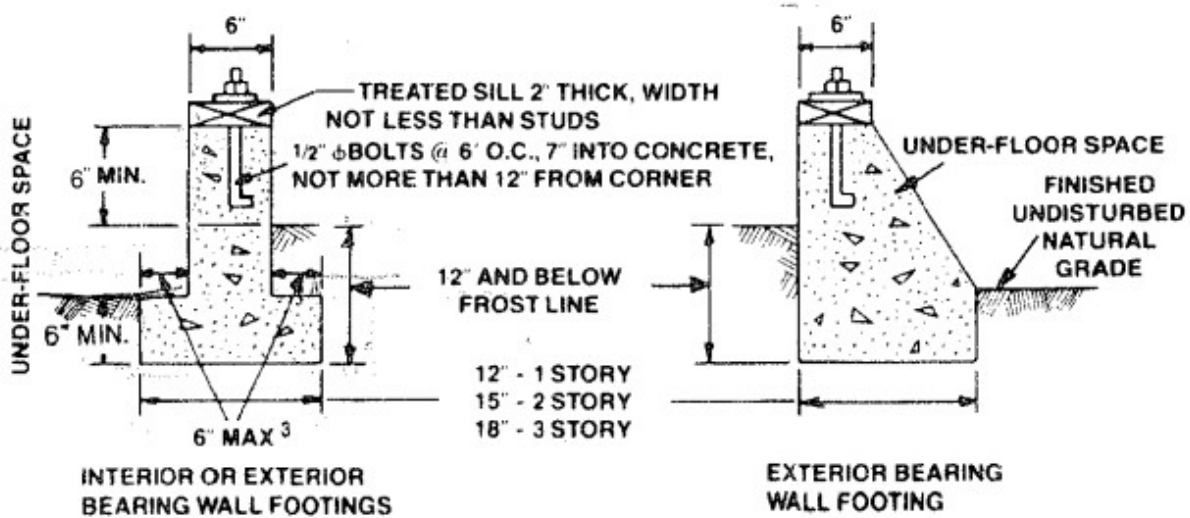
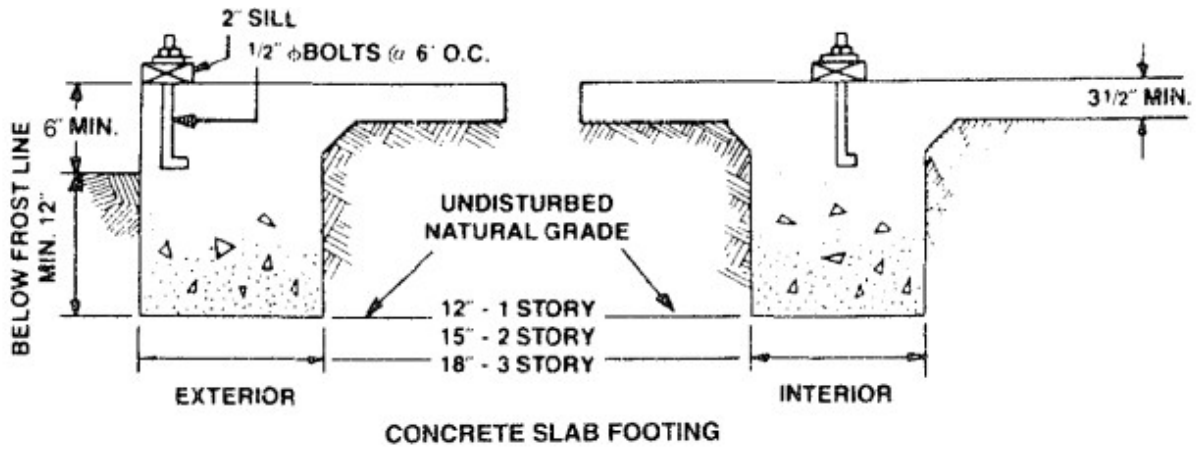
**SECTION 405
FOOTINGS**

405.1 Footings. All exterior walls, bearing walls, columns, and piers shall be supported on continuous solid masonry or concrete footings, wood foundations, or other *approved* structural systems which shall be of sufficient design to support safely the loads imposed as determined from the character of the soil, and except when erected upon solid rock or otherwise protected from frost, shall extend below the frost line. Minimum sizes for concrete footings shall be as set forth in **Figure 405**. Footings for wood foundations shall be in accordance with the details set forth in **Figures 406.4**. The top surface of footings shall be level. The bottom surface of footings may have a slope not exceeding 1 in 10. Footings shall be stepped where it is necessary to change the elevation of the top surface of the footings or where the slope of the bottom surface of the footing will exceed 1 in 10.

**TABLE 406.3
MINIMUM THICKNESS AND ALLOWABLE DEPTH OF UNBALANCED FILL FOR UNREINFORCED MASONRY AND CONCRETE FOUNDATION WALLS^{a,d} WHERE UNSTABLE SOIL OR GROUND WATER CONDITIONS DO NOT EXIST**

FOUNDATION WALL CONSTRUCTION	NOMINAL THICKNESS, ^c INCHES	MAXIMUM DEPTH OF UNBALANCED FILL ^a , FEET
Masonry of Hollow Units, UngROUTed	8	4
	10	5
	12	6
Masonry of Solid Units	6	3
	8	5
	10	6
	12	7
Masonry of Hollow or Solid Units, Fully Grouted	8	7
	10	8
	12	8
Plain Concrete	6 ^b	6
	8	7
	10	8
	12	8
Masonry of hollow units reinforced vertically with #4 bars and grout at 24 inches on center. Bars located not less than 4 ½ inches from pressure side of wall.	8	7
Rubble Stone	Foundation wall of rubble stone shall be at least 16 inches thick. Rough or random rubble shall not be used as foundations for walls exceeding 35 feet in height.	

- a. Maximum depths of unbalanced fill may be increased with the approval of the building official when soil conditions warrant such increase. Unbalanced fill is the height of outside finish grade above the inside grade.
- b. 6-inch plain concrete walls shall be formed on both sides.
- c. The actual thickness shall not be more than ½ inch less than the required nominal thickness specified in the table.
- d. The height between lateral supports shall not exceed 8 feet.



NOTES:

- ¹ Foundations shall extend not less than 12 inches below the finished natural grade or engineered fill and in no case less than the frost depth line.
- ² Footing sizes are based on soil with an allowable soil pressure of 1,500 pounds per square foot. Footings on soil with lower allowable soil pressure shall be designed in accordance with accepted engineering practice.
- ³ Footing projections shall not exceed the footing thickness.
- ⁴ Transitional Housing Units are limited to 1 story.

**FIGURE 405
MINIMUM FOUNDATION REQUIREMENTS^{1,2,3,4}**

**TABLE 406.4
PLYWOOD GRADE AND THICKNESS FOR WOOD FOUNDATION CONSTRUCTION
(30 PCF equivalent-fluid weight soil pressure)**

HEIGHT OF FILL (inches)	STUD SPACING (inches)	FACE GRAIN ACROSS STUDS			FACE GRAIN PARALLEL TO STUDS		
		Grade ^a	Minimum Thickness (inches)	Identification Index	Grade ^a	Minimum Thickness (inches) ^{b,c}	Identification Index
24	12	B	15/32	32/16	A B	15/32 15/32 ^c	32/16 32/16
	16	B	15/32	32/16	A B	15/32 ^c 19/32 ^c (4, 5 ply)	32/16 40/20
36	12	B	15/32	32/16	A B B	15/32 15/32 ⁵ (4, 5 Ply) 19/32 (4, 5 Ply)	32/16 32/16 40/20
	16	B	15/32 ^c	32/16	A B	19/32 23/32	40/20 48/24
48	12	B	15/32	32/16	A B	15/32 ^c 19/32 ^c (4, 5 ply)	32/16 40/20
	16	B	19/32	40/20	A A	19/32 ^c 23/32	40/20 48/24

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per cubic foot = 0.1572kN/m³.

- a. Plywood shall be of the following minimum grades in accordance with DOC PS 1 or DOC PS2:
 1. DOC PS 1 Plywood grades marked:
 - 1.1. Structural I C-D (Exposure 1)
 - 1.2. C-D (Exposure 1)
 2. DOC PS 2 Plywood grades marked:
 - 2.1. Structural I Sheathing (Exposure 1)
 - 2.2. Sheathing (Exposure 1)
 3. Where a major portion of the wall is exposed above ground and a better appearance is desired, the following plywood grades marked exterior are suitable:
 - 3.1. Structural I A-C, Structural I B-C or Structural I C-C (Plugged) in accordance with DOC PS 1
 - 3.2. A-C Group 1, B-C Group 1, C-C (Plugged) Group 1 or MDO Group 1 in accordance with DOC PS 1
 - 3.3. Single Floor in accordance with DOC PS 1 or DOC PS 2
- b. Minimum thickness 15/32 inch, except crawl space sheathing may be 3/8 inch for face grain across studs 16 inches on center and maximum 2-foot depth of unequal fill.
- c. For this fill height, thickness and grade combination, panels that are continuous over less than three spans (across less than three stud spacings) require blocking 16 inches above the bottom plate. Offset adjacent blocks and fasten through studs with two 16d corrosion-resistant nails at each end.

**SECTION 407
PROTECTION OF WOOD AND WOOD
BASED PRODUCTS AGAINST DECAY**

407.1 Location Required. Protection of wood and wood based products from decay shall be provided in the following locations by the use of naturally durable wood or wood that is preservative-treated in accordance with AWP A U1 for the species, product, preservative and end use. Preservatives shall be listed in Section 4 of AWP A U1.

1. Wood joists or the bottom of a wood structural floor when closer than 18 inches (457 mm) or wood girders when closer than 12 inches (305 mm) to the exposed ground in crawl spaces or unexcavated areas located within the periphery of the building foundation.
2. All wood framing members and sill plates in contact with concrete or masonry foundation walls.
3. Sills and sleepers on a concrete or masonry slab that is in direct contact with the ground unless separated from such

slab by an impervious moisture barrier such as 6-mil-thick (0.15 mm) polyethylene sheeting or equivalent.

4. The ends of wood girders entering exterior masonry or concrete walls having clearances of less than 1/2 inch (12.7 mm) on tops, sides and ends.
5. Wood siding, sheathing and wall framing on the exterior of a building having a clearance of less than 6 inches (152 mm) from the ground or less than 2 inches (51 mm) measured vertically from concrete steps, porch slabs, patio slabs, and similar horizontal surfaces exposed to the weather.
6. Wood structural members supporting moisture-permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, unless separated from such floors or roofs by an impervious moisture barrier.
7. Wood furring strips or other wood framing members attached directly to the interior of exterior masonry walls or concrete walls below grade except where an *approved*

vapor retarder is applied between the wall and the furring strips or framing members.

407.1.1 Field Treatment. Field-cut ends, notches and drilled holes of preservative-treated wood shall be treated in the field in accordance with AWWA M4.

407.1.2 Ground Contact. All wood in contact with the ground, embedded in concrete in direct contact with the ground or embedded in concrete exposed to the weather that supports permanent structures intended for human occupancy shall be *approved* pressure-preservative-treated wood suitable for ground contact use, except untreated wood may be used where entirely below groundwater level or continuously submerged in fresh water.

407.1.3 Wood Columns. Wood columns shall be *approved* wood of natural decay resistance or *approved* pressure-preservative-treated wood.

Exceptions:

1. Columns exposed to the weather when supported by concrete piers or metal pedestals projecting 1 inch (25.4 mm) above a concrete floor or 6 inches (152 mm) above exposed earth and the earth is covered by an *approved* impervious moisture barrier such as 6-mil-thick (0.15 mm) polyethylene sheeting or equivalent.
2. Columns in enclosed crawl spaces or unexcavated areas located within the periphery of the building when supported by a concrete pier or metal pedestal at a height more than 8 inches (203mm) from exposed earth and the earth is covered by an impervious moisture barrier.

407.1.4 Exposed Glued-Laminated Timbers. The portions of glued-laminated timbers that form the structural supports of a building or other structure and are exposed to weather and not properly protected by a roof, eave or similar covering shall be pressure treated with preservative, or be manufactured from naturally durable or preservative-treated wood.

407.2 Quality mark. Lumber and plywood required to be pressure- preservative-treated in accordance with Section 407.1 shall bear the quality mark of an *approved* inspection agency that maintains continuing supervision, testing and inspection over the quality of the product and that has been *approved* by an accreditation body that complies with the requirements of the American Lumber Standard Committee treated wood program.

407.2.1 Required Information. The required quality mark on each piece of pressure-preservative-treated lumber or plywood shall contain the following information:

1. Identification of the treating plant.
2. Type of preservative.
3. The minimum preservative retention.
4. End use for which the product was treated.
5. Standard to which the product was treated.
6. Identity of the *approved* inspection agency.
7. The designation “Dry,” if applicable.

Exception: Quality marks on lumber less than 1 inch (25.4 mm) nominal thickness, or lumber less than nominal 1 inch × 5 inch (25.4 mm × 127 mm) or 2 inch × 4 inch (51 mm by 102 mm) or lumber 36 inch (914 mm) or less in length shall be applied by stamping the faces of exterior pieces or by end labeling not less than 25 percent of the pieces of a bundled unit.

407.3 Fasteners and Connectors in Contact with Preservative- Treated and Fire-Retardant-Treated Wood.

Fasteners and connectors in contact with preservative-treated wood and fire-retardant-treated wood shall be in accordance with this section. The coating weights for zinc-coated fasteners shall be in accordance with ASTM A153.

407.3.1 Fasteners for Preservative-Treated Wood.

Fasteners for preservative-treated wood shall be of hot dipped zinc-coated galvanized steel, stainless steel, silicon bronze or copper. Coating types and weights for connectors in contact with preservative-treated wood shall be in accordance with the connector manufacturer’s recommendations. In the absence of manufacturer’s recommendations, a minimum of ASTM A653 type G185 zinc-coated galvanized steel, or equivalent, shall be used.

Exceptions:

1. ½ inch (12.7 mm) diameter or greater steel bolts.
2. Fasteners other than nails and timber rivets shall be permitted to be of mechanically deposited zinc coated steel with coating weights in accordance with ASTM B695, Class 55 minimum.

407.3.2 Fastenings for Wood Foundations. Fastenings for wood foundations shall be as required in AF&PAPWF.

407.3.3 Fasteners for Fire-Retardant-Treated Wood Used in Exterior Applications or Wet or Damp Locations.

Fasteners for fire-retardant-treated wood used in exterior applications or wet or damp locations shall be of hot-dipped zinc-coated galvanized steel, stainless steel, silicon bronze, or copper. Fasteners other than nails and timber rivets shall be permitted to be of mechanically deposited zinc-coated steel with coating weights in accordance with ASTM B695, Class 55 minimum.

407.3.4 Fasteners for Fire-Retardant-Treated Wood Used in Interior Applications.

Fasteners for fire-retardant treated wood used in interior locations shall be in accordance with the manufacturer’s recommendations. In the absence of the manufacturer’s recommendations, Section 407.3.3 shall apply.

407.4 Wood/Plastic Composites. Wood/plastic composites used in exterior deck boards, stair treads, handrails and guardrail systems shall bear a label indicating the required performance levels and demonstrating compliance with the provisions of ASTM D7032.

407.4.1 Wood/plastic composites shall be installed in accordance with the manufacturer’s instructions.

**SECTION 408
CRAWL SPACE**

408.1 Ventilation. The space between the bottom of the floor joists and the earth under any building shall be provided with a sufficient number of ventilating openings through foundation walls or exterior walls to ensure ample ventilation. Ventilating openings shall be provided with corrosion-resistant wire mesh, or equivalent, with the least dimension being $\frac{1}{8}$ inch. The minimum net area of ventilation openings shall be not less than 1 square foot (0.0929 m²) for each 150 square feet (14 m²) of crawl space area. One such ventilating opening shall be within 3 feet (914 mm) of each corner of said building.

Exceptions:

1. Ventilating openings may be vented to the interior of buildings where warranted by climatic conditions.
2. The total area of ventilation openings may be reduced to 1,500 square feet (139 m²) of the under-floor area

where the ground surface is treated with an *approved* vapor barrier material and one such ventilation opening is within 3 feet of each corner of said buildings. The vents may have operable louvers.

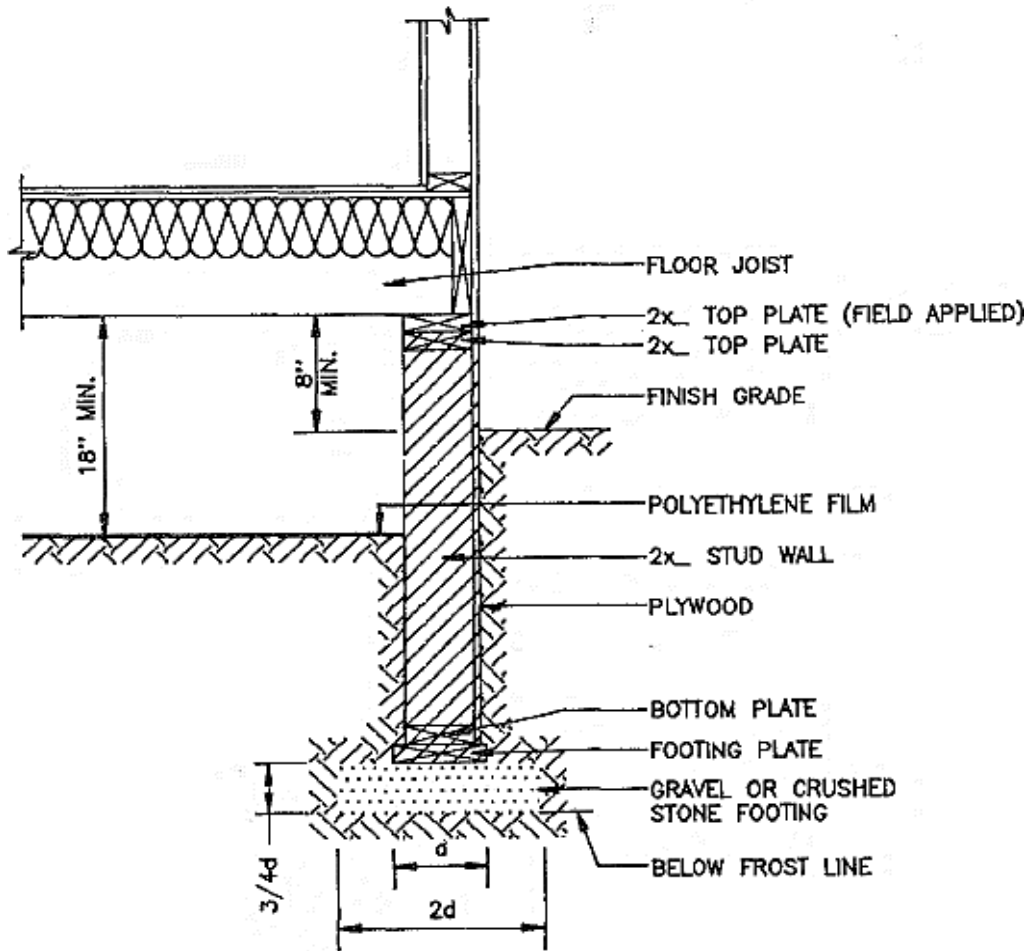
3. Ventilating openings may be omitted on one side.

408.2 Access. An access crawl hole 18 inches × 24 inches (457 mm × 610 mm) shall be provided to the under-floor space.

408.3 Removal of Debris. The under-floor grade shall be cleaned of all vegetation and organic material.

408.4 Finished Grade. The finished grade of under-floor space may be located at the bottom of the footings; however, where there is evidence that the groundwater table can rise to within 6 inches (152 mm) of the finished grade at the building perimeter or where there is evidence that surface water does not readily drain from the building site, the grade in the under-floor space shall be as high as the outside finished grade, unless an *approved* drainage system is provided.

☐ PRESSURE-TREATED WOOD



**FIGURE 406.4
TYPICAL DETAILS FOR WOOD FOUNDATION CRAWL SPACE WALLS**

CHAPTER 5 CONSTRUCTION

SECTION 501 MATERIALS

501.1 General. All materials shall be installed in accordance with the manufacturer's installation instructions where available.

501.2 Resistance to Elements. Exterior coverings and openings for window equipment or vents shall be designed to resist the infiltration of air and water into the roof or wall cavity except for designed ventilation.

501.3 Lumber Grading. All lumber used in structural applications shall be graded by an association or independent grading agency.

501.4 Trusses. Trusses shall be tested or calculated to meet the requirements of this chapter. All lumber used in trusses shall bear grade marks prior to cutting.

SECTION 502 STRUCTURAL DESIGN REQUIREMENTS

502.1 General. *Transitional housing units* shall be constructed to safely support all loads, including dead loads, live loads, roof loads, flood loads, snow loads, wind loads, and seismic loads prescribed by the authority having jurisdiction.

502.2 Design. The construction of *transitional housing units* shall result in a system that provides a complete load path that meets all requirements for the transfer of all loads from their point of origin through the load-resisting elements to the foundation. Sizes and connections for structural members not specified in this chapter shall be designed in accordance with generally accepted engineering practice.

502.2.1 Minimum Loads. Structural components which are not constructed as specified in this chapter shall be designed to provide the following loads at a minimum:

1. Floor Design Live Load 30 psf (1.436 kPa)
2. Roof Design Live Load 30 psf (1.436 kPa)

502.2.2 Allowable Deflection. Structural components which are not constructed as specified in this Chapter shall be designed to provide the following maximum live load deflection:

1. Floor Components - L/240
2. Roof Components - L/180
3. Load Bearing Wall Headers - L/180

502.2.3 Test Procedures. All test procedures shall be conducted in accordance with accepted engineering practices and shall be observed by a Registered Professional Engineer or an independent third-party agency. Test procedures and test

results shall be certified by the observing professional or an independent third-party agency.

502.2.3.1 Ultimate Load Tests. Ultimate Load tested materials or assemblies shall sustain an ultimate load of the dead load plus 2.5 times the design live load.

502.2.3.2 Proof Load Tests. Proof load tested materials or assemblies shall sustain a proof load of the dead load plus 1.75 times the design live load for a duration of three (3) hours with residual deflection which is equal to or less than the allowable deflection when measured within twelve (12) hours after the load is removed.

SECTION 503 FLOOR CONSTRUCTION

503.1 General. Floor assemblies shall comply with either this section or Chapter 5 of the *Oregon Residential Specialty Code*. Floors that are not built in accordance with Chapter 5 of the *Oregon Residential Specialty Code* and that are not verified by test or calculation shall be constructed as specified below. Fastening shall be in accordance with the fastening schedule at the end of this Chapter.

503.1.1 Moisture Resistance. Wood floors or subfloors in kitchens, bathrooms, (including water closet *compartments*), laundry areas, water heater *compartments*, and other areas subject to excessive moisture shall be made moisture-resistant by sealing or by an overlay of non-absorbent material applied with water resistant adhesive.

503.1.2 Floors. Floors shall be constructed of wood members mounted on a steel frame. The wood members shall be not less than 2 inches × 4 inches (51 mm × 102 mm) (nominal) spaced at 16 inches (406 mm) on centers maximum for longitudinal joists or 2 inches × 6 inches (51 mm × 152 mm) (nominal) if spaced at 24 inches (610 mm) on centers maximum for longitudinal or transverse joists.

503.1.3 Subflooring. Subflooring shall be plywood, oriented strand board, particleboard, or equivalent which is rated for the application and installed in accordance with the manufacturer's recommendations. Minimum subflooring thickness shall be in accordance with the following chart:

MAXIMUM JOIST SPACING	PLYWOOD / OSB	PARTICLEBOARD
16" (406 mm) o.c.	1/2" (12.7 mm)	5/8" (15.87 mm)
20" (508 mm)	5/8" (15.87 mm)	11/16" (17.46 mm)
24" (610 mm)	3/4" (19.05 mm)	13/16" (20.64 mm)

503.2 Steel Frames.

503.2.1 Transverse Floors. Steel frames shall be constructed from the following materials as a minimum for floor assemblies with transverse joist orientation:

1. **Main rails.** 8 inches (203 mm) × 6.5 # I-beam spaced not less than 75 inches (1905 mm) apart.
2. **Cross members.** 1¼ inches (32 mm) × 2 inches (51 mm) by 1¼ inches (32mm) 13 gauge “C” or “Z” section steel.
3. **Outriggers.** 14 gauge “Z” section steel with 1¼ inches (32 mm) minimum top and bottom flanges with 6 inches (152 mm) minimum depth at the main rails.

503.2.2 Spacing of Outriggers and Cross Members. Outriggers and Cross Members shall be placed at the following maximum spacing:

1. **Floor joists 20 inches** (508 mm) or less on centers - 96 inches (2438 mm) on centers maximum.
2. **Floor joists over 20 inches** (508 mm) on centers - 48 inches (1219 mm) on centers.

503.2.3 Longitudinal Floors. Steel frames shall be constructed from the following materials as a minimum for floor assemblies with longitudinal joist orientation:

1. **Main rails.** 8 inches (203 mm) × 6.5# I-beam spaced not less than 75 inches (1905 mm) apart.
2. **Cross members.** Open web steel truss joists constructed as follows at 48 inches (1219 mm) on centers maximum: 1¼ inches (32 mm) by 1¼ inches (32 mm) by 13 gauge steel angle top and bottom members with 6 inches (152 mm) minimum depth at the main rails. 5/16 inches (7.93 mm) (minimum) steel rod web members installed at no more than 45° from vertical. Optionally, cross members may be constructed of 1¼ inches (32 mm) by 6 inches (152 mm) by 1¼ inches (32 mm) “Z” section or “C” section 13 gauge steel.
3. **Outriggers.** 14 gauge “Z” section steel with 1¼ inches (32 mm) minimum top and bottom flanges spaced at 48 inches (1219 mm) on centers maximum with 6 inches (152 mm) minimum depth at the main rails.

SECTION 504 WALL CONSTRUCTION

504.1 General. Wall assemblies shall comply with either this section or Chapter 6 of the *Oregon Residential Specialty Code*. Walls that are not built in accordance with Chapter 6 of the *Oregon Residential Specialty Code* and that are not verified by test or calculation shall be constructed as specified below.

504.1.1 Performance. Load bearing wall assemblies shall be of sufficient strength and rigidity to transfer all vertical loads to the floor.

504.1.2 Framing. Load bearing wall assemblies which are not verified by test or calculation shall be constructed as specified below and fastened in accordance with the fastening schedule **Table 5.1**.

504.2 Stud Requirements.

504.2.1 2 × 3 Studs.

1. Minimum 2 inch × 3 inch (51 mm × 76 mm) (nominal) studs of #3 or stud grade SPF or better spaced no more than 16 inches (406 mm) on centers with not more than 84 inches (2134 mm) in unsupported height.
2. Minimum 2 inch × 3 inch (51 mm × 76 mm) (nominal) studs of #3 or Stud grade SPF or HF or better spaced no more than 16 inches (406 mm) on centers with not more than 96 inches (2438 mm) in unsupported height.

504.2.2 2 × 4 Studs.

1. Minimum 2 inch × 4 inch (51 mm × 101 mm) (nominal) studs of #3 or Stud grade SPF or better spaced no more than 24 inches (610 mm) on centers with not more than 96 inches (2438 mm) in unsupported height.
2. Minimum 2 inch × 4 inch (51 mm × 102 mm) (nominal) studs of #3 or Stud grade SPF or HF or better spaced no more than 16 inches (610 mm) on centers with not more than 120 inches (3048 mm) in unsupported height.

504.2.3 Plate Requirements.

1. All 2 inch × 3 inch (51 mm × 76 mm) (nominal) load-bearing wall assemblies shall be constructed with at least two top plates, each no less than 1½ inches (38 mm) thick by the width of the studs, except that units constructed with the concentrated loads from the roof located within 1½ inches (38 mm) of the wall stud locations shall be permitted to be constructed with single ¼ inches (19 mm) thick top plates. 2x top plates shall be #3 or Stud grade SPF or better while 1x top plates shall be #3 common or better.
2. All 2 inch × 4 inch (51 mm × 102 mm) (nominal) or larger load bearing wall assemblies shall be constructed with at least one top plate which shall be no less than 1½ inches (38 mm) thick by the width of the studs, except that units constructed with the concentrated loads from the roof located within 1½ inches (38 mm) of the wall stud locations shall be permitted to be constructed with single ¾ inches (19 mm) thick top plates. Top plates shall be #3 or Stud grade SPF or better.
3. All load bearing wall assemblies shall be constructed with at least one bottom plate no less than ¼ inches (19 mm) thick by the width of the studs.

504.2.4 Framing for Openings in Bearing Walls.

1. **Studs.** Openings in load bearing wall assemblies which exceed 32 inches (813 mm) in width for walls constructed of 2 inch × 3 inch (51 mm × 76 mm) (nominal) lumber, or which exceed 48 inches (1219 mm) for walls constructed of 2 inch × 4 inch (51 mm × 102 mm) (nominal) or larger lumber, shall be framed with double studs. The inner stud shall extend from the bottom of the header to the wall bottom plate and the outer studs shall extend from the top plate to the bottom plate.
2. **Headers.**

- a. **2 × 3 Headers.** Headers over openings in load bearing walls constructed of 2 inch × 3 inch (51 mm × 102 mm) (nominal) studs shall be at least one (1) piece 1½ inches (38 mm) thick #3 or stud grade SPF South on edge and one (1) piece ¼-inch (19 mm) thick #3 or stud grade SPF lumber on edge. Filler may be inserted between the members to bring the header to the same thickness as the stud wall.
- b. **2 × 4 or Larger Headers.** Headers over openings in load bearing walls constructed of 2 inch × 4 inch (51 mm × 76 mm) (nominal) or larger studs shall be at least two (2) pieces of 1½ inches (38 mm) thick #3 or Stud grade SPF lumber on edge, separated by appropriate filler pieces to bring the header to the same thickness as the wall stud.
- c. **Header Spans.** Headers shall be at least as deep as the following chart:

MAXIMUM SPAN	2" X 3" WALLS (51 MM X 76 MM)	2" X 4" OR ≤ WALLS (51 MM X 102 MM)
48" (1219 mm)	5.5" (140 mm)	3.5" (89 mm)
72" (1829 mm)	7.25" (184 mm)	5.5" (140 mm)
96" (2438 mm)	9.25" (235 mm)	7.25" (184 mm)
120" (3048 mm)	N/A	9.25" (235 mm)
144" (3658 mm)	N/A	11.25" (286 mm)

504.2.5 Non-Bearing Walls. When trusses are supported by the sidewalls, framing may be constructed as follows:

- 1. **Studs.**
 - a. 2 inch × 3 inch (51 mm × 76 mm) (nominal) SPF #3 or stud grade 24 inches (610 mm) OC 96 inches (2438 mm) tall.
 - b. 2 inch × 4 inch (51 mm × 102 mm) (nominal) SPF #3 or stud grade 24 inches (610 mm) OC 120 inches (3048 mm) tall.
- 2. **Plates.** Minimum ¼ inch (19 mm) SPF #3 or stud grade.
- 3. **Openings.**
 - a. Studs at openings.
 - b. 2 inch x 3 inch (51 mm × 76 mm) (nominal) Studs (one) required at openings not over 31 inches (787 mm).
 - c. 2 inch x 4 inch (51 mm × 102 mm) (nominal) Studs (two) required on all other openings.
- 4. **Headers.**
 - a. 2 inch × 3 inch (51 mm × 76 mm) (nominal) walls flat member on openings up to 48 inches (1219 mm), 2 inches × 6 inches (51 mm × 152 mm) (nominal) on openings larger. One required at openings not over 48 inches (1219 mm)
 - b. 2 inch × 4 inch (51 mm × 102 mm) (nominal) wall flat member on openings up to 64 inches (1626 mm), 2 inches × 6 inches (51 mm × 152 mm) on openings larger. Two required on all other openings.

SECTION 505 ROOF CONSTRUCTION

505.1 General. Roof assemblies shall comply with either this section or Chapter 8 of the *Oregon Residential Specialty Code*. Roofs that are not built in accordance with Chapter 8 of the *Oregon Residential Specialty Code* and that are not verified by test or calculation shall be constructed as specified below. Fastening shall be in accordance with **Table 5.1**.

505.2 Roof Framing. Roof framing shall consist of certified and *listed* trusses installed in accordance with the terms of their listing.

505.3 Edge Nailing. Roof assemblies shall be constructed with edge rails at least ¼ inches (19 mm) thick. The minimum depth, width, or height of the edge rail shall be the depth of the truss heel or 3½ inches (89 mm), whichever is less.

505.4 Sheathing. If installed, roof sheathing application shall conform to the requirements of the roof finish material manufacturer's installation instructions. If no instructions are available, the minimum fastening is per **Table 5.1**.

SECTION 506 PORCH CONSTRUCTION

506.1 General Requirements. *Porches* that are an integral part of the *transitional housing unit* shall be constructed in accordance with the requirements of this section.

506.1.1 Alternate Methods. Nothing in this section shall prohibit alternate methods of construction which can be proven by test or calculation to meet the loading requirements contained herein.

506.1.2 Exterior Finish. The wall of the *transitional housing unit* that is adjacent to the *porch* shall have exterior finish material installed continuous to the bottom of the floor assembly.

506.2 Materials.

506.2.1 Lumber. All lumber used in structural applications shall be graded by an association or independent grading agency and shall be naturally resistant to weather and insect damage or shall be treated to resist weather and insect damage unless completely protected from exposure to the exterior atmosphere.

506.2.2 Installation Instructions. All materials shall be installed in accordance with the manufacturer's installation instructions where available.

506.2.3 Fasteners. All fasteners used in *porch* construction that are exposed to the atmosphere shall be corrosion resistant.

506.3 Design of Structural Elements. The design of structural elements shall be in accordance with accepted engineering practices.

506.4 Floor Construction.

506.4.1 General. All *porch* framing lumber and decking materials shall be graded by a nationally recognized association or independent grading agency and shall be naturally resistant to weather and insect damage or shall be treated to resist weather and insect damage unless completely protected from the atmosphere.

506.4.1.1 Decking. Decking shall be plywood, oriented strand board, particle-board, or equivalent which is rated for the application and installed in accordance with the manufacturer's recommendations. All decking materials shall be *approved* for exterior use or shall be completely protected from exposure to the exterior atmosphere. Minimum decking thickness shall be in accordance with the following chart:

MAXIMUM JOIST SPACING	PLYWOOD / OSB	PARTICLEBOARD
16" (406 mm) o.c	1/2" (12.7 mm)	5/8" (15.88 mm)
20" (508 mm)	5/8" (15.88 mm)	11/16" (17.46 mm)
24" (610 mm)	3/4" (19.05 mm)	13/16" (20.64 mm)

Exception: Decking may consist of 5/4 inches (32 mm) (nominal) treated deck lumber installed over joists spaced a maximum of sixteen inches (406 mm) on centers and with a minimum 1/8 inches (3 mm) gap between boards.

506.4.2 Slope. *Porch* floor assemblies shall be sloped away from the main body floor assembly and shall maintain a slope equal to at least 1/4 inch (6 mm) per 8 foot (2.44 m) span.

Exception: Decks constructed of decking boards as specified in the exception in Section 506.4.1.1 shall not require a slope.

506.4.3. Prohibited Installations.

1. Floor assemblies of decks shall not contain insulation.
2. Floor assemblies shall not contain heating or cooling ducts or facilities to incorporate such ducts.

506.4.4 Floor Coverings. Floor coverings, if installed, shall be designed for exterior use.

506.4.5 Steel Frames. Where steel *frames* are supporting the floor, they shall be constructed identical to and integrated into the *frame* supporting the main unit.

506.5 Guardrail Construction.

506.5.1 General. *Porches* shall have a continuous guardrail on all sides except as provided for access off the *porch*.

506.5.2 Height. Guardrails shall extend at least 36 inches (914 mm) above the floor surface. The distance between the bottom of the guardrail and the deck shall not allow passage of an object 4 inches (102 mm) in diameter.

506.5.3 Intermediate Rails or Ornamental Enclosures. Guardrails shall have intermediate rails or ornamental enclosures which are a minimum of 4 inches (51 mm) on centers and which do not allow passage of an object 4 inches (102 mm) in diameter.

506.5.4 Roof Supports. Guardrails may be interrupted by vertical supports for the roof structure. Vertical supports for the roof structure shall be no closer than 36 inches (914 mm) on centers.

506.6 Screen Enclosures. Removable screen enclosures may be included but shall not contain provisions for installation of windows or other weatherproof materials. Screens and screen enclosures shall not be a structural member that is able to support the roof.

506.7 Roof Construction.

506.7.1 General. Roof assemblies shall be constructed identical to the roof assembly of the transitional house except for insulation or shall be substantiated by calculation or test report.

506.7.2 Prohibited Installations.

1. Roof assemblies of decks shall not contain insulation.
2. Roof assemblies shall not contain heating or cooling ducts or facilities to incorporate such ducts.

506.8 Exterior Outlets.

506.8.1 Receptacle. Each *porch* shall have a minimum of one outdoor receptacle which shall contain ground-fault circuit-interrupter protection for personnel.

506.8.2 Lighting Outlet. At least one lighting outlet controlled by an interior wall-mounted switch shall be installed to illuminate the *porch*. Such lighting shall also be permitted to serve as the required lighting outlet for the adjacent exterior exit door.

TABLE 5.1

FASTENING SCHEDULE FOR TRANSITIONAL HOUSING DESIGNED WITHOUT ALTERNATIVE ENGINEERING SYSTEMS

NOTE: Unless tested, calculated, or otherwise specified in this table all fasteners shall be long enough to permit at least one (1) inch (25.4 mm) penetration into the second member or as specified by the manufacturer of the product. Splitting of members shall be minimized by staggering all fasteners in the direction of the grain and by keeping all fasteners well in from the edges of the member. Transitional housing using alternative engineering systems must obtain confirmation from a registered professional engineer or architect before using this table.

CONSTRUCTION DETAIL	TYPE OF FASTENER	QUANTITY & APPLICATION
FLOOR		
Joist to Perimeter Joist	7/16" (11.11 mm) - 16 Ga. Staples	4 Ea. End of Joist
Perimeter Joist Splice	7/16" (11.11 mm) - 16 Ga. Staples	5 Ea. Side of Joint-80% Glue Coverage
Decking to Joist	7/16" (11.11 mm) - 16 Ga. Staples	6" (152.4 mm) O.C. Edge - 10" (254 mm) O.C. Field - 80% Glue
Bottom Board to Joist	1" x 5/8" (25.4 mm x 16 mm)- 16 Ga. Staples	6" (152.4 mm) O.C. Perimeter of Floor
Multiple Joists	7/16" (11.11 mm) - 15 Ga. Staples	12" (304.8 mm) O.C. Staggered
EXTERIOR WALL		
Stud to Top Plate	7/16" (11.11 mm) - 16 Ga. Staples	2 Ea. End of Stud
Stud to Bottom Plate	7/16" (11.11 mm) - 16 Ga. Staples	2 Ea. End of Stud
Multiple Studs @ Jack Studs	7/16" (11.11 mm) - 16 Ga. Staples	12" (304.8 mm) O.C. - Staggered
Stud to Header	7/16" (11.11 mm) - 16 Ga. Staples	2 Ea. End of Member
Finish Material to Stud	5/32" x 3/4" (4.0 mm x 19.05 mm) -.025 Staples	6" (152.4 mm) O.C. Edge - 12" (304.8 mm) O.C. Field - 80% Glue
Wall to Floor	#8-3" (76.2 mm) Wood Screws #10-4" (114.3 mm) Wood Screws 10d Nails (.131") x 3"	8" (203.2 mm) O.C. 16" (406.4 mm) O.C. 8" (203.2 mm) O.C.
Sidewall to Endwall	#8 - 3" (76.2 mm) - Wood Screws	16" (406.4 mm) O.C.
30 Ga. Steel Strap to Stud Roof & Floor	7/16" (11.11 mm) - 16 Ga. Staples	4 Ea. End of Strap
Plate Splice	7/16" (11.11 mm) - 16 Ga. Staples	5 Ea. Side of Joint - 80% Glue
Blocking to Stud	7/16" (11.11 mm) - 16 Ga. Staples	2 Ea. End
Exterior Finish to Wall Framing	Per Installation Instructions	
INTERIOR PARTITIONS		
Stud to Top Plate	7/16" (11.11 mm) - 16 Ga. Staple	2 Ea. End of Stud
Stud to Bottom Plate	7/16" (11.11 mm) - 16 Ga. Staples	2 Ea. End of Stud
Multiple Studs @ Jack Studs	7/16" (11.11 mm) - 16 Ga. Staples	12" (304.8 mm) O.C. - Staggered
Stud to Header	7/16" (11.11 mm) - 16 Ga. Staples	2 Ea. End of Header (2 Ea. End (38 mm) member when jack studs are not installed)
Finish Material to Stud	5/32" x 3/4" (4.0 mm x 19.05 mm) -.025 Staples	6" (152.4 mm) O.C. Edge, 12" (304.8 mm) O.C. Field
Wall to Floor	7/16" (11.11 mm) - 16 Ga. Staple	16" (406.4 mm) O.C.
Partition to Partition	7/16" (11.11 mm) - 16 Ga. Staples	16" (406.4 mm) O.C.
Partition to Sidewall @ Endwall	7/16" (11.11 mm) - 16 Ga. Staples	16" (406.4 mm) O.C.
Plate Splice	7/16" (11.11 mm) - 16 Ga. Staples	8 Ea. Side of Joint
Blocking to Stud	7/16" (11.11 mm) - 16 Ga. Staples	2 Ea. End of Block
ROOF		
Edge Rail Splice Block	7/16" (11.11 mm) - 16 Ga. Staples	8 Ea. Side of Splice & 80% Glue
Truss to Edge Rail	7/16" (11.11 mm) - 16 Ga. Staples	2 Ea. End of Truss
Blocking to Truss	7/16" (11.11 mm) - 16 Ga. Staples	2 Ea. End
Edge Rail to Top Plate	#8 - 3" (76.2 mm) - Wood Screws	16" (406.4 mm) O.C. Toe Driven
Truss to Top Plate	#8 - 3" (76.2 mm) - Wood Screws	2 Ea. Toe Driven
Roof Sheathing to Truss	7/16" (11.11 mm) - 16 Ga. Staples	3/4" (19.05 mm) Penetration 6" (152.4 mm) O.C. Edges, 12" (304.8 mm) O.C. Field
Roofing Paper to Sheathing	Per Installation Instructions	
Shingles to Sheathing	Per Installation Instructions	

CHAPTER 6 ELECTRICAL

SECTION 601 GENERAL

601.1 General. All electrical installations in *transitional housing units* shall be installed in accordance with the residential provisions of the *Oregon Electrical Specialty Code*.

SECTION 602 REQUIREMENTS

602.1 Ancillary Power Supply. Accessory equipment, structures, and other buildings shall not be powered by the *transitional housing unit* electrical system.

602.2 Testing. At the time of installation, the *transitional housing units* shall be tested to the following criteria:

1. All 110 volt electrical receptacle outlets shall be subjected to a polarity test to determine all connections have been made properly; and
2. All electrical lights, equipment, arc fault and ground fault circuit interrupters, and appliances shall be subjected to an operational test to demonstrate all equipment is connected and in working order.

602.3 External Connections. *Transitional housing units* shall be connected to power sources in accordance with the *Oregon Electrical Specialty Code*.

CHAPTER 7 PLUMBING

SECTION 701 GENERAL

701.1 General. All plumbing installations in *transitional housing units* shall be installed in accordance with the residential provisions of the *Oregon Plumbing Specialty Code*.

SECTION 702 REQUIREMENTS

702.1 External Connections. *Transitional housing units* containing plumbing systems shall be connected to water sources and waste disposal terminals in accordance with the *Oregon Plumbing Specialty Code*.

702.2 Shutoff Valve. A full way shutoff valve shall be provided on the water supply serving each *transitional housing unit*.

702.3 Pressure Regulator. Where static water pressure exceeds 80 pounds per square inch, a pressure regulator shall be installed.

702.4 Testing. The water distribution system of the *transitional housing unit* and the supply connection shall be subjected to a test to assure there is no evidence of leakage under normal operating pressure. If water under normal operating pressure is not available, the transitional house water distribution system shall show no evidence of leakage, by sustaining 50 pounds per square inch of air pressure for 15 minutes.

702.5 Sewer Connection. Each *transitional housing unit* shall be connected to the sewer inlet by means of a 3-inch diameter drain connector consisting of *approved pipe*, not less than schedule 40, appropriate directional fittings and *listed* and *approved* rubber molded couplings at each end of the *pipe*.

702.6 Drainage Testing. The *transitional housing unit* drainage *pipng* system shall be connected to the lot or site drain inlet and tested by allowing water to flow into all fixtures and receptors, including the clothes washer standpipe, for a period of three minutes. If water under pressure is not available, the drainage *pipng* system shall be tested by dumping at least three gallons of water into each fixture and receptor. Each P-trap shall be visible during this test to assure there is no evidence of leaks.

CHAPTER 8 MECHANICAL, FUEL SYSTEMS AND EQUIPMENT

SECTION 801 GENERAL

801.1 Quality of Design and Installation. Mechanical systems, appliances, and equipment shall comply with the *Oregon Residential Specialty Code* Chapters 12 through 16, 21, and 23.


801.2 Prohibitions. Propane systems, propane cylinders, and propane, gas, and fuel burning appliances are prohibited in structures built under this standard.

801.3 Required Information.

801.3.1 Instructions for Appliances. Operating instructions shall be provided for each appliance, including air-conditioning appliances.

801.3.2 Warnings. Each *transitional housing unit* shall be provided with a warning printed in English that states:

1. Portable fuel-burning equipment, including wood and charcoal grills and stoves, shall not be used inside the *transitional housing unit*. The use of this equipment inside the *transitional housing unit* can cause fires or asphyxiation.
2. Not to bring or store *propane* containers, gasoline, or other flammable liquids inside the *transitional housing unit* because a fire or explosion can result.

	Agenda Item No.:	Topic:
	8.2	Ordinance No. 18-26 – Regulating the use of single-use plastic bags
	Agenda Type:	
	Discussion/Action	
	Meeting Date:	
November 5, 2018		
Prepared by:	Reviewed by:	Approved by:
Petra Schuetz	Christy S. Wurster	Christy S. Wurster

Recommendation:

Conduct the first reading of Ordinance No. 18-26.

Background:

Single-use plastics are used once before they are thrown away or recycled. Roughly 300 million tons of plastic each year is produced and, worldwide, 10-13% of plastic items are recycled. These petroleum based disposable plastics are challenging to recycle because virgin materials and chemicals are required to repurpose them. Further, petroleum based plastic degrades into tiny particles after many years. In the process of breaking down, it releases toxic chemicals which make their way into food and water supplies.



At the October 6, 2014 Regular Meeting, Council directed Staff to bring forward information for discussion in regards to banning the use of single use plastic bags within the City.

At the November 3, 2014 Regular Meeting, Staff presented information in regards to banning the use of single use plastic bags within the City. Council directed Staff to bring the topic back for discussion at the Regular Meeting in January 2015.

At the July 27, 2015 Work Session, the Mayor mentioned that a ban on smoking in public places or on plastic bags could be referred to an Environmental Management Committee (EMC) if the City were to create one. As a follow up to that discussion, Staff had prepared an ordinance to create an EMC. At the November 2, 2015 City Council meeting, Ordinance No. 15-09 was passed; creating an EMC. Since the Committee's inception, the topic of plastic bags was a regular agenda item.

On July 17, 2017 the EMC recommended to City Council to consider the feasibility of creating and implementing new City ordinances including a potential ban on the use of single use plastic bags by retailers.

The Silverton Chamber of Commerce posted a survey (see Attachment 2) regarding both single use plastic bag and polystyrene foam prohibition in advance of the City Council consideration of a draft ordinance at the September 13, 2017 meeting. There were three written public comment considered (see Attachments 3-5) between August and November of 2017. An additional written public comment was submitted at the October 1, 2018 City Council meeting (see Attachment 8).

The EMC continued to discuss the plastic bag prohibition throughout the year. At the July 2018, meeting the EMC completed their development and review of a draft ordinance. The draft ordinance was sent to Legal Counsel for review.

A number of stakeholders were notified via mailed letter and/or email including over 250 Silverton businesses that are known to or may use/distribute single-use plastic bags. The Silverton Chamber of Commerce distributed the notice through their network of over 350 contacts. The Northwest Grocers Association was also notified. The draft staff report and ordinance has been posted to the City website.

Two additional people provided public testimony at the October City Council meeting in support of both this ordinance and prohibition of polystyrene foam.

Councilor Smith, Chair of the EMC requested Attachment 6 be included in this report regarding Lake Oswego’s plastic bag ban. Further, Attachment 7 is supplemental information.

Budget Impact	Fiscal Year	Funding Source
None	2018-2019	N/A

Attachments:

1. Draft Ordinance No. 18-26 Prohibit use of single use plastic bags
2. Community Survey Results for Plastic Bags/Styrofoam Ban, August/September 2017
3. Public Testimony, Amanda Dalton, Northwest Grocers Association received August 17, 2017
4. Public Testimony, Chris Schwab received November 30, 2017
5. Public Testimony, Marlys Swalboski received November 30, 2017
6. Macuk, Anthony. (2018, September 13) *Lake Oswego considers plastic bag ban Most ban ordinances usually include a 6-month period before they go into effect Lake Oswego.* Lake Oswego Review. Retrieved from <https://www.koin.com/news/local/clackamas-county/lake-oswego-considers-plastic-bag-ban/1439520399> on September 19, 2018
7. City of Salem *Public Hearing.* <https://www.cityofsalem.net/news>. Retrieved on September 19, 2018
8. Public Testimony, Robin Kuhn, Silverton Grange #748 received October 1, 2018
9. Public Testimony, Michael Roth, Roth’s Fresh Markets received September 5, 2017
10. Public Testimony received from October 25 – October 31, 2018

CITY OF SILVERTON
ORDINANCE
18-26

AN ORDINANCE OF THE SILVERTON CITY COUNCIL AMENDING SILVERTON MUNICIPAL CODE TITLE 5 TO ADD CHAPTER 5.45 TO REGULATE SINGLE-USE PLASTIC BAGS

WHEREAS, at several meetings and work sessions, the Silverton City Council discussed changes to the Silverton Municipal Code (Code) whereby single-use plastic bags would be regulated; and

WHEREAS, the City desires to promote the use of reusable bags over single-use plastic bags in order to reduce the negative economic and environmental impacts associated with single-use bags; and

WHEREAS, single-use plastic bags contribute to litter in the environment and can result in blocked storm drains, marine debris and other waste issues; and

WHEREAS, the City desires to revise the Code to regulate the use of single-use plastic bags and to promote the use of reusable bags at points of sale.

NOW, THEREFORE, THE CITY OF SILVERTON ORDAINS AS FOLLOWS:

Section 1: The Silverton Municipal Code is amended in substantially the same form as set forth in the attached Exhibit A (Chapter 5.45).

Section 2: This ordinance is and shall be effective within 30 days of its passage.

Ordinance adopted by the City Council of the City of Silverton, this 5th day of November 2018.

Mayor, City of Silverton
Kyle Palmer

ATTEST

City Manager/Recorder, City of Silverton
Christy S. Wurster

Exhibit A

Chapter 5.45 SINGLE-USE PLASTIC CARRYOUT BAGS

5.45.010	Purpose
5.45.020	Definitions
5.45.030	Supervision by City Manager
5.45.040	Single-use Plastic Carryout Bag Regulation
5.45.050	Enforcement and Penalties

Section 5.45.010 - Purpose.

The purpose of this chapter is to prohibit retail establishments from distributing single-use plastic carryout bags to their customers and to encourage the distribution and use of reusable options in order to avoid the negative environmental consequences found with the use of single-use plastic carryout bags.

Section 5.45.020 - Definitions.

As used in this chapter, except where the context otherwise indicates, the following definitions apply:

- A. "ASTM Standard" means the current American Society for Testing and Materials (ASTM) International D-6400.
- B. "Barrel size" means a paper carryout bag with approximate dimensions of 12 inches wide by seven 7 inches deep by 13 to 18 inches tall or a capacity of 1,100 to 1,600 cubic inches.
- C. "City" means the city of Silverton, Oregon.
- D. "City manager" is the city manager for the city of Silverton or the city manager's designee acting under their direction.
- E. "Recyclable paper bag" means a paper bag that meets all of the following requirements:
 - 1. Is 100 percent recyclable and contains a minimum of 40 percent post-consumer recycled content; and
 - 2. Is capable of composting consistent with the timeline and specifications of the ASTM Standard.
- F. "Retail establishment" means any store, shop, sales outlet, or vendor located within the city of Silverton that sells goods at retail.
- G. "Reusable bag" means a bag with handles that is either:
 - 1. Made of cloth or other machine washable material; or
 - 2. Made of durable plastic that is at least 2.25 mils thick.
- H. "Single-use plastic carryout bag" means a plastic bag made from synthetic or natural organic materials that is provided by a retail establishment to a customer at the point of sale for use to transport or carry away purchases from the retail establishment. A single-use plastic carryout bag does not include:
 - 1. A reusable bag;

2. A plastic bag provided by a retail establishment to a customer at a time other than the time of checkout.

Section 5.45.030 - Supervision by city manager.

The regulation of single-use plastic carryout bags in the city under the provisions herein shall be under the supervision of the city manager.

Section 5.45.040 - Single-use plastic carryout bag regulation.

- A. Retail establishments shall not provide or make available single-use plastic carryout bags or non-recyclable paper bags, and/or provide a barrel size recyclable paper bag without charging a minimum of \$0.05 each to customers.
- B. When a retail establishment makes a bag available to a customer at the point of sale, the bag shall meet the definition of a recyclable paper bag or reusable bag. For barrel size recyclable paper bags, retail establishments shall charge the customer a reasonable pass-through cost of not less than \$0.05 each.
- C. A retail establishment that accepts WIC, EBT, and SNAP will provide those customers with a reusable bag or a recyclable paper bag at no cost at the point of sale.

Section 5.45.050 - Enforcement and penalties.

- A. A person is guilty of a violation of this chapter if that person is the one who provides or makes available a single-use plastic carryout bag to customers and/or is a person who is in charge or in control of a retail establishment or who exercises authority over a retail establishment that provides or makes available a single-use plastic carryout bag to customers.
- B. Each single-use plastic carryout bag or non-recyclable paper bag provided or made available to customers, and/or each barrel size recyclable paper bag provided or made available to customers without charging a minimum of \$0.05 each in violation of this chapter is a separate offense.
- C. A violation of this chapter is punishable in accordance with the general penalty provisions of SMC 1.08.010, with a minimum fine of \$5.00 and a maximum of \$2,500.
- D. Enforcement of this chapter shall begin January 1, 2019 for retailers with more than 50 full-time equivalent employees and March 1, 2019 for retailers with 50 or less full-time equivalent employees.
- E. If any provision, paragraph, word, section, or article of this chapter is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.



Q1 The Silverton City Council has scheduled a work session for Monday, Sept. 18, and one of the topics is the discussion on whether or not styrofoam containers and plastic bags should be banned in Silverton. We at the chamber understand that this may impact your business and would like to give you an opportunity to weigh in on the matter.

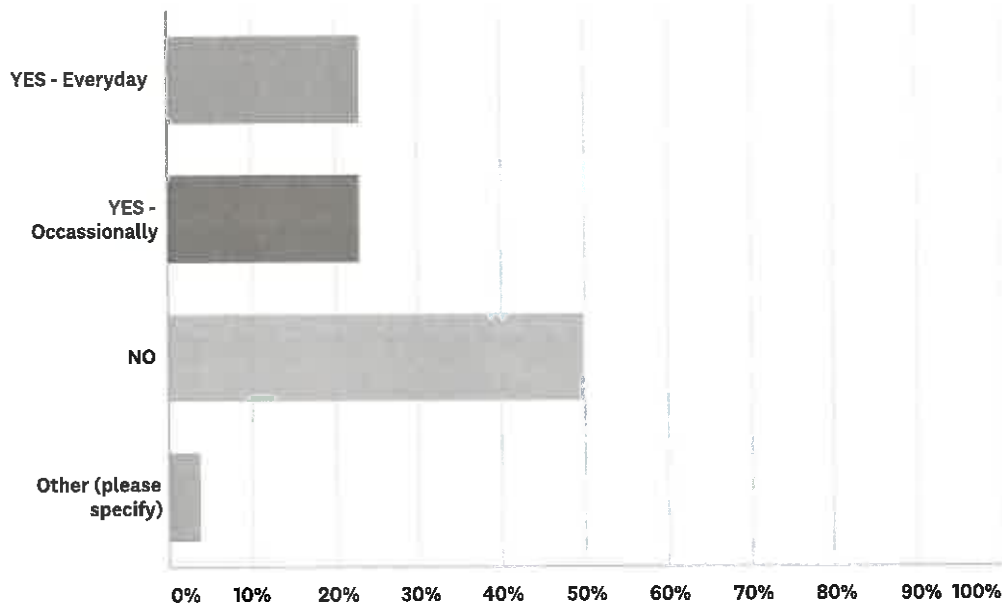
Answered: 15 Skipped: 38

#	RESPONSES	DATE
1	Plastic and styrofoam have merit. Keep it!	9/16/2017 8:07 AM
2	Styrofoam banned yes..its a health hazard as well. But plastic bags are reused and not just thrown away.	9/15/2017 3:52 PM
3	From a business standpoint, we support sustainability.	9/15/2017 2:46 PM
4	If it helps the environment then there should be a ban	9/15/2017 2:00 PM
5	This impacts my business.	9/14/2017 1:52 PM
6	It does not affect our business, but I would support it!	9/13/2017 2:27 PM
7	I'm for it	9/13/2017 2:25 PM
8	That will not impact our business. I am not in favor of a ban on these items.	9/13/2017 1:35 PM
9	Styrofoam should absolutely be banned. We have never used any at Creekside Grill. I personally will not even try a restaurant that I know uses it. As for bags, we have tried to find a paper solution for to-go food, but they were too small for our bio-boxes. We will continue looking for a solution and adjust if they are banned. We even use paper straws now (or biodegradable ones)	9/13/2017 12:57 PM
10	not in favor	9/13/2017 12:36 PM
11	We do not use either of those items in our daily work.	9/13/2017 12:10 PM
12	This type of action looks great on the outside, but silverton has much bigger problems to address	9/13/2017 11:58 AM
13	Ban would not affect my business	9/13/2017 11:37 AM
14	NO	9/13/2017 11:36 AM
15	OK	9/13/2017 11:31 AM



Q2 Does your business use plastic bags ?

Answered: 52 Skipped: 1

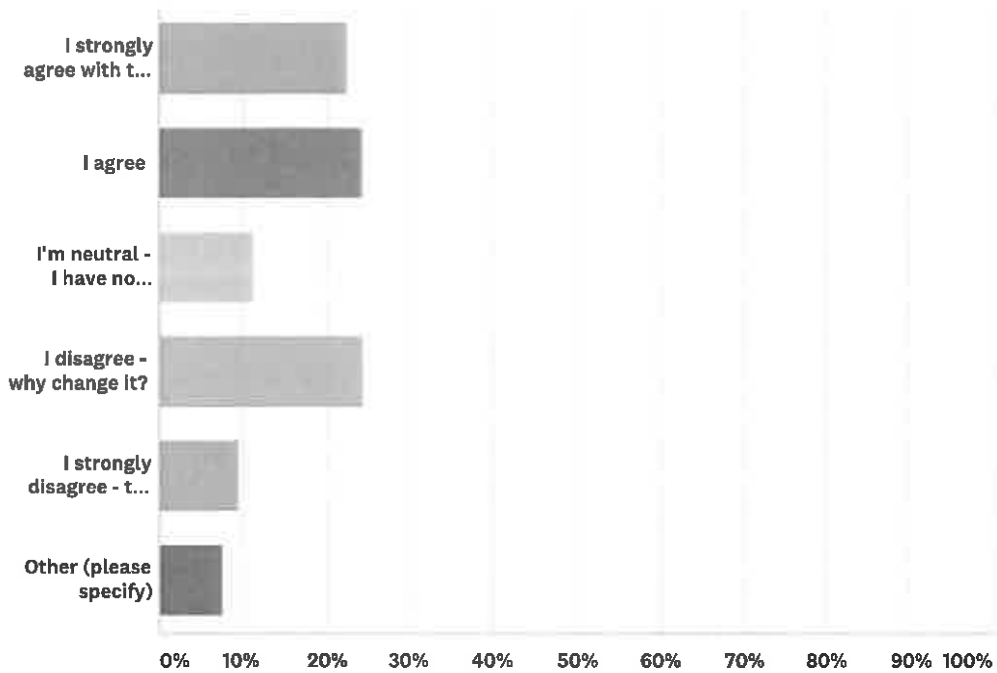


ANSWER CHOICES	RESPONSES	
YES - Everyday	23.08%	12
YES - Occassionally	23.08%	12
NO	50.00%	26
Other (please specify)	3.85%	2
TOTAL		52

#	OTHER (PLEASE SPECIFY)	DATE
1	We use repurposed plastic bags (donated to us for re-use); we do not purchase plastic bags.	9/15/2017 2:46 PM
2	We switched from plastic bags to paper two years ago	9/13/2017 4:45 PM

Q3 How do you feel about the banning of plastic bags in Silverton.

Answered: 53 Skipped: 0



ANSWER CHOICES	RESPONSES	
I strongly agree with the proposal	22.64%	12
I agree	24.53%	13
I'm neutral - I have no opinion	11.32%	6
I disagree - why change it?	24.53%	13
I strongly disagree - this would impact my business	9.43%	5
Other (please specify)	7.55%	4
TOTAL		53

#	OTHER (PLEASE SPECIFY)	DATE
1	What is your alternative?	9/15/2017 6:09 PM
2	Unfortunately, this would only benefit the corporations in our town. Safeway and Roths will not have the expense of the bags but they will not lower their prices because of it. They will then charge .05 per paper bag or sell you a "reusable" bag for \$2 that is made of plastic.	9/13/2017 5:16 PM
3	Paper bags can be very costly. There are individuals that it is easier for them to have our product in plastic for ease of carrying	9/13/2017 2:38 PM
4	I agree, but affected businesses should offer paper bags	9/13/2017 11:37 AM

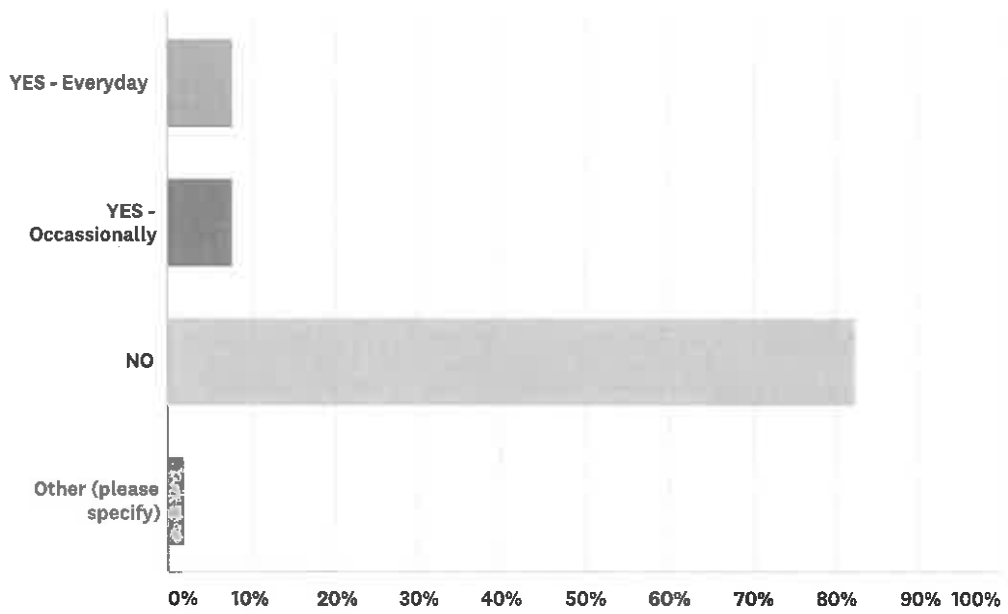
Q4 If you answered Disagree or Strongly Disagree in the question above - why?

Answered: 25 Skipped: 28

#	RESPONSES	DATE
1	You have to realize the cost to the business who are local and one person managed. Also, packaging a gift needs more than paper..... Look at postal connections???	9/16/2017 8:07 AM
2	Please provide a suitable alternative.	9/15/2017 6:09 PM
3	Plastic bags are reused/recycled	9/15/2017 3:52 PM
4	There is not a lot of trash laying around silverton. I could understand if it was a huge problem...but it's not. Let us business owners decide what is best, not only cost effective wise, but what works best for our business and customers.	9/15/2017 3:07 PM
5	Concern for the environment	9/15/2017 2:43 PM
6	Plastic bags are the best tool to store many other hazardous materials	9/15/2017 2:38 PM
7	No need for a change	9/15/2017 2:21 PM
8	n/a	9/15/2017 2:00 PM
9	Plastic bags have many uses, especially during rainy season.	9/14/2017 12:16 PM
10	If Silverton wants to make a real impact on the use of plastic bags, ban trash bags and non biodegradable dog poop bags.	9/13/2017 5:16 PM
11	They aren't truly necessary and too many end up in landfills or on the roads.	9/13/2017 4:50 PM
12	The bacteria just can't eat them up or break them up. Plastic is harmful because it is 'Non-Biodegradable'. When thrown on land it makes the soil less fertile. When thrown in water it chokes our ponds, rivers and oceans and harms the sea life	9/13/2017 4:45 PM
13	Would impact business	9/13/2017 3:28 PM
14	I believe that each community should be able to decide whether to be environmentally friendly or not... there are cities in Oregon that have banned plastic bags and people adapt and get over the change pretty quick. You just bring in your own bags... for bagging:)	9/13/2017 2:27 PM
15	Non styrofoam products would double our expenses	9/13/2017 2:07 PM
16	we reuse the bags	9/13/2017 1:49 PM
17	Do not see a need to change use of these items.	9/13/2017 1:35 PM
18	I have been in communities ie Corvallis and it is such hassle to go into a business and not have a bag with you as a visitor or have to pay for a bag	9/13/2017 1:28 PM
19	The only comment I have is that I would rather re use a plastic bag that I ended up with as a trash liner or for dog walks than to go buy plastic bags. It is not always possible to have your reuseable canvas bags with you when shopping either.	9/13/2017 12:57 PM
20	Environmental concerns	9/13/2017 12:46 PM
21	Whats Next	9/13/2017 12:36 PM
22	The citizens need to see the budgetary costs factors for this decision. Enforcement cost. We need to attract light industrial jobs and business to the town. How does this ban do that?	9/13/2017 11:58 AM
23	This is a choice that does not need to be made by the city. Do not waste your time or energy!	9/13/2017 11:41 AM
24	Because I like to use them.	9/13/2017 11:39 AM
25	I use cloth bags at the grocery store, but if this was taken to the extreme, We could could possibly no longer package portraits in plastic bags.	9/13/2017 11:36 AM

Q5 Does you business utilize styrofoam containers?

Answered: 51 Skipped: 2

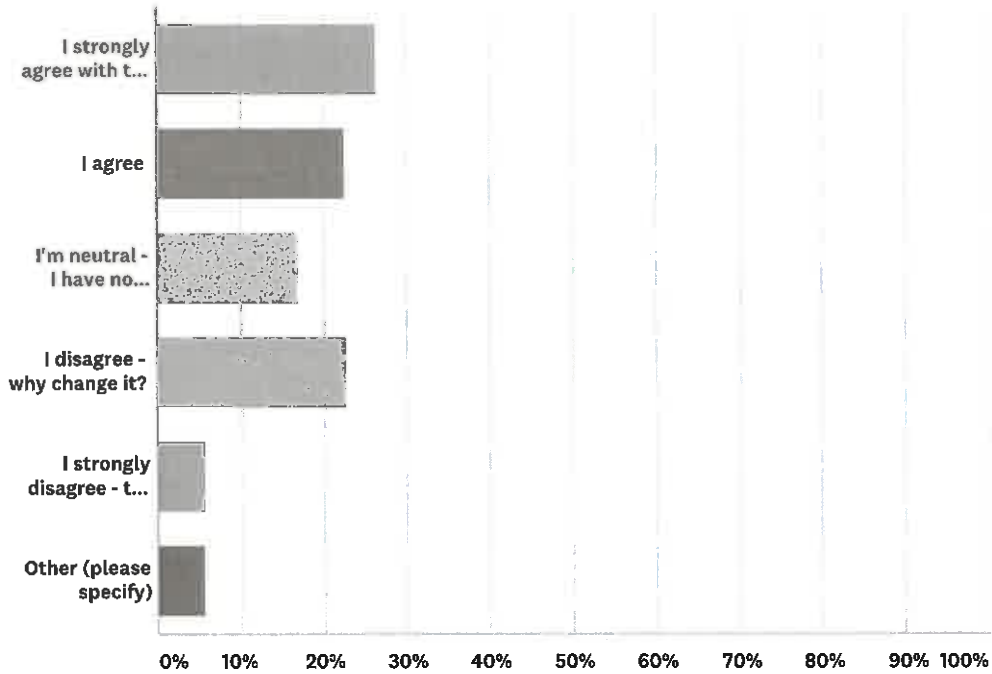


ANSWER CHOICES	RESPONSES	
YES - Everyday	7.84%	4
YES - Occasionally	7.84%	4
NO	82.35%	42
Other (please specify)	1.96%	1
TOTAL		51

#	OTHER (PLEASE SPECIFY)	DATE
1	several times per week, yes, but not "every day"	9/13/2017 1:35 PM

Q6 How do you feel about the proposed banning of styrofoam containers in Silverton?

Answered: 53 Skipped: 0



ANSWER CHOICES	RESPONSES	
I strongly agree with the proposal	26.42%	14
I agree	22.64%	12
I'm neutral - I have no opinion	16.98%	9
I disagree - why change it?	22.64%	12
I strongly disagree - this would impact my business.	5.66%	3
Other (please specify)	5.66%	3
TOTAL		53

#	OTHER (PLEASE SPECIFY)	DATE
1	I am against it. Meat prices will increase 20% because the grocery stores will have to use other forms to wrap their meats and fish.	9/13/2017 5:16 PM
2	As far as I know there isn't a recycler in Oregon who accepts styrofoam.	9/13/2017 4:45 PM
3	I would be in support IF it doesn't have a negative affect on business	9/13/2017 1:50 PM

Q7 If you answered Disagree or Strongly Disagree in the questions above - Why?

Answered: 17 Skipped: 36

#	RESPONSES	DATE
1	You have to realize the cost to the business who are local and one person managed. Also, packaging a gift needs more than paper..... Look at postal connections???	9/16/2017 8:07 AM
2	Same answer as above.	9/15/2017 3:07 PM
3	Concern for the environment	9/15/2017 2:43 PM
4	Many components are shipped in packing materials to protect parts from shipping damage	9/15/2017 2:38 PM
5	Why ban this convenience?	9/15/2017 2:21 PM
6	because I am not sure what the alternative option would be for meal deliveries	9/15/2017 2:00 PM
7	Most non-styrofoam options are double (some triple) the cost. There is a number of citizens who want this; but I bet as customers have to pay increased prices, they will complain. Baby steps may be better. Start with the plastic bag ban first maybe. Let businesses each decide what to do. Would likely change over some of our containers; less impact all at once.	9/13/2017 5:40 PM
8	The packaging of food items cost more than the food that it contains. So be making companies use more expensive packaging, you are guaranteeing food prices raising. This will greatly impact low income families.	9/13/2017 5:16 PM
9	There are other more environmentally sound options in 1-time use containers.	9/13/2017 4:50 PM
10	Same answer as previous answer	9/13/2017 2:07 PM
11	We use them several times per week. Convenient for our purposes.	9/13/2017 1:35 PM
12	I don't know why the city is having a platform on this I think it has more important matter to deal with	9/13/2017 1:28 PM
13	Styrofoam is evil. The worst! No excuse in my book.	9/13/2017 12:57 PM
14	It would effect some operations	9/13/2017 12:36 PM
15	What cost impact does no Styrafoam have on businesses? I understand that people can bring their own re-usable grocery bags when shopping but my question would be how the No-Styrafoam would affect a business cost wise. Does not affect my business because I don't use these materials but I wouldn't want to support something that could very well hinder another business. I am very cost cautious in my business and understand that as a small business cost can mean staying in business or not.	9/13/2017 12:10 PM
16	Silverton as a community has other issues to address. I do not see this as a high priority.	9/13/2017 11:58 AM
17	Again, not your decision.	9/13/2017 11:41 AM

Q8 Any final comments on how these proposals may/or may not impact your business?

Answered: 30 Skipped: 23

#	RESPONSES	DATE
1	This is a ridiculous concern- considering we have political climates working against immigration and homeless issues in Silverton.....	9/16/2017 8:07 AM
2	If it is more expensive to use recycled/paper containers. Could there be an incentive to encourage it.	9/15/2017 5:04 PM
3	I use bags for my business	9/15/2017 3:52 PM
4	These proposals will have a financial impact on our business because paper bags are more expensive to purchase than plastic bags. However, we feel it is an important step to take towards protecting our fragile environment. We are willing to accept the financial impact of using paper bags instead, and will work with our staff and customers to make more mindful choices on whether a bag is actually needed.	9/15/2017 2:41 PM
5	Educate in proper use and disposal of bags. The only thing these bans have created for other communities is another manner to create a new tax and a reduction in local spending.	9/15/2017 2:38 PM
6	Find more important issues to work on.	9/15/2017 2:21 PM
7	well I am really uncertain about the alteratives.	9/15/2017 2:00 PM
8	I am answering as a consumer, not business owner.	9/14/2017 3:54 PM
9	We are not a retail business and it does not impact us in any way.	9/14/2017 3:42 PM
10	This change will negatively impact my business some by increasing cost, but in the end it is the right thing for the environment to do, so I support it.	9/14/2017 1:52 PM
11	It will result in a cost increase, paper bags cost more.	9/14/2017 10:43 AM
12	Let's be proactive and embrace the future.	9/13/2017 7:59 PM
13	Do i think its good for the environment? Yes. Am I excited about my to-go packaging budget doubling or tripling? Not really. It's easy to want change if it doesn't affect your own pocket book.	9/13/2017 5:40 PM
14	It will not impact my business	9/13/2017 5:16 PM
15	It won't impact my business, but would be a positive move for our community.	9/13/2017 4:50 PM
16	Cost	9/13/2017 3:28 PM
17	Our family would support getting rid of plastic and styrofoam use in Silverton as well as other towns close by...	9/13/2017 2:27 PM
18	Please remember there are quite a few small business owners that are just getting by and don't need any added costs	9/13/2017 2:07 PM
19	None at this time	9/13/2017 1:35 PM
20	I use paper bags but recycle all plastics in our community.	9/13/2017 1:28 PM
21	Businesses should lead the way! We will need to find better to go bags. Suggestions welcome. We use Bio Box size 3 that wont fit in the paper bags we bought! Darn.	9/13/2017 12:57 PM
22	no	9/13/2017 12:36 PM
23	I do not see how it would affect my business.	9/13/2017 12:10 PM
24	I believe we must take this necessary step to set an example in our community that sustainable practices & recycling are values we hold important for our current and future generations, it should encourage others to follow suit in both their homes and businesses. We have an opportunity to demonstrate our commitment to a cleaner planet to our visitors, and show it can be done even in smaller communities/cities.	9/13/2017 12:06 PM

Plastic Bags/Styrofoam Ban

SurveyMonkey

25	I would think there are more important matters to consider. Just another example of Govt intervention that will not have any major environmental impact. Where is the statistics on the waste?	9/13/2017 11:42 AM
26	I purchase groceries in plastic bags to reuse for my customers and various other projects. I recycle. This is my choice not yours.	9/13/2017 11:41 AM
27	We do not use either items at our business.	9/13/2017 11:39 AM
28	Government needs to be less invasive. Too many silly rules.	9/13/2017 11:36 AM
29	No affect at all.	9/13/2017 11:31 AM
30	Our planet cannot digest plastic. Other cities have had successful bans on plastic and Styrofoam. There are biodegradable options for containers and utensils out there. Reusable bags are very inexpensive and easy to use. For a business who is concerned about not having plastic bags and containers, I will share that as a consumer I am OFFENDED by the use of Styrofoam container and bags and it is a reason for me to not visit an establishment. I support responsible businesses who care about the health of our planet. Thanks for the opportunity to share my opinion. :)	9/13/2017 11:28 AM

Plastic Bag & Styrofoam Ban

210 Surveys – 53 responses for a 25% return rate

46% of respondents use plastic bags in business either occasionally or everyday.

14% of respondents use Styrofoam containers.

47% of respondents supported the ban on plastic bags vs. 34% opposed

49% of respondents supported the Styrofoam ban vs. 28% opposed & 17% neutral

Respondents overwhelmingly recognized the impact to the environment with supporters also recognizing the potential impacts to businesses and consumers.

Many asked why this was a priority for the council – feeling there were more pressing issues.

The Chamber would prefer to see this as a statewide issue so that Silverton isn't put in a position of defending an unlevel playing field when it comes to costs both for consumers but especially for our local businesses and potential new businesses. Higher costs and more regulation are not great recruiting tools.

In Silverton we have high water/sewer rates, high SDC rates and are talking about adding a gas tax to the mix – do we really want to add additional costs for our local businesses and consumers at this time?

Christy Wurster

From: Amanda Dalton <amanda@daltonadvocacy.com>
Sent: Thursday, August 31, 2017 4:48 PM
To: Christy Wurster
Subject: Plastic Bag Ban
Attachments: McMinnvilleFinalPlasticBagOrdinance.pdf

Hello Ms. Wurster - I wanted to share the below letter I sent to council this week. We appreciate any and all consideration!

Amanda
On behalf of NW Grocery Association

Mayor Palmer and Members of the Council,

On behalf of the Northwest Grocery Association (NWGA) and our member grocery stores in your community, I offer the below brief comments on the proposed plastic bag ban under consideration in Silverton. As you are likely aware, other cities in Oregon and Washington have adopted similar bans on plastic bags over the last few years and NWGA has been a partner in the drafting of these measures. Earlier this year we were involved, and supportive, of similar efforts in McMinnville. As a result of the collaboration among stakeholders, their ordinance reflects necessary exemptions to make plastic bag ban ordinances workable for the customer, including exemptions for package bulk, frozen foods and meat, flower wraps and pharmacy prescription bags. The ordinance also allows for a WIC bag voucher.

One of the primary concerns for NWGA when local governments draft bag ban ordinances is the inclusion of a reasonable pass-through of no less than 5 cents per recyclable paper bag, which provides an incentive for the consumer to bring a reusable bag or return with the paper bag and allows the retailer to recoup the costs as the consumer transitions away from the inexpensive plastic to the more expensive paper bag.

You may ask, is the five-cent pass-through for recycled paper bags necessary?

And the answer is simply, yes. The overall objective of a ban on single-use plastic bags is to eliminate single-use bag consumption and overall litter in your community. The five-cent charge for a recyclable bag helps achieve this goal in the following ways:

- The 5 cent charge is avoidable and not a tax or fee for government.
- The 5 cent charge allows a retailer to provide an inexpensive, environmentally friendly bag when a customer does not have a reusable bag with them.
- The 5 cent charge is a gentle reminder to the consumer to remember their reusable bags without being punitive.
- The 5 cent charge protects the retailer and the consumer that uses reusable bags from the cost shift of going from plastic to paper bags.
- The 5 cent charge is often refundable when the consumer re-uses the recycled paper bag or other reusable bag with a grocery purchase.

Making the recyclable paper bag available provides consumers a choice or back-up at checkout. However, the charge on paper bags encourages the consumer to use a reusable bag or recycle a bag they already have, including a previously used paper bag. Examples of where a financial disincentive has been implemented to encourage reusable bag usage show positive results in the change of consumer behavior. In Washington DC, city officials were surprised at the high number of consumers who changed their habits, bringing reusable bags versus purchasing bags, after a five-cent charge was placed on paper and plastic bags. City officials estimated that before the charge residents used about 270 million paper bags a year at grocery and convenience stores. For 2010, that number dropped dramatically to around 55 million paper bags.

Merely banning plastic and allowing paper bags, however, increases grocery costs by a minimum of \$60,000 per store. Paper bags are simply more expensive and if there is no consistent charge for all retailers for the consumer use, customers who bring reusable bags will subsidize those who want “free” paper bags. The bottom line is that not providing an incentive to move to reusable bags will raise retailers’ bag costs by at least 40%, costing real jobs and simply shifting the problem from one disposable bag to another. McMinnville, Corvallis and Eugene modeled their ordinances on this premise and adopted a \$.05 charge on paper bags and the City of Ashland adopted a \$.10 charge on paper bags, all allowing vouchers/no-cost paper for WIC customers.

I have attached the McMinnville ordinance as a model for your consideration. If you should decide to advance the plastic bag ban concept, we look forward to working with you to address the above concerns and craft an ordinance that works for Silverton.

Thank you for your consideration.

Respectfully,

Amanda Dalton

On behalf of Northwest Grocery Association

Amanda L. Dalton, J.D.
Dalton Advocacy
amanda@daltonadvocacy.com
Cell [503-884-0415](tel:503-884-0415)
<http://www.daltonadvocacy.com/about.html>

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ORDINANCE NO. 5018

An Ordinance restricting the distribution of single use plastic bags.

RECITALS

The City Council has taken an interest in sustainability on many levels, including wishing to encourage the reduction of single use items that negatively impact the local environment.

The City Council wishes to encourage the use of reusable products when safe and practical to reduce the volume of the community's waste stream.

The City Council further desires to reduce the negative impacts caused by single use plastic bags, which increase litter, degrade local wildlife habitat, and are seldom recycled.

NOW, THEREFORE, THE CITY OF McMinnville Ordains as follows:

1. The attached language in Exhibit 1 is incorporated into this Ordinance by reference.
2. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.
3. This ordinance shall take effect 30 days from the date of approval.

Passed by the Council February 14, 2017, by the following votes:

Ayes: Drabkin, Garvin, Jeffries, Menke, Stassens, Ruden

Nays: _____

Approved February 14, 2017.



 MAYOR

Attest:

Approved as to Form:



 CITY RECORDER



 CITY ATTORNEY

Exhibit 1

TITLE 5 – BUSINESS TAXES LICENSES AND REGULATIONS

CHAPTER 5.36
SINGLE-USE PLASTIC CARRYOUT BAGS

5.36.010 Purpose. The purpose of this Chapter is to prohibit use of single-use plastic carryout bags at retail establishments, city facilities, city managed concessions, city sponsored events and/or city permitted events, and to require retailers to charge at least five cents when providing a paper bag to a customer.

5.36.020 Plastic Bag Use; Definitions. For purposes of this Chapter, the following terms are defined as follows:

1. ASTM standard. The American Society for Testing and Materials (ASTM)'s International D-6400.
2. Carryout bag. Any bag that is provided by a retail establishment at the point of sale to a customer for use to transport or carry away purchases, such as merchandise, goods or food, from the retail establishment. "Carryout bag" does not include:
 - a. Bags used by consumers inside retail establishments to:
 - i. Package bulk items, such as fruit, vegetables, nuts, grains, candy or small hardware items;
 - ii. Contain or wrap meat, fish, or frozen foods, whether packaged or not;
 - iii. Contain or wrap flowers, potted plants, or other items where dampness may be a problem;
 - iv. Contain unwrapped prepared foods or bakery goods; or
 - v. Pharmacy prescription bags.
 - b. Laundry-dry cleaning bags or bags sold in packages containing multiple bags intended to be used for home food storage, garbage waste, pet waste, or yard waste; or
 - c. Product bags.
3. City sponsored event. Any event organized or sponsored by the city or any department of the city.
4. Customer. Any person obtaining goods from a retail establishment.
5. Food provider. Any entity in the City that provides prepared food for public consumption on or off its premises.
6. Grocery store. Any retail establishment that sells groceries, fresh, packaged, canned, dry, prepared or frozen food or beverage products and similar items.
7. Pharmacy. A retail establishment where a pharmacist licensed by the State of Oregon's Board of Pharmacy practices pharmacy and where prescription medications are offered for sale.
8. Product or produce bag. Any bag without handles provided to a customer for use within a retail establishment to assist in the collection or transport of products to the point of sale. A product or produce bag is not a carryout bag.
9. Recyclable paper bag. A paper bag that meets all of the following requirements:
 - a. Is 100% recyclable and contains a minimum of 40% post- consumer recycled content; and
 - b. Is capable of composting consistent with the timeline and specifications of the ASTM Standard D6400 as defined in this section.
10. Retail establishment. Any store or vendor located within or doing business within the geographical limits of the city that sells or offers for sale goods at retail.
11. Reusable bag. A bag made of machine washable cloth or other material with handles that is specifically designed and manufactured for long-term multiple reuses.
12. Single-use plastic carryout bag. Any plastic carryout bag made predominately of plastic, either petroleum or biologically based, and made available by a retail establishment to a

customer at the point of sale. It includes compostable and biodegradable bags but does not include reusable bags, recyclable paper bags, or product or produce bags.

13. Undue hardship. Circumstances or situations unique to the particular retail establishment which results in no reasonable alternatives to the use of single-use plastic carryout bags or which results in the inability to collect a recyclable paper bag pass-through.

5.36.030 Regulations. Except as exempted in Section 5.36.050 of this Chapter:

1. No retail establishment will provide or make available to a customer a single-use plastic carryout bag; and
2. No person will distribute or provide a single-use plastic carryout bag at any city facility, city managed concession, city sponsored event, or city permitted event.

5.36.040 Cost Pass-Through. When a retail establishment with more than 10 full-time-equivalent employees makes a recyclable paper bag available to a customer at the point of sale, the retail establishment will:

1. Charge the customer a reasonable pass-through cost of not less than 5 cents per recyclable paper bag provided to the customer; and not rebate or otherwise reimburse any customer any portion of the pass-through cost; and
2. Except for the exemptions in 5.36.050(1) and (5), indicate on the customer's transaction receipts the total amount of the recyclable paper bag pass-through charge.

5.36.050 Exemptions. Notwithstanding Sections 5.36.030 and 5.36.040 of this Chapter:

1. Retail establishments with 10 or fewer full-time-equivalent employees may charge for provided paper bags but are not required to do so. If such establishments do charge for paper bags, they are exempt from the requirement to note the cost on receipts.
2. Single-use plastic carryout bags may be distributed to customers by food providers for the purpose of safeguarding public health and safety during the transportation of prepared take-out foods and prepared liquids intended for consumption away from the food provider's premises.
3. Retail establishments may distribute product bags and make reusable bags available to customers whether through sale or otherwise.
4. A retail establishment may provide a reusable bag or a recyclable paper bag at no cost at the point of sale upon the request of a customer who uses:
 - a. A voucher issued under the Women, Infants and Children Program established in the Oregon Health Authority under ORS 413.500; or
 - b. An Electronic Benefits Transfer (EBT) card, such as an Oregon Trail Card, to access Supplemental Nutrition Assistance Program (SNAP) benefits.
5. Vendors at retail fairs such as a farmers' market or holiday fair are not subject to indicating on the customer's transaction receipt the total amount of the recyclable paper bag pass-through charge required in section 5.36.040 of this Chapter.
6. The provisions of this Chapter shall be effective:
 - a. September 1, 2017, for retail establishments or food providers with greater than 10,000 square feet in specific store size; and
 - b. March 1, 2018, for all other retail establishments or food providers.
7. The City Manager or their designee may exempt a retail establishment from the implementation deadline set forth in subsection 6 of this Section for a period of not more than six months upon the retail establishment showing, in writing, that this Chapter would create an undue hardship or practical difficulty not generally applicable to other persons in similar circumstances. The decision to grant or deny an exemption will be in writing, and the City Manager's or designee's decision will be final.

5.36.060 Promotion of Reusable Bags. Retail establishments are strongly encouraged to educate their staff to promote reusable bags and to post signs encouraging customers to use reusable bags.

5.36.070 Violations and Penalties.

Any retail establishment violating Sections 5.36.010 – 5.36.050 is subject to:

1. Upon the first violation in a calendar year, the Enforcement Officer will issue a warning to the retail establishment that a violation has occurred.
2. Upon subsequent violations, the Enforcement Officer will issue a citation into Municipal Court and the punishment, upon conviction, will be:
 - a. \$100 for the first violation after the written warning in a calendar year;
 - b. \$200 for the second violation in the same calendar year; and
 - c. \$500 for any subsequent violation within the same calendar year.
3. No more than one citation will be issued to any single location of a retail establishment within a 7-day period.

Attachment 4 to Agenda Item No. 8.2

From: [Christy Wurster](#)
To: "[Chris Schwab](#)"; [Christian Saxe](#); [Christy Wurster](#)
Cc: [jaumann@frontier.com](#); [jjenson@wavecable.com](#); [marlyss@crls.org](#); [anwilcock@netscape.net](#); [wineadvisor@frontier.com](#); [heyirene@gmail.com](#); [fiver1007@comcast.net](#); [chrismayou@gmail.com](#); [Lisa Figueroa](#)
Subject: RE: City's proposed ban on plastic bags
Date: Thursday, November 30, 2017 1:03:30 PM

Hi Chris:

Thank you for your comments. I will be sure to include your comments in the record on this item. The Public Hearing will be held in January. Please note that the proposed Ordinance (as currently drafted) does not apply to the Library since it is not a retail establishment.

Sincerely,

Christy S. Wurster
City Manager
City of Silverton
306 S. Water Street
Silverton, OR 97381
503.874.2205

-----Original Message-----

From: Chris Schwab [<mailto:csilverton@earthlink.net>]
Sent: Wednesday, November 22, 2017 12:56 PM
To: Christy Wurster; Christian Saxe
Cc: [jaumann@frontier.com](#); [jjenson@wavecable.com](#); [marlyss@crls.org](#); [anwilcock@netscape.net](#); [wineadvisor@frontier.com](#); [heyirene@gmail.com](#); [fiver1007@comcast.net](#); [chrismayou@gmail.com](#)
Subject: City's proposed ban on plastic bags

Chris Schwab
503-873-4529
Silverton, Oregon

Chris Schwab
503-873-4529
Silverton, Oregon Hello, my name is Chris Schwab and I am secretary of the Friends of the Library here in Silverton.

At the last meeting of the Friends, it was brought to our attention that the City is considering a ban on plastic bags. I know it's early stages yet, but we would like to point out something for consideration. The Library likes to have on hand a supply of clear plastic bags that are purchased specifically, and used only occasionally, to provide our patrons with protection for their checkouts against our rainy weather or to help them keep items manageable if they have not been able to purchase a tote bag. This is a service that we are glad to provide and hope that a usage like this might be exempt from a general ban.

Thank you for your consideration.

Chris Schwab
503-873-4529
Silverton, Oregon

Attachment 5 to Agenda Item No. 8.2

From: [Christy Wurster](#)
To: [Lisa Figueroa](#)
Subject: FW: Silver Falls Library and plastic bag ban under consideration
Date: Thursday, November 30, 2017 1:00:38 PM

From: Marlys Swalboski [mailto:marlyss@crls.org]
Sent: Tuesday, November 21, 2017 10:26 AM
To: Christy Wurster; Kyle Palmer; Wayne Suggs; Stacy Higby
Subject: Silver Falls Library and plastic bag ban under consideration

Hi Christy and Kyle!

At our recent Friends of the Library meeting, the subject was raised of the proposed ban on businesses in Silverton providing one-time-use plastic bags for their customers.

Although we encourage library patrons to bring reusable book bags to transport library materials to and from their homes and the Friends have provided canvas bags to sell as a fund-raising tool, our staff is very aware that we need to be able to provide something to protect library materials (especially books) that are checked out during inclement weather, when patrons do not have anything with them to use.

We applaud the effort to reduce plastic waste and encourage recycling and the use of reusable bags, but we also recognize that some of our patrons may not bring a bag with them on all occasions and, if these users are either children or persons living on marginal incomes, even a minimal charge for a bag would keep them from checking out the materials they need. Since we do not want to either deny service or see library materials ruined for the want of a simple plastic bag, we would ask that the Council include a waiver for the library if such a ban is adopted by the City of Silverton.

I will be retiring at the end of November, but our new Library Director, Christy Davis will begin her tenure on January 1, 2018. I'm sure she looks forward to having as wonderful a relationship with the City of Silverton as I have enjoyed over the years I've served here. In the meantime, I wanted to be sure and bring the concerns of the Silver Falls Library on this issue to you so that it wouldn't get missed in the transition. Thank you for your consideration!

With best wishes,

Marlys Swalboski, Library Director
Silver Falls Library District

Lake Oswego considers plastic bag ban

Most ban ordinances usually include a 6-month period before they go into effect

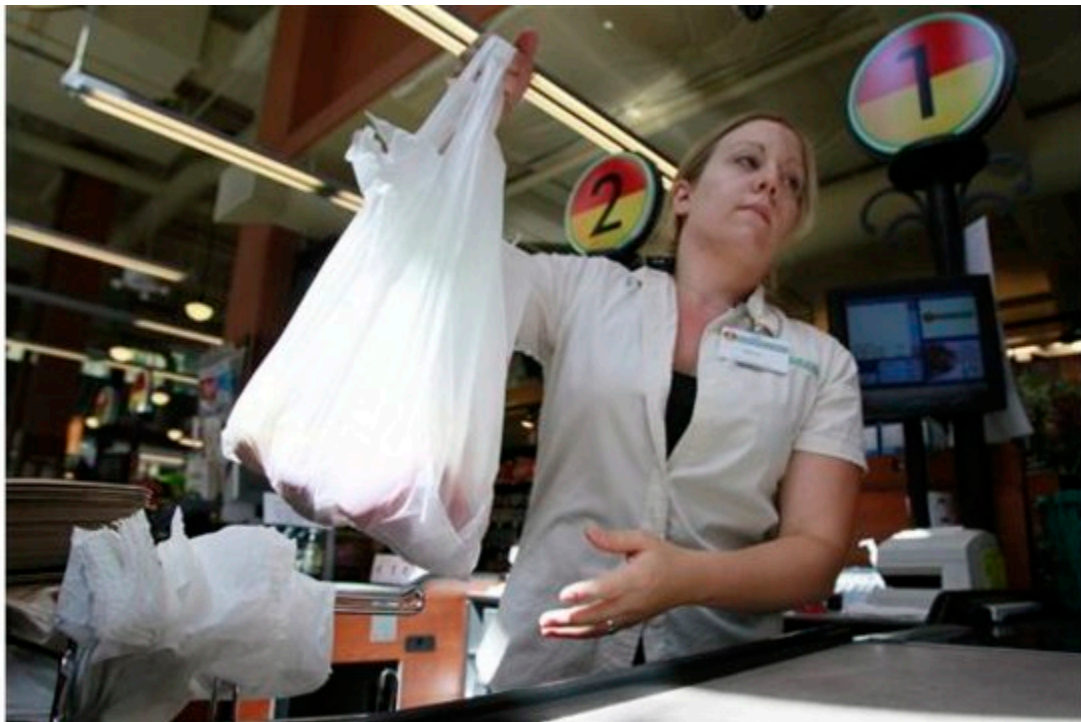
By:

- [Anthony Macuk, Lake Oswego Review](#)

Posted: Sep 13, 2018 04:23 AM PDT

Updated: Sep 13, 2018 04:23 AM PDT

This Aug. 3, 2009 photo shows clerk Allison Ure lifting groceries she's bagged in a plastic sack at the M Street Grocery in Seattle. (AP Photo/Elaine Thompson, File)



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LAKE OSWEGO, Ore. ([LAKE OSWEGO REVIEW](#)) -- Lake Oswego residents got a chance to weigh in on a proposed plastic bag ban at an informational meeting last week.

The City Council initially considered the idea at its Sept. 4 meeting and is scheduled to give feedback on options for the proposed ordinance next month.

As part of that process, City Sustainability and Management Analyst Jenny Slepian convened a panel of local experts, including Jason Jordan, the general manager at Lake Oswego's waste hauler Republic Services; and Dave Claugus, manager of Pioneer Recycling, which processes all of Lake Oswego's raw recycled material.

Joining them were Charlie Plybon, policy manager at the Surfrider Foundation, a nonprofit environmental group that has worked with a number of other cities to implement plastic bag

bans; and Shawn Miller, a representative of the Northwest Grocery Association. Each panelist gave a brief presentation and then turned the floor over to the audience for questions.

Nobody in the audience voiced opposition to the ban, Plybon told The Review, but there were a number of questions about the types of bags that would be banned and which businesses would be covered by the ordinance.

"Would it apply to all stores? A subset of stores? Are all plastic bags created equal? Is it just plastic bags we're looking at, or should we be looking broader? Those were generally the things that I heard," Plybon said.

According to Slepian, the primary target of the ban would be plastic to-go grocery bags, the kind used at the checkout stand. Municipal bans typically exempt other types of plastic bags, such as produce bags from the fruit and vegetable aisles and Ziploc bags that consumers purchase for use at home.

The ban has the support of the Northwest Grocery Association, Slepian said, which includes Albertsons and Safeway. The ordinance could also apply to small retailers, restaurants or City venues like the farmers market, she said, although the precise details are still up in the air. The ban would likely be coupled with a small per-bag fee on paper bags.

Lake Oswego Review is a KOIN 6 News media partner

"The idea really isn't that we move from one single-use bag to another," Slepian said. "Ideally, what we want is that people will get more accustomed to using reusable bags regardless of what type of shopping they're doing."

The removal of plastic bags will make a big difference for local recyclers, Slepian said. Pioneer Recycling has to sort through all of Lake Oswego's mixed-use recycled material and pull out all of the items that are incorrectly recycled, she said, including plastic bags, which tend to be very time-consuming to remove.

"They have to deal with a lot of plastic bags all the time," she said. "When the plastic bags jam up their machinery, they have to shut everything down. And they do that at least once a day, so they lose a lot of time."

Plybon and Slepian said that a number of questions also focused on broader policies relating to plastic use and waste management, and some residents asked about other ways to cut down on their plastic waste.

"Beyond the environment, what are the other waste management issues with plastic? People were really interested in that," Plybon said. "The China (crackdown policy) was a common theme — in light of the fact that we can't recycle a lot of plastics right now, what does that mean for us as consumers, and how should we be managing that?"

According to Plybon, a number of Oregon cities — including Portland — banned plastic bags during what he characterizes as a "first wave" of ordinances in Oregon from 2007 to 2012. The rate of adoption tapered off after that, he said, but it's been growing again since 2016.

"This is what I like to call the second coming of plastic bag (ban) movements," he said. "You had a coastal community, Manzanita, pop up with a ban, and now a bunch of cities in the county of Tillamook are looking at bans. So we're starting to ramp back up again in Oregon."

In late August, Milwaukie became the first city in Clackamas County to ban the use of plastic bags in grocery-store checkout aisles. Lake Oswego's City Council is scheduled to review a list of options for its proposed ordinance on Oct. 16, but any actual ban is a ways off — the Lake Oswego Chamber of Commerce is planning to poll its members about their plastic bag usage, Slepian said, and the City will want more data before proceeding.

The issue is also likely to come up at another meeting on Sept. 28, when the Lake Oswego Sustainability Advisory Board plans to put on a free screening of Bag It, a movie about where discarded plastic bags often end up. The movie will start at 6 p.m. at the Adult Community Center (505 G Ave).

Most ban ordinances usually include a six-month period before they go into effect, Slepian said, in order to give retailers time to use up their existing stock of plastic bags and begin educating their customers about the change. Smaller retailers are sometimes granted an additional six months before the ordinance takes effect for them.

Attachment 7 to Agenda Item No. 8.2

File #: 18-415 Version: 1
Type: Public Hearings Status: Tabled
File created: 8/28/2018 In control: [City Council](#)
On agenda: 9/10/2018 Final action:
Title: Public hearing on Ordinance Bill No. 20-18, restricting use of single-use plastic bags Ward(s): All Wards Councilor(s): All Councilors Neighborhood(s): All Neighborhoods
Attachments: 1. [Ordinance Bill No. 20-18](#), 2. [Ordinance Bill No. 20-18 Exhibit A](#), 3. [Public Comment](#), 4. [Public Comment Addition for August 27, 2018](#), 5. [Public Comment after August 27, 2018](#), 6. [Additional Public Comment Received by 5:00 p.m. 9-5-18](#), 7. [Public Comment received through 9:30 a.m. 9-10-2018](#), 8. [Public Comment received to 5:00 p.m. 9-10-18](#)
Related files:

- [File Text](#)

TO: Mayor and City Council
THROUGH: Steve Powers, City Manager
FROM: Kacey Duncan, Deputy City Manager
SUBJECT:

Public hearing on Ordinance Bill No. 20-18, restricting use of single-use plastic bags

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

ISSUE:

Shall City Council hold a public hearing, and advance to second reading for enactment Ordinance Bill No. 20-18, restricting use of single-use plastic bags?

RECOMMENDATION:

Hold a public hearing, and advance to second reading for enactment Ordinance Bill No. 20-18, restricting use of single-use plastic bags.

SUMMARY AND BACKGROUND:

On May 14, 2018, City Council passed a motion directing staff to research and prepare an ordinance to ban single-use plastic bags in the City of Salem, including consideration of a pass-through fee and an exemption for safeguarding public health and farmers markets, to be scheduled for a public hearing before Council.

City Council conducted first reading of Ordinance Bill No. 20-18 on August 27, 2018.

Notice of the Public Hearing for Ordinance Bill No. 20-18 was published in the *Statesman Journal* on August 30, 2018.

FACTS AND FINDINGS:

Eight municipalities in Oregon, beginning with Portland in 2011, currently have a ban on single-use plastic bags. The cities of McMinnville and Manzanita were most recent with effective dates in 2017.

In preparing a Salem ordinance to restrict single-use plastic bags, staff considered the recommendation of the Grocers' Association and comments from Roth's Fresh Markets to use the McMinnville ordinance as a starting point. After review of the McMinnville ordinance and other ordinances banning single-use plastic bags in Oregon, staff prepared Ordinance Bill No. 20-18 (Attachment 1) for Council consideration. The major elements of the proposed ordinance and exhibit A (Attachment 2):

- A reusable bag is defined as a bag made of machine washable cloth, woven synthetic fiber, or other non-plastic material with handles that is specifically designed and manufactured for long-term multiple reuses.
- Retail establishments are prohibited from providing single-use plastic bags, and the bags may not be distributed on City property or at City-sponsored events, unless the provider is otherwise exempt, such as a food provider.
- Retail establishments with more than 10 employees are required to charge at least five cents for each recyclable paper bag.
- Exceptions to the ordinance include allowing retailers to provide free, reusable or recyclable bags to low-income customers; exempts specific businesses from showing a bag charge on the receipt; and safeguards public health by allowing single-use plastic bags for prepared foods and product bags for produce or meat.
- Hardship exceptions may be approved for up to six months when a retailer cannot collect a pass-through fee or has no reasonable alternatives to using single-use plastic bags.
- Reports of violations to the ordinance will be addressed by Code Enforcement. Penalties for violations are consistent with other fines issued by Code Enforcement and range from \$50 to \$250 per violation.

- A phased implementation is proposed, with larger retailers complying by April 1, 2019 and all other retail establishments by September 1, 2019.

KALI LEINENBACH
MANAGEMENT ANALYST I

Attachments:

1. Ordinance Bill No. 20-18
2. Ordinance Bill No. 20-18, Exhibit A
3. Public Comment
4. Public Comment, Addition for August 27, 2018
5. Public Comment after August 27, 2018

Silverton Grange #748
201 Division Street
Silverton, OR 97381

September 25, 2018

Silverton City Council
306 S. Water St.
Silverton, OR 97381

Dear City Councilors and Mayor Palmer,

Silverton Grange members want to express our support for a ban on single use plastic bags and polystyrene foam in Silverton. These two items pose particular risks to the environment and many animals. Lightweight plastic bags easily blow out of garbage trucks, containers, and landfills. They are the most common item thrown out by people. These flyaway bags litter streets, open spaces, enter storm drains, and can end up in rivers and oceans. They break down into small, toxic pieces that are consumed by wildlife and aquatic animals, causing serious damage or death.

Polystyrene foam causes similar problems and risks to the environment and animals. Bags and foam can jam machinery in recycling facilities, damaging equipment and increasing risk of staff injuries. Dealing with these non-recyclable items accounts for nearly a third of labor costs at recycling facilities. Overseas recycling agencies will not accept our refuse with plastic bags and polystyrene foam mixed in.

The Grange organizations stand for sustainable, ecologically sound farming and land use. We believe communities should take action to preserve their local environments and avoid damaging wildlife. Therefore we speak in support of banning single use plastic bags and polystyrene foam in Silverton.

Sincerely yours,

Robin Kuhn, Grange Member
Representative for Silverton Grange #748



4895 Indian School Road N.E. Salem, Oregon 97305
Phone (503) 393-ROTH FAX (503) 393-4456

September 5, 2017

Dear Mayor Palmer and Members of the Council:

The City of McMinnville recently passed a plastic bag ban. They are following suit with many other cities in Oregon. We've heard that the City of Silverton is also considering the plastic bag ban.

At Roth's, we pride ourselves on being good stewards of the environment. For several years we have focused on recycling and reuse where ever possible. We even became EarthWISE Certified this year with Marion County.

Roth's does not oppose the plastic bag ban, but we would encourage you to adopt the same rules that McMinnville recently put in place. Most significantly is the 5¢ charge for paper bags. Unfortunately, paper bags are much more costly than plastic. This 5¢ charge will help with the extra cost incurred.

The current plastic bag cost is 3.6 cents.

The current paper bag cost is 12.3 cents.

More importantly, the 5¢ charge is an incentive for consumers to bring their own reusable bags, or reuse paper bags. To really save the environment, the best option is reusable grocery bags. We like to think of the 5¢ as a bag deposit. The customer pays 5¢ for the bag, but when they bring the bag(s) back on their next shopping trip, we give the customer a 5¢ refund. And if they are bringing in multiple bags each shopping trip, they are actually saving money.

Enclosed is a copy of the letter sent from the Northwest Grocers Association. It explains the reasoning behind the 5¢ fee in greater detail. We hope you will consider adopting the 5¢ fee for paper bags.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Roth", is written over a faint, larger version of the signature.

Michael Roth
President & CEO
Roth's Fresh Markets

Mayor Palmer and Members of the Council,

On behalf of the Northwest Grocery Association (NWGA) and our member grocery stores in your community, I offer the below brief comments on the proposed plastic bag ban under consideration in Silverton. As you are likely aware, other cities in Oregon and Washington have adopted similar bans on plastic bags over the last few years and NWGA has been a partner in the drafting of these measures. Earlier this year we were involved, and supportive, of similar efforts in McMinnville. As a result of the collaboration among stakeholders, their ordinance reflects necessary exemptions to make plastic bag ban ordinances workable for the customer, including exemptions for package bulk, frozen foods and meat, flower wraps and pharmacy prescription bags. The ordinance also allows for a WIC bag voucher.

One of the primary concerns for NWGA when local governments draft bag ban ordinances is the inclusion of a reasonable pass-through of no less than 5 cents per recyclable paper bag, which provides an incentive for the consumer to bring a reusable bag or return with the paper bag and allows the retailer to recoup the costs as the consumer transitions away from the inexpensive plastic to the more expensive paper bag.

You may ask, is the five-cent pass-through for recycled paper bags necessary?

And the answer is simply, yes. The overall objective of a ban on single-use plastic bags is to eliminate single-use bag consumption and overall litter in your community. The five-cent charge for a recyclable bag helps achieve this goal in the following ways:

- The 5 cent charge is avoidable and not a tax or fee for government.
- The 5 cent charge allows a retailer to provide an inexpensive, environmentally friendly bag when a customer does not have a reusable bag with them.
- The 5 cent charge is a gentle reminder to the consumer to remember their reusable bags without being punitive.
- The 5 cent charge protects the retailer and the consumer that uses reusable bags from the cost shift of going from plastic to paper bags.
- The 5 cent charge is often refundable when the consumer re-uses the recycled paper bag or other reusable bag with a grocery purchase.

Making the recyclable paper bag available provides consumers a choice or back-up at checkout. However, the charge on paper bags encourages the consumer to use a reusable bag or recycle a bag they already have, including a previously used paper bag. Examples of where a financial disincentive has been implemented to encourage reusable bag usage show positive results in the change of consumer behavior. In Washington DC, city officials were surprised at the high number of consumers who changed their habits, bringing reusable bags versus purchasing bags, after a five-cent charge was placed on paper and plastic bags. City officials estimated that before the charge residents used about 270 million paper bags a year at grocery and convenience stores. For 2010, that number dropped dramatically to around 55 million paper bags.

Merely banning plastic and allowing paper bags, however, increases grocery costs by a minimum of \$60,000 per store. Paper bags are simply more expensive and if there is no consistent charge for all retailers for the consumer use, customers who bring reusable bags will subsidize those who want “free” paper bags. The bottom line is that not providing an incentive to move to reusable bags will raise retailers’ bag costs by at least 40%, costing real jobs and simply shifting the problem from one disposable bag to another. McMinnville, Corvallis and Eugene modeled their ordinances on this premise and adopted a \$.05 charge on paper bags and the City of Ashland adopted a \$.10 charge on paper bags, all allowing vouchers/no-cost paper for WIC customers.

I have attached the McMinnville ordinance as a model for your consideration. If you should decide to advance the plastic bag ban concept, we look forward to working with you to address the above concerns and craft an ordinance that works for Silverton.

Thank you for your consideration.

Respectfully,

Amanda Dalton
On behalf of Northwest Grocery Association

kpalmer@silverton.or.us, jfreilinger@silverton.or.us, dsmith@silverton.or.us,
jsears@silverton.or.us, alacrte@gmail.com, mplummer@silverton.or.us,
rmartin@silverton.or.us

Attachment 10 to Agenda Item No. 8.2

Regulation of plastic bags and polystyrene foam

Comments received from October 25, 2018 – October 31, 2018

From: Christine Mayou [<mailto:chrismsilverton@gmail.com>]

Sent: Thursday, October 25, 2018 3:21 PM

To: Kathy Franz

Cc: Dana Smith; Petra Schuetz

Subject: Re: FW: plastic bag and polystyrene ordinances

Thanks, Dana, for a chance to review this. I have a few suggestions.

My suggested changes:

Definition H.2. At the end of the sentence, delete the period and add "and which is not intended for checkout use." [I'm concerned about the existing definition H.2., because a workaround would simply be to have people take bags when they walk into the store. Maybe unlikely, but why not eliminate that possibility?]

Section 5.45.040 A. Delete everything after "non-Recyclable Paper Bags." [Confusing as written; seems to allow the use of or Single-use Plastic Carryout Bags or non-Recyclable Paper Bags so long as there is a five cent charge. The five-cent cost for Bareel Size Recyclable Paper Bags is already covered in B.]

Section 5.45.040 D. Add a section, using item 10 in the Single-Use Plastic Bag ban in the minutes of the July 17, 2018 EMC meeting. "This ordinance will not apply to bags used. . . at point of sale." Alternately, this could be part of definition H.

Chris Mayou

Writing to voice my support of a ban on distribution of single-use plastic bags and polystyrene foam containers. Every single action to protect our environment is direly needed right now.

--

Rosi Green

PO Box 770, Silverton, OR 97381

503.302.6990 | rosi.green@gmail.com



503-873-9327
Z E B R A

417 N. Water Street
Silverton OR 97381
Victoria@Zebra97381.com

Oct. 26, 2018

Silverton City Council

Re: Single-use Plastic Bag Ban

I produce a **CUSTOM PAPER PRODUCT** for my customers and currently use both paper and plastic bags for the majority of customer purchases depending on the weather.

However, for larger items - such as housing plan prints up to 36" long and foam core mounted prints which can be as large as 36" x 48"- I only stock plastic bags.


Unfortunately, I have not found 'compostable plastic' bags to be a viable option. Locating only two (2) sizes, neither of which will fit my needs well, plus they are **inordinately** expensive.

Until further options to poly bags reach the marketplace, I hope you will consider all the factors involved in making this decision.

Additionally, I hope you realize few plastic bags are truly "single-use". A wise consumer can employ it again and again; such as a liner in a rubbish bin, empty the cat litter into, or put in their car for trash. *It isn't the bag which is the problem, the consumer is.*

Regards,

Victoria Sage

	Agenda Item No.:	Topic:
	8.3	Ordinance No. 18-27 – Prohibiting the use of polystyrene foam containers
	Agenda Type:	
	Discussion/Action	
	Meeting Date:	
November 5, 2018		
Prepared by:	Reviewed by:	Approved by:
Petra Schuetz	Christy S. Wurster	Christy S. Wurster

Recommendation:

Conduct first reading of Ordinance No. 18-27.

Background:

Polystyrene (PSF) is a synthetic aromatic hydrocarbon polymer made from the monomer styrene. Polystyrene can be solid or foamed. General-purpose polystyrene is clear, hard, and rather brittle. It is an inexpensive resin per unit weight. It is one of the most widely used plastics, the scale of its production being several million tons per year. It is used in protective packaging, containers, lids, bottles, etc. It is a large contributor to world pollution because it biodegrades slowly. More, PSF containers made from chlorofluorocarbons (CFCs) have been found to deplete ozone at a higher rate.



On July 17, 2017 the Environmental Management Committee (EMC) recommended to City Council to consider the feasibility of creating and implementing new City ordinances including a potential ban on polystyrene foam containers.

At the September 13, 2017 City Council meeting, staff presented a draft ordinance prohibiting the use of polystyrene foam containers. City Council endorsed the EMC's review and continued development of a draft.

The EMC continued to discuss the polystyrene foam containers in conjunction with plastic bag prohibition throughout the year. At the July 2018, meeting the EMC completed their development and review of a draft ordinance. The draft ordinance was sent to Legal Counsel for review.

The final draft ordinance prohibits a variety of uses by a variety of food providers of PSF containers made from CFCs.

A number of stakeholders were notified via mailed letter and/or email including over 250 Silverton businesses that are known to or may use/distribute polystyrene foam. The Silverton

Chamber of Commerce distributed the notice through their network of over 350 contacts. The Northwest Grocers Association was also notified. The draft staff report and ordinance has been posted to the City website.

Between the EMC recommendation and the time this report was written, two people provided public testimony at the October City Council meeting in support of both this ordinance and prohibition of single-use plastic bags.

Budget Impact	Fiscal Year	Funding Source
None	2018-2019	N/A

Attachments:

1. Draft Ordinance No. 18-27 Prohibit use of polystyrene foam containers

CITY OF SILVERTON

ORDINANCE

18-27

AN ORDINANCE OF THE SILVERTON CITY COUNCIL AMENDING TITLE 5 OF THE SILVERTON MUNICIPAL CODE AND ADDING A NEW CHAPTER 5.50 PROHIBITING POLYSTYRENE FOAM FOOD PACKAGING

WHEREAS, at several City Council meetings and work sessions, the Silverton City Council discussed changes to the Silverton Municipal Code (Code) to impose prohibitions on polystyrene foam food packaging; and

WHEREAS, the City desires to protect the natural environment and the public health; and

WHEREAS, polystyrene foam is a common environmental pollutant that breaks down into smaller non-biodegradable pieces that are ingested by marine life and other wildlife harming and killing them; and

WHEREAS, styrene, a component of polystyrene is a known hazardous substance that the U.S. Food and Drug Administration suggests leaches from polystyrene containers in food and drink and is also a suspected carcinogen and neurotoxin which potentially threatens human health; and

WHEREAS, polystyrene foam constitutes a large portion of the litter in the area landfills and public places; and

WHEREAS, the City desires to revise the Code as set forth in this Ordinance.

NOW, THEREFORE, THE CITY OF SILVERTON ORDAINS AS FOLLOWS:

Section 1: The Silverton Municipal Code is amended in substantially the same form as set forth in the attached Exhibit A to add Chapter 5.50.

Section 2: This ordinance is and shall be effective within 30 days of its passage.

Ordinance adopted by the City Council of the City of Silverton, this 5th day of November 2018.

Mayor, City of Silverton
Kyle Palmer

ATTEST

City Manager/Recorder, City of Silverton
Christy S. Wurster

Exhibit A

Chapter 5.50 Polystyrene Foam

5.50.010	Purpose
5.50.020	Definitions
5.50.030	Supervision by City Manager
5.50.040	Polystyrene Foam Regulation
5.50.050	Exemption
5.50.060	Enforcement and Penalties

Section 5.50.010 - Purpose.

The purpose of this chapter is to prohibit the use of polystyrene foam food containers.

Section 5.50.020 - Definitions.

As used in this chapter, except where the context otherwise indicates, the following definitions apply:

- A. "Chlorofluorocarbons" are the family of substances containing carbon, fluorine and chlorine.
- B. "Customer" means any person purchasing food or beverages from a restaurant or retail food vendor.
- C. "Food vendor" means any restaurant or retail food vendor.
- D. "Food packager" means any person located within the city of Silverton who places eggs, bakery products, or other food in packaging materials for the purpose of retail sale of those products except for meat products including beef, poultry, seafood or pork.
- E. "Nonprofit food provider" means any recognized tax exempt organization which provides food as a part of its services.
- F. "Person" means any natural person, firm, corporation, partnership, or other organization or group however organized.
- G. "PSF" means polystyrene foam.
- H. "Recycled" describes a type of material that is separated from the solid waste stream and utilized as a raw material in the manufacture of a new product or new economic use.
- I. "Restaurant" means any establishment located within the city of Silverton selling prepared food to be eaten by customers. Restaurant includes a sidewalk food vendor.
- J. "Retail food vendor" means any store, shop sales outlet or other establishment, including a grocery store or a delicatessen, located within the city of Silverton, which sells prepared food.
- K. "Reuse" means any process by which a product is reclaimed or reprocessed into another useful product.

Section 5.50.030 - Supervision by city manager.

The regulation of polystyrene foam in the city under the provisions herein shall be under the supervision of the city manager.

Section 5.50.040 – Polystyrene foam regulation.

- A. No restaurant, retail food vendor, or nonprofit food provider shall serve food in polystyrene foam (PSF) containers manufactured with chlorofluorocarbons (CFCs) which do not reduce the potential for ozone depletion by more than 95%, compared to the ozone depletion potential of CFC-12 (dychlorodifluothane). Compounds banned include: CVD-11, CFC-12, CFC-113, CFC-114, CFC-115, Halon-1211, Halon-1301 and Halon-2402. Food vendors may be required to furnish a written statement from the manufacturer or supplier of polystyrene foam products used by that food vendor, indicating that the chemical compounds used in the manufacture of the vendor polystyrene foam products meet the provisions of this chapter. The section does not apply to meat, including beef, poultry, seafood or pork, packaged in polystyrene foam containers.
- B. No restaurant food packager, nonprofit food provider or other person shall serve, sell, give away, deliver or provide in any way, food in PSF products, nor sell PSF products intended for use as disposable food containers, unless such person has developed a method for recycling said PSF packaging used on-site.


Section 5.50.050 – Exemption.

- A. A restaurant, retail food vendor, or nonprofit food provider may submit a written request to the city manager or his/her designee for an annual hardship exemption.
- B. The exemption must state must demonstrate that no reasonably feasible alternative exists to a specific and necessary polystyrene foam disposable food service ware to qualify for a “unique packaging hardship” exemption. For example, if a restaurant, retail food vendor, or nonprofit food provider utilizes specific branding, and such establishment can demonstrate that no branded polystyrene foam disposable food service ware alternative is available, the establishment may qualify for a “unique packaging hardship.”

Section 5.50.060 - Enforcement and penalties.

- A. The city manager, upon determination that a violation of this chapter has occurred, shall issue a written notice of the violation by certified mail to the vendor or food packager who will specify the violation and appropriate penalty.
- B. Violations of this chapter shall be deemed a violation/infraction, and shall be punishable with a fine of a minimum of \$5.00 and a maximum of \$2,500.

- C. Enforcement of this chapter shall begin January 1, 2019 for retailers with more than 50 full-time equivalent employees and March 1, 2019 for retailers with 50 or less full-time equivalent employees.
- D. If any provision, paragraph, word, section, or article of this chapter is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

	Agenda Item No.:	Topic:
	8.4	Resolution No. 18-24 Supporting the Establishment of a City of Silverton Mayor's Youth Council and authorizing the City Manager to enter into a Memorandum of Understanding with the Silver Falls School District
	Agenda Type:	
	Discussion/Action	
Meeting Date:	November 5, 2018	
Prepared by:	Reviewed by:	Approved by:
Elizabeth Gray	Christy S. Wurster	Christy S. Wurster

Recommendation:

Staff recommends that Council adopt Resolution No. 18-24, supporting the establishment of a Mayor's Youth Council and authorizing the City Manager to enter into a Memorandum of Understanding between the City of Silverton and the Silver Falls School District.

Background:

Mayor Palmer and Councilor Martin have been working on the creation of a Youth Council after attending a presentation at the League of Oregon Cities conference in 2017 and the Oregon Youth Leadership Summit in 2018.

Silverton High School (SHS) has a Government and Politics Club, meeting weekly with about 20 currently active members. Members and their faculty advisors indicate that the group represents a variety of political perspectives, and that members would be interested in more opportunities to participate in local civic affairs.

The Mayor's Youth Council (MYC), comprised of these Club members and other similarly-aged interested youth, would be informed of City Council activities through direct communication from the City. The MYC can review and comment on City issues and other topics of concern or interest. The MYC could provide a monthly report to Council and the Mayor and City staff could attend MYC meetings. The SHS principal supports this structure and attached materials.

Under the current proposal, the designated staff liaison, Elizabeth Gray, Assistant to the City Manager/HR Coordinator, would attend MYC meetings on a monthly basis to serve as a liaison between the club and the city as this relationship and structure grow.

Budget Impact	Fiscal Year	Funding Source
Minimal	2018-2019	General Fund

Attachments:

1. Resolution No. 18-24, Establishing a City of Silverton Youth Council

CITY OF SILVERTON
RESOLUTION

18-24

A RESOLUTION OF THE SILVERTON CITY COUNCIL SUPPORTING THE ESTABLISHMENT OF A MAYOR'S YOUTH COUNCIL

WHEREAS, The City of Silverton seeks to encourage input and participation from community members representing a range of backgrounds, including diversity in age; and

WHEREAS, Silverton High School fields a Government and Politics Club (Club), whose student membership and faculty sponsorship have demonstrated an interest in collaborating with City leadership, both to promote awareness of and participation in local civic and community issues and to provide feedback to the governing body; and

WHEREAS, the City wishes to encourage a partnership between the Club and to also promote and create opportunities for meaningful youth involvement with the City; and

WHEREAS, the City would benefit from a forum for open youth discussion of issues affecting them and the City desires to hear ideas and opinions of the City's youth; and

WHEREAS, the City Council believes the public interest would be served by the creation of a Mayor's Youth Council.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SILVERTON, AS FOLLOWS:

Section 1: The City of Silverton City Council hereby supports the establishment of a Mayor's Youth Council.

Section 2: The Mayor's Youth Council will be comprised of members of the Silverton High School Government and Politics Club and other youths of similar age who are interested in participating.

Section 3: The Council hereby authorizes the City Manager to enter into a Memorandum of Understanding between the City of Silverton and the Silver Falls School District as set forth in substantially the same form as Exhibit A.

Section 4: Authorizes the City Manager to direct designated City staff members to engage with and support the further development of the Mayor's Youth Council.

Resolution adopted by the City Council of the City of Silverton, this 5th day of November, 2018.

Mayor, City of Silverton
Kyle Palmer

ATTEST

City Manager/Recorder, City of Silverton
Christy S. Wurster

Exhibit A

MEMORANDUM OF UNDERSTANDING

City of Silverton Youth Council

November 2018

This Memorandum of Understanding (MOU) is between the City of Silverton ("CITY") and the Silver Falls School District ("DISTRICT").

The DISTRICT, through the Government and Politics Club (Club) at Silverton High School, desires to offer high school aged youth the opportunity to participate fully in the civic life of the City of Silverton.

The CITY desires to facilitate opportunities for youth participation in policy discussions through a Mayor's Youth Council to be comprised of Club members and to be staffed by a designated representative of the City of Silverton staff.

Both CITY and DISTRICT recognize that the establishment of a City of Silverton Youth Council does not prevent interested youth who are not members of the Club from participating in the Youth Council.

The parties agree to the following terms and conditions:

1. The City and District agree to partner to create opportunities for youth participation in civic affairs through the Mayor's Youth Council.
2. The District agrees to allow other interested youths who are not members of the Club to participate in Youth Council activities, space permitting. In the event the District is not able to accommodate meetings of the Youth Council, the District agrees to contact the City and the parties will work together towards alternative solutions.
3. CITY and DISTRICT agree to appoint designated representatives from each entity to be the appointed contact person for each respective entity. The City Manager will designate a City staff member to serve as the City's representative. The DISTRICT will designate a representative through the Silverton High School Principal.
4. DISTRICT agrees to indemnify, defend, and hold harmless the CITY, its officers, elected officials, agents and employees against all liability, loss, and costs (including reasonable attorneys' fees) arising from actions, suits, claims, or demands originating from the DISTRICT's performance of this Memorandum.
5. CITY agrees to indemnify, defend, and hold harmless the DISTRICT, its officers, elected officials, agents and employees against all liability, loss, and costs (including reasonable attorney's fees) arising from actions, suits, claims or demands originating from the CITY's performance under this Memorandum.
6. This MOU shall renew automatically each subsequent school year or may be terminated with 60 days' notice by either party.

City of Silverton


Silver Falls School District

By: City Manager

Date

Superintendent

Date

	Agenda Item No.:	Topic:
	8.5	Resolution No. 18-25 Approving a Temporary Recycling Surcharge by Republic Services
	Agenda Type:	
	Discussion/Action	
Meeting Date:		
November 5, 2018		
Prepared by:	Reviewed by:	Approved by:
Petra Schuetz	Christy S. Wurster	Christy S. Wurster

Recommendation:

Motion to approve a temporary recycling surcharge for Republic Services.

Background:

The majority of Oregon recycling is currently sent to China for processing. Within the last year, China has enacted heightened measures to crack down on plastic waste imports. A new effort included nationwide action Feb. 24, 2018 by China's General Administration of Customs at nine major ports. Drawing background from the September 12, 2018 Republic Services letter addressed to the City Manager and the Chair of the Environmental Management Committee, China's policy included an outright ban on mixed paper and limiting contamination to 0.5% in other commodities, creating a systemic impact in the market. Processors have had to invest and install additional technology, add staff, slow sorting processes, store materials, and search for new markets for recycling materials. Each of these activities adds cost to the processing of recycling materials.



Over the past nine months, the cost for haulers to drop off recycling materials for processing has rapidly increased about four-fold to record low levels. At the request of respective waste haulers, nearly 50 municipalities across Oregon have approved a recycling surcharge or rate increase in response to the market issues (Attachment 1).

Republic Services, Silverton's franchised waste hauler is seeking City Council's approval to institute the interim rate changes.

The Council established an Environmental Management Committee (EMC) in November 2015 (Ordinance No. 15-09). One of the responsibilities of the EMC is to review rate increases requested by Republic Services and make a recommendation to the City Council. The EMC reviewed the proposed rate increase at meetings on October 22, 2018. After a lengthy discussion and presentation from Republic Services, the Committee unanimously recommended to the Council a recommendation to support the temporary surcharge with one recommended change: They recommend the surcharge sunset and mandatory status update for reconsideration June 2019. The Solid Waste Ordinance requires that rate changes be approved by Resolution of the

Council. A Resolution to approve the EMC recommended rate increase is attached as Attachment 2.

Budget Impact	Fiscal Year	Funding Source
None	2018-2019	N/A

Attachments:

1. September 12, 2018 Letter from Republic Services and temporary surcharge request.
2. Resolution No. 18-25 Consider approving Republic Services Recycling Surcharge.
3. Excerpt of draft EMC October 16 meeting summary re: Republic Services Recycling Surcharge.



September 12, 2018

Christy Wurster
City Manager

Dana Smith
Environmental Management Committee Chair

City of Silverton
306 S Water Street
Silverton, OR 97381

RE: Approval of Interim Recycling Surcharge

Dear Ms. Wurster and Ms. Smith:

The current recycling market issue, known as the "China Sword", has not spared Oregon recycling companies, haulers, and cities or counties from dramatic cost increases since late 2017. The rise in costs is projected to go up indefinitely.

Background

Tightening of China's policies, to include outright bans on Mixed Paper and limiting contamination to .5% in other commodities, has created a systemic impact in the market. Processors have had to invest and install additional technology, add staff, slow sorting processes, store materials, and search for new markets for recycling materials. Each of these activities adds cost to the processing of recycling materials. Over the past nine months the cost for haulers to drop off recycling materials for processing has rapidly increased about four-fold to record low levels.

Nearly fifty municipalities across Oregon have approved a recycling surcharge or rate increase in response to the market issues (Exhibit A).

Republic Services respectfully seeks the City of Silverton Council's approval to institute the interim rate changes shown in (Exhibit B).

Do we have to offer recycling?

It is Oregon law (ORS Chapter 340, Division 90) that hauling companies offer curbside recycling within the city limits and the Urban Growth Boundary (UGB), provide outreach and education, and provide recycle depots at transfer stations.

Justifications

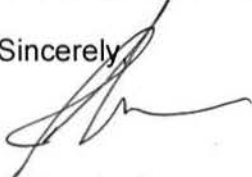
- The global recycling market issue has changed the recycling market landscape in such a short period of time. With the fast and furious developments processing costs have gone up dramatically and continue to

rise (Exhibit A). Other costs that have increased are: transportation by 8%, labor by 2%, and equipment costs by 3%.

- Based on the current trend of recycling costs, there is no longer the avenue to sell materials to offset the costs of collection and transportation. We are now paying to take the recycling.
- The proposed interim rate surcharge will assist Republic Services in mitigating costs already incurred since December 2017 related to the unprecedented challenges.

Finally, the global recycling market is broken. We can no longer go back to what it used to be. What we can do is reduce non-conforming households that do not follow Marion County's "Recycle Right" (see attached), no more wishful recycling, and increase rates to cover the new costs. For years, Republic Services has demonstrated its strong commitment to providing excellent service to the City of Silverton's residents and businesses while also producing sustainable results and consistent operational safety.

Sincerely,



Jason Jordan
General Manager

Attachments:

Exhibit A
Exhibit B
Exhibit C

cc: Jay Lawson, Operations Manager
Therese McLain, Municipal Manager
Alison Geiger, Controller

Recycling Program Changes and Rate Increases - July 2018

Program Changes

Cities:

Brookings
Central Point
Condon
Jacksonville
Medford
Gold Beach
Hood River
Ontario
Pendleton
Phoenix
Port Orford
Prineville
Salem
The Dalles
Vale

Counties:

Crook
Curry
Douglas
Gilliam
Wasco
Jackson (Rogue Disposal franchise area)
Lane
Malheur
Marion

Rate Increases

Cities:

Amity
Ashland
Banks
Beaverton
Canby
Clatskanie
Columbia City
Dayton
Dundee
Durham (7/24 vote)
Forest Grove
Gearhart
Gladstone (pending)
Gresham
Happy Valley

Rate Increases, continued

Hillsboro
King City
Klamath Falls
Lafayette
Lake Oswego
Milwaukie
Molalla (pending)
Oregon City (pending)
Portland
Rainier
Sandy
Seaside
Sheridan
Sherwood
St. Helens
Talent
Tigard
Tillamook
Troutdale
Tualatin
Warrenton
West Linn
Willamina
Wilsonville
Wood Village
Yamhill

Counties:

Clackamas
Clatsop
Columbia
Klamath
Polk
Tillamook
Washington
Yamhill

Both – Program Changes and Rate Increases

Cities:

Albany
Adair Village
Bandon
Brownsville
Creswell
Coos Bay
Corvallis

Both – Program Changes and Rate Increases, continued

Cities, continued:

Dallas
Depoe Bay
Eugene (rate change pending)
Falls City
Florence
Grants Pass (pending)
Halsey
Harrisburg
Independence
Lakeside
Lebanon
Lincoln City
Millersburg
Monmouth
Newport
North Bend
Philomath
Salem (pending discussions)
Scio
Siletz
Sodaville
Springfield
Sweet Home
Tangent (pending)
Toledo
Waldport
Yachats

Counties:

Benton
Coos
Josephine (pending)
Lincoln
Linn
Polk (pending)

Charge at Drop Off/Depot

North Lincoln depot
Pride Disposal depot
Toledo
Waldport

Republic Services of Silverton

2018 Rates

	Quantity	Current	New
Residential Cart Rates			
20 gallon	450	23.42	\$ 25.42
35 gallon	1460	29.10	\$ 31.10
65 gallon	620	36.09	\$ 38.09
90 gallon	400	38.61	\$ 40.86
Commercial Rates			
35 gallon	55	20.60	\$ 22.60
90 gallon	163	32.75	\$ 35.00
1.5 yard	16	142.05	\$ 146.05
2 yard	20	182.25	\$ 186.25
3 yard	12	257.50	\$ 263.50
4 yard	19	332.80	\$ 340.80
6 yard	10	484.65	\$ 496.65
8 yard	8	635.20	\$ 651.20
Industrial Rates			
10 yard	2	136.30	\$ -
20 yard	6	148.60	\$ -
30 yard	15	165.40	\$ -
40 yard	4	195.65	\$ -



REPUBLIC
SERVICES

RECYCLE RIGHT

MIXED RECYCLING



Paper & Cardboard
 Junk Mail
 Greeting Cards (no foil or glitter)
 Magazines
 Newspaper
 Phone Books
 Paperback Books
 Paper Bags

Papel y Cartón
 Correo no Deseado
 Tarjetas de felicitación (sin aluminio o glitter)
 Revistas
 Periódicos
 Libros telefónicos
 Libros de tapa blanda
 Bolsas de papel



Plastics | **Plásticos**
 Bottles | Botellas
 Jugs | Gallones



Metal | **Metal**
 Steel (tin) cans | Latas de acero (estaño)
 Aluminum cans | Latas de aluminio

EMPTY CLEAN DRY
 VACÍO LIMPIO SECO



TRASH IT

These materials are now considered contaminants.
 When it doubt, toss it out, *si tenes duda, a la basura.*



Scrap Metal
 Chatarras de metal



Egg Cartons
 Cartones de huevos



Shredded Paper
 Papel triturado



Plastic Cups
 Vasos de Plástico



Plastic Jars
 Frascos de plástico



Plastic Tubs
 Contenedores de plástico



Aerosol Cans
 Latas de aerosol



Aluminium Foil
 Papel de Aluminio



Clamshells & Take Out Trays
 No canastas de plástico o contenedores de comida para llevar



Attachment 2 to Agenda Item No. 8.5

**CITY OF SILVERTON
RESOLUTION
18-25**

**A RESOLUTION OF THE SILVERTON CITY COUNCIL AUTHORIZING AN INCREASE
IN RATES CHARGED FOR SOLID WASTE DISPOSAL SERVICES**

WHEREAS, Republic Services (Republic) has an exclusive franchise to provide garbage and recycling services within the City of Silverton, Oregon (City); and

WHEREAS, Republic is requesting a temporary recycling surcharge due to Chinese recycling policy changes; the surcharge as found in the rate sheet attached to this Resolution as Exhibit A is incorporated herein; and

WHEREAS, Republic has requested this rate increase to offset increased operational costs and increased vehicle operating maintenance and repair costs; and

WHEREAS, the last rate related increase for Republic Services occurred on August 1, 2016 with the adoption by the Council of Resolution No. 16-27.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
SILVERTON AS FOLLOWS:**

Section 1: The City Council hereby authorizes and approves the rates in the Rate Sheet attached as Exhibit "A" for a temporary recycling surcharge in the City. These new charge shall take effect on November 5, 2018.

Section 2: That this resolution is and shall be effective upon its passage by the City Council.

Resolution adopted by the City Council of the City of Silverton, this 5th day of November, 2018.

Mayor, City of Silverton
Kyle Palmer

ATTEST

City Manager/Recorder, City of Silverton
Christy Wurster

Exhibit A
Republic Services of Silverton
 2018 Rates

	Quantity	Current	New
Residential Cart Rates			
20 gallon	450	23.42	\$ 25.42
35 gallon	1460	29.10	\$ 31.10
65 gallon	620	36.09	\$ 38.09
90 gallon	400	38.61	\$ 40.86
Commercial Rates			
35 gallon	55	20.60	\$ 22.60
90 gallon	163	32.75	\$ 35.00
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3 yard	12	257.50	\$ 263.50
4 yard	19	332.80	\$ 340.80
6 yard	10	484.65	\$ 496.65
8 yard	8	635.20	\$ 651.20
Industrial Rates			
10 yard	2	136.30	\$ -
20 yard	6	148.60	\$ -
30 yard	15	165.40	\$ -
40 yard	4	195.65	\$ -



Attachment 3 to Agenda Item No. 8.5

CITY OF SILVERTON
ENVIRONMENTAL MANAGEMENT COMMITTEE MINUTES
Drafted for approval; subject to changes and/or corrections

3:00 P.M.

October 16, 2018

The Environmental Management Committee of the City of Silverton met at the Silverton Community Center, Council Chambers on October 16, 2018 at 3:00 p.m. with Chairperson Smith residing.

I. OPENING CEREMONIES – Call To Order & Roll Call

Chairperson Smith called the Meeting to order at 3:01 p.m.

Present	Absent	
X	_____	Chairperson Dana Smith
X	_____	Vice-Chair Chris Mayou
X	_____	Joe Craig
X	_____	Jaime Fuhrman
X	_____	Dawn Hemstreet
X	_____	Allyson Leboeuf
X	_____	Petra Schuetz, Public Works Director
X	_____	Republic Services; <i>Ex-Officio Member</i>

II. APPROVAL OF MINUTES

September 18, 2018. The motion to approve the minutes passed 6-0-1; Chris Mayou abstained citing having missed the subject meeting.

III. DISCUSSION/ACTION ITEMS

Chair Smith calls attention to City Lab article in packet as it could relate to equity in energy planning and policy.

The printing of packet was discussed. Some preferred to have packets printed for them, others prefer to use their electronic devices to view materials. No recommendations were made.

2.1 Republic Services – Recycling Surcharge

Terese McLain, Municipal Manager; Alison Geiger, Controller; and Drew Spainhower gave an overview presentation of the Chinese recycling market policy changes, Republic Services' revenue loss, and possible solutions including their recommended proposal of a temporary surcharge of approximately \$2/month/carton that would cease once the market changed or Chinese policy changed. It now costs Republic Services approximately \$63/ton of recycled material as opposed to previously being paid to process recycling.

Republic Services discussed trends in recycling and that there was no sunset date and emphasized that once market conditions changed, the surcharge would cease. The current per cart loss for Republic Services is \$3.61.

A series of questions from the Committee and explanation from Republic Services about supply and demand working in the waste industry were discussed. Domestic processing options were discussed and possible timeframes to adjust to a domestic market which is over two years.

Discussed what incentives were being used to reduce both trash and clearer recycling products.

Discussed potential changes to the existing franchise agreement in the future. No recommendations were made.

General frustration rose from Committee members in that raising the rate was the 'only' viable solution.

The option of eliminating recycling arose. Republic Services said recycling was still viable and environmentally, the right thing to do.

A motion was made by Joe Craig, seconded by Jaime Fuhrman:

Move to recommend the Republic Services Recycling Surcharge to City Council with a reevaluation in June 2019 of the interim surcharge.

The motion passed unanimously, 7-0-0.

Additional materials:

Letter from Republic Services – Surcharge

Included a description of the Chinese policies and requested solutions

A. Recycling Program Changes and Rate Increase - July 2018


This was a table included in the packet materials describing different rates adopted by about 50 other Oregon jurisdictions

B. Republic Services Silverton Rates – July 2018

This was a table included in the packet materials describing different rates between varying sizes of residential and commercial users

C. Recycle Right Poster

This was the standard proper recycling reminders for residential and commercial educational purposes

	Agenda Item No.:	Topic:
	8.6	Contract Award for Former Eugene Field School Demolition and Deconstruction
	Agenda Type:	
	Discussion/Action	
Meeting Date:		
November 5, 2018		
Prepared by:	Reviewed by:	Approved by:
Petra Schuetz	Petra Schuetz	Christy Wurster

Recommendation: A motion to authorize the City Manager to enter into a contract with Groat Bros, Inc. for the former Eugene Field School Demolition and Deconstruction. The base contract amount is \$283,110.00, and bid alternates for items to be salvaged and delivered to the City came in at \$10,000.00 for a total bid amount of \$293,110.00. Salvaged items include wooden columns, metal columns, and wood beams. It is recommended the City Manager's authorization include a 20% contingency, for a total of \$351,732.00.

Background:

The Civic Center Property was purchased from the Silver Falls School District in 2017. The hazardous materials survey conducted on the site identified various sources of asbestos material, lead paint, and an underground storage tank (UST) on the property.

The City is ready to proceed with the demolition and deconstruction of all existing buildings upon completion of the asbestos abatement work. The contract for this work was initially advertised in August but was pulled to improve the clarity in the options for the City for the potential re-use of materials from the site. It was readvertised on October 15, 2018. A mandatory site visit was held on October 24, 2018 and 14 contractors attended. The bid opening was October 30, 2018 and the City received 8 bids (bid summary attached).

The low responsive bidder is Groat Bros, Inc. out of Washington. Their total bid was for \$293,110.00. It is recommended a contingency of 20% be added to the award approval. The contingency would be for change order work, and only for unanticipated work approved in advance by the City Manager. The contract previously awarded for the removal of the asbestos and UST is expected to be completed in December 2018. Award of the contract and notice to proceed will be issued upon completion of the asbestos abatement work. At this time staff anticipates demolition work will likely start in early January 2019 and completed in late March. John Cramer, Senior Engineer is Project Manager and Travis Sperle will be the Site Supervisor.

Budget Impact	Fiscal Year	Funding Source
Total Contract Award	2018-2019	225-225-85050

Attachments:

1. Bid Opening Report
2. Final Bid Tally

BID OPENING REPORT
CITY OF SILVERTON OREGON
CIVIC CENTER SITE DEMOLITION PROJECT – PN 982

BID OPENING: 2:00 PM October 30, 2018 AT CITY HALL 306 S WATER ST., SILVERTON, OR 97381
 ENGINEERS ESTIMATE: \$

QUALIFIED BIDDERS CONTRACTORS NAME	SIGNED BID FORM	ACKNOWLEDGE ADDENDUMS (1)	BID SECURITY (5%)	SUBCONTRACTOR DISCLOSURE (2 HOURS)	NON-COLLUSION AFFIDAVIT	BID AMOUNT	
Genway Construction							
Thompson Bros.	X	X	X		X	\$ 735,848.00	7
Payne Construction							
Konell Construction	X	X	X	X	X	\$ 299,554.25	2
Staton Co.	X	X	X	X	X	\$ 411,059.00	4
NorthStar	X	X	X		X	\$ 526,457.00	6
Legacy Contracting	X	X	X		X	\$ 769,994.50	8
Groat Bros.	X	X	X	X	X	\$ 283,110.00	1
EOI Environmental							
3 Kings Environmental	X	X	X		X	\$ 422,062.50	5
Pleasant Hill Development	X	X	X Cashier check	X	X	\$ 391,418.00	3
D&I Excavating							

Signed: 

Date: 10-30-18.

FINAL BID TALLY

Civic Center Site Demolition Project PN 982 October 30, 2018				ENGINEER'S ESTIMATE		#1 Groat Bros Inc.		#2 Konell Construction		#3 Pleasant Hill Development		
ITEM NO.	DESCRIPTION	ESTIMATED QNTY	UNIT	BID AVE	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	Mobilization	1	L.S.	\$ 24,356.54	\$ 35,000.00	\$ 35,000.00	\$ 10,000.00	\$ 10,000.00	\$ 14,253.86	\$ 14,253.86	\$ 2,500.00	\$ 2,500.00
2	Site Security Fencing	1	LS	\$ 7,457.48	\$ 20,000.00	\$ 20,000.00	\$ 1,500.00	\$ 1,500.00	\$ 3,012.28	\$ 3,012.28	\$ 3,000.00	\$ 3,000.00
3	Traffic Control	1	LS	\$ 1,922.33	\$ 3,000.00	\$ 3,000.00	\$ 1.00	\$ 1.00	\$ -	\$ -	\$ 5,500.00	\$ 5,500.00
4	Erosion Control	1	LS	\$ 2,922.11	\$ 3,000.00	\$ 3,000.00	\$ 1,000.00	\$ 1,000.00	\$ -	\$ -	\$ 1,500.00	\$ 1,500.00
5	2" Crushed Granular Fill Material	1842	TON	\$ 42,232.97	\$ 25.00	\$ 46,050.00	\$ 19.00	\$ 34,998.00	\$ 17.60	\$ 32,419.20	\$ 22.00	\$ 40,524.00
6	1" Crushed Granular Fill Material	2707	TON	\$ 65,031.16	\$ 30.00	\$ 81,210.00	\$ 19.00	\$ 51,433.00	\$ 22.96	\$ 62,152.72	\$ 22.00	\$ 59,554.00
7	Imported Top Soil	1042	TON	\$ 30,607.01	\$ 25.00	\$ 26,050.00	\$ 21.00	\$ 21,882.00	\$ 23.61	\$ 24,601.62	\$ 20.00	\$ 20,840.00
8	Demoliton, Removal and Proper Disposal or Reuse of Site Material	1	LS	\$ 296,850.40	\$ 250,000.00	\$ 250,000.00	\$ 159,296.00	\$ 159,296.00	\$ 158,663.63	\$ 158,663.63	\$ 256,500.00	\$ 256,500.00
9	Hydroseed	1	LS	\$ 7,176.22	\$ 3,500.00	\$ 3,500.00	\$ 3,000.00	\$ 3,000.00	\$ 4,450.94	\$ 4,450.94	\$ 1,500.00	\$ 1,500.00
TOTAL BASE BID				\$ 372,690.95		\$ 467,810.00		\$ 283,110.00		\$ 299,554.25		\$ 391,418.00
ALTERNATE BID ITEMS												
10	Cost to Salvage Wood Columns	1	LS	\$ 7,952.42	\$ 3,000.00	\$ 3,000.00	\$ 4,000.00	\$ 4,000.00	\$ 1,721.81	\$ 1,721.81	\$ 3,000.00	\$ 3,000.00
11	Cost to Salvage Metal Columns	1	LS	\$ 2,676.55	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 1,182.75	\$ 1,182.75	\$ 3,000.00	\$ 3,000.00
12	Cost to Salvage Wood Beams	1	LS	\$ 10,846.64	\$ 25,000.00	\$ 25,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,948.19	\$ 4,948.19	\$ 3,000.00	\$ 3,000.00
TOTAL ALTERNATE BID ITEMS				\$ 21,475.61		\$ 30,000.00		\$ 10,000.00		\$ 7,852.75		\$ 9,000.00
TOTAL COST				\$ 394,166.56		\$ 497,810.00		\$ 293,110.00		\$ 307,407.00		\$ 400,418.00

FINAL BID TALLY

Civic Center Site Demolition Project PN 982 October 30, 2018				ENGINEER'S ESTIMATE		3 Kings Environmental		Legacy Contracting		NorthStar		
ITEM NO.	DESCRIPTION	ESTIMATED QNTY	UNIT	BID AVE	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	Mobilization	1	L.S.	\$ 24,356.54	\$ 35,000.00	\$ 35,000.00	\$ 33,000.00	\$ 33,000.00	\$ 48,455.00	\$ 48,455.00	\$ 8,000.00	\$ 8,000.00
2	Site Security Fencing	1	LS	\$ 7,457.48	\$ 20,000.00	\$ 20,000.00	\$ 9,500.00	\$ 9,500.00	\$ 19,355.00	\$ 19,355.00	\$ 2,750.00	\$ 2,750.00
3	Traffic Control	1	LS	\$ 1,922.33	\$ 3,000.00	\$ 3,000.00	\$ 1,000.00	\$ 1,000.00	\$ 2,800.00	\$ 2,800.00	\$ 1,000.00	\$ 1,000.00
4	Erosion Control	1	LS	\$ 2,922.11	\$ 3,000.00	\$ 3,000.00	\$ 2,000.00	\$ 2,000.00	\$ 1,799.00	\$ 1,799.00	\$ 1,500.00	\$ 1,500.00
5	2" Crushed Granular Fill Material	1842	TON	\$ 42,232.97	\$ 25.00	\$ 46,050.00	\$ 30.50	\$ 56,181.00	\$ 23.00	\$ 42,366.00	\$ 18.75	\$ 34,537.50
6	1" Crushed Granular Fill Material	2707	TON	\$ 65,031.16	\$ 30.00	\$ 81,210.00	\$ 30.50	\$ 82,563.50	\$ 23.00	\$ 62,261.00	\$ 18.75	\$ 50,756.25
7	Imported Top Soil	1042	TON	\$ 30,607.01	\$ 25.00	\$ 26,050.00	\$ 40.00	\$ 41,680.00	\$ 34.25	\$ 35,688.50	\$ 27.50	\$ 28,655.00
8	Demoliton, Removal and Proper Disposal or Reuse of Site Material	1	LS	\$ 296,850.40	\$ 250,000.00	\$ 250,000.00	\$ 191,738.00	\$ 191,738.00	\$ 541,035.00	\$ 541,035.00	\$ 379,421.00	\$ 379,421.00
9	Hydroseed	1	LS	\$ 7,176.22	\$ 3,500.00	\$ 3,500.00	\$ 3,900.00	\$ 3,900.00	\$ 16,235.00	\$ 16,235.00	\$ 20,000.00	\$ 20,000.00
	TOTAL BASE BID			\$ 372,690.95		\$ 467,810.00		\$ 421,562.50		\$ 769,994.50		\$ 526,619.75
	ALTERNATE BID ITEMS											
10	Cost to Salvage Wood Columns	1	LS	\$ 7,952.42	\$ 3,000.00	\$ 3,000.00	\$ 10,000.00	\$ 10,000.00	\$ 20,800.00	\$ 20,800.00	\$ 4,550.00	\$ 4,550.00
11	Cost to Salvage Metal Columns	1	LS	\$ 2,676.55	\$ 2,000.00	\$ 2,000.00	\$ 5,200.00	\$ 5,200.00	\$ 10,935.00	\$ 10,935.00	\$ 1,360.00	\$ 1,360.00
12	Cost to Salvage Wood Beams	1	LS	\$ 10,846.64	\$ 25,000.00	\$ 25,000.00	\$ 17,285.00	\$ 17,285.00	\$ 8,650.00	\$ 8,650.00	\$ 4,975.00	\$ 4,975.00
	TOTAL ALTERNATE BID ITEMS			\$ 21,475.61		\$ 30,000.00		\$ 32,485.00		\$ 40,385.00		\$ 10,885.00
	TOTAL COST			\$ 394,166.56		\$ 497,810.00		\$ 454,047.50		\$ 810,379.50		\$ 537,504.75

FINAL BID TALLY

Civic Center Site Demolition Project PN 982 October 30, 2018					ENGINEER'S ESTIMATE		Staton Companies		Thompson Bros	
ITEM NO.	DESCRIPTION	ESTIMATED QNTY	UNIT	BID AVE	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	Mobilization	1	L.S.	\$ 24,356.54	\$ 35,000.00	\$ 35,000.00	\$ 20,000.00	\$ 20,000.00	\$ 48,000.00	\$ 48,000.00
2	Site Security Fencing	1	LS	\$ 7,457.48	\$ 20,000.00	\$ 20,000.00	\$ 5,000.00	\$ 5,000.00	\$ 3,000.00	\$ 3,000.00
3	Traffic Control	1	LS	\$ 1,922.33	\$ 3,000.00	\$ 3,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
4	Erosion Control	1	LS	\$ 2,922.11	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 12,500.00	\$ 12,500.00
5	2" Crushed Granular Fill Material	1842	TON	\$ 42,232.97	\$ 25.00	\$ 46,050.00	\$ 25.00	\$ 46,050.00	\$ 25.50	\$ 46,971.00
6	1" Crushed Granular Fill Material	2707	TON	\$ 65,031.16	\$ 30.00	\$ 81,210.00	\$ 25.00	\$ 67,675.00	\$ 25.00	\$ 67,675.00
7	Imported Top Soil	1042	TON	\$ 30,607.01	\$ 25.00	\$ 26,050.00	\$ 32.00	\$ 33,344.00	\$ 41.00	\$ 42,722.00
8	Demoliton, Removal and Proper Disposal or Reuse of Site Material	1	LS	\$ 296,850.40	\$ 250,000.00	\$ 250,000.00	\$ 228,000.00	\$ 228,000.00	\$ 507,000.00	\$ 507,000.00
9	Hydroseed	1	LS	\$ 7,176.22	\$ 3,500.00	\$ 3,500.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
TOTAL BASE BID				\$ 372,690.95		\$ 467,810.00		\$ 411,069.00		\$ 735,868.00
ALTERNATE BID ITEMS										
10	Cost to Salvage Wood Columns	1	LS	\$ 7,952.42	\$ 3,000.00	\$ 3,000.00	\$ 19,500.00	\$ 19,500.00	\$ 5,000.00	\$ 5,000.00
11	Cost to Salvage Metal Columns	1	LS	\$ 2,676.55	\$ 2,000.00	\$ 2,000.00	\$ 16,000.00	\$ 16,000.00	\$ 2,500.00	\$ 2,500.00
12	Cost to Salvage Wood Beams	1	LS	\$ 10,846.64	\$ 25,000.00	\$ 25,000.00	\$ 21,500.00	\$ 21,500.00	\$ 15,000.00	\$ 15,000.00
TOTAL ALTERNATE BID ITEMS				\$ 21,475.61		\$ 30,000.00		\$ 57,000.00		\$ 22,500.00
TOTAL COST				\$ 394,166.56		\$ 497,810.00		\$ 468,069.00		\$ 758,368.00

**COMMUNITY DEVELOPMENT DEPARTMENT
MONTHLY REPORT**
For The November 5, 2018 City Council Meeting

Planning Division

- The Planning Commission reviewed the following at the October 9th meeting.
 - Pioneer Village Phase VI subdivision - Subdivision application request to divide 4762 & 4760 Ike Mooney Road into 36 lots. The site contains a total area of 8.93 acres and will be divided into 36 lots ranging in size from 7,004 square feet to 14,624 square feet for an overall density of 4.0 units per acre. Planning Commission approved.
- Staff discussed the Eugene Field Outreach project with MIG, the selected consultant for the project. A project site visit and meeting with staff will occur on November 7, 2018. The State allocated additional funds for the project totaling \$36,000. As such, no City funds are needed for the project. Stakeholder meetings will occur in November with the Community Meeting likely to be scheduled in December or January.
- The Planning Commission will be reviewing the Urban Renewal District expansion at the November 13th meeting.
- Staff met with the City Council in a Work Session on October 15th to discuss the standards for transitional housing units and the use of additional transit funding.
- The Silverton Urban Renewal Advisory Committee met on October 16th to review a façade and building improvement grant application for 205 N Water and recommends the URA approve the request.
- Staff, in collaboration with the School District, submitted two Safe Routes to School grant applications for sidewalks along North James Street and for sidewalks along Robinson Street.
- Staff met with PGE to discuss the trimming of downtown trees near power lines. Staff handed out fliers to the business on the affected streets to inform them of the work.
- The City hired Kate Schlee as the new Planning and Permit Assistant position.

SILVERTON POLICE ACTIVITY REPORT

Sep-18

OFFENSES	SEPT	YTD	ARRESTS	SEPT	YTD	CITATIONS	SEPT	YTD	
Arson	0	0	Arson	0	0	Traffic Crimes			
Assist Other Agency	21	227	Assault/Including Attempt	0	24	DUII	2	18	
Attempt to Locate	19	157	Burglary/Including Attempts	1	7	DWS-Misd./Felony Level	0	11	
Auto Theft/Including Attempt	0	23	Drug	6	23	Traffic Violations			
Burglary	2	18	Forgery/Fraud/Counterfeit	0	0	All Other	81	779	
Deaths-Natural	0	4	Juv-Curfew	0	1	Warnings	103	883	
Suicide/ Including Attempts	8	50	Runaway	3	10	Violations			
Disturbance	10	75	Kidnap	0	0	MIP Alcohol	5	11	
Family Disturbance	8	80	Furnishing Liquor	0	1	MIP Tobacco	0	7	
Fraud/Forgery/Counterfeit	3	28	Menacing/Inc. Dom. Viol.	0	1	MIP Marijuana	0	10	
Harassment	5	47	Murder/Criminal Death	0	0	Civil Infractions			
Ordinance Violations	37	323	Rape	0	1	Dogs-Noise/Leash/Vicious	0	1	
Prowler/Trespass	12	110	Robbery	0	0	TOTAL CITATIONS ISSUED	191	1717	
Public Assist	46	322	Sex Crimes-Other	0	2				
Rape	0	0	Stalking	0	0				
Robbery/Including Attempts	0	0	Theft/ Including Attempts	5	27				
Runaway	3	14	Trespassing	1	15				
School Resource	37	227	UUMV/Including Attempts	0	6				
Sex Crimes	2	16	Vandalism	0	7				
Shots Fired	0	1	Violation of Court Orders	1	35				
Stalking	0	1	Weapons Violations	0	1	3 YEAR COMPARISON	2016	2017	2018
Suspicious	48	593	Misc./Other Crimes	34	202	Arson	0	1	0
Theft/Including Attempts	19	140				Auto Theft/Include Attempts	11	30	23
Weapons	0	1	TOTAL ARRESTS	51	332	Burglary	22	28	18
Vandalism	2	44	ADULT ARRESTS	45	325	School Resource	206	160	227
Misc./Other	183	1465	JUVENILE ARRESTS	6	37	Rape	1	2	0
TOTAL OFFENSES	465	3966				Robbery	2	1	0
						Vandalism	44	61	44
						CALLS FOR SERVICE	4205	4366	3966
						TOTAL ARRESTS	389	513	332
						TOTAL CITATIONS	2129	2698	1717

Working in a proactive partnership with our community to solve problems and enhance the quality of life for our citizens.



Memorandum

October 25th, 2018

To: Jeff Fossholm, Chief of Police
Christy Wurster, City Manager
From: Sean Farris, Community Service Officer
Re: October CSO Report

The following is an accounting of the number and types of complaints received and pursued from September 21st, 2018 to October 25th, 2018.

Code Enforcement Complaints from 9-21-18 to 10-25-18

Total Cases this Month	17 (YTD 158)
YTD Cases Resolved	151
YTD Cases Unresolved	07

Breakdown of Complaints Taken 9-21-18 to 10-25-18

R.V. Violation	03
Abandoned Vehicle	02
Right-of-Way Encroach	02
Noise	02
Dog	01
Hazardous Tree	01
Noxious Vegetation	01
Signs	01
Discarded Vehicle	01
Inhabited Shed	01
Junk	01
Fence	01

Total Parking Citations from 9-21-18 to 10-25-18

Total citations issued	121 (YTD 1043)
\$5 Cites	12
\$10 Cites	105
\$25 Cites	3
\$50 Cites	1



MEMORANDUM **SILVERTON PUBLIC WORKS**

DATE: October 23, 2018

TO: Christy Wurster and City Council

FROM: Petra Schuetz, Public Works Director

RE: **PUBLIC WORKS DEPARTMENT
UPDATE FOR NOVEMBER 5, 2018 MEETING**

ENGINEERING/ADMINISTRATION DIVISION:

Public Projects:

- Transportation System Plan Update (TSP): Joint Committee meeting November 26
- McClaine Street: Keller and Associates Engineers have begun 30% design work
- Economic Development Administration (EDA) Raw Water Grant: working with the Mid-Willamette Valley Council of Governments to develop a work plan and respective project management roles
- Civic Center Asbestos Abatement continues. Additional material has been found in both crawl space and roofing material. Staff is closely monitoring the process/site work.
- Civic Center Site Demolition: bid closed October 30. See separate Agenda item.
- Downtown Core Infrastructure Assessment: in process
- Downtown Tree Lighting: contracted with a target to have them installed by mid-November
- SDC Methodologies and Utility Rates Update RFP: developing a draft RFP for December
- Slope Stability Study at Silver Creek (pool area): contracting development
- Multiple inquiries regarding leaves and stormwater
- Energy Trust of Oregon conducted a preliminary Site Analysis at the pool in April noting efficiency improvements for the natatorium systems. They are returning to collect late fall data which will be followed by a final analysis January 2019. This information may be used to make efficiency improvements at the pool; the majority paid by the Energy Trust.

Private Projects:

- Blackberry Preserve Subdivision: in construction
- 1504 Mill Street Mini-Storage: in construction
- Jefferson Street Partition: pending
- Points Beyond Cottages (PUD): in construction
- Pioneer Village Phase IV: complete

- Pioneer Village Phase V: in construction
- Pioneer Village Phase VI: pending land use approval
- Hobart Mini-Storage: in construction
- Lighthouse Apartments-N 2nd Street: in construction
- Schlemmel Lane partition: in construction

MAINTENANCE DIVISION:

Streets:

- Right-of-way mowing and vegetation management
- Monthly street sweeping
- Responded to locate tickets to mark City sewer, storm and water lines for contractors and customers

Sewer:

- Repaired sewers on line Pine Street and Oak Street
- Responded to customer sewer related calls
- Worked with contractors on new sewer service installations

Water:

- Installed and changed out water meters for new construction and failed meters
- Completed monthly water meter reading routes
- Installed new water services
- Continued our water meter conversion program

Facilities:

- Maintenance on buildings and grounds including equipment maintenance and right-of-way mowing and vegetation management

Parks:

- Maintenance on buildings and grounds including mowing and vegetation management

Pool:

- Responded to pool staff calls for service

WATER QUALITY DIVISION:

Water Treatment:

- Treated drinking water flow for the community is averaging 1.35 MGD. Flow to the high-level service zone has dropped from 0.6 to 0.3 MGD.



Operators eliminated a safety concern at the WTP by repairing and replacing the walkway between the high-level pump station and the control building.

- Abiqua Creek flow above the intake facility is 13.31 cfs. Water is flowing over the full face of the dam and through the fish ladder.

Wastewater Treatment:

- Flow to the headworks of the treatment process is averaging 0.65 MGD. Last year at this time operators were battling a significant storm event (1.99 inches of rain) and influent flows were 3.571 MGD.
- Operators observed a pilot assembly of a mechanical bar screen with solids compaction and dewatering. The 2018-19 budget includes \$400,000 in the Sewer Capital Project Fund to replace the existing mechanical bar screen at the WWTP headworks.



Operators continue working on the no. 1 secondary clarifier preparing for the contractor to start work on the repair of the drive unit.



Operators are in the process of replacing the worn chain drive on the no. 2 primary clarifier. A new chain will cost approximately \$700.

Swimming Pool:

- During the seasonal pool cover installation, operators drained approximately 50% of the pool contents and replaced it with clean water to reduce the total dissolved solids content accumulated during summer use. Operators also backwashed the filters and treated the sand media to remove oils (sun tan lotion) and organics.

TMDL:

- The Abiqua Creek fish habitat improvement project, managed by the Pudding River Watershed Council, was awarded \$12,500 from the Marion Co. Soils and Water Conservation District for matching funds. The adjacent property owner, Weyerhaeuser, is reviewing the 60% design drawings for project approval. The project may be delayed to 2019 to coincide with riparian corridor thinning to be performed by BLM, as donations of large wood (logs 40 to 50 feet long and diameters of 10 to 18 inches) could be available at that time. Donations for boulders, 3 to 4 feet in diameter are also being solicited.
- The contractor for blackberry clearing and spraying is scheduled for another site treatment in early November for the Silverton SEP. Representatives from the Watershed Council were on-site October 22nd to evaluate the feasibility of tree planting in the spring, 2019. DEQ requires a final report to be submitted by the Watershed Council by December, 2019.

City Council Issue Tracker

PROCESS

- 1) ASD adds tasks after council meetings
- 2) Directors fill in Update/Completion Date & Council Notification Date columns on an ongoing basis with final updates by the end of each Monday
- 3) ASD gives copy to CM on Tuesday before Mayor's meeting and before Council Packet
- 4) ASD removes Task when Notification Date is filled in.
- 5) Location: S/City Council Packets/Working Documents/Council Tracking Form

Council Mtg. Date	Issue/Task	Synopsis	Person(s)	Update/Completion Date
1.23.17 W.Session	Financial Plan	Councilor Sears asked for the Council to revisit the financial plan.	Christy Kathleen	KZ is currently putting worksheets together for financial data. Discussed plan at October 16 work session. Information presented at the 1/22/2018 Work Session. Additional information to be presented to the City Council in 07/2018 after the budget has been adopted for FY 2018-2019. (5/31/2018) Staff will utilize FY 17-18 audited figures to build the plan. The audit will begin the first week in October 2018. (09/05/2018)
1.23.17 W.Session	Council Goal Issues with budget Impact Growth Management Study	Councilor Smith suggested the City have an evaluation on how SDCs are determined. Councilor Carter said before the City pays for more studies completed, she would like to see what previously completed studies are scheduled for review, such as the long-range financial plan. After further discussion there was a consensus to look at the growth management study.	Jason Christian Petra	RFP being developed for December.
2/6/2017 Council Mtg.	Urban Renewal District	Council directed staff to initiate the process for expanding the Urban Renewal District in accordance with ORS chapter 457 to include the areas on the map on West First, East First, (including areas abutting Second Street), the Pub, and connecting on Jefferson.	Jason	Staff has been directed to begin the process to expand the URD. Currently planned in FY 17-18. 12/2017: Information letter sent to taxing districts. Planning Commission public hearing scheduled for November 13 2018 (9/18/18).
3.01.17	Moonstone Properties	Purchase Agreement	Christy	Moonstone Properties addressing infrastructure needs before moving forward
4/3/2017 Council Mtg.	Second St.	Councilor Plummer request Second St. be considered during TSP update	Jason	Awaiting recommendation memo for review and comment, will address at that time. Work Session to be held in 2018 (5/31/18). Pedestrian and bike improvements included in solutions memo (9-18-18)

Council Mtg. Date	Issue/Task	Synopsis	Person(s)	Update/ Completion Date
5/1/2017	Housing / Homeless	Mayor Palmer directed staff to form a Task Force to address this issue as it relates to homeless and housing	Jeff Jason	Meeting Set with Mayor for June 6. On July 13, 2017 Mayor provided list for Task Force. Question to CM on Task Force/Ad Hoc/ or just Com Group? Task force to be appointed August 7. First meeting tentatively set for August 23rd. 11/27/2017 subcommittee to review local service needs, model programs & warming center & report back to committee. Next meeting to be scheduled during January 2018. Council directed staff to draft language to facilitate a sleeping pod on church property. Next Task Force Meeting set for June 21, 2018. Committee decided to continue to meet about affordable housing on quarterly basis. No meeting date was set. (June 25, 2018) . Meetings will continue as needed. (09/05/18)
6/5/2017	Planning Comm.	Planning Commission to review code for annexation language to match Zone change application, and include container homes	Jason	Work Session held in August to address zone change review criteria, affordable housing, and container homes. Joint Work Session held September 18th. Work session scheduled for November 2018. (10/29/18)
7/17/2017	EMC Ordinances	Prepare 4 Ordinances for Council review	Christy	City Attorney has completed draft ordinances. (09/06/17) Discussed in Work Session on 09/18/17. Public Hearings scheduled for smoking Ordinances scheduled for December 2017 meeting. Single Use Plastic Bags and Polystyrene Ordinances scheduled for January 2018 meeting. June EMC Ordinance prohibiting smoking and vaping in city parks approved at January 2018 meeting. Ordinance prohibiting smoking and vaping in downtown core was tabled. Single Use Plastic Bags and Polystyrene Ordinances re-scheduled for March 2018 meeting. Council decided to refer back to the EMC to see if alternate solutions are possible. June 2018 Council requested that staff include Juul in any future proposed Ordinance on smoking. Recommendation pending. 09/2018 - PW Director sent draft Ordinances to legal for review. 10/2018 Ordinances on prohibition of single use plastic bags and polystyrene scheduled for 11/5/2018.

Council Mtg. Date	Issue/Task	Synopsis	Person(s)	Update/ Completion Date
7/17/2017	Outdoor Fitness	Mayor Palmer would like staff to review installing outdoor fitness stations in Silverton	Christian Petra	Sent to City Manager in package of parks-related projects. DONE.
8/7/2017	Stream Gauge	Councilor Sears inquired about the completion of the stream gauge repairs.	Christian Petra	Funds budgeted in FY18/19 for gauge operation and maintenance. Agreement executed, however gauge monitoring not available at this time on USGS site. (07/30/18).
11/20/2017	SDC	SDC Methodology	Christian Petra	Developing RFP for December.
11/20/2017	High Speed Data	Councilor Carter requested staff review high speed data in Silverton	Jason	In progress through potential new franchise agreements. In progress (5/31/18)
3/5/2018	PODS	Review/revise code to allow transitional housing	Jason	Planning Commission held a work session in March, a neighborhood meeting was held in April, the Planning Commission held a public hearing and recommends adoption. Council held public hearing in July and August and continued to September 10, 2018. Ordinance up for adopted at Oct 1 Council meeting. Work Session held Oct 15 to address building code standards for units. (10-29)
3/5/2018	Utilities	Review utility fees on/offers, shutoffs, late fees	Kathleen	This will be part of the Utility Rate Study.
4/2/2018	Utilities	Decreased water pressure	Petra	Pending. Staff has completed testing of pressure in the E. Main area. Pressure has dropped, and even though it is still within State standards, it needs to be improved. Consulting with Keller in November.
4/2/2018	Comm. Group	Sustainable Silverton to work with EMC	CS-Paul	Utility usage info provided to EMC who is coordinating with Sustainable Silverton. (05/23/18)
4/2/2018	Broadband	Follow up with Broadband study	Jason	Councilor Freiling, City Manager, and Community Development Director attended informational meeting held on April 4. In progress (5/31/18). Councilor Freiling exploring options for bringing additional carriers to Silverton. (09/05/18) Staff directed to begin process to consider code amendments to introduce technology into residential areas. PC work session scheduled November 27 (10-29)
8/6/2018	URA	Revisit URA Plan	Jason	Scheduled for November 13th PC meeting (10/29)

Council Mtg. Date	Issue/Task	Synopsis	Person(s)	Update/Completion Date
8/20/2018	Development Code	Consider amendments to the development code to address fencing standards.	Jason	Added to development code amendment update list
9/10/2018	C-M Park	Look at parking access/restriction. Consider signage and notification with permits.	Petra	DONE
9/10/2018	C-M Park	Arches - Suggest covering tops before winter.	Petra	DONE Masonary assessment determined no cover or structural work necessary
9/10/2018	C-M Park	Footbridge to pool sidewalk/inspect stairs undermining	Petra	DONE
9/10/2018	C-M Park	Pump not protected and swimmers jumping off	Petra	DONE (for now) Replacement of pump in CIP. Will likely coordinate a permanent solution with pump replacement
9/10/2018	C-M Park	Fence at Salamander Island damaged	Petra	DONE
9/10/2018	C-M Park	Pathway at end of bridge into park is in lane of vehicle traffic. Consider improvements.	Petra	This is not a project in Parks Master Plan. The first step would be for City Council to endorse a Master Plan amendment. Staff recommends waiting until after the SDC methodology/project list updates i.e. FY20. Should require City Council approval to amend Parks Plan. Recommend waiting for next scheduled Plan Update.
10/01/18	Budget	Add money into FY 2019-2020 Budget for water efficient applicances.	Kathleen Petra	PW developing a list of organizations that provide this service before Budget process
10/01/18	Tobacco	Find out status of statewide tobacco licensing fee. If nothing is going to be done at the state level consider local changes.	Christy	Marion County Commissioners recommended that the Oregon Health Authority consider a state-wide program.