

ADAIR VILLAGE CITY COUNCIL-Final

City Hall - 6030 Wm. R Carr Av.

******Tuesday, September 12, 2017 - 6:00 pm******

1. ROLL CALL – Flag Salute

2. CONSENT CALENDAR: - *The following items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be discussed before the Consent Calendar is considered. If any item involves a potential conflict of interest, Council members should so note before adoption of the Consent Calendar.*

- a. Minutes – City Council Meeting – September 12, 2017 (Attachment A)
- b. Bills List through August 31, 2017 (Attachment B) –

3. PUBLIC COMMENT (Please limit comments to 3 minutes)

4. STAFF REPORTS:

- a) Community Service Officer (CSO) Report (Attachment C) Jerry Jackson
- b) Public Works (Attachment D) Pat Hare
- c) City Administrator (Attachment E) Pat Hare
- d) Sheriff's Report (Attachment F) Pat Hare
- e) Financial Report-Through August 31, 2017 (Attachments G, G-2) Pat Hare

5. OLD BUSINESS:

- a) Calloway Creek Subdivision (Attachments H1, H2, H3, H4) Brownstone Homes, Don Driscoll
Action: Decision
- b) Nuisance Ordinance Dogs (Attachment I Staff Report) Pat Hare
Action: Discussion

6. NEW BUSINESS:

- a) Founders Day (Attachment J Staff Report) Pat Hare
Action: Decision

7. ORDINANCES, RESOLUTIONS, AND PROCLAMATIONS:

- a) N/A
Action:

8. EXECUTIVE SESSION ORS 192.660 (2)

(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

9. COUNCIL and MAYOR COMMENTS:

10. ADJOURNMENT:

Next meetings -

City Council–Tuesday, October 3, 2017 6:00 PM
Planning Commission- Tuesday, October 16, 2017 6:00 PM

The Community Center is accessible to person with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting by calling City Offices at 541-745-5507 or e-mail "kathy.edmaiston@adairvillage.org", or Oregon Relay Services by dialing 7-1-1. The City of Adair Village is an Equal Opportunity Employer.

The order in which items on the Agenda are addressed by the City Council may vary from the order shown on the Agenda.

**ADAIR VILLAGE
CITY COUNCIL MINUTES
6030 William R. Carr Avenue**

****Tuesday, August 8, 2017 – 6:00 PM****

| Agenda Item | Action |
|---|---|
| <p>1. Roll Call: City Council Members present: Councilors Real, Andrews, King, Canfield and Mayor Currier were present. Planning Commission Members present: Commissioners Ray, Robertson and Chair Rowe were present. CA (City Administrator) Hare was present. City Planner Don Driscoll was present. City Attorney Sean Kidd was present. City Engineer Matt Wadlington was present. Minutes were taken by Utility Clerk Kathy Edmaiston.</p> | <p>Mayor Currier called the meeting to order at 6:05 PM and led the flag salute</p> |
| <p>2. Consent Calendar (Agenda Item 2). Minutes of July 11, 2017 City Council Meeting. Bills List through July 31, 2017, (\$79,002.43 total).</p> | <p>Councilor King moved to approve the Consent Calendar as presented. Councilor Real seconded. Unanimous Approval (5-0).</p> |
| <p>3. Public Comment (Agenda Item 3). Phil Harkins, 3113 NE Willamette. Expressed interest in the emergency management coordinator position. Faye Abraham, 3122 NE Willamette. Asked if there was a leak in the new water tanks? Asked about Brownstone property and SDC fees?</p> | |
| <p>4. Attachment C – Community Services Officer (Agenda Item 4a). Jerry Jackson, CSO, presented the report for July</p> | <p>Council received the report.</p> |
| <p>5. Attachments I, I2, I3 – Calloway Creek Subdivision (Agenda Item 6a). Representatives from Brownstone, as well as Mr. and Mrs. Weigel were present. City Planner Driscoll gave an overview of the planned development. Dan Watson of K&D Engineering then gave a presentation regarding the planned development.</p> | <p>City Council and the Planning Commission discussed the matter and unanimously agreed to proceed with a public hearing regarding this matter on Tuesday, September 12, 2017 at 6:00 PM.</p> |
| <p>6. Attachment D – Public Works Report (Agenda Item 4b). CA Hare presented the report for July.</p> | <p>Council received the report.</p> |
| <p>7. Attachment E – City Administrator Report (Agenda Item 4c). CA Hare presented the report for July. Administration</p> <ul style="list-style-type: none"> • Youth Program – The numbers have been up for the free lunch program. Field trips have included an overnight camping trip, bounce place in Salem, and bowling. There will be movie nights in the park on August 16 and 23. The younger kids will be going to the Cascade Raptor Center on August 15. • Audits – All in house work for the current audit is completed. | <p>Council received the report.</p> |

| | |
|---|---|
| <p>Merina hopes to have our audit complete the first part of September.</p> <p>Property/Businesses</p> <ul style="list-style-type: none"> • Adair Village Market – They have paid two of the three months they were behind. They will be open for 24 hours on the weekend of the eclipse. • AVIS – GP, Office Depot and the City have a phone conference on the 11th; we will be talking with our consultant about engaging DEQ. <p>Major Projects/Engineering</p> <ul style="list-style-type: none"> • Voss Hill Water Tanks – The tanks are online and one of them still has a few minor leaks. Engineering America is going to send divers in to check the issue. All of the demolition work has been completed. We are working on getting all the meters online. • Wastewater/Leachate – CA Hare is working with our engineers and attorneys to try and have a rough agreement to Republic Service by September. • Water Intake – We will begin this project on September 6. ODFW is hoping the project will take two to three weeks. • Water Plant – Russell Sheet Metal will begin roofing the water plant this month. <p>Planning/Permits</p> <ul style="list-style-type: none"> • Tim Cornelius – Tim is going through the application process with Benton County. Once he has completed their requirements, we will schedule a joint public hearing with the commissioners. • ServPro – Tim McGinnis has started work on his property and is hoping to work through the winter on this project. | |
| <p>8. Attachment F – Sheriff’s Report (Agenda Item 4d). No report this month. Sgt. Hiner has been sick for two weeks and will get the report to the City.</p> | |
| <p>9. Attachment G – Financial Report-through June 30, 2017 (Agenda Item 4e). CA Hare presented the report. Income through June 30, 2017 is \$3,388,338.48 and expenses are \$2,919,79.38. The balance in the Local Government Investment Pool is approximately \$820,836.44, last year the balance was \$587,264.06.</p> | <p>Council received the report.</p> |
| <p>10. Attachment H - Eclipse Update (Agenda Item 5a). CA Hare provided the Council with information from Benton County regarding the eclipse.</p> | |
| <p>11. Attachments J, J2 and J3 – Resolution 2017 - #07 - Supplemental Budget (Agenda Item 7a). This Resolution appropriates the unanticipated carryover of a capital project.</p> <p>PUBLIC HEARING</p> <p>Public Testimony:</p> | <p>Mayor Currier opened the Public Hearing at 7:45 PM.</p> <p>Mayor Currier closed the Public Hearing at 7:45 PM.</p> |

| | |
|--|---|
| <p>In Favor: None</p> <p>In Opposition: None</p> <p>General Comments: None</p> | <p>Councilor King moved to approve Resolution 2017 - #07. Councilor Andrews seconded.</p> <p>Unanimous Approval (5-0).</p> |
| <p>12. Council and Mayor Comments (Agenda Item 8):</p> <ul style="list-style-type: none"> • Mayor Currier – None. • Councilor Real – None. • Councilor Andrews – None. • Councilor King – None. • Councilor Canfield – None. | |
| <p>17 Adjournment:</p> <p>Next meeting- Council meeting on Tuesday, September 12, 2017 at 6:00 PM.</p> | <p>Mayor adjourned the meeting at 7:50 PM.</p> |

Mayor's Approval

Date

City of Adair Village
Unpaid Bills Detail

All Transactions

| Type | Date | Num | Due Date | Aging | Open Balan... |
|---|--------------------|-----------|-----------|-------|------------------|
| Century Link Bill 8 | 21851 8/3/2017 | Augu... | 8/13/2017 | | 55.23 |
| Total Century Link | | | | | 55.23 |
| CIS TRUST Bill 8/3/17 | 21852 7/27/2017 | Augu... | 8/6/2017 | | 4,896.43 |
| Total CIS TRUST | | | | | 4,896.43 |
| Civil West Engineering Services, Inc Bill 8/3/17 | 21853 7/31/2017 | July 2... | 8/10/2017 | | 15,335.81 |
| Total Civil West Engineering Services, Inc | | | | | 15,335.81 |
| Delapoer Kidd Attorneys at Law Bill 8/3/17 | 21854 8/3/2017 | Invoic... | 8/13/2017 | | 218.75 |
| Total Delapoer Kidd Attorneys at Law | | | | | 218.75 |
| Edge Analytical Laboratories Bill 8/3/17 | 21855 7/31/2017 | Invoic... | 8/10/2017 | | 29.70 |
| Total Edge Analytical Laboratories | | | | | 29.70 |
| Engineering America, Inc. Bill | 21856 8/3/2017 | Paym... | 8/13/2017 | | 46,506.06 |
| Total Engineering America, Inc. | | | | | 46,506.06 |
| NW Natural Bill | 21857 8/3/2017 | July 1... | 8/13/2017 | | 198.81 |
| Total NW Natural | | | | | 198.81 |
| Pace Heating & Air Bill | 21858 8/4/2017 | Invoic... | 8/14/2017 | | 193.00 |
| Total Pace Heating & Air | | | | | 193.00 |
| Pat Hare Bill | 21859 8/4/2017 | A/C R... | 8/14/2017 | | 150.00 |
| Total Pat Hare | | | | | 150.00 |
| TOTAL | | | | | 67,583.79 |

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City of Adair Village
Unpaid Bills Detail
As of August 8, 2017

| Type | Date | Num | Due Date | Aging | Open Balan... |
|--|---------------------|---------------------|----------------------|-------|-------------------|
| American Business Software, Inc Bill | 8/8/2017 | 21860 Invoic... | 8/18/2017 | | 59.00 |
| Total American Business Software, Inc | | | | | 59.00 |
| Architectural Associates Bill | 8/8/2017 | 21861 July 2... | 8/18/2017 | | 1,862.97 |
| Total Architectural Associates | | | | | 1,862.97 |
| Best Pots Inc Bill | 8/8/2017 | 21862 Invoic... | 8/18/2017 | | 77.28 |
| Total Best Pots Inc | | | | | 77.28 |
| Cornerstone Janitorial Bill | 8/8/2017 | 21863 Invoic... | 8/18/2017 | | 254.11 |
| Total Cornerstone Janitorial | | | | | 254.11 |
| Ferguson Enterprises Bill | 8/8/2017 | 21864 July 3... | 8/18/2017 | | 2,038.50 |
| Total Ferguson Enterprises | | | | | 2,038.50 |
| Mid-Valley Media Group Bill | 8/8/2017 | 21881 Order... | 8/18/2017 | | 472.08 |
| Bill | 8/8/2017 | Order... | 8/18/2017 | | 472.08 |
| Total Mid-Valley Media Group | | | | | 944.16 → 472.08 |
| Oregon Dept of Environmental Quality | | | | | |
| Bill | 8/8/2017 | Loan ... | 8/18/2017 | 21872 | 14,086.00 |
| Bill | 8/8/2017 | Loan ... | 8/18/2017 | 21875 | 295.00 |
| Total Oregon Dept of Environmental Quality | | | | | 14,381.00 |
| Republic Services #452 Bill | 8/8/2017 | 21867 Inv 14... | 8/18/2017 | | 92.52 |
| Total Republic Services #452 | | | | | 92.52 |
| US Bank Bill | 8/8/2017 | 21868 0054... | 8/18/2017 | | 20,575.00 |
| Bill | 8/8/2017 | 0054... | 8/18/2017 | | 30,862.50 |
| Total US Bank | | | | | 51,437.50 |
| USA Blue Book Bill | 8/8/2017 | 21869 Invoic... | 8/18/2017 | | 211.31 |
| Total USA Blue Book | | | | | 211.31 |
| TOTAL | | | | | 71,358.35 |

12:20 PM
08/17/17

City of Adair Village
Unpaid Bills Detail
As of August 17, 2017

| Type | Date | Check Number | Open Balance |
|------------------------|-----------|--------------|--------------|
| Bank of America | 8/17/2017 | 21884 | 2,137.68 |
| Brittany Kennedy | 8/17/2017 | 21885 | 138.69 |
| Century Link | 8/17/2017 | 21886 | 75.93 |
| Comcast | 8/17/2017 | 21887 | 92.85 |
| De Lage Landen | 8/17/2017 | 21888 | 131.00 |
| Edge Analytical | 8/17/2017 | 21889 | 53.10 |
| Empower Haiti Together | 8/17/2017 | 21890 | 75.00 |
| Pacific Excavation | 8/17/2017 | 21891 | 7,572.20 |
| Pacific Power | 8/17/2017 | 21892 | 2,379.04 |
| R. G. Smith | 8/17/2017 | 21893 | 787.50 |
| Republic Services | 8/17/2017 | 21894 | 33.06 |
| Simply Payroll | 8/17/2017 | 21895 | 101.85 |
| Staples | 8/17/2017 | 21896 | 217.61 |
| Susan Woosley | 8/17/2017 | 21897 | 135.00 |
| University Motor Pool | 8/17/2017 | 21898 | 115.90 |
| Verizon | 8/17/2017 | 21899 | |

TOTAL

230.06
14,276.47

[Signature]
8/18/17

City of Adair Village
Unpaid Bills Detail

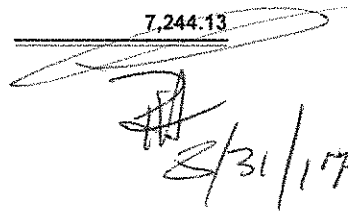
As of August 23, 2017

| Type | Date | Num | Due Date | Aging | Open Balan... |
|--|-----------|------------|------------|-------|------------------|
| Best Pots Inc | 21902 | | | | |
| Bill 8/23 | 8/22/2017 | Invoice... | 9/1/2017 | | 161.50 |
| Total Best Pots Inc | | | | | 161.50 |
| Cascade Columbia Distribution | 21903 | | | | |
| Bill 8/23 | 8/17/2017 | Invoice... | 10/16/2017 | | 2,247.50 |
| Bill 8/23 | 8/22/2017 | Invoice... | 10/21/2017 | | 777.00 |
| Total Cascade Columbia Distribution | | | | | 3,024.50 |
| Century Link | 21904 | | | | |
| Bill 8/23 | 8/22/2017 | 8/16-... | 9/1/2017 | | 80.97 |
| Total Century Link | | | | | 80.97 |
| CIS TRUST | 21905 | | | | |
| Bill 8/23 | 8/22/2017 | Septe... | 9/1/2017 | | 4,896.43 |
| Total CIS TRUST | | | | | 4,896.43 |
| City of Corvallis | 21906 | | | | |
| Bill 8/23 | 8/22/2017 | Invoice... | 9/21/2017 | | 120.69 |
| Total City of Corvallis | | | | | 120.69 |
| Greg's Heating & Air Conditioning Inc. | 21907 | | | | |
| Bill 8/23 | 8/17/2017 | Invoice... | 8/27/2017 | | 95.00 |
| Total Greg's Heating & Air Conditioning Inc. | | | | | 95.00 |
| R. G. Smith | 21908 | | | | |
| Bill 8/23 | 8/22/2017 | Invoice... | 9/1/2017 | | 308.29 |
| Total R. G. Smith | | | | | 308.29 |
| Smith-Wagar Consulting | 21909 | | | | |
| Bill 8/23 | 8/22/2017 | Invoice... | 9/1/2017 | | 3,725.00 |
| Total Smith-Wagar Consulting | | | | | 3,725.00 |
| TOTAL | | | | | 12,412.38 |

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 # 8/23/17

City of Adair Village
Unpaid Bills Detail
 As of August 31, 2017

| Type | Date | Num | Due Date | Aging | Open Balan... |
|-------------------------------------|-----------|-----------|-----------|-------|-----------------|
| Bank of America | | | | | |
| Bill | 8/30/2017 | 7/21-... | 9/9/2017 | | 1,950.61 |
| Total Bank of America | | | | | 1,950.61 |
| Brittany Kennedy | | | | | |
| Bill | 8/30/2017 | 8/1/2... | 9/9/2017 | | 58.76 |
| Total Brittany Kennedy | | | | | 58.76 |
| Consumers Power Inc. | | | | | |
| Bill | 8/31/2017 | July-... | 9/10/2017 | | 2,875.10 |
| Total Consumers Power Inc. | | | | | 2,875.10 |
| Edge Analytical Laboratories | | | | | |
| Bill | 8/30/2017 | 17-19... | 9/9/2017 | | 76.50 |
| Total Edge Analytical Laboratories | | | | | 76.50 |
| Lucion Technologies | | | | | |
| Bill | 8/30/2017 | Order... | 9/9/2017 | | 69.95 |
| Total Lucion Technologies | | | | | 69.95 |
| NW Natural | | | | | |
| Bill | 8/31/2017 | 8/25/... | 9/10/2017 | | 190.06 |
| Total NW Natural | | | | | 190.06 |
| Pat Hare | | | | | |
| Bill | 8/30/2017 | Augu... | 9/9/2017 | | 23.15 |
| Bill | 8/31/2017 | Sept ... | 9/10/2017 | | 500.00 |
| Total Pat Hare | | | | | 523.15 |
| Willamette Valley Processors | | | | | |
| Bill | 8/30/2017 | Invoic... | 9/9/2017 | | 1,500.00 |
| Total Willamette Valley Processors | | | | | 1,500.00 |
| TOTAL | | | | | <u>7,244.13</u> |


 8/31/17



Willamette Valley Processors, LLC

End of Month

08/01/17 through 8/31/17

| | |
|------------------|--|
| CSO | Jerry Jackson |
| Hours Worked: | 85.5 |
| Complaint Total: | Monthly Case Load Citizen Complaints 4 Grass/Vegetation Warnings 13 Self-Initiated 16 Total Calls 20 |
| Cases | 2 old cases, 20 new cases, 18 closed 4 open |

| Case | Date Initiated | Location/Summary | Violation |
|----------|----------------|--|---|
| AV17-003 | 5/16/17 | 4220 NE Laurel Dr. / Old pile of construction material in the front yard. Unauthorized parking pad. - Open | Under Investigation |
| AV17-043 | 6/22/17 | 232 Azalea / Parking Ticket for parking on the lawn. – Open (not paid) | 43.220 Unauthorized Parking |
| AV17-069 | 8/4/17 | 4313 Holly - closed | Verbal warning by CSO |
| AV17-070 | 8/8/17 | Complaint blackberries over growing from neighbor - closed | 40.420 vegetation (cut by CSO) |
| AV17-071 | 8/9/17 | blackberries over growing on pathway to kiddie park - closed | Cut by CSO |
| AV17-072 | 8/9/17 | Vehicle with expired tags parked on the street - closed | 40.610 illegal parking |
| AV17-073 | 8/9/17 | Vandalism skate ramp - closed | Chalk washed off by CSO |
| AV17-074 | 8/9/17 | Dog barking complaint- closed | 113 Columbia |
| AV17-075 | 8/9/17 | Voicemail complaint – Weeds on frontage Rd & Box Elder, RV parked on Box Elder - closed | 40.420 Tall Grass, 43.235 RV parked on street |
| AV17-076 | 8/11/17 | 3120 Laurel- closed | 40.420 Tall Grass |

| | | | |
|----------|---------|--|--|
| AV17-077 | 8/11/17 | 3120 Willamette- closed | 40.420 Tall Grass |
| AV17-078 | 8/11/17 | 10430AD3701 - open | 40.420 Tall Grass |
| AV17-079 | 8/11/17 | 4140 Willamette- closed | 40.420 Tall Grass |
| AV17-080 | 8/11/17 | Willamette- closed | 43.235 RV parked in the street |
| AV17-081 | 8/11/17 | 5171 Willamette- closed | 40.420 Tall Grass |
| AV17-082 | 8/11/17 | 5174 Willamette- closed | 40.420 Tall Grass |
| AV17-083 | 8/11/17 | 253 Azalea- closed | 40.420 Tall Grass |
| AV17-084 | 8/11/17 | 8251 Hyacinth - closed | 43.220 working on a vehicle parked in the street |
| AV17-085 | 8/11/17 | 8959 Barberry (called Realtor) - closed | 40.420 Tall Grass |
| AV17-086 | 8/11/17 | 6405 William R. Carr - closed | 40.420 Tall Grass |
| AV17-087 | 8/11/17 | 6301 William R. Carr - closed | 40.420 Tall Grass |
| AV17-088 | 8/15/17 | 5228, 5223, 5221 Laurel/(3) orange ordinance reminder - closed | 40.420 Tall Grass |
| AV17-089 | 8/25/17 | 8000 Block Barberry - open | 43.220/43.235 Illegal parking RV |

Parking Report Total 4

Wrong Way Parking 1

On yellow curb 0

Prohibited Parking 4

Animal Control Total

Noise 1

Animal at large 1

Livestock Violations 0

Citizen Assist Total 4

Trash Container 0

Information/Paperwork/Letters Provided 6

Vacation assist/ 0

Animal Control: Continue to work with the Sheriff's Office Animal Control Officer

Parking: Yellow zones will be painted this year.

City Assist: CSO assisted with preparation for paving, ATI Picnic and Eclipse.



PUBLIC WORKS
OPERATIONS AND MAINTENANCE REPORT

PERIOD: 7/20/2017 TO 8/20/2017

WATER USE / DISTRIBUTION REPORT

WATER USE REPORT

Water Produced: 8.5 Million Gallons

Average Usage per Day: 274,000 Gallons

Water Loss:

WATER DISTRIBUTION REPORT

Maintenance Activity: No leaks were reported this month staff continues to look for any system leaks in spare time. The new telemetry system is in place staff is able to track water flow throughout they distribution system. This will be a valuable tool in noticing and finding leaks much faster.

Collected Monthly, Bacterial Sample: Results were clean.

Collected quarterly, fourth quarter sampling to start soon.

WASTEWATER TREATMENT REPORT

Flows into the WWTP flows continue to be low with little to no rain in the last month. The effluent holding pond is still well below capacity and will be ready for winter discharge.

Total Monthly Influent: 1.3 Million Gallons

Discharged: Holding pond is off and containing effluent for the summer.

STORM WATER COLLECTION SYSTEM REPORT

Maintenance Activity: Storm drains are clear but leaves are starting to fall staff will start clearing as much as possible to keep drains clear for the upcoming fall rains.

STREETS MAINTENANCE REPORT

Maintenance Activity: Streets are in good shape. Staff continues vegetation control along streets and sidewalks.

CITY HALL / PARKS AND WETLANDS

Maintenance Activity: Mowing had slowed down a bit with very dry conditions. Staff continues to maintain grass and vegetation at all city locations.

WATER TREATMENT PLANT

Maintenance Activity: The water treatment plant has been running very well. Staff has made adjustments and no problems to report. Crews have started the new roof at the plant.

WASTEWATER TREATMENT PLANT

Maintenance Activity: The wastewater treatment plant is running well with no problems staff will be preparing for winter discharge to the river.

Completed by Matt Lydon, Public Works Supervisor



CITY ADMINISTRATOR'S REPORT September 12, 2017 Council Meeting

Administration

- **Youth Program** – Brittany would like me to get input from the council on where we see the youth program going. Are there other things you would like the City to be doing in the way of events other than just Founders day?
- **Audits** – We will be receiving the Audit report this month and Merina & Co. will be at October's meeting.
- **Marijuana** – The City will be receiving their portion of the state revenue sharing next month. The City will also be receiving ongoing revenues because we did not ban it in Adair Village.

Property/Businesses

- **Benton County Property** -We still have not received the deed to the Benton County Property.
- **AVIS** – The first draft of the engagement letter to DEQ has been sent around to all parties. It looks like we will be engaging DEQ over the next few months.

Major Projects/Engineering

- **Wastewater/Leachate** – We are meeting with Republic Service this week to look at some of the language in the first draft of an agreement.
- **Water Intake** – This project will be taking place the first week of October. City staff will be assisting in the labor as our contribution.
- **Water Plant** – The new roof is on the water plant now we are working on getting it all cleaned back up.
- **Barracks** – They have started prepping the buildings for paint by caulking and replacing some of the trim, the painting will be done shortly.

Planning/Permits

- **Tim Cornelius** – I spoke with Tim he is trying to get a feeling from the County where they stand on the project. Tim is to the point of deciding if he is going to hire a professional to help him through the rest of the process or wait to move forward.
- **Serve Pro** – Tim is moving forward on his project, there were a few minor things that he needed to take care of but that has been resolved. They would like to be moved in by spring.
- **Mike Moore** – Mike has some items on his condition of approval that he still needs to take care of before they will receive a certificate of occupancy from the County.

ADAIR VILLAGE PATROL

JULY 25 - AUGUST 24, 2017

Benton County Sheriff's Office - Adair Patrol Activity Log

| Date | Case # | Total Time | *Shift | Deputy | Contacts | Traffic | | Arrests | | Ord. Viol. | Other |
|------|--------|------------|--------|--------|----------|---------|------|---------|------|------------|--|
| | | | | | | Warn | Cite | Cite | Cust | | |
| 25 | 2861 | 1.0 | Swing | 431 | 3 | 3 | 0 | 0 | 0 | 0 | Stopped three cars for minor lighting violations all with warnings. |
| 27 | 2879 | 1.5 | Swing | 440 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at around 12:45 AM |
| 27 | 2880 | 1.0 | Swing | 431 | 1 | 0 | 0 | 0 | 0 | 0 | Deputy patrolled streets with no activity. 2:14 AM |
| 27 | 2883 | 2.0 | Grave | 443 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 2:30 AM to 4:30 AM |
| 27 | 2884 | 1.0 | Grave | 418 | 1 | 1 | 0 | 0 | 0 | 0 | One stop with verbal warning 5:21 AM |
| 27 | 2887 | 0.5 | Day | 437 | 0 | 0 | 0 | 0 | 0 | 0 | No stops or contacts. |
| 27 | 2893 | 1.0 | Day | 419 | 1 | 1 | 0 | 0 | 0 | 0 | One stop with verbal warning 11:16 PM |
| 28 | 2894 | 1.0 | Swing | 431 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 12:05 AM |
| 28 | 2895 | 1.0 | Grave | 418 | 2 | 0 | 0 | 0 | 0 | 0 | Deputy contacted two walking at around 4:00 AM |
| 28 | 2906 | 0.5 | Day | 448 | 0 | 0 | 0 | 0 | 0 | 0 | No activity per Deputy at 11:10 AM |
| 29 | 2927 | 1.0 | Day | 417 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 10:42 AM |
| 29 | 2933 | 2.0 | Grave | 436 | 1 | 1 | 0 | 0 | 0 | 0 | One traffic stop with no citations 11:30 PM |
| 30 | 2937 | 2.0 | Day | 417 | 0 | 0 | 0 | 0 | 0 | 0 | Helped another Deputy locate a missing child by patrolling city streets and parks. |
| 31 | 2946 | 1.0 | Swing | 429 | 3 | 1 | 0 | 0 | 0 | 0 | 1 Traffic stop with warning and 2 citizen contacts. |
| 31 | 2947 | 1.0 | Day | 424 | 1 | 0 | 0 | 0 | 0 | 0 | 1 citizen contact 9:28 AM |
| 1 | 2957 | 1.0 | Grave | 444 | 1 | 1 | 0 | 0 | 0 | 0 | 1 warning for lighting out. |
| 1 | 2962 | 1.0 | Day | 448 | 2 | 0 | 0 | 0 | 0 | 0 | Deputy worked traffic on HWY 99W Highest speed was 64. 2 citizen contacts. |
| 1 | 2966 | 1.0 | Swing | 431 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 6:00 PM. |
| 3 | 2982 | 3.0 | Day | 441 | 2 | 2 | 0 | 0 | 0 | 0 | Stopped 2 cars for violations with verbal warnings. |
| 3 | 2990 | 2.0 | Swing | 437 | 4 | 3 | 1 | 0 | 0 | 0 | 1 citation 3 verbal warnings and DUII patrol |
| 3 | 2993 | 1.0 | Swing | 428 | 4 | 1 | 0 | 0 | 0 | 0 | Stopped a young child on bike and warned about wearing a helmet. 3 citizen contacts. |
| 4 | 3003 | 1.0 | Day | 419 | 2 | 0 | 0 | 0 | 0 | 0 | Deputy patrolled streets with no activity, but he did speak with 2 local citizens. |
| 5 | 3014 | 1.5 | Day | 439 | 1 | 0 | 0 | 0 | 0 | 0 | No activity at 3:30 PM |
| 5 | 3017 | 1.0 | Swing | 428 | 1 | 1 | 0 | 0 | 0 | 0 | Traffic Stop for violation with warning. |
| 6 | 3023 | 1.0 | Day | 418 | 1 | 1 | 0 | 0 | 0 | 0 | 1 warning given by Deputy. |
| 7 | 3032 | 1.0 | Day | 418 | 2 | 1 | 0 | 0 | 0 | 0 | Deputy spoke with 1 citizen and stopped 2 cars with warnings. |
| 7 | 3037 | 1.0 | Day | 418 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 12:30 PM |
| 7 | 3046 | 1.0 | Swing | 429 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 11:51 PM |
| 8 | 3053 | 1.0 | Day | 448 | 4 | 0 | 0 | 0 | 0 | 0 | Deputy contacted 4 people while patrolling the streets.No traffic stops. |
| 9 | 3060 | 1.5 | Day | 446 | 0 | 0 | 0 | 0 | 0 | 0 | No activity 11:38 AM |
| 9 | 3063 | 1.0 | Day | 441 | 1 | 1 | 0 | 0 | 0 | 0 | Stopped 1 car an gave warning. |
| 10 | 3072 | 1.5 | Day | 436 | 1 | 0 | 1 | 0 | 0 | 0 | Deputy issued 2 citations Driving While Suspended and No Insurance |
| 10 | 3076 | 1.0 | Day | 441 | 0 | 0 | 0 | 0 | 0 | 0 | All quiet in the afternoon per Deputy |
| 10 | 3087 | 1.0 | Grave | 438 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 11:53 PM |
| 11 | 3091 | 1.0 | Day | 419 | 1 | 0 | 0 | 0 | 0 | 0 | Deputy spoke with 1 citizen while patrolling streets. |
| 11 | 3097 | 1.0 | Swing | 424 | 1 | 1 | 0 | 0 | 0 | 0 | One traffic stop with verbal warning. |
| 12 | 3104 | 1.5 | Grave | 417 | 3 | 3 | 0 | 0 | 0 | 0 | 3 traffic stops with 3 warning. |
| 13 | 3109 | 2.0 | Day | 437 | 6 | 2 | 1 | 0 | 0 | 0 | Deputy worked DUII overtime and issued one citation into Adair. |
| 13 | 3110 | 1.0 | Day | 448 | 0 | 0 | 0 | 0 | 0 | 0 | While patrolling Deputy removed a road hazzard from the road on Arnold Ave. |
| 13 | 3115 | 1.0 | Swing | 416 | 0 | 0 | 0 | 0 | 0 | 0 | Deputy stopped one car for speed and gave warning at 8:24 PM |
| 14 | 3120 | 2.0 | Grave | 438 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 2:19 am |
| 15 | 3130 | 1.5 | Grave | 444 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 5:01 AM |
| 15 | 3137 | 1.0 | Swing | 440 | 1 | 0 | 0 | 0 | 0 | 0 | Deputy patrolled the streets without activity |

ADAIR VILLAGE PATROL

JULY 25 - AUGUST 24, 2017

| | | | | | | | | | | | |
|--------|------|------|-------|-----|----|----|---|---|---|---|--|
| 15 | 3138 | 1.0 | Swing | 431 | 1 | 0 | 1 | 0 | 0 | 0 | Issued a citation for Driving While Suspended. |
| 15 | 3142 | 1.0 | Grave | 445 | 1 | 1 | 0 | 0 | 0 | 0 | One traffic stop with warning. |
| 16 | 3144 | 1.0 | Day | 436 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 9:00 AM |
| 16 | 3145 | 1.0 | Day | 446 | 0 | 0 | 0 | 0 | 0 | 0 | Patrolled streets without incident. |
| 17 | 3154 | 1.5 | Grave | 443 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 2:00 AM. |
| 18 | 3186 | 1.0 | Grave | 444 | 0 | 0 | 0 | 0 | 0 | 0 | No Activity |
| 18 | 3192 | 1.0 | Swing | 31 | 0 | 0 | 0 | 0 | 0 | 0 | Patrolled streets without incident. 4:48 AM |
| 19 | 3207 | 1.0 | Day | 437 | 2 | 2 | 0 | 0 | 0 | 0 | Deputy stoped 2 cars and issued 2 warnings. |
| 19 | 3210 | 1.0 | Swing | 428 | 1 | 0 | 0 | 0 | 0 | 0 | One citizen contact while patrolling. |
| 20 | 3212 | 1.0 | Swing | 421 | 1 | 1 | 0 | 0 | 0 | 0 | One warning issued |
| 20 | 3225 | 1.0 | Swing | 440 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 9:30 PM |
| 21 | 3227 | 1.0 | Grave | 438 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 2:00 AM. |
| 21 | 3228 | 1.0 | Grave | 426 | 2 | 2 | 0 | 0 | 0 | 0 | Stopped 2 cars and gave 2 verbal warnings. |
| 23 | 3256 | 1.0 | Grave | 444 | 0 | 0 | 0 | 0 | 0 | 0 | No activity at 4:46 AM. |
| | | | | | | | | | | | |
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| | | | | | | | | | | | |
| TOTAL: | | 67.5 | | | 59 | 30 | 4 | 0 | 0 | 0 | |

| | TOTAL | | | | Total General Fund | | | |
|---|-------------------|---------------------|----------------------|---------------|--------------------|-------------------|--------------------|---------------|
| | Jul '17 - Jun 18 | Budget | \$ Over Budget | % of Budget | Jul '17 - Jun 18 | Budget | \$ Over Budget | % of Budget |
| Income | | | | | | | | |
| 4001 - Property Taxes--Current | 0.00 | 115,000.00 | -115,000.00 | 0.0% | 0.00 | 115,000.00 | -115,000.00 | 0.0% |
| 4002 - Property Taxes - Prior Year | 0.00 | 1,650.00 | -1,650.00 | 0.0% | 0.00 | 1,650.00 | -1,650.00 | 0.0% |
| Total 4010 - Government Sources | 0.00 | 76,450.00 | -76,450.00 | 0.0% | 0.00 | 24,450.00 | -24,450.00 | 0.0% |
| Total 4020 - Rental Income | 7,966.32 | 108,920.00 | -100,953.68 | 7.31% | 7,966.32 | 108,920.00 | -100,953.68 | 7.31% |
| Total 4030 - Fees | 122,408.94 | 763,195.00 | -640,786.06 | 16.04% | 7,840.00 | 4,000.00 | 3,840.00 | 196.0% |
| Total 4050 - Other Income | 6,432.06 | 158,400.00 | -151,967.94 | 4.06% | 6,432.06 | 155,500.00 | -149,067.94 | 4.14% |
| 4060 - Interest | 0.00 | 3,200.00 | -3,200.00 | 0.0% | 0.00 | 3,200.00 | -3,200.00 | 0.0% |
| Total 4080 - Transfers In | 0.00 | 95,497.00 | -95,497.00 | 0.0% | 0.00 | 0.00 | 0.00 | 0.0% |
| 4090 - Beginning Fund Balance | 0.00 | 867,082.00 | -867,082.00 | 0.0% | 0.00 | 160,000.00 | -160,000.00 | 0.0% |
| Total Income | 136,807.32 | 2,189,394.00 | -2,052,586.68 | 6.25% | 22,238.38 | 572,720.00 | -550,481.62 | 3.88% |
| | 136,807.32 | 2,189,394.00 | -2,052,586.68 | 6.25% | 22,238.38 | 572,720.00 | -550,481.62 | 3.88% |
| Expense | | | | | | | | |
| 5000 - Personal Services | | | | | | | | |
| 5010 - City Administrator | 6,492.00 | 75,500.00 | -69,008.00 | 8.6% | 2,272.20 | 26,425.00 | -24,152.80 | 8.6% |
| 5016 - Utility/Court Clerk | 2,761.92 | 34,200.00 | -31,438.08 | 8.08% | 690.48 | 6,840.00 | -6,149.52 | 10.1% |
| 5018 - Finance Clerk | 1,207.00 | 13,027.00 | -11,820.00 | 9.27% | 181.05 | 1,954.00 | -1,772.95 | 9.27% |
| 5025 - Summer Program Coordinator | 585.83 | 12,904.00 | -12,318.17 | 4.54% | 585.83 | 12,904.00 | -12,318.17 | 4.54% |
| 5050 - Public Works Supervisor | 4,309.19 | 53,352.00 | -49,042.81 | 8.08% | 0.00 | 0.00 | 0.00 | 0.0% |
| 5052 - Utility Worker III | 650.00 | 0.00 | 650.00 | 100.0% | 195.00 | 0.00 | 195.00 | 0.0% |
| 5054 - Utility Worker II | 3,028.67 | 33,516.00 | -30,487.33 | 9.04% | 0.00 | 0.00 | 0.00 | 0.0% |
| 5058 - Utility Worker I | 0.00 | 6,396.00 | -6,396.00 | 0.0% | 0.00 | 1,919.00 | -1,919.00 | 0.0% |
| 5064 - Intern | 604.75 | 6,396.00 | -5,791.25 | 9.46% | 604.75 | 6,396.00 | -5,791.25 | 9.46% |
| 5081 - Employee Health Ins Benefits | 9,784.47 | 73,834.00 | -64,049.53 | 13.25% | 1,369.83 | 10,152.00 | -8,782.17 | 13.49% |
| 5082 - Retirement Benefits | 7,641.17 | 45,175.00 | -37,533.83 | 16.92% | 1,757.45 | 10,836.00 | -9,078.55 | 16.22% |
| 5085 - Employment Taxes | 3,592.08 | 32,516.00 | -28,923.92 | 11.05% | 826.49 | 7,800.00 | -6,973.51 | 10.6% |
| Total 5000 - Personal Services | 40,657.08 | 386,816.00 | -346,158.92 | 10.51% | 8,483.08 | 85,226.00 | -76,742.92 | 9.95% |
| Total 5100 - Material & Services | 125,870.67 | 558,100.00 | -432,229.33 | 22.55% | 24,598.89 | 209,450.00 | -184,851.11 | 11.75% |
| Total 5300 - Capital Outlay | 0.00 | 124,000.00 | -124,000.00 | 0.0% | 0.00 | 100,000.00 | -100,000.00 | 0.0% |
| Total 5400 - Debt Service | 65,818.50 | 235,327.00 | -169,508.50 | 27.97% | 0.00 | 11,279.00 | -11,279.00 | 0.0% |
| Total 5500 - Transfers | 0.00 | 95,497.00 | -95,497.00 | 0.0% | 0.00 | 65,210.00 | -65,210.00 | 0.0% |
| 5700 - Contingency | 0.00 | 133,500.00 | -133,500.00 | 0.0% | 0.00 | 35,000.00 | -35,000.00 | 0.0% |
| 7777 - Unappropriated Fund Balance | 0.00 | 656,154.00 | -656,154.00 | 0.0% | 0.00 | 66,555.00 | -66,555.00 | 0.0% |
| Total Expense | 232,346.25 | 2,189,394.00 | -1,957,047.75 | 10.61% | 33,081.97 | 572,720.00 | -539,638.03 | 5.78% |
| | -95,538.93 | 0.00 | -95,538.93 | 100.0% | -10,843.59 | 0.00 | -10,843.59 | 100.0% |

| | Storm Drain Fund | | | | Street Fund | | | |
|--|------------------|------------------|-------------------|---------------|------------------|-------------------|--------------------|---------------|
| | Jul '17 - Jun 18 | Budget | \$ Over Budget | % of Budget | Jul '17 - Jun 18 | Budget | \$ Over Budget | % of Budget |
| Income | | | | | | | | |
| 4001 - Property Taxes--Current | 0.00 | | | | 0.00 | | | |
| 4002 - Property Taxes - Prior Year | 0.00 | | | | 0.00 | | | |
| Total 4010 - Government Sources | 0.00 | | | | 0.00 | 52,000.00 | -52,000.00 | 0.0% |
| Total 4020 - Rental Income | 0.00 | | | | 0.00 | | | |
| Total 4030 - Fees | 2,887.99 | 18,000.00 | -15,112.01 | 16.04% | 0.00 | | | |
| 4050 - Other Income | | | | | | | | |
| 10-4051 - Utility Franchises | 0.00 | | | | 0.00 | | | |
| 10-4055 - Refunds | 0.00 | | | | 0.00 | | | |
| 10-4057 - Miscellaneous | 0.00 | 200.00 | -200.00 | 0.0% | 0.00 | 200.00 | -200.00 | 0.0% |
| 10-4058 - Loan Proceeds - General Fund | 0.00 | | | | 0.00 | | | |
| 50-4053 - Ordinances & Court Fines | 0.00 | | | | 0.00 | | | |
| Total 4050 - Other Income | 0.00 | 200.00 | -200.00 | 0.0% | 0.00 | 200.00 | -200.00 | 0.0% |
| 4060 - Interest | 0.00 | | | | 0.00 | | | |
| Total 4080 - Transfers In | 0.00 | | | | 0.00 | | | |
| 4090 - Beginning Fund Balance | 0.00 | 15,000.00 | -15,000.00 | 0.0% | 0.00 | 75,000.00 | -75,000.00 | 0.0% |
| Total Income | 2,887.99 | 33,200.00 | -30,312.01 | 8.7% | 0.00 | 127,200.00 | -127,200.00 | 0.0% |
| | 2,887.99 | 33,200.00 | -30,312.01 | 8.7% | 0.00 | 127,200.00 | -127,200.00 | 0.0% |
| Expense | | | | | | | | |
| 5000 - Personal Services | | | | | | | | |
| 5010 - City Administrator | 324.60 | 3,775.00 | -3,450.40 | 8.6% | 324.60 | 3,775.00 | -3,450.40 | 8.6% |
| 5016 - Utility/Court Clerk | 0.00 | 1,710.00 | -1,710.00 | 0.0% | 0.00 | | | |
| 5018 - Finance Clerk | 60.35 | 651.00 | -590.65 | 9.27% | 60.35 | 651.00 | -590.65 | 9.27% |
| 5025 - Summer Program Coordinator | 0.00 | | | | 0.00 | | | |
| 5050 - Public Works Supervisor | 215.46 | 2,668.00 | -2,452.54 | 8.08% | 430.92 | 5,335.00 | -4,904.08 | 8.08% |
| 5052 - Utility Worker III | 32.50 | | | | 32.50 | | | |
| 5054 - Utility Worker II | 151.43 | 1,676.00 | -1,524.57 | 9.04% | 302.87 | 3,352.00 | -3,049.13 | 9.04% |
| 5058 - Utility Worker I | 0.00 | 320.00 | -320.00 | 0.0% | 0.00 | 320.00 | -320.00 | 0.0% |
| 5064 - Intern | 0.00 | | | | 0.00 | | | |
| 5081 - Employee Health Ins Benefits | 489.22 | 3,692.00 | -3,202.78 | 13.25% | 587.08 | 4,615.00 | -4,027.92 | 12.72% |
| 5082 - Retirement Benefits | 382.05 | 2,073.00 | -1,690.95 | 18.43% | 458.46 | 2,579.00 | -2,120.54 | 17.78% |
| 5085 - Employment Taxes | 179.68 | 1,492.00 | -1,312.32 | 12.04% | 215.61 | 1,856.00 | -1,640.39 | 11.62% |
| Total 5000 - Personal Services | 1,835.29 | 18,057.00 | -16,221.71 | 10.16% | 2,412.39 | 22,483.00 | -20,070.61 | 10.73% |
| Total 5100 - Material & Services | 0.00 | 6,500.00 | -6,500.00 | 0.0% | 3,553.76 | 29,450.00 | -25,896.24 | 12.07% |
| Total 5300 - Capital Outlay | 0.00 | | | | 0.00 | 24,000.00 | -24,000.00 | 0.0% |
| Total 5400 - Debt Service | 0.00 | | | | 0.00 | | | |
| Total 5500 - Transfers | 0.00 | 1,670.00 | -1,670.00 | 0.0% | 0.00 | 3,202.00 | -3,202.00 | 0.0% |
| 5700 - Contingency | 0.00 | 4,500.00 | -4,500.00 | 0.0% | 0.00 | 15,000.00 | -15,000.00 | 0.0% |
| 7777 - Unappropriated Fund Balance | 0.00 | 2,473.00 | -2,473.00 | 0.0% | 0.00 | 33,065.00 | -33,065.00 | 0.0% |
| Total Expense | 1,835.29 | 33,200.00 | -31,364.71 | 5.53% | 5,966.15 | 127,200.00 | -121,233.85 | 4.69% |
| | 1,052.70 | 0.00 | 1,052.70 | 100.0% | -5,966.15 | 0.00 | -5,966.15 | 100.0% |

| | Wastewater Fund | | | | Water Fund | | | |
|---------------------------------------|-------------------|-------------------|--------------------|---------------|-------------------|-------------------|--------------------|---------------|
| | Jul '17 - Jun 18 | Budget | \$ Over Budget | % of Budget | Jul '17 - Jun 18 | Budget | \$ Over Budget | % of Budget |
| Income | | | | | | | | |
| 4001 - Property Taxes--Current | 0.00 | | | | 0.00 | | | |
| 4002 - Property Taxes - Prior Year | 0.00 | | | | 0.00 | | | |
| Total 4010 - Government Sources | 0.00 | | | | 0.00 | | | |
| Total 4020 - Rental Income | 0.00 | | | | 0.00 | | | |
| Total 4030 - Fees | 30,207.79 | 206,395.00 | -176,187.21 | 14.64% | 81,473.16 | 534,800.00 | -453,326.84 | 15.23% |
| Total 4050 - Other Income | 0.00 | 1,000.00 | -1,000.00 | 0.0% | 0.00 | 1,500.00 | -1,500.00 | 0.0% |
| 4060 - Interest | 0.00 | | | | 0.00 | | | |
| Total 4080 - Transfers In | 0.00 | 15,000.00 | -15,000.00 | 0.0% | 0.00 | | | |
| 4090 - Beginning Fund Balance | 0.00 | | | | 0.00 | 315,000.00 | -315,000.00 | 0.0% |
| Total Income | 30,207.79 | 222,395.00 | -192,187.21 | 13.58% | 81,473.16 | 851,300.00 | -769,826.84 | 9.57% |
| | 30,207.79 | 222,395.00 | -192,187.21 | 13.58% | 81,473.16 | 851,300.00 | -769,826.84 | 9.57% |
| Expense | | | | | | | | |
| 5000 - Personal Services | | | | | | | | |
| 5010 - City Administrator | 973.80 | 11,325.00 | -10,351.20 | 8.6% | 2,596.80 | 30,200.00 | -27,603.20 | 8.6% |
| 5016 - Utility/Court Clerk | 690.48 | 8,550.00 | -7,859.52 | 8.08% | 1,380.96 | 17,100.00 | -15,719.04 | 8.08% |
| 5018 - Finance Clerk | 362.10 | 3,908.00 | -3,545.90 | 9.27% | 543.15 | 5,863.00 | -5,319.85 | 9.26% |
| 5025 - Summer Program Coordinator | 0.00 | | | | 0.00 | | | |
| 5050 - Public Works Supervisor | 1,077.30 | 13,339.00 | -12,261.70 | 8.08% | 2,585.51 | 32,010.00 | -29,424.49 | 8.08% |
| 5052 - Utility Worker III | 130.00 | | | | 260.00 | | | |
| 5054 - Utility Worker II | 908.60 | 10,055.00 | -9,146.40 | 9.04% | 1,665.77 | 18,433.00 | -16,767.23 | 9.04% |
| 5058 - Utility Worker I | 0.00 | 1,279.00 | -1,279.00 | 0.0% | 0.00 | 2,558.00 | -2,558.00 | 0.0% |
| 5064 - Intern | 0.00 | | | | 0.00 | | | |
| 5081 - Employee Health Ins Benefits | 2,446.12 | 17,535.00 | -15,088.88 | 13.95% | 4,892.22 | 37,840.00 | -32,947.78 | 12.93% |
| 5082 - Retirement Benefits | 1,642.84 | 9,303.00 | -7,660.16 | 17.66% | 3,400.37 | 20,384.00 | -16,983.63 | 16.68% |
| 5085 - Employment Taxes | 790.56 | 6,696.00 | -5,905.44 | 11.81% | 1,579.74 | 14,672.00 | -13,092.26 | 10.77% |
| Total 5000 - Personal Services | 9,021.80 | 81,990.00 | -72,968.20 | 11.0% | 18,904.52 | 179,060.00 | -160,155.48 | 10.56% |
| Total 5100 - Material & Services | 9,982.03 | 59,450.00 | -49,467.97 | 16.79% | 87,047.31 | 253,250.00 | -166,202.69 | 34.37% |
| Total 5300 - Capital Outlay | 0.00 | | | | 0.00 | | | |
| Total 5400 - Debt Service | 34,956.00 | 62,048.00 | -27,092.00 | 56.34% | 30,862.50 | 162,000.00 | -131,137.50 | 19.05% |
| Total 5500 - Transfers | 0.00 | 8,059.00 | -8,059.00 | 0.0% | 0.00 | 17,356.00 | -17,356.00 | 0.0% |
| 5700 - Contingency | 0.00 | 4,000.00 | -4,000.00 | 0.0% | 0.00 | 75,000.00 | -75,000.00 | 0.0% |
| 7777 - Unappropriated Fund Balance | 0.00 | 6,848.00 | -6,848.00 | 0.0% | 0.00 | 164,634.00 | -164,634.00 | 0.0% |
| Total Expense | 53,959.83 | 222,395.00 | -168,435.17 | 24.26% | 136,814.33 | 851,300.00 | -714,485.67 | 16.07% |
| | -23,752.04 | 0.00 | -23,752.04 | 100.0% | -55,341.17 | 0.00 | -55,341.17 | 100.0% |



STAFF REPORT
Attachment G – Financial Report
September 9, 2017 Council Meeting

Totals - Income shown for Fiscal Year 2017 is \$136,807.32. (6.25% of budget) and Expenses are \$232,346.25 (10.61% of budget), which shows a Net Income of -\$95,538.93 for all funds.

| Category | Expenses | Percent of Budget |
|------------------------|------------|-------------------|
| • Personal Services | 40,657.08 | 10.51 |
| • Materials & Services | 125,879.76 | 22.55 |
| • Capital Outlay | 0.00 | 0.00 |
| • Debt Service | 65,818.50 | 27.97 |

Totals by Fund – Income and Expenses for each Fund (Reserve and System Development Charges funds are not included, because they are basically in stasis with no expenses) are shown below.

| Fund | Income | Expenses | Difference |
|----------------|---------------------|---------------------|---------------------|
| • General | 22,238.38 | 33,081.97 | -10,843.59 |
| • Storm Drain | 2,887.99 | 1,835.70 | +1,052.70 |
| • Streets | 0.00 | 5,966.15 | -5,966.15 |
| • Wastewater | 30,207.79 | 53,959.83 | -23,752.04 |
| • Water | 81,473.16 | 136,817.32 | -55,341.17 |
| • TOTAL | \$136,807.32 | \$232,346.25 | -\$95,538.93 |

NOTE: Minus total income includes about \$60,000.00 in debt service payments, which will be offset by tax income in November. There were also heavier than usual engineering fees in the Water Fund for August.

We have approximately **\$829,705.39** in the Local Government Investment Pool (LGIP). Last month we had **\$920,836.44**. Last year we had **\$537,187.86**.



6030 William R. Carr Av.
Adair Village, OR 97330
541-745-5507

**NOTICE OF A SUBDIVISION TENTATIVE PLAN APPROVAL
PLANNING COMMISSION & CITY COUNCIL
JOINT HEARING & FINAL DECISION
SEPTEMBER 12, 2017**

Notice is hereby given for a **Joint Public Hearing** by the **Adair Village Planning Commission and City Council** for the proposed **Calloway Creek Planned Development Subdivision** located in the City's R-3 Residential Zone.

The Public Hearing will occur on **September 12, 2017 at 6:00 pm.** at the Adair Village City Hall.

Requested Action: Approval of a Planned Development Subdivision Tentative Plan
Owner/Applicant: Dorothy A. Weigel Trust – Ron Weigel / Calloway Creek, LLC
Property Location: East of US Highway 99W & South of Ryals Avenue
Assessor Maps: 10-4-31-Tax Lot 205 & Portion of 10-4-32-Tax Lot 201
Area: 40.86 acres
Land Use Zone: Adair Village Residential Zone R-3

REQUESTED ACTION

The requested action is **Approval** of a **Planned Development Subdivision Tentative Plan** prior to approval of the **Recorded Plat**. A **Planned Development** requires a **Public Hearing**.

The Adair Village Land Use Development Code, **Code Section 2.320-2.329 Subdivision or Partition Tentative Plan** and **Code Section 7.200-7.280 Planned Development Area Standards** specify the applicable **Decision Criteria** for evaluation of the requested **Subdivision**. The specific criteria will be addressed in the **Staff Report**.

A copy of the **Application** and all documents and evidence relied upon by the Applicant are available for inspection at the **Adair Village City Hall**.

A **Staff Report** containing the applicable criteria will be available at least **7 days** prior to the Hearing as specified in **Code Section 3.300 (7) (h)**.

Failure of an issue to be raised in the Hearing or by letter, or failure to provide sufficient detail to afford the decision makers an opportunity to respond to the issue precludes appeal to the **Land Use Board of Appeals (LUBA)** based on that issue.

Oral or written testimony may be presented at the Hearing or written testimony may be delivered or mailed to the Adair Village City Hall. located at **6030 William R. Carr Avenue, Adair Village, Oregon 97330.** All delivered or mailed testimony shall be received by the City no later than **4:00 pm** on **Monday September 11, 2017.**

For additional information write to the City Hall at the above address or call the City Hall at 541-745-5507 or Fax to 541-230-5219 or Email - pat.hare@adairvillage.org
PAT HARE, CITY ADMINISTRATOR



CALLOWAY CREEK PLANNED DEVELOPMENT SUBDIVISION STAFF REVIEW AND REPORT

REQUESTED ACTION

The requested action is **Approval** of the **Calloway Creek Planned Development Subdivision Tentative Plan** prior to approval of the **Recorded Plat**.

The Applicant is requesting approval of a 199 Lot **Urban Planned Development Subdivision Tentative Plan** containing Lots with an average size 4,394 sq. ft.

| | |
|--------------------------|---|
| Requested Action: | Approval of a Planned Development Subdivision Tentative Plan |
| Owner/Applicant: | Dorothy A. Weigel Trust – Ron Weigel / Calloway Creek, LLC |
| Property Location | East of US Highway 99W & South of Ryals Avenue |
| Assessor Maps | 10-4-31-Tax Lot 205 & Portion of 10-4-32-Tax Lot 201 |
| Area: | 40.86 acres |
| Land Use Zone: | Adair Village Residential Zone R-3 (R-3-PD Proposed) |

APPLICABLE CRITERIA

The **Oregon Revised Statutes (ORS) Chapter 92** and the **Adair Village Land Use Development Code (Code)** the applicable criteria for evaluation of the requested action.

- a. **ORS 92**, specifies that, "No land may be subdivided or partitioned except in accordance with ORS 92.010 to 92.190.
 - b. **ORS 197.015 (12) and 197.195** requires Land Divisions within the City of Adair Village to be submitted to the Adair Village Planning Commission for review and approval as a "Limited Land Use Decision".
 - c. **ORS 92** shall govern in case of conflict with City standards (ORS 197.646 (3)).
1. The Adair Village Land Use Development Code is in compliance with the Adair Village Comprehensive Plan.
 2. All land divisions within the City of Adair Village must be submitted to the City for approval.
 3. All Subdivisions must comply with an approved **Subdivision Tentative Plan** as required by **Code Section 2.320-2.329**.
 3. All Subdivisions must comply with the **Final Subdivision Plat** requirements of **Code Section 2.330-2.340**.
 4. The City is required to mail notifications to property owners within 100 feet of the Applicant's property within 20 days prior to the Public Hearing. A **Quasi-judicial Public Hearing** will be conducted in conformance with **Code Section 3.510**.

5. **The Adair Village Land Use Development Code** specifies standards for property development. All Land Divisions must comply with the zoning and development standards of the **Code**. The following development standards specifically apply:

Code Section 1.170 Administration & Regulation Compliance

Code Section 4.113 specifies development standards for the **Residential Zone R-3 Zone**.

Code Article 5 General Development Standards.

Code Article 6 Use Standards.

Code Article 8 Improvement Requirements.

Code Section 2.320-2.329 Subdivision or Partition Tentative Plan

Code Sections 2.330-2.340 Final Plat Approval.

Code Section 3.200 (3) Quasi-judicial Decisions

Code Section 3.300 (3) Quasi-judicial Notification

Notification to Adjacent Property Owners and Affected Public Agencies.

Code Section 3.510 Quasi-judicial Public Hearing Procedures

Planning Commission & City Council Hearing is required.

A Joint Hearing is permitted - Code Section 3.510 (3)

Code Section 3.600 Decision & Notice

Notice of Decision shall be provided to all participants in the Public Hearing.

Code Section 3.700 Appeal Provisions

Issues must be raised at the Public Hearing or Appeal is not permitted.

Code Section 7.200-7.280 Planned Development Standards specify the applicable **Decision Criteria** for evaluation of a Planned Development.

The **Planned Development**, if approved, provides its own standards of development that supersedes the general Code standards.

STAFF SUMMARY

1. The Applicant has provided the specified information to address the requirements of **Code Section 2.320** and **Code Section 7.200** for approval of the **Calloway Creek Planned Development Subdivision Tentative Plan**. Additional detailed information will be submitted to the City for the Record File prior to approval of the Final Plat.
2. Municipal water is required and available. Accessibility requirements will be specified by the City Engineer.
3. Municipal sanitary sewer is required and available. Accessibility requirements will be specified by the City Engineer.
4. The availability of municipal water and sewer permits property divisions to an **Urban Conversion Standard** as specified in the **Residential Zone - R-3, Code Section 4.113**.
5. Drainage is a significant concern that needs to be fully addressed. The Calloway Creek Headwaters provides the primary drainage basin for the proposed Planned Development Subdivision. **Site drainage, detention and discharge locations require verification from the City Engineer**. Out-flows and the capacity of the receiving drainageway need to be verified. An engineered drainage plan is required prior to construction approval and Plat approval. A storm water detention system may be required. If required, the type and design of the detention system shall be specified.

6. There are limited wetlands identified on the Applicant's Wetland Delineation of the Property that is part of the Calloway Creek Headwaters and open space that will be protected by the City. There are no Flood Zones identified on the "FEMA Flood Insurance Rate Maps" for the specified property.
7. The proposed **Calloway Creek Planned Development Subdivision** will be an individual element of the Adair Village Comprehensive Plan and Development Code and does not represent a major policy change relative to the community as a whole. The Applicant should identify any primary trees or vegetation to be maintained and those intended to be removed.
8. The **Calloway Creek Headwaters Area** will be dedicated to the City as Public Open Space and Park Use as specified in **Code Section 8.400 (2) Public Use Dedications**.
9. Development safeguards are provided through the applied **Conditions of Approval**.
10. The **Conditions of Approval** will apply upon approval of the **Planned Development Subdivision Tentative Plan** and shall be implemented when development of the property is approved.

Planning Commission and City Council approval is contingent upon compliance with the Conditions of Approval unless there is written factual data presented in opposition at the Planning Commission and City Council Hearings that would alter the findings for approval of the request.

CONDITIONS OF APPROVAL

The following **Conditions of Approval** shall apply to the proposed **Calloway Creek Planned Development Subdivision** and shall be fully addressed prior to occupancy of the property.

1. The **Calloway Creek Planned Development Subdivision** shall comply with all of the applicable standards of **The Adair Village Comprehensive Plan** and the **Adair Village Land Use Development Code (Code)**
2. The **Calloway Creek Planned Development Subdivision** property development shall comply the approved **R-3-PD Planned Development Standards** requested in the **Application**.
3. A **Subdivision Tentative Plan** in conformance with **Code Section 2.320** shall be submitted for Approval prior to any on-site activity.
4. The property owner shall submit a site development and construction phasing schedule prior to beginning on-site work or construction.
5. The **Calloway Creek Planned Development Subdivision** is a private subdivision that constructs and dedicates all streets and municipal utilities to the City of Adair Village subject to acceptance by the City. Lots may be developed by the Owner or some lots may be sold for private development. All streets within the subdivision shall be public streets following acceptance by the City.
6. The Applicant has deferred detailed development plans until approval of the Subdivision Tentative Plan. Detailed plans for grading, drainage, stormwater detention, landscaping and irrigation, utilities, street construction and lighting require City approval prior to signing the final Plat.
7. A site development and construction phasing schedule shall be submitted in addition to the following detailed information prior to beginning construction.

8. Street improvement plans are required in conformance with **Code Sections 5.123, 5.124, 5.125** and **Code Section 8.200** including a Street Lighting Plan in conformance with **Code Section 5.135**. A Traffic Impact Analysis may be required by Benton County and/or the State Highway Division.
9. The proposed Subdivision Tentative Plan is in conformance with the requirements of **Code Sections 2.320-29** and complies with the standards and requirements of **ORS Chapter 92**.
10. CC&Rs or other specified means of maintaining common areas including the stormwater detention system and drainage ways.
11. Municipal water and sanitary sewer is available. Access and capacity shall be verified with the **City** and a Municipal Water and Sanitary Sewer Plan and construction specifications for on-site and off-site improvements in conformance with **Code Sections 5.127, 5.128, 5.129** and **Code Section 8.200 8.300** is required.
12. A Grading and Landscape Plan is required in conformance with **Code Section 5.133** and **Code Section 5.134** prior to beginning any on site work and shall include identification of trees to be added, maintained or removed.
13. The **Calloway Creek Planned Development Subdivision** properties drain generally from northwest to the southeast connecting to the primary **Calloway Creek**. The Applicant and Property Owners of shall provide proper drainage and protect all runoff and drainage ways from disruption or contamination. Maintaining proper drainage shall be a continuing obligation of each property owner.
14. **Existing Drainage ways** shall be protected and required drainage facilities shall be provided in conformance with State and City regulations. Drainage improvements and a storm drainage system shall be provided including storm water detention facilities if needed. A site Drainage Plan including stormwater transmission, detention and off-site receiving stream improvements in conformance with **Code Section 5.126** and **Section 8.200** is required. The Applicant shall clarify capacity and impacts of the proposed outflow connections and shall specify the off-site improvements necessary to accommodate the proposed subdivision drainage.
15. The **Calloway Creek Headwaters Area** shall be dedicated to the City as Public Open Space and Park Use as specified in **Code Section 8.400 (2) Public Use Dedications**.
16. The Applicant shall coordinate with the City Engineer to provide verification of all road, water, sewer and drainage system capacities and to identify needed improvements to be provided by the Applicant. All Installations shall conform to the **Adair Village Public Infrastructure Design Standards Manual**.
17. Proposed development shall comply with the fire protective standards administered by the **Adair Rural Fire Protection District**. Hydrants and Fire Truck access and turnarounds shall be verified with the Local Fire District or Fire Marshall.
18. Any Tentative Plan changes shall be submitted to the City for approval. If proposed changes are not in conformance with City Ordinances or the approved Tentative Plan the Applicant shall be notified and the non-complying elements shall be corrected and resubmitted prior to approval of the Final Plat.

19. Compliance with the federal Americans with Disabilities Act (ADA) is the responsibility of the Applicant/Owner including sidewalk accessibility standards.
20. CC&Rs or other specified means of maintaining common areas including the stormwater detention system and drainage ways shall be provided by the Applicant. All required Certifications and CC&R's shall be recorded and identified in the Declarations on the Final Plat. Copies of all CC&R's shall be approved by the City and recorded copies shall be submitted to the City for inclusion in the Record File of the Application.

The Conditions of Approval shall apply to the proposed R-3-PD Calloway Creek Planned Development Subdivision and shall be addressed prior to approval of the Final Plat.

The requested Calloway Creek Planned Development Subdivision can comply with City standards contingent upon compliance with the Conditions of Approval and may be approved by the City unless there is factual data presented in opposition at the Public Hearing that would alter the findings for approval of the request.

FINDINGS FOR APPROVAL OF THE REQUEST

1. The **Adair Village R-3-PD Planned Development Subdivision** will comply with all of the applicable standards of **The Adair Village Comprehensive Plan** and the **Adair Village Land Use Development Code (Code)** subject to compliance with the **Conditions of Approval**.
2. The **Residential Zone R-3-PD** Land Use Zone will be applied to the **Adair Village Zoning Map** subject to compliance with the **Conditions of Approval**:
3. The City has mailed notifications to affected agencies and property owners within the required 100 feet from the subject property 20 days prior to the City Public Hearing in conformance with **Section 3.300 (3)** of the **Adair Village Land Development Code**.
4. The **R-3-PD Planned Development Subdivision** is similar to and compatible with existing and permitted uses within the City and complies with the urban development standards of the Adair Village Land Development Ordinance subject to compliance with the Conditions of Approval.
5. The proposed Subdivision Tentative Plan is in conformance with the requirements of **Code Sections 2.320-29** and complies with the standards and requirements of **ORS Chapter 92**.
6. The R-3 Residential Zone is presently applied in the City.
7. The proposed **R-3-PD Planned Development Subdivision** is an individual aspect of the Adair Village Comprehensive Plan that does not represent a major policy change relative to the community as a whole.
8. The proposed **R-3-PD Planned Development Subdivision** is intended to encourage needed housing that benefit the community.
9. Development safeguards are provided through the applied **Conditions of Approval**.
10. The Conditions of Approval will be applied as development of the property is proposed.
11. There is excess capacity available to serve the property from all utilities including municipal water and sewer, electrical power, gas and communications.

12. The proposed Street Plan is in conformance with City standards and provides the most economic, safe and efficient circulation of traffic in relation to the existing City street system and does not have an adverse impact on pedestrian, bicycle and vehicular safety. Signs and lighting will not interfere with traffic or limit visibility subject to compliance with the Conditions of Approval. Detailed plans will be reviewed to insure compliance. A Traffic Impact Analysis will be included if required.
13. Drainage improvements, a storm drainage system and storm water detention facilities will be provided by the Applicant in conformance with the Conditions of Approval.
14. There are no Flood Zones identified on the "FEMA Flood Insurance Rate Maps" for the Applicant's property.
15. Municipal water and sanitary sewer is available. Access and capacity will be verified with the **City** as specified in **Code Sections 5 General Development Standards** and **Code Article 8 Improvement Requirements**.
16. Public Improvements will conform to the **Adair Village Public Infrastructure Design Standards Manual** subject to compliance with the **Conditions of Approval**.

City Council and Planning Commission Decisions are based upon the individual merits of each application and does not establish a precedent for similar future applications.

Suggested Motion to Approve

Move to approve the Adair Village Calloway Creek Planned Development Subdivision establishing an R-3-PD Zone on the described property presented in the Application contingent upon compliance with the Conditions of Approval contained in the Staff Report.



6030 William R. Carr Av.
Adair Village, OR 97330
541-745-5507

**NOTICE OF A SUBDIVISION TENTATIVE PLAN APPROVAL
PLANNING COMMISSION & CITY COUNCIL
JOINT HEARING & FINAL DECISION
SEPTEMBER 12, 2017**

Notice is hereby given for a **Joint Public Hearing** by the **Adair Village Planning Commission and City Council** for the proposed **Calloway Creek Planned Development Subdivision** located in the City's R-3 Residential Zone.

The Public Hearing will occur on **September 12, 2017 at 6:00 pm.** at the Adair Village City Hall.

| | |
|--------------------------|---|
| Requested Action: | Approval of a Planned Development Subdivision Tentative Plan |
| Owner/Applicant: | Dorothy A. Weigel Trust – Ron Weigel / Calloway Creek, LLC |
| Property Location | East of US Highway 99W & South of Ryals Avenue |
| Assessor Maps | 10-4-31-Tax Lot 205 & Portion of 10-4-32-Tax Lot 201 |
| Area: | 40.86 acres |
| Land Use Zone: | Adair Village Residential Zone R-3 |

REQUESTED ACTION

The requested action is **Approval of a Planned Development Subdivision Tentative Plan** prior to approval of the **Recorded Plat**. A **Planned Development** requires a **Public Hearing**.

The Adair Village Land Use Development Code, **Code Section 2.320-2.329 Subdivision or Partition Tentative Plan** and **Code Section 7.200-7.280 Planned Development Area Standards** specify the applicable **Decision Criteria** for evaluation of the requested **Subdivision**. The specific criteria will be addressed in the **Staff Report**.

A copy of the **Application** and all documents and evidence relied upon by the Applicant are available for inspection at the **Adair Village City Hall**.

A **Staff Report** containing the applicable criteria will be available at least **7 days** prior to the Hearing as specified in **Code Section 3.300 (7) (h)**.

Failure of an issue to be raised in the Hearing or by letter, or failure to provide sufficient detail to afford the decision makers an opportunity to respond to the issue precludes appeal to the **Land Use Board of Appeals (LUBA)** based on that issue.

Oral or written testimony may be presented at the Hearing or written testimony may be delivered or mailed to the Adair Village City Hall. located at 6030 William R. Carr Avenue, Adair Village, Oregon 97330. All delivered or mailed testimony shall be received by the City no later than 4:00 pm on **Monday September 11, 2017**.

For additional information write to the City Hall at the above address or call the City Hall at 541-745-5507 or Fax to 541-230-5219 or Email - pat.hare@adairvillage.org

PAT HARE, CITY ADMINISTRATOR



SUMMARY RESUME OF DENNIS L. DERBY

PROFESSIONAL & WORK EXPERIENCE

Personnel Specialist/Admin Assistant, US Army, 3 Years, Honorable Discharge

Civic and Convention Center Manager, Seaside, Oregon and Tacoma, Washington, 4 years

Homebuilder and Residential Developer, Portland, Oregon, 29 years

Board Member, State of Oregon Building Codes Board, 6 years

Commissioner, Department of Conservation & Land Development, State of Oregon, 8 years

President, Portland Homebuilder's Association & Oregon State Homebuilder's Assoc.

Board Member, National Association of Homebuilders, 16 years

Owner, Papa Murphy's Pizza Stores (3), Phoenix, Arizona, 6 Years

Developer/Partner/Consultant in Residential Real Estate Development

EDUCATION & PERSONAL

BS and MBA Portland State University, 1973. Private Pilot and US Coast Guard License. Currently semi-retired, married and living winters in Arizona. Very good health and active in boating, golf, travel, fun projects. Contact: dderby@aol.com, cell 503-956-3554



STAFF REPORT

Nuisance Dogs

I spoke with the Benton County Sheriff's office and we cleared the process for handling dogs up. Benton County will help the City with any dogs at large or dog bites. If the City needs assistance with any Animal control the County will help upon request.

The City will handle all barking dogs through our own Ordinances. The city can only enforce barking dogs if we receive written signed complaint forms. This is due to the fact that we need a record of witness to actually write a citation.

Attached is the Animal Control Ordinance.

CHAPTER 41 ANIMAL CONTROL

[Enacted, Ord. 2008-04]

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CHAPTER 41 ANIMAL CONTROL

TITLE, SCOPE, AND AUTHORITY

41.005 Title. This Chapter may be cited as the Animal Control Ordinance of the Public Protection section of the City of Adair Village City Code.

41.010 Purpose and Scope.

It is the purpose of this Chapter to define conditions which exist that may endanger the life, limb, health, safety, or welfare of the general public and to provide a just, equitable, and practicable method to prohibit and abate these conditions.

41.020 General Authority.

(1) The City Administrator, upon consent and direction of the City Council, is responsible for the administration, enforcement, and oversight of this Chapter of the City of Adair Village City Code, and to apply these provisions consistent with the general laws of the State of Oregon.

(2) The City Council may, by order, designate enforcement officers to assist the City Administrator in enforcing this Chapter.

(3) Provisions of ORS 609 shall apply when not in conflict with or superseded by this ordinance.

41.030 Severability.

(1) If any part or parts of this ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

DEFINITIONS

40.110 Definitions. As used in Sections 41.110 to 41.990, the singular includes the plural and the masculine includes the feminine. Except where the context indicates otherwise, the following shall mean:

(1) Dog. A male or female dog including a dog which has been spayed or neutered.

(2) Owner. Any person or persons, firm, association or corporation owning, keeping or harboring a dog.

(3) Running at large. Any dog when it is off leash or outside the premises belonging to the owner of such dog, and not in the company of and under the control of the owner, except in the case of a dangerous dog, in which case the term shall also include a dog unconfined in accordance with the requirement set forth in Section 41.600 below.

(4) Leash. Any leash, cord, chain, rope or other such physical restraint.

CHAPTER 41 ANIMAL CONTROL

(5) Muzzle. A device constructed of strong, soft material or a metal muzzle such as that used commercially with greyhounds. The muzzle must be made in a manner which will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.

(6) Unconfined. As the term is used in this section relates to a dangerous dog, if such dog is not securely confined indoors, or leashed and muzzled, or confined in a securely enclosed and locked pen or structure upon the premises of the person who owns the dog. Such pen or structure must have secure sides and a secure top. If the pen or structure has no bottom secured to the sides, the sides must be embedded into the ground no less than one foot.

(7) Livestock. Animals kept for husbandry. Livestock includes but is not limited to cattle, sheep, horses, mules, asses, burros, goats, swine and other hoofed, domesticated animals, poultry, pigeons and fur-bearing animals bred and maintained commercially or otherwise kept within pens, cages or hutches.

(8) Dangerous Dog is defined in Section 41.600.

(9) Code Enforcement Officer. Any individual authorized by the City Council to enforce City ordinances.

REQUIREMENTS OF DOG OWNERSHIP

41.210 License and Rabies Vaccination Required. Any person within the city limits of Adair Village must obtain and display upon their dog a current Benton County license, as required by ORS 609.100 and a current certification of rabies vaccination.

41.220 Leash Law. No person shall keep within the city limits of Adair

(1) A dog must be restrained on a leash, not exceeding six feet in length, when on any street, alley, or sidewalk.

(2) A dog must be restrained on a leash when upon any premises other than the owners or such person's premises who have given permission.

41.230 Loud Animals. No person shall keep within the city limits of Adair Village any animal, which without provocation causes frequent or prolonged loud noise, such as dogs barking, which disturbs others. On a first offense, a warning will be issued to the owner of the loud animal. If there is a second complaint within one week a fine will be assessed. If there are three or more complaints within a period of a week, a second fine may be assessed. If more than five complaints are received over the period of a month, the same animal, the animal may be declared a public nuisance, as per section 41.420 (1)(f). If one harbors a loud animal, they may be subject to a citation in accordance to section 41.990 of this ordinance.

CHAPTER 41 ANIMAL CONTROL

41.240 Scoop Law. No person who owns or is in charge of a dog within the city limits shall permit a dog to defecate on city property or the property of others without picking up the feces. If a person who owns or is in charge of a dog within the city limits allows a dog to defecate on city property or the property of others without picking it up will be given a citation in accordance with Section 41.990 of this ordinance.

41.250 Unattended Animals. No person shall leave an animal unattended within the city limits, or attach any animal by use of any device to:

(1) Any building, tree, pole, sign, vehicle, or other object on a public street, alley, parking lot, or sidewalk.

(2) Any object on premises other than his own without permission of the owner of such premises.

(3) Any object on private premises in a manner which would allow the animal to have access to any public sidewalk or street.

(4) A fire hydrant under any circumstances.

41.260 Dangerous Dogs to Be Penned and/or Muzzled.

(1) No person owning or harboring or having the care of a dangerous dog shall suffer or permit such animal to go unconfined on the premises of such person.

(2) No person owning or harboring or having the care of a dangerous dog shall suffer or permit such dog to go beyond the premises of such person unless such dog is securely leashed and muzzled.

41.270 Failure to Comply with Dangerous Animal Declaration. [Amended Ord. 2008-10]

(1) Any person, household or business that has been served a Dangerous Dog Declaration (41.620), shall take all precautions and comply immediately with the standards set by the ordinance.

(2) If the animal has been classified as level 1 or 2 the offense described in this section, Failure to Comply with Dangerous Animal Declaration, shall be subject to fine as described in subsection 41.990.

(3) Notwithstanding from section (2), if the animal has been classified as a level 3 or 4 the offense described in this section, Failure to Comply with Dangerous Animal Declaration, shall be subject to fine as described in subsection 41.990.

(4) Notwithstanding from section (2) and (3), if the animal has been classified as level 5, the offense described in this section, Failure to Comply with Dangerous Animal Declaration, shall be subject to fine as described in subsection 41.990.

CHAPTER 41 ANIMAL CONTROL

IMPOUNDING

41.310 Impounding Of Strays. Any animal found running at large within the city limits of Adair Village, Oregon, shall be taken up and impounded by the city.

41.320 Impounding Certain Dogs.

(1) When any dog is found running at large in the city, or when a dog is a public nuisance described in Section 41.420, the Code Enforcement Officer shall impound the dog or cite the owner to court or both.

(2) When a dog is impounded under section 41.300, the Code Enforcement Officer shall post at City Hall a notice giving the description of the dog, and the time, the date, and location where the dog was running at large. Said notice shall be posted for five business days. Reasonable effort shall be made to notify the owner that their dog has been impounded before disposing of the animal, as per section (3) below.

(3) If the dog has been impounded for any reason other than being a dangerous animal and the owner of the dog does not claim it within the time frames set forth in subsection (2) above, the dog may be sold to another person for the sum of the charges mentioned in section 41.920. If no owner appears to redeem a dog within the allotted time, or if the dog has been impounded as a public nuisance for killing or injuring a person, it shall be given to the humane society for disposition.

(4) Any dog impounded for biting or killing a person or other animal shall be held no less than 10 days before destruction to determine if the dog is rabid.

(5) Any dog running at large, which because of its disposition or diseased condition is to hazardous to apprehend, may be destroyed by a peace officer, dog control officer, code enforcement officer, or by a person acting in defense of himself, his family or another person.

41.330 Redemption. Should the owner of a dog impounded for any reason desire its release, the owner shall pay an impound fee as set forth in Section 41.920. Any owner redeeming an impounded dog shall pay, in addition to the impound fee, the total of the daily care expenses accrued during the impound period, plus any other expenses incurred in the keeping of the dog.

PROHIBITIONS

41.410 Sale Of Dangerous Dogs Prohibited. It shall be unlawful for any person to sell to any other person a dangerous dog within the city limits of Adair Village.

41.420 Dog as a Public Nuisance Prohibited.

(1) A dog is considered a public nuisance if it:

CHAPTER 41 ANIMAL CONTROL

- (a) Bites, injures, or causes injury to a person.
- (b) Chases or threatens vehicles or persons.
- (c) Damages or destroys property of persons other than the owner of the dog.
- (d) Scatters garbage.
- (e) Trespasses on private property of persons other than the owner of the dog.
- (f) Disturbs any person by frequent or prolonged noise.
- (g) Is a female in heat and running at large.

(2) The owner or keeper of a dog in the city shall not allow his or her dog to be a public nuisance under subsection (1) of this ordinance.

(3) Any person who has cause to believe that a dog is being maintained as a public nuisance may complain, either orally or in writing, to the code enforcement officer. The complaint shall be considered sufficient cause for the city to investigate the matter and determine if the owner or keeper of the dog is in violation of this ordinance.

(4) A dog shall not be in violation of this ordinance if he bites a person wrongfully assaulting the dog or the dog's owner or if he bites a person trespassing upon premises occupied by the dog's owner after being provoked by that person.

41.430 Cruelty to Animals.

(1) No person shall torture, abandon, mutilate or needlessly kill any animal, nor shall any person transport or authorize to be transported any animal in a cruel or inhumane manner.

(2) No person shall fail to provide any animal in their custody with food, drink, satisfactory sanitary conditions and protection from the elements nor shall any person tether or restrain any animal in an inhumane manner.

(3) In the event any part of this section is violated, the code enforcement officer has the authority to impound the animal and may dispose of the animal under the provisions of section 41.300.

(4) No person shall place or distribute any poison or other substance with the intent to harm any animal, except those animals commonly recognized as pests or rodents. Commercial exterminators, government agencies and any individual using such substances in an open area are required to post notice prior to application of any pest controlling agents or devices.

OTHER ANIMALS

41.510 Cats.

(1) Cats are declared to be personal property.

CHAPTER 41 ANIMAL CONTROL

(2) Any person within the city limits of Adair Village must maintain current verification of vaccination against rabies for their cats and present such verification to the Code Enforcement Officer upon request.

(3) All sexually mature cats that are allowed by their owners to be outside their house must be spayed or neutered.

41.520 Harboring Animals without Documentation. Any person or persons within the city limits of Adair Village must obtain and keep documentation on all the animals in their possession or care, pertaining to rabies or alteration of the animal. If the owner of the animals in question is unable to provide proof of rabies shots or alterations, they are subject to a citation in accordance to section 41.990 of this ordinance.

41.530 Livestock and Poultry. No animals, livestock of any kind, or poultry shall be raised or kept on any property within the city limits of Adair Village. Dogs, cats or other traditionally domesticated animals may be kept, provided that they are not kept, bred or maintained for any commercial purposes. Harboring these animals on ones property even if the animals are not being used for commercial use will result in a citation in accordance to section 41.990 of this ordinance.

41.540 Horses, Ponies or Equines. No person shall ride or lead any horses or ponies or other equines in any park, public street, private property or sidewalk, except upon a designated bridle path without obtaining a special permit. A permit will be issued by the City Recorder upon approval of the City Council.

DANGEROUS ANIMALS

41.610 Dangerous animals.

(1) Any animal or domestic animal which attempts to attack or attacks or harms any person or other animal is hereby declared a dangerous animal and a public nuisance. For purposes of this section, “animal” refers to both animals and domestic animals. It is the intent of the city to promote a safe coexistence between pet owners and citizens and to apply sanctions only in those instances where there is a need to protect public safety.

41.620 Classification of Levels of Dangerousness. An animal shall be classified as dangerous based upon specific behaviors exhibited by the animal. Behaviors establishing various levels of dangerousness are as follows:

(1) Level 1 behavior is established if an animal at large is found to menace, chase, display threatening or aggressive behavior, or otherwise threaten or endanger the safety of any animal.

(2) Level 2 behavior is established if an animal at large is found to menace, chase, display threatening or aggressive behavior or otherwise threaten or endanger the safety of any person.

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(3) Level 3 behavior is established if an animal, while confined, aggressively bites any person.

(4) Level 4 behavior is established if an animal, while at large, aggressively bites or causes physical injury to any person or animal.

(5) Level 5 behavior is established if:

- (a) An animal, whether or not confined, causes the serious injury or death of any person;
- (b) An animal, while at large, kills any animal;
- (c) An animal engages in or is found to have been trained to engage in exhibitions of fighting; or
- (d) An animal that has been classified as a Level 4 dangerous animal repeats the behavior described in subsection 41.620(4) of this section after the owner receives notice of Level 4 classification.

(6) Notwithstanding subsections (1) through (4) of this section, the city administrator or the city administrator's designee shall have discretionary authority to refrain from classifying an animal as potentially dangerous, even if the animal has engaged in the behaviors specified in subsections 41.620(1) through 41.620(5) of this section, if the city administrator or the designee determines that the behavior was the result of abusing or tormenting the animal or other extenuating circumstances. In any case, no animal shall be classified as dangerous if the behavior in question was directed against a trespasser inside any fully enclosed building on private property if all exterior doors of the building were locked at the time the trespassing occurred.

41.630 Identification of Dangerous Animals – Appeals – Restrictions Pending Appeal.

(1) City administrator or the city administrator's designee shall have authority to determine whether any animal has engaged in the behaviors specified in subsection 41.620 of this section. This determination shall be based upon an investigation that includes observation of and testimony about the animal's behavior. These observations and testimony can be provided by the animal control officer or by other witnesses who personally observed the behavior. They shall sign a written statement attesting to the observed behavior and agree to provide testimony regarding the animal's behavior if necessary.

(2) The city administrator or the city administrator's designee shall give the animal's owner written notice by certified mail or personal service of the animal's classification as a dangerous animal and of the additional restrictions applicable to that animal by reason of its classification. If the owner denies that the behavior in question occurred, the owner may appeal the decision to the municipal judge by filing a written request for a hearing with the city administrator within 10 days of the date the notice was mailed to the owner by certified mail or the owner was personally served.

(3) The municipal judge shall hold a public hearing on any appeal from the city administrator's decision to classify an animal as potentially dangerous. The owner and any other persons having relevant evidence concerning the animal's behavior as specified in subsection (B) of this section shall be allowed to present testimony. The municipal judge shall determine whether the animal exhibited

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the behavior, specified in subsection 41.620 of this section, in question. The municipal judge shall issue an order containing his or her determination, which shall be final.

(4) Once the owner has received notice of the animal's classification as a Level 1, 2, 3, or 4 dangerous animal pursuant to subsection 41.620 of this section, the owner shall comply with the restrictions specified in the notice until such time as the chief of police or the chief's designee's decision may be reversed on appeal. Failure to comply with the specified restrictions pending the completion of all appeals shall be a violation of this chapter for which a fine can be imposed. Additionally, the chief of police or the designee shall have authority to impound the animal pending completion of all appeals.

(5) If the city administrator or the designee finds that an animal has engaged in Level 5 behavior, the animal shall be impounded pending the completion of an appeal. If the city administrator or the designee's decision is upheld on appeal, the animal's owner shall be liable for the cost of the animal's impoundment.

41.640 Regulation of Dangerous Animals. The owner of a dangerous animal shall comply with the following regulations:

(1) If the animal has been classified as a Level 1 dangerous animal, the animal shall be restrained by a physical device or structure that prevents the animal from reaching any public sidewalk or adjoining property whenever that animal is outside the owner's home and not on a leash.

(2) If the animal has been classified as a Level 2 dangerous animal, the owner shall confine the animal within a secure enclosure whenever the animal is not on a leash or inside the home of the owner.

(3) If the animal has been classified as a Level 3 dangerous animal, the owner shall meet the requirements of subsection (2) of this section, and shall also post warning signs on the property where the animal is kept.

(4) If the animal has been classified as a Level 4 dangerous animal, the owner shall meet the requirements of subsections (1), (2), and (3) of this section and shall, additionally, not permit the animal to be off the owner's property unless the animal is muzzled and restrained by an adequate leash and under the control of a capable person.

(5) Any animal that has been classified as a Level 5 dangerous animal may be euthanized. In addition, the municipal court judge may suspend, for a period of up to five years, that animal owner's right to be the owner of any animal within the city limits, including animals currently owned by that person.

41.650 Banning of Dangerous Animals.

(1) At the discretion of the city administrator, an animal that has been classified as a Level 3 or 4 dangerous animal may be prohibited from entering or residing within the city limits except to be transported in a secure vehicle while passing through the city.

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(2) In addition, the city administrator is empowered to ban a Level 3 or 4 animal from the city limits for a specified period of time or permanently; however, the animal's owner shall have the right of appeal, specified in section 41.630 (2), of any decision under this section.

41.660 Selling of Dangerous Animals. No person shall sell or otherwise transfer to another ownership of a dangerous animal within the city limits. No person shall secrete or harbor a dangerous animal for another while the owner of that animal exercises the right of appeal.

PENALTIES, CITATIONS, AND FEES

41.910 Penalties. Any owner or person in violation of this ordinance shall be given a citation, as described in Section 41.990.

41.920 Impound Fees. As designated by City Council Resolution.

41.930 City Council Appeal. Any dog owner, believing him or herself aggrieved by the seizure and impounding of his or her dog, may apply to the city administrator for the release of their dog, provided such appeal is filed within five days of the date the dog was impounded, and the city administrator shall thereupon set a time and place for the hearing of such application and notify the code enforcement officer and city council of such meeting. The city council shall have full power to determine whether the dog has been wrongfully impounded and whether it shall be released to its owner and upon what terms.

41.990 Citation Amounts. As designated by City Council Resolution, citations will be set for the following offenses.

- (1) Permitting a Dangerous Animal to be at large within the City limits.
- (2) Permitting a dog to be at large within the City limits.
- (3) Keeping a loud animal within the City limits.
- (4) Scoop Law.
- (5) Harboring animals without proof of spaying, neutering or rabies shots.
- (6) Harboring Livestock or Poultry.
- (7) Failure to Comply with Dangerous Animal Declaration. [Amended Ord. 2008-10]



STAFF REPORT

Founders Day

For the last two years the City has held founders day in May. This was because the City was founded that month many years ago. The problem is that we all know May can be very wet and rainy. City staff would like to move this event to the third week of June. This would allow for kids to get out of school and a few weeks before the 4th of July.