



**City of Sutherlin  
Council Meeting  
Monday, September 11, 2023  
Civic Auditorium – 7:00 p.m.**

**AGENDA**

**Mayor Michelle Sumner**  
Council President Hamilton  
Councilors Dagel, Groussman, Smalley, Whitaker and Woods

**1. CALL TO ORDER / FLAG SALUTE**

**2. ROLL CALL**

**3. INTRODUCTION OF MEDIA**

**4. PUBLIC COMMENT**

[The purpose of citizen comment is to allow citizens to present information regarding agenda items only. A time limit of three minutes per citizen shall apply.]

**5. CONSENT AGENDA**

- a. August 14, 2023 – Meeting Minutes

**6. COUNCIL BUSINESS**

- a. LOC Voting Delegate Designation
- b. Ordinance – Regulating Occupancy of Recreational Vehicles (First reading, title only)
- c. Ordinance 1092 – Amending SMC Chapters 8.08 and 10.24 – Abandoned, hazardous, neglected or discarded vehicle regulation, impoundment and disposition; and declaring an emergency
- d. Resolution No 2023.12 - Surplus Property – Public Works Equipment
- e. Planning Commission Appointment

**7. CITY MANAGER REPORT (verbal)**

**8. CITY COUNCIL COMMENT**

**9. PUBLIC COMMENT**

[The purpose of citizen comment is to allow citizens to present information regarding items off the agenda. A time limit of three minutes per citizen shall apply.]

**10. ADJOURN**

*Members of the audience who wish to address the Council will be invited to do so. Speakers must use the microphone stating their name and address prior to addressing the Council.*

**Join Zoom Meeting**

<https://us06web.zoom.us/j/89309201480?pwd=QStiR3pkVjY2UnNjZFRuTUIKYitlZz09>

*If you have a disability that requires special materials, service, or assistance, please call 541.459.2857 at least 48 hours prior to the meeting to arrange for accommodations*



# **Call to Order & Flag Salute**





# ROLL CALL





# **INTRODUCTION OF MEDIA**





# **PUBLIC COMMENT**

## **Agenda Items only**





# CONSENT AGENDA



**CITY OF SUTHERLIN**  
**City Council Meeting**  
**Civic Auditorium**  
**Monday, August 14, 2023 – 7:00pm**

**COUNCIL MEMBERS:**

Gary Dagel, Joe Groussman, Debbie Hamilton, Shawn Smalley, Larry Whitaker and Lisa Woods

**MAYOR:** Michelle Sumner

**CITY STAFF:** City Manager, Jerry Gillham  
City Recorder, Melanie Masterfield  
Finance Director, Tami Trowbridge  
Finance & Administrative Asst., Lindsay Priest  
Public Works Director, Aaron Swan  
Community Development Director, Kristi Gilbert  
City Planner, Jamie Fugate  
Community Development Asst., Brandi Medeiros  
Police Chief, Troy Mills  
Fire Chief, Mike Lane  
City Attorney, Chad Jacobs (via Zoom)

**Audience:** Michael Hogsett, Mike & Karen Meier, Pamela Flicks, Dr. Luke & Barb Herscher. Brent Huntsacker, Diane Ocumpaugh, Daniel & Wanda Langdon, Marian Delfs, Jim & Mary Dennis, Len Bodeen, Robert Feiler, Amber Gill

**Via Zoom:** Larry Bahr, Beth Houseman

Meeting called to order by Mayor Sumner at 7:00 p.m.

**Flag Salute:**

**Roll Call:** Councilor Whitaker - Excused

**Introduction of Media:** None

**\*\*Mayor made an announcement for Zoom attendees\*\***

**PUBLIC COMMENT (agenda items only)**

- None

**PROCLAMATION**

- **Dr. Luke Herscher**

Mayor Sumner welcomed Dr. Herscher to the podium and presented him with a proclamation. Kind words were said about all the work he's done as a Sutherlin business and community member. Applause was given. Dr. Herscher spoke in appreciation.

**CONSENT AGENDA**

- **July 10, 2023 Minutes – Regular Meeting**

**MOTION** made by Councilor Woods to approve Consent Agenda as presented; second by Councilor Hamilton.  
Discussion: None

In favor: Councilors Groussman, Hamilton, Woods, Dagel, Smalley and Mayor Sumner.

Opposed: None

Motion carried unanimously.

## **COUNCIL BUSINESS**

- **Draft Ordinance – Regulating Occupancy of Recreational Vehicles**

Staff Report – City Planner, Jamie Fugate – Per Council request at the July 10, 2023 Council meeting, staff and the City Attorney outlined a draft ordinance that would add a new section to chapter 8 of the Sutherlin Municipal Code (SMC): 8.30 – Occupancy of Recreational Vehicles (RV's).

Discussion:

- Mayor Sumner – Does this ordinance address family visiting from out of town? *Fugate – The current SMC prohibits any RV living regardless of duration. It is, however complaint driven.*
- Councilor Woods – Can verbiage be added to accommodate emergency situations? *Based on community outreach responses, the majority of citizens are not in favor of any RV living. City Manager, Jerry Gillham – Verbiage can be added if Council chooses. City Attorney, Chad Jacobs – State law allows for temporary RV living in emergency situations (i.e.: fire, flood, etc.) and does not need to be in the ordinance.*
- Councilor Dagel, expressed the need for flexibility and less conditions.
- Councilor Groussman, suggested that visiting family can stay at an RV park.
- Councilor Hamilton, agrees with providing a one to two week allowance for visiting family.

Further discussion ensued between council and staff.

By majority of Council members (4-2), Ordinance – Regulating the occupancy of RV's on private property will move forward. First reading, title only will be at the September 11, 2023 City Council meeting.

- ❖ **Public Comment:**

- Brent Huntsaker introduced himself and expressed opposition with allowing RV living.
- Len Bodine introduced himself and spoke in favor of allowing RV living.

- **Resolution 2023.10 – Council Priorities 2023-25**

Staff Report – City Manager, Jerry Gillham – Council Priorities reside in the City's Strategic Plan which is a two-year work program for all departments. After holding a Council Workshop in March, staff and Council members established priorities for city actions.

**MOTION** made by Councilor Hamilton to approve Resolution 2023.10 – Council Priorities 2023-25 as presented; second by Councilor Woods.

Discussion:

- Councilor Hamilton – Who takes care of the Exit 135 sign? *Public Works Director, Aaron Swan – Public Works maintains it.*
- Councilor Dagel – Are Council Priorities flexible? *Gillham – Absolutely.*

In Favor: Councilors Groussman, Hamilton, Woods, Dagel, Smalley and Mayor Sumner.

Opposed: None

Motion carried unanimously.

- **Resolution 2023.11 – Surplus Property – Police Patrol Vehicle**

Staff Report – Police Chief, Troy Mills – The Police Department has a 2017 Ford Explorer patrol vehicle that has reached the end of its useful life and no longer has the capability to provide services.

**MOTION** made by Councilor Dagel to approve Resolution 2023.11 – Surplus Property – Police Patrol Vehicle as presented; second by Councilor Groussman.

Discussion: Councilor Groussman – What happens to the vehicle? *Mills – The vehicle is stripped down to a "civilian model" and sent to auction.*

In Favor: Councilors Groussman, Hamilton, Woods, Dagel, Smalley and Mayor Sumner.

Opposed: None

Motion carried unanimously.



- **Contract Award – Waite Street Improvements – Engineering Design & Construction Cost Estimate**

Staff Report – Community Development Director, Kristi Gilbert – The City received five bid proposals for this contract. Civil Solutions Engineering, LLC provided the lowest bid in the amount of and not to exceed \$213,900 and has sufficient experience to complete the project. Final design will include:

- Asphalt overlay
- Partial street reconstruction
- Curb, gutter, sidewalk
- Storm drain infrastructure
- Crosswalks
- Rapid flashing beacon layout
- Retaining wall along Waite Street between E. Central Ave. and South Side Rd
- Pedestrian bridge spanning Sutherlin Creek near Red Rock Trail

**MOTION** made by Councilor Smalley to approve Contract Award to Civil Solutions Engineering, LLC in the amount of and not to exceed \$213,900 as presented; second by Councilor Hamilton.

Discussion: None

In Favor: Councilors Groussman, Hamilton, Woods, Dagel, Smalley and Mayor Sumner.

Opposed: None

Motion carried unanimously.

- **Hartley Park – Bicycle Path Proposal**

Staff Report – Community Development Assistant, Brandi Medeiros – LUMBR (Land of Umpqua Bike Riders) submitted a proposal for a bike park for all ages and abilities at Hartley Park. LUMBR currently maintains the trail around Cooper Creek and will maintain this new bike park as well. LUMBR has a licensed and insured contractor and works with local businesses to provide labor or services, equipment, and materials.

**MOTION** made by Councilor Hamilton to approve Bicycle Path Proposal by LUMBR as presented; second by Councilor Smalley.

Discussion:

- Mayor Sumner – Is this made of dirt? Will there be dust? - LUMBR member, Robert Feiler - It's a dirt track and the design/construction will create minimal to no dust.
- Councilor Woods – What is the city's liability? *Jacobs – The “Recreational Immunity” law would apply.*
- Mayor Sumner – What is the project time frame? *Construction can start after fire season and should be complete by spring 2024.*

Further discussion ensued.

❖ **Public Comment:**

- Julian Trujillo - Expressed excitement for having a bike park and hopes to gain bike riding knowledge.

In Favor: Councilors Groussman, Hamilton, Woods, Dagel, Smalley and Mayor Sumner.

Opposed: None

Motion carried unanimously.

- **Public Works WWTP Forklift – Purchase Approval**

Staff Report – Public Works Director, Aaron Swan – The current forklift needs to be rebuilt and the cost outweighs the value of the machine. The City received three quotes for comparable forklifts. Pape' Material Handling provided the lowest price for the machine specs in the amount of \$31,995.

**MOTION** made by Councilor Groussman to approve Forklift purchase from Pape' Material Handling in the amount of \$31,995 for Public Works WWTP as presented; second by Councilor Woods.

Discussion:

- Councilor Dagel – Will the tires be sufficient for gravel and concrete? *Swan – It will be driven very little on gravel.*
- Councilor Hamilton – How long will it take to receive? *A short period of time.*

In Favor: Councilors Groussman, Hamilton, Woods, Dagel, Smalley and Mayor Sumner.

Opposed: None

Motion carried unanimously.

**REPORTS (verbal)**

- **ARTS (All Roads Transportation Safety Program) Grant Project Update**

Gilbert – Flashing beacon installations were discussed in conjunction with ODOT back in 2020. One has been installed at the Comstock Rd. / Central Ave. intersection and two other locations have been identified – Mardonna Way & Central Ave., and the crosswalk from Abby's Pizza to Sunrise Enterprise.

**CITY MANAGER REPORT (verbal)**

- Gillham had Swan provide an update for the Nonpareil Water Treatment Plant (NPWTP). Quality water is being produced, however it's not enough water to sustain the city so Cooper Creek Reservoir (CCR) is still needed as our water source every couple of days. The city is still in a Level 1 Water Curtailment (voluntary water reduction) because of allotment use overage out of CCR. Next step for NPWTP is substantial completion estimated for August 30, 2023 and final completion estimated for September 29, 2023.
  - Mayor Sumner – How are the Solar Bees at Cooper Creek Reservoir doing? *Swan – Haven't noticed a big difference yet, however the manufacturer recommends 120 days of usage prior to checking its effectiveness and it's only been in use for around 60 days.*
  - Councilor Groussman asked for clarification of the water curtailment and usage. *Calapooia Creek is the city's main water source. Towards the end of summer, water levels drop and CCR is the backup water source. Due to the plant shutdown for improvements, CCR has been the sole water source which has increased the allotted usage, therefore requiring the water curtailment. Even with the plant operational, there isn't enough water flowing through Calapooia Creek during this time of year to supply the city.*

**CITY COUNCIL COMMENT**

**Councilor Groussman**

- Nothing to report

**Councilor Hamilton**

- Thanked everyone for attending Music Off Central (MOC) this year. It's been a great season. August 17<sup>th</sup> is the last concert and starts at 6:45pm in Central Park.
- Thanked the Fire & Police Departments and the City for their help and support.

**Councilor Woods**

- Thanked Hamilton for the hard work coordinating MOC.

**Councilor Dagel**

- Thanked the Police Department office staff for returning his sister's keys after one of the MOC concerts.

**Councilor Smalley**

- The bike park at Hartley Park will be a great addition.

**Mayor Sumner**

- Thanked Hamilton for the hard work for MOC.
- Excited to have the bike park come to Sutherlin.

**PUBLIC COMMENT (Off Agenda Items)**

- Brent Huntsaker thanked Hamilton for the MOC concert series and all of the wonderful events and projects the city is doing. There are many weeds growing in the sidewalks along Central Ave. that deter the eye appeal of Sutherlin. Expressed concerns for a potential slide in the housing development at Cooper Creek.
- Karen Meier introduced herself and thanked Hamilton for MOC. Expressed discontent for the condition of Hastings Village. ***Gillham updated everyone regarding plans for the village moving forward as well as required guidelines/restrictions dictated by the 9<sup>th</sup> Circuit Court.***

Discussion ensued between Gillham and Meier.

**ADJOURNMENT**

With no further business, meeting adjourned at 8:33 p.m.

Approved: \_\_\_\_\_

Jerry Gillham, City Manager

Respectfully submitted by,

\_\_\_\_\_  
Melanie Masterfield, City Recorder, CMC

\_\_\_\_\_  
Michelle Sumner, Mayor



# **COUNCIL BUSINESS**





126 E. Central Avenue  
Sutherlin, OR 97479  
541-459-2856  
Fax: 541-459-9363  
[www.cityofsutherlin.com](http://www.cityofsutherlin.com)

## City of Sutherlin

STAFF REPORT					
<b>Re: League of Oregon Cities Voting Delegate Designation</b>				Meeting Date:	9/11/2023
<b>Purpose:</b>	Action Item <input checked="" type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Update <input type="checkbox"/>
<b>Submitted By:</b> Melanie Masterfield, City Recorder				City Manager Review	<input checked="" type="checkbox"/>
<b>Attachments:</b> LOC Designation of Voting Delegate Form					

### WHAT IS BEING ASKED OF COUNCIL?

Staff is asking Council to consider who will represent the City as a Voting Delegate and Alternate Delegate at the 98<sup>th</sup> Annual League of Oregon Cities Conference in Eugene.

### EXPLANATION

The 2023 League of Oregon Cities Conference will be held October 12-14, 2023 at the Graduate in Eugene, OR. Council is being asked to appoint a voting delegate and alternate delegate to represent the City of Sutherlin. The online form must be completed and returned by the September 29, 2023 deadline.

### OPTIONS

See suggested motions below.

### SUGGESTED MOTION(S)

Motion to appoint \_\_\_\_\_ as Voting Delegate and \_\_\_\_\_ as Alternate Delegate representing the City of Sutherlin at the 2023 League of Oregon Cities Conference.



## 98<sup>th</sup> ANNUAL LOC CONFERENCE

October 11-14th, 2023 | The Graduate in Eugene

### Designation of Voting Delegate at LOC Annual Membership Meeting

The LOC's Annual Membership meeting will be held Saturday, October 14th at 11:30 a.m. Each LOC member city is entitled to cast one vote at the membership meeting; however, all city officials are encouraged to attend the meeting.

This year's membership meeting will be hybrid style, so members can attend and cast their vote via Zoom or in person. Please indicate below if your voting delegate plans on attending the meeting in person or virtually. Additional details on how to attend and vote via Zoom will be sent to the voting delegate one week before the meeting. **All final virtual voting delegates must be designated a minimum of 24 hours prior to the Annual Business Meeting.**

Please answer the questions below to indicate who will represent your city as a voting delegate and alternate delegate. Delegates attending the meeting in person should pick up a voting card at the check-in desk on Friday morning prior to entering the membership meeting.

**NOTE:** Delegates may not vote without a voting card, and voting cards will be issued only to a person indicated on this form. Voting by proxy will not be permitted.

FOR THE CITY OF \_\_\_\_\_

#### VOTING DELEGATE:

Name \_\_\_\_\_ Title \_\_\_\_\_

Email \_\_\_\_\_

#### ALTERNATE:

Name \_\_\_\_\_ Title \_\_\_\_\_

Email \_\_\_\_\_

DELEGATE WILL BE ATTENDING:

☐

In Person

☐

Virtually

Return this form by

**September 29 to:**

League of Oregon Cities

Attn. Meghyn Fahndrich

1201 Court St. NE, Suite 200

Salem, OR 97301

Or Email: [mfahndrich@orcities.org](mailto:mfahndrich@orcities.org)

Submitted by:

Name \_\_\_\_\_

Title \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

DRAFT



126 E. Central Avenue  
Sutherlin, OR 97479  
541-459-2856  
Fax: 541-459-9363  
[www.cityofsutherlin.com](http://www.cityofsutherlin.com)

## City of Sutherlin

STAFF REPORT					
<b>Re: Ordinance (first reading, title only) – Regulating the Occupancy of Recreational Vehicles (RV's)</b>				Meeting Date:	09-11-2023
<b>Purpose:</b>	Action Item <input checked="" type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input type="checkbox"/>	Discussion <input checked="" type="checkbox"/>	Update <input type="checkbox"/>
<b>Submitted By: Jamie Fugate, City Planner &amp; Kristi Gilbert, Community Development Director</b>				City Manager Review	<input checked="" type="checkbox"/>
<b>Attachments:</b> Ordinance and Exhibit A					

### WHAT IS BEING ASKED OF COUNCIL?

To approve Ordinance and Exhibit A (first reading, title only) – Regulating the Occupancy of Recreational Vehicles (RV's); that would add Chapter 8.30 to the Sutherlin Municipal Code.

### EXPLANATION

Planning Commission held a discussion at their March 21, 2023, with the first evidentiary hearing at the June 20, 2023 meeting, with a workshop conducted at the May 16, 2023 meeting. Public Outreach was conducted which included a survey (mailed to all within 97479 zip code, posted on City social media pages, website, distributed throughout the city, etc). Approximately 657 responses were received and an Open House was held on May 24, 2023 with 79 citizens in attendance.

After reviewing the public outreach summaries and following additional public comments on June 20, 2023, the Planning Commission made a recommendation to City Council to adopt an Ordinance amending the Municipal Code prohibiting the occupancy of an RV on private property in the city limits of Sutherlin.

At their regular City Council meeting on July 10, 2023, Council considered the Planning Commission's recommendation and heard additional public comments. Council then directed staff to work with city attorney to draft an ordinance prohibiting the occupancy of an RV on private property for their consideration.

### OPTIONS

Approve Ordinance (first reading, title only) – Regulating the Occupancy of Recreational Vehicles and adding Chapter 8.30 to the Sutherlin Municipal Code; or

Not approve Ordinance (first reading, title only) – Regulating the Occupancy of Recreational Vehicles and adding Chapter 8.30 to the Sutherlin Municipal Code.

### SUGGESTED MOTION(S)

Approve Ordinance (first reading, title only) – Regulating the Occupancy of Recreational Vehicles and adding Chapter 8.30 to the Sutherlin Municipal Code.





# City of Sutherlin

*Administration*  
126 E. Central Avenue  
Sutherlin, OR 97479  
(541) 459-2857  
Fax (541) 459-9363  
[www.cityofsutherlin.com](http://www.cityofsutherlin.com)

## NOTICE OF ORDINANCE ENACTMENT

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE CITY OF SUTHERLIN ADDING A NEW CHAPTER 8.30 TO THE SUTHERLIN MUNICIPAL CODE REGULATING THE OCCUPANCY OF RECREATIONAL VEHICLES.**

**THIS ORDINANCE WILL BE CONSIDERED BY COUNCIL AT THE REGULAR COUNCIL MEETING OF**

**FIRST READING: MONDAY, SEPTEMBER 11, 2023 @ 7PM**

**SECOND READING (if first reading approved):**

**MONDAY, OCTOBER 9, 2023 @ 7PM**

**CIVIC AUDITORIUM - 175 E. EVERETT AVENUE**

Questions or copies of this Ordinance may be viewed by interested persons at the office of City Recorder, 126 E. Central Avenue, Sutherlin, Oregon, between the hours of 9:00 a.m. and 5:00 p.m., weekdays. A copy of this Ordinance may be purchased by interested persons for a sum determined to cover the City's expense for providing the copy.

Pursuant to Section 30 (b) (c) of the Sutherlin City Charter, this notice has been posted at the following locations: Sutherlin City Hall; Sutherlin Post Office; Sutherlin Library; Sutherlin Visitor's Center and the City's website, [www.cityofsutherlin.com](http://www.cityofsutherlin.com).

Posted this day, September 1, 2023  
By Melanie Masterfield  
City Recorder

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SUTHERLIN ADDING A NEW CHAPTER 8.30  
TO THE SUTHERLIN MUNICIPAL CODE REGULATING THE OCCUPANCY OF  
RECREATIONAL VEHICLES**

**WHEREAS**, the City of Sutherlin (City) has reviewed the need for and desires of the community in allowing temporary occupancy of recreational vehicles for habitation purposes within the City; and

**WHEREAS**, the Sutherlin Development Code currently regulates the use of property within the City; and

**WHEREAS**, the Development code currently permits the occupancy of recreational vehicles for habitation purposes only within recreational vehicle parks; and

**WHEREAS**, the Sutherlin Municipal Code (SMC) does not contain a provision directly regulating the temporary occupancy of recreational vehicles for habitation purposes; and

**WHEREAS**, the City desires to amend the SMC to directly regulate the occupancy of recreational vehicles for habitation purposes.

**NOW, THEREFORE, THE CITY OF SUTHERLIN ORDAINS AS FOLLOWS:**

**Section 1:** Chapter 8.30 is hereby added to the Sutherlin Municipal Code as set forth in Exhibit A.

**Section 2:** This ordinance shall take effect 30 days after it is approved by the Mayor.

**PASSED BY THE COUNCIL, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

**APPROVED BY THE MAYOR, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

\_\_\_\_\_  
Michelle Sumner, Mayor

**ATTEST:**

\_\_\_\_\_  
Melanie Masterfield, City Recorder, CMC

Exhibit A

**Chapter 8.30**  
**OCCUPANCY OF RECREATIONAL VEHICLES**

- 8.30.010 Definitions.
- 8.30.020 Declaration of public nuisance.
- 8.30.030 Prohibited actions.
- 8.30.040 Violation—Penalty.

**8.30.010 Definitions**

For purposes of this Chapter, the following words and phrases shall have the meanings ascribed to them by this Section.

“Occupy a recreational vehicle for habitation purposes” occurs when any person or persons sleep overnight or utilize the bathroom or kitchen facilities of a recreational vehicle.

"Recreational vehicle" shall have the meaning as that term is defined in section 12.40.050 of this code.

**8.30.020 Declaration of Public Nuisance**

The occupancy of a recreational vehicle for habitation purposes outside of recreational vehicle parks, is found to create a condition tending to reduce the value of private property; to promote blight, deterioration and unsightliness; to create fire hazards; to create sewage and water safety problems; and to be generally injurious to the health, safety and general welfare. Therefore, the presence of occupancy of recreational vehicles for habitation purposes on private property in violation of this chapter is declared to constitute a public nuisance, which may be abated as provided in this code.

**8.30.030 Prohibited Actions.**

Except as directly authorized by state law or this code, it shall be unlawful: (A) for any person to occupy a recreational vehicle for habitation purposes within the City outside of a recreational vehicle park; or (B) for any owner or person in charge of real property to permit a person to occupy a recreational vehicle for habitation purposes within the City outside of a recreational vehicle park.

**8.30.040 Violation – Penalty.**

Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine not to exceed five hundred dollars (\$500.00). Each day is a separate offense.



126 E. Central Avenue  
Sutherlin, OR 97479  
541-459-2856  
Fax: 541-459-9363  
[www.cityofsutherlin.com](http://www.cityofsutherlin.com)

## City of Sutherlin

STAFF REPORT					
<b>Re: Ordinance 1092 – Amending Sutherlin Municipal Code Chapters 8.08 &amp; 10.24 - Abandoned, hazardous, neglected or discarded vehicle regulation, impoundment and disposition, and declaring an emergency</b>				Meeting Date:	August 14, 2023
<b>Purpose:</b>	Action Item <input checked="" type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Update <input type="checkbox"/>
<b>Submitted By: Troy Mills, Chief of Police</b>				City Manager Review	<input checked="" type="checkbox"/>
<b>Attachments: Enactment Notice, Ordinance 1092, Exhibits A &amp; B</b>					

### WHAT IS BEING ASKED OF COUNCIL?

Approve Ordinance – Amending Sutherlin Municipal Code (SMC) Chapters 8.08 and 10.24 - Regulating abandoned, hazardous, neglected or discarded vehicle impoundment and disposition in the City of Sutherlin. Staff requests approval in one reading, declaring an emergency to expedite the adoption of the ordinance.

### EXPLANATION

The City of Sutherlin currently lacks an effective regulatory process to address some issues and complaints brought about by Council and the citizens of Sutherlin regarding vehicle's and parking.

The amendments to Chapters 8.08 & 10.24 address those issues to include a hazardous vehicles definition, vehicle compliance, and removal of vehicles on all city owned property.

Hazardous vehicles are deemed as an immediate threat to public safety will be impounded immediately without notice. Those provisions include any vehicle leaking hazardous materials, blocking or interfering with traffic or access to streets or sidewalks, and parking within 10 feet of a fire hydrant.

The new vehicle compliance regulation installs a pre-towing investigation notice. Vehicles that are abandoned and/or illegally parked will be towed after 24 hours. If those vehicles have been moved to another location within the 24 hours, they will have to move a minimum of one city block to be compliant.

Vehicles that are neglected and discarded and are in violation of Oregon Vehicle Title and Registration ORS 803, will be subject to a 30-day pre-tow investigation. If during this time, the vehicle moves to different location within the city and is still in violation of ORS 803, it will be immediately impounded without further notice.

The amendments also address towing and storage liens, general parking lot enforcement issues, and re-defines parking limitations, parking facilities, discarded vehicle(s), city owned parking areas, and required signage.

<b>OPTIONS</b>
----------------

According to the Charter of the City of Sutherlin, Chapter VIII, Section 30 (b) - An ordinance may be enacted at a single council meeting if all Councilors present vote unanimously.

<b>SUGGESTED MOTION(S)</b>
----------------------------

1. To approve Ordinance 1092 – Amending SMC Chapters 8.08 and 10.24 – Abandoned, hazardous, neglected or discarded vehicle regulation, impoundment and disposition and declaring an emergency; or
2. To not approve Ordinance 1092 – Amending SMC Chapters 8.08 and 10.24 – Abandoned, hazardous, neglected or discarded vehicle regulation, impoundment and disposition and declaring an emergency.



# City of Sutherlin

*Administration*  
126 E. Central Avenue  
Sutherlin, OR 97479  
(541) 459-2857  
Fax (541) 459-9363  
[www.cityofsutherlin.com](http://www.cityofsutherlin.com)

## NOTICE OF ORDINANCE ENACTMENT

### ORDINANCE NO. 1092

**AN ORDINANCE OF THE CITY OF SUTHERLIN REPEALING AND REPLACING CHAPTER 8.08; AMENDING SECTIONS OF TITLE 10.24.100 AND 10.40.010; AND REPEALING 10.40.020 OF THE SUTHERLIN MUNICIPAL CODE AND DECLARING AN EMERGENCY**

**THIS ORDINANCE WILL BE CONSIDERED BY COUNCIL AT THE REGULAR COUNCIL MEETING OF**

**FIRST READING: MONDAY, SEPTEMBER 11, 2023 @ 7PM**

**SECOND READING (if necessary): TBA**

**CIVIC AUDITORIUM - 175 E. EVERETT AVENUE**

Questions or copies of this Ordinance may be viewed by interested persons at the office of City Recorder, 126 E. Central Avenue, Sutherlin, Oregon, between the hours of 9:00 a.m. and 5:00 p.m., weekdays. A copy of this Ordinance may be purchased by interested persons for a sum determined to cover the City's expense for providing the copy.

Pursuant to Section 30 (b) (c) of the Sutherlin City Charter, this notice has been posted at the following locations: Sutherlin City Hall; Sutherlin Post Office; Sutherlin Library; Sutherlin Visitor's Center and the City's website, [www.cityofsutherlin.com](http://www.cityofsutherlin.com).

Posted this day, September 1, 2023  
By Melanie Masterfield  
City Recorder

**ORDINANCE NO. 1092**

**AN ORDINANCE OF THE CITY OF SUTHERLIN REPEALING AND REPLACING  
CHAPTER 8.08; AMENDING SECTIONS OF TITLE 10.24.100 AND 10.40.010;  
AND REPEALING 10.40.020 OF THE SUTHERLIN MUNICIPAL CODE  
AND DECLARING AN EMERGENCY**

**WHEREAS**, and the City regulates the storage of vehicles and parking in the Sutherlin Municipal Code (SMC) chapters 8 and 10; and

**WHEREAS**, the City believes it is necessary to clarify where vehicles may be parked and stored and how the City will enforce these regulations;

**WHEREAS**, the City also wishes to clarify when it will tow a vehicle without notice and when persons are allowed to park or store vehicles in public parking facilities; and

**WHEREAS**, this ordinance is necessary for the immediate compliance of state laws, and needs of the city, an emergency is declared to exist, and this Ordinance takes effect on its passage.

**NOW, THEREFORE, THE CITY OF SUTHERLIN ORDAINS AS FOLLOWS:**

**Section 1:** Chapter 8.08 of the Sutherlin Municipal Code is hereby repealed and replaced with the language set forth in Exhibit A.

**Section 2:** Sections 10.24.100 and 10.40.010 are hereby amended as set forth in Exhibit B.

**Section 3:** Section 10.24.020 is hereby repealed.

**Section 3:** This ordinance is necessary for the immediate compliance of state laws, and needs of the city, an emergency is declared to exist, and this Ordinance takes effect on its passage.

**PASSED BY THE COUNCIL, ON THIS \_\_\_\_ DAY OF \_\_\_\_, 2023.**

**APPROVED BY THE MAYOR, ON THIS \_\_\_\_ DAY OF \_\_\_\_, 2023.**

\_\_\_\_\_  
Michelle Sumner, Mayor

**ATTEST:**

\_\_\_\_\_  
Melanie Masterfield, City Recorder, CMC

## **EXHIBIT A**

### **Chapter 8.08**

## **ABANDONED, HAZARDOUS, NEGLECTED OR DISCARDED VEHICLE REGULATION, IMPOUNDMENT AND DISPOSITION**

- 8.08.010 Purpose
- 8.08.015 Definitions.
- 8.08.020 Declaration of public nuisance.
- 8.08.030 Prohibited actions.
- 8.08.040 Removal.
- 8.08.050 Real property owner rights.
- 8.08.060 Violation—Penalty.

### **8.08.010 Purpose**

The purpose of this Chapter is to provide regulation of abandoned, hazardous, neglected or discarded vehicles as well as the impoundment and disposition of such vehicles. This Chapter is intended to supplement and work in conjunction with the provision of Title 10 of this Code.

### **8.08.015 Definitions**

For purposes of this Chapter, the following words and phrases shall have the meanings ascribed to them by this Section.

**A.** "Abandoned vehicle" means a vehicle that has been deserted or relinquished without claim of ownership or has one or more of the following existing conditions:

1. The vehicle license plate or registration sticker has expired or has been canceled or altered, or the vehicle has a license plate from another vehicle;
2. The vehicle has no license plates or registration sticker;
3. The records of the Oregon Department of Transportation identify the vehicle as sold and the current owner of the vehicle has not registered the vehicle as required by state law.

**B.** "Costs" means the expense of removing, storing or selling a neglected or discarded vehicle; an abandoned vehicle; or hazardous vehicle.

**C.** "Dismantled" means inoperative without the addition or application of vital parts or mechanisms and the application of a substantial amount of labor to effect repairs.

**D.** "Hazardous vehicle" means a vehicle which is left in a location or condition as to cause, in the City's sole discretion, an immediate threat to public safety, the environment, or safety of vehicular or pedestrian traffic. Such locations or conditions include, but are not limited to:



1. The vehicle is leaking gray or black water, or leaking any other hazardous material that creates an environmental or health risk.
2. The vehicle blocks, impedes, or interferes with the vision or normal flow of vehicular, bicycle, or pedestrian traffic on public streets or sidewalks.
3. The vehicle is parked or left standing on a street, parking facilities, or other area where immediate access is needed, in the event of an emergency, by emergency services personnel or their equipment.
4. The vehicle blocks or is left standing within ten feet of a fire hydrant.
5. The vehicle poses an immediate danger to the public safety.

**E.** "Neglected or discarded vehicle" means a vehicle that is not in compliance with the provisions in ORS Chapter 803 (Vehicle Title and Registration) or appears to be, inoperative, wrecked, dismantled or partially dismantled. It also means unassembled or partially assembled vehicle parts, including, but not limited to, tires, batteries, engines, transmissions, vehicle bodies, and frames.

**F.** "Parking Facilities" mean city owned or controlled property where permanent or temporary vehicle parking is allowed.

**G.** "Person in charge of real property" means an agent, occupant, lessee, tenant, contract purchaser or other person having possession or control of the real property or the supervision of a construction project on the property.

**H.** "Person in charge of the vehicle" means any person other than the owner who is authorized to control the use of the vehicle in question.

**I.** "Person responsible" means any or all of the following:

1. The owner of the real property on which the nuisance exists;
2. The person in charge of the real property where the nuisance exists;
3. The person who causes the nuisance to come into, or continue in, existence;
4. The person who is the owner of the vehicle in question;
5. The person in charge of the vehicle in question; or
6. The person who causes the vehicle in question to violate this Chapter.

**J.** "Public way" means any street, road, alley, right-of-way, pedestrian or bicycle easement for public use.

**K.** "Vehicle" means a device in or by which a person or property is or may be transported or drawn upon a public highway, excluding a device moved by human power or used exclusively upon stationary rails or tracks, and including, but not limited to, a vehicle body, engine, transmission, frame or other major part.

**L.** "Vehicle owner" or "owner" means an individual, firm, corporation or unincorporated association with a claim, either individually or jointly, of ownership or an interest, legal or equitable, in a vehicle

### **8.08.020 Declaration of Public Nuisance**

The open accumulation and storage of abandoned, hazardous, neglected or discarded vehicles on private property in violation of state law or this chapter, is found to create a condition tending to reduce the value of private property; to promote blight, deterioration and unsightliness; to invite plundering; to create fire hazards; to constitute an attractive nuisance causing a hazard to the health and safety of minors; to create a harborage for rodents and insects; and to be injurious to the health, safety and general welfare. Therefore, the presence of such vehicles on private property in violation of state law or this chapter is declared to constitute a public nuisance, which may be abated as provided in this code.

### **8.08.030 Prohibited Actions.**

#### **A. Storage.**

1. No person responsible shall cause or allow a, neglected or discarded vehicle to remain upon private property within the City for more than 72 hours unless the vehicle is completely enclosed within a legally permitted building, or unless it is stored by a licensed business enterprise dealing in junked vehicles lawfully conducted within the City.
2. No person responsible shall allow a neglected or discarded vehicle to remain upon public property for more than 24 hours.
3. No person responsible shall permit a hazardous vehicle to remain on public or private property.

**B. Abandoned Vehicles.** No person responsible shall cause or allow a vehicle to be abandoned, upon public property within the City for more than 24 hours. This section shall not apply to a vehicle that has been abandoned as defined by state law. A vehicle that is abandoned under state law shall be dealt with pursuant to the provisions of state law.

**C. Vehicle compliance.** It is no defense to any of the prohibited acts of this chapter that the vehicle has moved to a different location in the City of Sutherlin.

1. Vehicle(s) that have been subjected to the pre-tow investigation and notice under SMC 8.08.040, that are parked along a public way will need to move more than one city blocks to become compliant.
2. Vehicle(s) that have been subjected to the pre-tow investigation and notice under SMC 8.08.040, that are parked on or within a public parking lot will need to fully leave the premises in order to become compliant.
3. Vehicles that have been subjected to the pre-tow investigation and notice under SMC 8.08.040, that have not complied, that have moved to a different location within the City of Sutherlin, that are within 30 days of the initial pre-tow investigation and notice, and that are still on public property in the city limits, will not require a second pre-tow investigation and notice prior to being towed.

#### **8.08.040 Removal**

**A.** A vehicle that is in violation of this Chapter may be taken into custody by the Police Chief or their designee and shall be held at the expense of the owner of the vehicle. The Police Chief or their designee may use department personnel, equipment, and facilities for removal and storage of the vehicle or may hire other personnel, equipment, and facilities for that purpose.

1. An abandoned, neglected or discarded vehicle that is in violation of this chapter may be taken into custody only after the pre-tow investigation and notice required by this section has been completed.
2. A hazardous vehicle that is in violation of this chapter may be taken into custody immediately.

**B.** A vehicle that is believed or known to be actively used as a form of temporary occupancy that is taken into custody under this section will be held at the tow yard or a secured location for a period of at least 30 days. During that time, upon furnishing proof of ownership, or authorization from the Police Chief or their designee, valuables and personal property contained within the vehicle will be released. Retrieval of the vehicle will require owner compliance with rules established by this code, the tow company and state law.

**C.** Towing and storage liens

1. A person who, at the request of the Chief of Police or their designee, takes a vehicle into custody under the provisions of this chapter shall have a lien on the vehicle and its contents for reasonable towing and storage charges, may retain possession of the vehicle until the charges are paid, and may sell the vehicle to satisfy the lien. The lien that attaches to the vehicle and its contents shall be a possessory chattel lien in accordance with ORS 87.152 and may be foreclosed in the manner provided in ORS 87.152 to 87.212. If the appraised value of the vehicle is \$500 or less, the vehicle may be disposed of in the manner provided in ORS 819.215.
2. If the vehicle is taken into custody under the provisions of this chapter and held by the City rather than by a private entity, the vehicle and its contents shall be disposed of in the manner provided in ORS 819.110 to 819.210.

**D.** Pre-tow investigation and notice. Except as otherwise provided by law, the Police Chief or their designee investigating a violation of SMC 8.08.030 shall:

1. Conduct a routine investigation to identify the owner and request removal of the vehicle;
2. Failing to discover the owner by such process, make a diligent inquiry as to the name and address of the owner by examining the vehicle for a license plate, vehicle identification number (VIN), make, model, style, or any other information that will aid in the identification of the owner. When such vehicle is required by law to be registered with the Oregon Department of Transportation, the Chief of Police or their designee shall inquire by license and/or VIN number with the appropriate division for the name and address of the owner;

3. Whether or not the owner is identified, affix a pre-tow notice upon the vehicle where it can be easily seen;
4. A vehicle found in violation of SMC 8.08.030 may be taken into custody with authorization of the Chief of Police or their designee.
5. Vehicles that have been subjected to the pre-tow investigation and notice for a violation of this chapter, that have not complied, that have moved to a different location within the City of Roseburg, that are within 30 days of the initial pre-tow investigation and notice, and that are still on public property in the city limits, will not require a second pre-tow investigation and notice prior to being towed.

**E. Contents of pre-towing notice.** Notices placed under SMC 8.08.040(D) shall contain the following information:

1. The name of the officer or other City employee issuing the notice;
2. That if the vehicle is not removed within the date/time specified, the vehicle will be towed and taken into custody for violation of this chapter;
3. The vehicle will be subject to towing and storage charges and that a lien will attach to the vehicle and its contents;
4. The vehicle and its contents may be sold to satisfy the towing and storage charges if they are not paid;
5. The owner may request a hearing before the vehicle is towed, to contest the proposed custody and removal;
6. The owner may challenge the reasonableness of any towing and storage charges at the hearing;
7. If the vehicle is towed, its location may be obtained by contacting the Sutherlin Police Department.

**F. Post-towing notice.**

1. After a hazardous vehicle has been towed pursuant to this chapter, notice shall be mailed within 48 hours of removal (excluding Saturday, Sunday, and holidays) to the owner. The notice shall contain the following information:
  - a. That the Sutherlin Police Department has removed the vehicle. The applicable statute or ordinance by which the vehicle was towed is cited;
  - b. The location of the vehicle;

- c. That the vehicle is subject to towing and storage charges, the amount of charges that have accrued to the date of notice and daily storage charges;
  - d. That the vehicle and its contents are subject to a lien for payment of the towing and storage charges and that the vehicle and its contents will be sold to cover the charges if the charges are not paid by the date specified;
  - e. That the owner is entitled to a prompt hearing to contest the validity of taking the vehicle into custody and to contest the reasonableness of the towing charges if a hearing is timely requested;
  - f. If a hearing is desired, the owner must request a hearing within five days (excluding Saturday, Sunday, and holidays) from the mailing date of the notice. The request must be made in writing to the Police Chief. The request must state the grounds as to why the custody and removal is not justified;
  - g. That the vehicle and its contents may be reclaimed by presenting proof of ownership, payment of towing and storage charges, or the deposit of cash security, or a bond equal to the charges, with the appropriate authority.
2. If the vehicle is registered in Oregon Department of Transportation records, notice may be addressed to the owner at the latest respective address shown by those records. If the vehicle is not registered, reasonable efforts shall be made to ascertain the name and address of the owner so that notice may be mailed, if reasonably possible, within the time period outlined in this section.
  3. Notice is considered given when a certified letter addressed to the owner of the vehicle, return receipt requested, and postage prepaid is mailed within 48 hours (excluding Saturday, Sunday, and holidays) after the vehicle is taken into custody.

**G. Tow Hearing.**

1. Upon request of the owner, a hearing shall be held before the Municipal Judge. If the vehicle has not been taken into custody before the hearing request, it will not be removed unless it is a hazard;
2. A hearing shall be set within 72 hours (excluding Saturday, Sunday, and holidays) of receipt of the request and the owner shall be notified;
3. Towing and storage charges set by law, ordinance, or rule or that comply with law, ordinance, or rule are reasonable for purposes of this hearing;
4. Hearings may be informal in nature, but the presentation of evidence shall be consistent with the presentation of evidence required for contested cases under ORS 183.450.

**H. Decision of hearing. If the Municipal Judge finds that:**

1. The action of the Police Chief or their designee is valid:
    - a. The vehicle will be held in custody until the costs of the hearing, towing, and storage are paid by the owner;
    - b. If the vehicle has not yet been towed, its removal shall be ordered.
  2. The action of the Police Chief or their designee is invalid:
    - a. Order the immediate release of the vehicle to the owner;
    - b. Find that the owner is not liable for towing or storage charges incurred prior to the hearing;
    - c. Order the City to satisfy towing and storage charges incurred prior to the hearing.
  3. The Municipal Judge shall provide a written statement of the results of the hearing to the person requesting the hearing;
  4. The action of the Municipal Judge is final.
- I.** Failure to appear. If the person requesting the hearing does not appear at the scheduled hearing, the Municipal Judge shall enter an order supporting the removal and assessment of towing and storage costs.
- J.** Exemption from notice and hearing requirements. A vehicle that is being held as part of any criminal investigation is not subject to any part of this chapter.

#### **8.08.050 Real Property Owner Rights.**

Nothing in this chapter shall be construed to limit or abridge any right an owner or person in charge of property has to dispose of vehicles on the person's real property

#### **8.08.060 Violation – Penalty.**

A violation of this chapter is punishable by a fine of not more than five hundred (\$500.00); provided, however, that if the same prohibited conduct is also an offense under state law, the punishment under this section shall not exceed the amount proscribed by state law or five hundred dollars (\$500.00), whichever is less. Each day is a separate offense.

## EXHIBIT B

New language in *italics underline* and deleted language in ~~strikethrough~~:

### 10.24.100 Vehicles subject to immediate towing.

A. The city, without prior notice to the owner or operator of a vehicle, may cause the vehicle to be impounded and towed when the city reasonably believes one circumstance under subsection (B) to exist in conjunction with one circumstance under subsection (C).

- B.
1. The location of the vehicle creates a public safety hazard;
  2. A potential use of the vehicle creates a public safety hazard; or
  3. There is a need to protect the vehicle.
- C.
1. The operator of the vehicle does not possess a valid operator's license as required by ORS 807.010;
  2. The operator of the vehicle is driving uninsured or without other means to prove financial responsibility as required by ORS 806.010 through ORS 806.012; or
  3. The operator of the vehicle is unable to prove successful registration of the vehicle or to carry a valid registration card as required by ORS 803.300 and ORS 803.505; or
  4. The vehicle is illegally parked on a street in a restricted space, zone or traffic lane where parking is limited or prohibited to designated classes of vehicles or periods of time that fit the circumstances, or any time the vehicle interferes with the intended use of such space, zone or traffic lane as proscribed by ORS 811.550.

*D. The procedures set forth in Chapter 8.08 of this code related to the towing of vehicles, including but not limited to post-tow notice, hearings, and cost recovery shall apply to any vehicle impounded and towed under this section.*

### 10.40.010 Impounding of Vehicles – Redemption - Sale.

Whenever ~~a citation is issued for violation of any city traffic regulation or whenever~~ the police chief *or the chief's designee* determines that a vehicle shall be impounded *and towed pursuant to authority granted by state law or this code* ~~to protect the vehicle or to provide for public safety~~ the police department *or a towing service operator authorized by Chapter 10.42 of this Code* may impound *and tow* the vehicle involved and remove it to a garage, parking lot or other suitable storage place. *The procedures set forth in Chapter 8.08 of this code related to the towing of vehicles, including but not limited to notices, hearings, and cost recovery shall apply to any vehicle impounded and towed under this section.* ~~The owner of the impounded vehicle or his authorized agent may redeem such vehicle upon the payment of the towing and storage charges. If redemption is not made within thirty (30) days after the vehicle is impounded, then such vehicle shall be disposed of in accordance with the procedure provided by ordinance for the disposal of abandoned vehicles.~~



126 E. Central Avenue  
Sutherlin, OR 97479  
541-459-2856  
Fax: 541-459-9363  
[www.cityofsutherlin.com](http://www.cityofsutherlin.com)

## City of Sutherlin

STAFF REPORT					
<b>Re: Public Works Surplus Property</b>				Meeting Date:	9/11/2023
<b>Purpose:</b>	Action Item x	Workshop <input type="checkbox"/>	Report Only	Discussion <input type="checkbox"/>	Update <input type="checkbox"/>
<b>Submitted By: Public Works Director, Aaron Swan</b>				City Manager Review	<input checked="" type="checkbox"/>
<b>Attachments:</b> Resolution 2023.12					

### WHAT IS BEING ASKED OF COUNCIL?

Council is being asked to approve Resolution 2023.12 – Public Works Surplus Property.

### EXPLANATION

These items of rolling stock are no longer used or needed by the city.

- 1990 580K Case Backhoe
- 325 KW Newage Generator

### OPTIONS

Approve Resolution 2023.12 – Public Works Surplus Property

Not approve Resolution 2023.12 – Public Works Surplus Property

### SUGGESTED MOTION(S)

Motion to approve Resolution 2023.12 – Public Works Surplus Property.



**RESOLUTION NO. 2023.12**

**A RESOLUTION CONCERNING CERTAIN PERSONAL PROPERTY TO BE DECLARED  
SURPLUS PROPERTY AND AUTHORIZING ITS DISPOSAL**

**The City Council of Sutherlin finds that:**

- 1990 580K Case Backhoe VIN: JJG0025783
  - 325 KW Newage Generator VIN: 4831/7420
- A. Equipment listed reflects equipment no longer needed for the public purpose for which it was acquired, and is therefore surplus property.
- B. Under provisions of City Code Section 2.40, the City Manager is authorized to dispose of surplus personal property through sale by auction, by negotiated sale without competitive bids, or by donation.
- C. Disposal of these items will be designated by City Manager.

**NOW, THEREFORE, based upon the above findings,**

**BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SUTHERLIN, a Municipal Corporation of the State of Oregon, as follows:**

- Section 1: Based upon the above findings, which are hereby adopted, the personal property described above is hereby declared to be surplus personal property of the City of Sutherlin.
- Section 2: The surplus personal property shall be disposed of by the City Manager in accordance with the provisions of City Code Section 2.40.

**PASSED BY THE CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023**

**APPROVED BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023**

\_\_\_\_\_  
Michelle Sumner, Mayor

**ATTEST:**

\_\_\_\_\_  
Melanie Masterfield, City Recorder, CMC



126 E. Central Avenue  
Sutherlin, OR 97479  
541-459-2856  
Fax: 541-459-9363  
[www.cityofsutherlin.com](http://www.cityofsutherlin.com)

## City of Sutherlin

STAFF REPORT					
<b>Re: Planning Commission Appointment</b>				Meeting Date:	9/11/2023
<b>Purpose:</b>	Action Item <input checked="" type="checkbox"/>	Workshop <input type="checkbox"/>	Report Only <input type="checkbox"/>	Discussion <input type="checkbox"/>	Update <input type="checkbox"/>
<b>Submitted By:</b> Melanie Masterfield, City Recorder				City Manager Review	<input checked="" type="checkbox"/>
<b>Attachments:</b> Application					

### WHAT IS BEING ASKED OF COUNCIL?

Council is being asked to consider an application for Planning Commission.

### EXPLANATION

There is 1 vacancy on the Planning Commission with a term ending December 31, 2024.

The City received an application from Thomas Schaub. Mr. Schaub is a Sutherlin resident and was a commercial helicopter pilot for 48 years with exposure to many construction projects.

### OPTIONS

See suggested motion below.

### SUGGESTED MOTION(S)

Appoint Thomas Schaub to the Planning Commission with a term ending December 31, 2024.



# City of Sutherlin

## Application for Citizen Committee/Commission/Board Appointment

Name Thomas W, Schaub Date 7-18-2023

Address [REDACTED] Phone [REDACTED]

Email tshelogy48@gmail.com Bus. Phone NA

Length of Residency in Sutherlin 4 1/2 years Registered Voter? yes

Candidate for position on Planning Commission

Relevant background and experience 48 years as a commerical helicopter pilot flying

all over the world being exposed to all kinds of different construction project,

What are your major interests or concerns in the City's programs? Moved here form

Paradise, CA, Lost everything. Looking for a small community, and good people & citizens like Paradise

to settle in and start again, I believe that being involve benefits everyone for i am a personable

and a a good listener willing to be open to citizens,listen,ponder and make decisions based upon public input ans how the input meets your goals for the city.

Why would you like to be appointed to this position?

Pro growth but with the citizens best interest. Strong focus of yours especially in terms of safety,

infra-structure capacity, over all aesthetics of the plans as they fit into community landscape. Opposed

to to growth if it doesn't fit into your "pro stance" if it's it'sjust a request which appers to beniefiy the investor or bussines leaving the Taxpayer to suffer the end results..

**RETURN THIS FORM TO:** City Recorder, 126 E. Central Ave., Sutherlin, OR 97479

\*\*\*\*\*

**For Office Use Only:**

Date received: 8/15/23

Date considered: 9/11/23

Action by Council \_\_\_\_\_

Term Expires: \_\_\_\_\_

Nov 2019 revised



# **CITY MANAGER REPORT (verbal)**





# **COUNCIL COMMENTS**





# **PUBLIC COMMENT**





# ADJOURNMENT





# **FOR YOUR INFORMATION**





**PUBLIC NOTICE – CITY OF SUTHERLIN**

**CITY COUNCIL MEETING**

The September 11, 2023, City Council meeting will be held in Civic Auditorium at 175 E Everett at 7:00 p.m. The City has taken steps to utilize current technology in order to make meetings available to the public in compliance with ORS 192.670 – Meetings by Means of Telephone or Electronic Communication. The public is welcome to attend the meeting in person or join via Zoom.

City of Sutherlin is inviting you to a scheduled Zoom meeting.

Topic: City Council Meeting

Time: September 11, 2023 7:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/89309201480?pwd=QStiR3pkVjY2UnNjZFRuTUlKYitlZz09>

Meeting ID: 893 0920 1480

Passcode: 717784

Find your local number: <https://us06web.zoom.us/j/khFGAXBnr>

## Melanie Masterfield

---

**From:** Melanie Masterfield  
**Sent:** Wednesday, September 6, 2023 12:46 PM  
**To:** Ashley (ashley@bciradio.com); DC Commisioners (commissioners@co.douglas.or.us); Dennis Nakata; Erica Welch; Kyle-KQEN (KYLE@BCIRADIO.COM); Michael Salpino; News Desk (newsdesk@nrtdaily.com); Register Guard (rgnews@registerguard.com); Roseburg Beacon (info@roseburgbeacon.com)  
**Subject:** Sutherlin City Council Meeting Agenda Attached  
**Attachments:** 0. AGENDA.pdf

Good afternoon. Please see the attached Council Agenda for Monday, September 11, 2023 at 7:00pm.



**Melanie Masterfield, CMC**  
*City Recorder/Community Engagement Manager*  
[m.masterfield@ci.sutherlin.or.us](mailto:m.masterfield@ci.sutherlin.or.us)  
City of Sutherlin  
126 E Central Ave.  
Sutherlin, OR. 97479  
541.459.2857 x 208

**\*\*NOTICE\*\*** This email is a public record of the City of Sutherlin, Oregon, and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This email, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply email to let the sender know of the error and destroy all copies of the original message.

**\*\*DO NOT REPLY ALL\*\***