



# CITY OF SILVERTON

FALL 2017

## Mayor's Corner Council Turns to Voters

By the time this is published, those of you who live inside the city limits will have received your ballots featuring two measures impacting our city. The council has placed a 2 cent per gallon local gas tax measure on the ballot for your consideration, as well as a renewal of the 5 year Pool Levy that was passed in 2012. For more information on these ballot measures please visit the City's website or contact the City Manager's Office at 503-873-5321.



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As many of you already know, this council is committed to reversing a longtime trend of deferring maintenance in an effort to hand over a city to future generations that is in good shape with plans for keeping it that way. We have some serious projects, including a rebuild of McClaine Street that we would like to address as soon as possible.

The Pool Levy was passed in 2012 at a rate of 45 cents per \$1,000 of assessed value per year. The measure for consideration this year is for 36.59 cents per \$1,000.

In late September, Councilors Dana Smith and Rhett Martin, as well as our City Manager Christy Wurster, accompanied me to the annual League of Oregon Cities Conference. Not surprisingly, we all left with the sense that Silverton is facing all of the same challenges that most other cities are today. How to pay for infrastructure improvements, whether or not to consider public-private partnerships to operate the type of facilities that historically were handled in-house, exploring affordable housing options, how to draw in the next generation to municipal service, and how to manage services to homeless populations that appear to be increasing in most areas. We were able to network with many other elected officials and administrators and listen to some amazing sessions on these issues. Also not surprisingly, our city had already been making strides in these areas.

We have a City Councilor in his 20s; we have a high school student serving on the Environmental Management Committee, and

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## What You Need to Know about Cell Phone Distracted Driving Law

Oregon's distracted driving cell phone law has many residents wondering what it all means.

The new law, which went into effect on Oct. 1, 2017, comes with stricter rules, steeper fines, and even possible jail time for repeat offenders. Here are the key provisions of ORS 811.507.

### Definitions

Driving means operating a motor vehicle on a highway or premises open to the public and while temporarily stationary because of traffic, a traffic control device or other momentary delays. It does not include when the motor vehicle has stopped in a location where it can safely remain stationary and: (1) is pulled over on the side of, or is pulled off, a roadway; (2) is in a designated parking space; or (3) is required to park in the roadway to conduct necessary utility maintenance work.

Mobile Electronic Device is defined as an electronic device that is not permanently installed in a motor vehicle. It includes, but is not limited to, using a mobile electronic device for text messaging, voice communication, enter-



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tainment, navigation, accessing the internet or producing electronic mail.

### Helpful Facts

Navigational apps can still be used if the destination address is entered before driving. If you need to enter an address after you have begun driving, you will need to pull over and legally park their car before keying in the address.

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## City Asks Residents to Plan for Leaf Disposal

Fall leaves are beautiful on trees, but not on the streets, where they can clog stormwater drains, cause localized flooding, and create driving hazards.

In residential areas, citizens can help prevent pooling water by standing back behind the curb and cleaning clogged drains with a rake. Remember: intentionally blowing, raking or sweeping leaves onto City streets is prohibited under the Silverton Municipal Code 12.28.050.

Here are some suggestions for residents to consider.

The City of Silverton and Republic Services host Fall Leaf Haul days where residents can dispose of bagged leaves. This year Republic Services will provide Saturday drop off service at the Public Works City Shops, 830 McClaine St., Nov. 4 - 25. Drop off times are 9 a.m. to 1 p.m., or until bins are full.

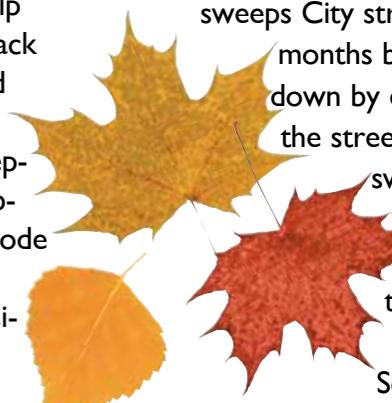
Leaves are a great addition to compost piles.

Leaves can be placed in your green yard waste bin for curbside pick-up.

The Public Works Maintenance Division sweeps City streets regularly during the fall months but this process can be slowed down by excessive leaves and debris in the streets. On your scheduled street sweeping day, please move vehicles, trash containers and other obstructions from the path of the sweeper.

To view the Street Sweeping Schedule, visit [www.silverton.or.us/151/Street-Maintenance](http://www.silverton.or.us/151/Street-Maintenance). The City asks for citizens to follow the Code and help keep streets free of leaves and debris.

**For more about leaf pick-up or street sweeping contact the Public Works Department at 503-873-6359.**



# City to Proceed with Eugene Field Site Acquisition

As part of their 2017-2018 goal setting, the City Council renewed a long-term goal to continue to plan for and build a new Police Station within five years with plans to incorporate City Hall within ten years.

In early July, 2017, the City entered into a purchase and sale agreement with the Silver Falls School District as a potential buyer in second position for the Eugene Field School property, encompassing 3.46 acres at 410 North Water St. The City was notified on July 7, 2017 that it had moved into first position for the property with a purchase price of \$1,000,000.

The City staff began their initial 60-day due diligence period evaluating the property as per the agreement. The City ordered a preliminary title report for the property. In August 2017, the City notified the school district of seven exceptions on the report that were unacceptable, the most notable being an unidentified sewer easement. City staff approached the City Council and recommended that the City consider a survey on the property to identify the easement, while continuing to conduct its own research. Staff continued to work with the title company to obtain additional information. On

Aug. 24, 2017 the City was notified that the title officer from AmeriTitle had addressed the easement with its underwriter and determined that the easement affected a separate parcel that was no longer part of this property and agreed to remove it from their report.

As part of the due diligence efforts, a Phase I environmental assessment was scheduled. Additional concerns arose when the City discovered through the Phase I environmental assessment that there may be two underground heating oil tanks on the site. In late August 2017, the City notified the Silver Falls School District of the intent to proceed with the Phase 2 assessment. The City contracted with Terracon Consultants, Inc. to conduct this evaluation. The results of the assessment determined that there was one underground heating oil tank on site which will need to be removed along with the surrounding soils.

The City also arranged for a hazardous materials survey on the property. That assessment determined the presence of lead paint that is above allowable levels in and on the structure as well as other hazardous materials such as asbestos. Public Works Department staff then

began the process of seeking qualified abatement contractors to get informational pricing for the necessary work to remediate these environmental concerns. Due to the excessive quantity and locality of lead paint, all attending abatement contractors denied the City's request for lead abatement proposals and indicated that it would be financially and physically unfeasible to remove all of the lead paint from the site. Due to the significant environmental and regulatory required abatement processes, staff would not recommend re-use of the existing facility for any purpose.

Staff gathered estimates for the demolition of the building to ascertain whether the required remediation and demolition of the site is within the financial feasibility for the project. The details were presented to the City Council in a Special Meeting held on Oct. 23. Following public testimony and further discussion, the City Council directed staff to proceed with purchase of the property if all conditions identified in the purchase and sale agreement are met.

*For information about the process contact the City Manager's Office at 503-874-2216.*

## City Earns Safety Award

The City of Silverton received a well-deserved safety award at the League of Oregon Cities this year's annual conference. The City took home the Gold Award. The award is based on the number of time loss injuries, and their duration, compared to the number of hours worked in a year. Silverton had zero time-loss injuries for the 2016-17 year.



*Risk Manager Dianne Hunt and Safety Chair Steve Starner with the Gold Award.*

CIS (Citycounty Insurance Services) presented the award in recognition of the City's good employee safety record during the 2016-17 year. The award showcases employee safety, focusing on training, a proven track record in avoiding injuries, and management's commitment to a safe work environment.

"At CIS, we've redoubled our focus on keeping safety front and center for our workers' compensation program members," CIS Executive Director Lynn McNamara said. "Our winners are cities that adopt safe work practices and make sure those practices are followed, day in and day out. Their commitment and vigilance produces results: employees stay on the job, and costs stay down."

*To learn about the City's Risk Management Program, contact the City's risk manager, Dianne Hunt at 503-874-2204.*

## Averaging for Sewer Fees Begins

The City of Silverton residents can save on monthly sewer costs by conserving water during winter months, which is the billing cycle known as Winter Averaging.

Winter Averaging takes the average water usage for November billing cycle through April 2018 billing cycle to determine the usage amount to use in calculating the new sewer charge for the next 12 months beginning May 2018.

To make sure your bill accurately reflects your usage, carefully review the water usage provided on the utility bills during the Winter Averaging period.

Current customers during this period will see current year and prior year information on their bills. If you think the usage is high, you may want to check for a leak, which may affect your new sewer rate. Leaks can result in double or triple the overall average consumption used to calculate the new sewer rate.

*How to check for a leak in your house:*

- Make sure no water will be used for 30 to 45 minutes;
- Take a meter reading;
- Wait 30 to 45 minutes with no water usage; and
- Take a second meter reading.

If the meter reading changed, it could indicate there is a leak, and repairs may be in order. Notify the Finance Department as soon as possible regarding a potential leak as an adjustment might be necessary. Toilet leaks, however, do not qualify for a billing adjustment.

For customers who do not have a full three months of water usage, the sewer charge is based on actual water usage up to a maximum usage determined on an annual basis using the Winter Averaging billing cycles.

*Questions regarding your water and sewer utility bill should be directed to the Finance Department at 503-873-5321.*

# Dam Safety Part of Emergency Alert System

The Silver Creek Dam, administered by the City of Silverton Public Works Department, is located two miles south of downtown Silverton. A failure of the dam could potentially flood certain areas downstream which are known as the inundation zone.

The dam structure and spillway are regularly inspected by the City. The Oregon State Water Resources Department also inspects the dam each year. The City has installed a remote monitoring system at the dam that provides up-to-the-minute data feeds of key points on the dam as well as an ability to visually monitor the dam from remote locations.

This year's State Dam Inspection once again resulted in a passing grade of all key components. Minor maintenance work was performed on the spillway and monitoring systems.

The map shows the inundation zone and evacuation routes for vehicles and pedestrians. The City's goal is to increase public safety through flood preparedness, knowing the evacuation routes, and the Citizen Alert Notification System. Please familiarize yourself with the evacuation routes, and decide today where you will go and how to get there.

## METCOM 9-1-1 Emergency Alerts

### What is the METCOM 9-1-1 Emergency Alert Program?

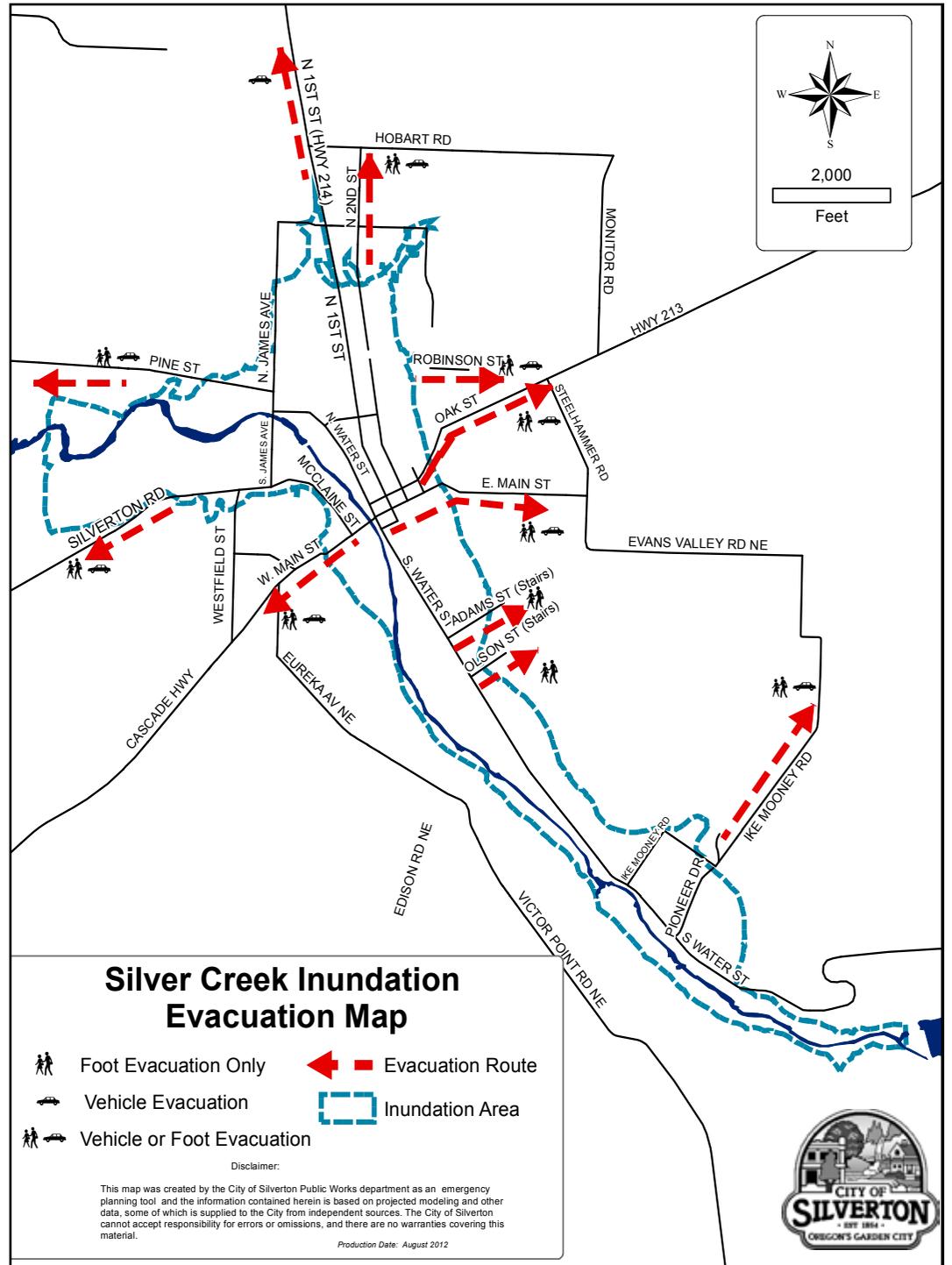
This service allows you to sign up to receive emergency alerts on your cell phone, work phone, email, home phone, and more. You can also choose the locations you want to be contacted about. You can receive notifications about emergencies that may affect your home, your parents' home, your workplace, and your child's school, as long as those locations are within the boundaries of the city or county METCOM serves. The system will be used to send notifications about imminent threats to health and safety. Public Safety officials will send alerts about emergencies such as severe weather, floods, gas leaks or critical police activity.

### How Emergency Alerts Works

When a message is issued about a potential safety hazard or concern, messages will be sent to all standard voice and text communication devices that you have registered, including landline phones, cell phones, email, and more. If you don't confirm receipt of the message, the system tries to reach your second contact number or email and continues trying until it receives a confirmation.

### Sign Up for Emergency Alerts

Residents and businesses with listed landline telephone numbers have already been included in the system. You may use the registration link to include additional ways to be contacted. All information will be kept strictly confidential. Please consider signing up if a cellular phone is your primary phone, if you want to receive text and/or email messages, or if you have special needs (hearing or visually impaired, wheelchair, etc.).



### How do I sign up?

Go to the City's website: [www.silverton.or.us](http://www.silverton.or.us). Under Popular Links on the left side, select Citizen Alert System. This will take you to the Metcom 911 Alert System sign-in page. Create an account and add your contact and location information into the Mass Notification system. All information you provide will be kept strictly confidential. **For more about Citizens Alert System or if you have problems entering your information contact METCOM 9-1-1 at the non-emergency number: 503-982-2340.**



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## Mayor From page 1

we are about to begin the process of exploring a Youth Advisory Board. The Planning Commission has responded to our request for some innovative options for affordable housing that would be very different from the massive apartment complexes that are typically seen in cities. We are set to try a pilot project for a ready built water treatment plant that would not require permanent construction and could save the city a tremendous amount of money (kudos to our Public Works Director Christian Saxe for arranging that test project at a fraction of the normal cost). The city's Homeless and Housing Task Force has begun a short term process of identifying the need in our community, and identifying resources available, in a hopeful effort so spark a solution that will provide an avenue back to traditional housing and sustainability for residents who are in need.

Most importantly perhaps, we've really tried to keep the public involved and aware of conversations, considerations, and decisions that are made at the Council level. I realize that many residents are not monitoring social media sites but generally, those accounts are free, and contain some very detailed updates before and after decisions, as well as meaningful discussion amongst our residents on various issues. Currently, both Facebook and NextDoor are being very heavily used by many. If you have access to either of those forums, this is a great way to increase your involvement in your government's decisions.

Finally, along those same lines, we will be holding a Town Hall meeting on Monday, Dec. 18, 6 p.m. at the Silverton High School Auditorium. I will deliver a State of the City presentation, followed by some topic specific, as well as completely open dialogue, between the City Council and City Department Heads and the attending public. I can speak for the council when I say that we would be thrilled to see all 600 seats filled that night with citizens who have questions and input on the future of our amazing community.

By the time you read this, we will be very close to finalizing our purchase of the Eugene Field School property. While there have been some environmental obstacles (some expected, some not), we are as committed as ever to finding a way for this location to be the site of our future civic center. Should that be the case, we will begin an extremely public process of deciding just what will go there, and what it will look like. This will be an opportunity for you to share not only in the shaping of a future city facility, but in the shaping of a critical property that is central to our downtown environment.

As always, I deeply appreciate the opportunity to serve you and welcome your comments and questions in person, by email to [kpalm@silverton.or.us](mailto:kpalm@silverton.or.us), or via social media!

## Distracted Driving Rule Changes

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The law says once you start driving, the only time you can touch your phone is a "single touch or swipe to activate or deactivate the device."

Your phone can be mounted on the window or dashboard, on the console, in a cup holder or in your pocket — anywhere but your hands.

Music, podcasts, audiobooks or sports streaming apps can still be listened to on your phones or devices as long as listening is "hands-free."

Typing in a phone number or address while driving or at a stoplight are off limits, including cruising through parking lots. Drivers need to be legally parked in a parking spot or alongside the road before keying in a phone number or address. Being stopped at an intersection or light doesn't give you a free pass. "If your eyes are down and looking at your tablet or your phone, your eyes are not up looking at the traffic and what's happening out there."

Instagram or Facebook usage have been illegal for years and will continue to be. Using voice text or speakerphones are okay as long as the driver isn't holding the phone.

Eating or putting on makeup are not included in the new law, but you can still be ticketed if you drive carelessly or commit a traffic violation while eating, putting on makeup, shaving or drinking coffee while driving.

Headphones, earbuds or Bluetooth earpieces are acceptable to use as well as any devices built into your vehicle.

### Penalties

HB 2597 increases the following penalties:

For a first conviction, not contributing to a crash, it is a Class B traffic violation, and could face a \$260 fine, with a maximum fine of \$1,000.

If the first offense contributed to an accident described in ORS 811.720 or a person is convicted of a second offense within a 10-year period following the date of the person's first conviction, it is a Class A traffic violation which carries a \$435 fine, with a maximum fine of \$2,500.

For a third or subsequent conviction within a 10-year period preceding the date of the person's current conviction, it is a Class B misdemeanor. The court shall impose a minimum fine of \$2,000 on a person convicted of a Class B misdemeanor.

For a person's first conviction, the court may suspend the fine to be imposed on the condition that the person, within 120 days of sentencing, completes a distracted driving avoidance course approved by the Transportation Safety Division (TSD) and provides proof of completion to the court. Although the fine is suspended, the court shall still submit the conviction to DMV; suspension of the fine does not preclude DMV from recording the conviction on the driver record.

The option to suspend the fine upon completion of a distracted driving avoidance course and the establishment of the course by TSD, are effective Jan. 1, 2018.

### Exemptions

The law includes the following exemptions to persons operating within the scope of their employment:

Employed as a commercial motor vehicle driver or as a school bus driver;

Operating a two-way radio device while transporting forest products, or operating a vehicle to assist in logging operations;

Using a two-way radio device while operating a school bus or school activity vehicle; and

Operating a two-way radio device while operating a vehicle owned or contracted by a utility for the purpose of installing, repairing, maintaining, operating or upgrading utility service, including but not limited to natural gas, electricity, utility operators, or telecommunications.

### Affirmative Defenses

HB 2597 provides an affirmative defense to a prosecution under these circumstances:

Summoning or providing medical or other emergency help;

18 years of age or older and using a hands-free device;

Driving an ambulance or emergency vehicle acting within the scope of employment;

A police officer, firefighter or emergency medical services provider acting within the scope of the person's employment;

A licensed HAM radio operator, 18 years of age or older; and

Using a medical device.

*For more about this law, contact the Silverton Police Department at 503-873-5326.*

## City Calendar

Meetings are held in the Silverton City Council Chambers 421 S. Water St. unless otherwise noted. \* Denotes meetings available on SCAN TV

### NOVEMBER

Nov. 6 – City Council 7 pm\*

Nov. 10 – City Hall Closed for Veterans Day

Nov. 14 – Planning

Commission 7 pm\*

Nov. 20 – City Council 7 pm\*

for Work Session

Nov. 21 – Environmental Committee 3 pm

Nov. 23 – 24 City Hall Closed for Thanksgiving holiday

### DECEMBER

Dec. 4 – City Council – 7 pm\*

Dec. 12 – Planning Commission 7 pm \*

Dec. 18 – City Council 6 pm\* for Town Hall at High School

Dec. 19 – Environmental Committee 3 pm

Dec. 25 – City

Hall Closed for Christmas holiday

