

## Harrisburg City Council Minutes March 14, 2018

The Harrisburg City Council met on this date at City Hall, located at 120 Smith St., at the hour of 6:30pm. Presiding was Mayor Robert Duncan. Also present were as follows:

- Kimberly Downey
- Mike Caughey
- Sarah Puls
- John Loshbaugh
- Adam Keaton
- City Administrator Brian Latta
- City Recorder/Assistant City Administrator Michele Eldridge

Absent was Councilor Robert Boese, and Youth Advisor Sarah Isom.

Concerned Citizens in the Audience: Everyone present was here for items on the agenda.

### Consent List Approval

- Caughey **motioned to approve the Consent List and was seconded** by Downey. **The City Council then voted unanimously to approve the Consent List. The following items were approved by the actions of the City Council:**
  - **The Payment of the February 2018 Bills**
  - **The Minutes of February 6, and February 14, 2018**

### The matter of a Discussion with Other Agencies

**Harrisburg Fire/Rescue District Report:** Chief Bart Griffith was present, and had some updates for Council. They plan on breaking ground on June 12<sup>th</sup>. They've heard from the surveyor, who should have the plat ready by tomorrow for signatures. He asked if Council had any questions for him.

- Puls said we've been hearing a lot of concern about the trees, but once it becomes theirs....
- Chief Griffith said that we've actually gotten a message from Suzan Jackson. She said she'd be ok with the tree on her property.
- Keaton said that his concern is that the tree would need adequate water.
- Latta said that it's not really our decision once the land is sold in May. We did install a lot of trees in Priceboro Park, so if it is moved there it will have access to irrigation.
- Caughey thought that there would be a better chance of it surviving on Suzan's land.
- Keaton added that it would certainly be a shorter distance for it to be carried.
- Caughey commented that we know she would take care of it.

- Downey thought it was funny that we started out with trying to save it, then finding out we couldn't because it was too expensive to move, and now here we are again.
- Chief Griffith said that early yesterday morning, they had received a call early in the morning from the school. Someone had found stuff that was left in the skate park, and it turned out to be a fully loaded gun, and drugs were there too. It was turned over to the Sergeant. It would be nice to have a camera there; they finally were able to look at the data, and there was a tree in the way. They couldn't see a face, unfortunately. Now that cameras are so much cheaper, it would be nice to have that back up and recording.
- Downey was surprised, because there are normally a lot of kids in there all the time.
- Latta said that we do have cameras in there. They were installed when the park was built, probably about ten years ago. They are old cameras now.
- Downey remembered that those were pretty expensive when we put those in.
- Latta said that the main camera was blocked by a tree limb. Those cameras lack a central monitoring station; meaning that we must go on-site and pull the data to look at it. We can certainly upgrade them, and put another one up.
- Downey said that really needs to be done.
- Mayor Duncan asked if you are setting up cameras, now that everything is more tech savvy, with WIFI, etc., would the fire department be able to monitor the park from the station?
- Keaton said that you could do that now; it's how it's transmitted that is a concern. The only problem is with security, because you would need to have it encrypted.
- Downey said that actually, we used to keep it open for parents to watch the skate park.
- Latta said that there is a way to encrypt it, and they can request the information, if you want to monitor those cameras. The problem is that you need a clear line of sight. We have that here, with remote cameras at City Hall, and at the boat ramp. That's all done through wireless transmission. But we don't have a clear line of sight to the skate park from any City buildings.
- Caughey had a question for Chief Griffith. When do they plan on selling the land on 6<sup>th</sup> St.?
- Chief Griffith told him that as soon as we take possession of this property, then we'll start on selling that one. We'll be burning all the wood left on the property tomorrow or Saturday.

**Linn County Sheriff's Office Report:** Sergeant Greg Klein was here tonight, and addressed the issue with the gun and drugs. Both were seized, and we ran a trace. However, at least at that time, it didn't show as stolen; but it could have just happened. It could also be that someone didn't record the serial number. We couldn't get what we needed through the LEDS system (Law Enforcement Database Software.) They are now trying to go to the ATF (Alcohol, Tobacco and Firearms.) They don't find guns laying around like that every day.

- Downey said that nobody got arrested then.
- Sergeant Klein told her no. They have seized the property and are now trying to go through the ATF to try to find the owner. Sometimes you can also find out locally, through bulletins from other law enforcement agencies.
- Downey asked if they found it in there, or was it laying right out? It seems unusual to find both drugs and guns out in the open.
- Latta told her it was right on top of the park bench there.

- Sergeant Klein said that there were also two cars stolen. One was stolen, and the other one wasn't. The investigation is still open on the one remaining stolen.
- Caughey said and now, there is a 3<sup>rd</sup> one; that was stolen on 2<sup>nd</sup> St.
- Puls thought they found it already, or at least, that's what she heard.
- Sergeant Klein said other than that, he had the report to review. He had already talked with Brian about the fact that they didn't make their hours this month. It's the first time in five or six years that has happened. He's spoken with the Lieutenant's, and the Captain; it's certainly not something we want to do! We want to go above and beyond our numbers every month. On average, over this last year, they generally are 27.5 hours over their regular hours.
- Downey said that they had stopped a driver who wasn't stopping for people in the crosswalk; she hopes that they continue to do that. There seemed to be lots of loose dogs in town, and angry people fighting this last month. She thanked them for following up on the dog complaints.
- Caughey asked if they had a new deputy working in town? He had noticed that the car was parked backwards again in the water plant yard. He figured it had to be somebody new.
- Sergeant Klein said that they do; he'll talk with him. It does work. He himself came over the bridge, and slowed down automatically.
- Downey said that she said goodbye to Sheriff Riley. We saw him last Wednesday.
- Sergeant Klein said that he is retiring in June, and Undersheriff Jim Yon takes over. He has worked with the Undersheriff for 22 years. He's a great detective. We have a replacement deputy coming out. His name is Michael. He's fairly young and has been working in records. He's been an employee for 2 years. Jim Lepin will come down with Michael in the next month, and will shadow him as he works with Neighborhood Watch.
- Loshbaugh remarked that he appreciated the presence at 7<sup>th</sup> and Territorial. There was a lady going so fast around the corner there that her tires were howling. People see a cop is there, and slow down.
- Sergeant Klein said that was the captain, who was running radar in an unmarked vehicle. They continue to put that area on focus control.

#### The matter of a Public Hearing to Consider a Petition to Vacate a Portion of the Birch Street Right-of-Way

**A Public Hearing was opened by the Mayor at the hour of 6:51PM for comments from any citizens in regards to this street vacation and in response to posted public notices**

**Staff Report:** Latta referred to the agenda packet and noted that since the City doesn't have an ordinance in regards to street vacations that we defer to state law. Church of God 7<sup>th</sup> Day was told by the Council to obtain signatures as required by state law, which they have done. There are 25 affected property owners, and 17 consented for them to allow the vacation. That is 68% of the affected individuals, which meets the two-thirds requirement. Staff feels that the criteria required by law have been met. Staff also recommends two different conditions of approval for this action. The applicant will need to obtain a metes and bounds description of the vacated property from an Oregon licensed surveyor, and they will be required to reimburse the City for all the costs involved in title work, and recording the certified ordinance and map.

- A person in the audience, (not identified) said that he had purchased property to the east of this location. The only concern he has is in relation to the drainage. Drainage goes under that road, and it drains a catch basin between the church, and the property they bought. He had concerns about them maintaining that drain, because if it gets plugged up, they will get wet. If a building is put in there, that also concerns him.
- Latta told him that drainage is addressed anytime construction is done. Anyone doing construction is not allowed to impact their neighbors, when it comes to drainage. That's a great concern to have, but when they come in with a land use application, it will be addressed at that time.
- Eric Bowers, who is the Chair of the Board of Trustee's for the church, said that he had talked with George Katuna about drainage. One of the reasons that they were trying to get the vacation earlier, was because of getting a design, and doing construction. That won't happen this year. We will want to figure out drainage first, because we want to make sure it's not a problem to those that are downstream.
- Mayor Duncan complemented the Church, because they went out and spoke with their neighbors. It helps so much to have those connections. He really appreciates everything our churches do in our community. He said that he remembered Ann Smith's old home (at the corner of 7<sup>th</sup> & Territorial) because she would have her garage flooded out every year.
- Loshbaugh said that the new drainage pipe is in front of his house too. When it used to rain really heavily, the water would be up to his backdoor.
- Mayor Duncan suggested that the citizen speak with our Public Works Director. He can go over that with him, so he doesn't have so many concerns.

**The public hearing was closed at the hour of 7:00pm.**

- **Puls motioned to approve the Birch Street Right-of-Way Vacation request (LU 367), Subject to the Proposed Conditions of Approval Contained in the March 7, 2018 Staff Report, and Based upon Findings made during Deliberations on the Request. She was seconded by Keaton, and the City Council voted unanimously to approve the Birch St. Right-of-Way Vacation Request.**
- **Keaton then motioned to direct staff to prepare an Ordinance vacating the Portion of the Birch Street Right-of-Way Bisecting Tax Lot 2000 of Linn County Assessors Map 15S04W10CD. Loshbaugh seconded the motion, and the City Council voted unanimously to have staff prepare the Ordinance which would vacate the portion of Birch St. as shown in the Council materials.**

**Conditions of Approval that were made in relation to LU367, are as follows:**

- 1. Prior to adoption of the City Council Ordinance vacating the right-of-way, the applicant shall provide the City with a metes and bounds description of the property to be vacated. The description shall be completed by a surveyor licensed in the State of Oregon.***
- 2. The applicant shall reimburse the City for all costs associated with any title work, and recording the certified ordinance and map, including the preparation thereof.***

The matter of Hearing an Update on the Proposed School Bond from Harrisburg School District Superintendent Bryan Starr

**School Board Report:** Justin Thomas is a member of the School Board, and has lived here for the last 13 years. They are proposing a bond measure this spring and are launching mainly a social media campaign. Citizens are currently paying \$1.09 for the current bond; that is sunsetting. The proposed bond is \$1.59. That is a .50 cent increase, which will cost an average of about \$99 a year more than it is now. The revenue is expected to bring in \$8.9 million, and the district hopes that they will also be eligible for an additional \$4 million in state matching funds. There are thousands of things that they can do with the money. Their roofs are falling apart, and there is water damage down the walls. In the multi-purpose room, and weight room, plus the restrooms, there are leaks in the roof. Their HVAC system is falling apart as well. They plan on making energy saving improvements, as well as constructing more storage. They also need to resurface the track; especially with the marathon coming here in the fall. The track is in such a state that his daughter, who is a senior, and who has been to state, will never compete on her own track. Hopefully, his next oldest daughter will get to do so. They don't plan on replacing the grandstand. Some of the older members of our community are asking why they don't just tear down the old buildings, and build new ones, if they are in such mis-repair. However, the main reason for not doing so is that a new building is too expensive. Plus, we do like our buildings, which have a lot of character. Other community members (one of which included Councilor Kim Downey), helped to build the facilities; so there really isn't a good reason to tear them down. They also hope to create more classroom space, improve the buildings, update the rooms, and create space for culinary arts, etc.

- Downey asked when the old bond sunsets?
- Thomas told her he thought it had one last payment this summer.
- Superintendent Bryan Starr, who was present to help support Thomas, indicated that there will be one in 2018, and a last one in 2019. There will be time before the bond is funded, so people won't see any difference.
- Thomas had some more information, which he passed out to the Councilors, (Please see Addendums No. 1 and No. 2) Their PAC (Political Action Committee) is asking for the City Council's support. He said that we haven't had the Twilight Meet here for ages, and it's something he would really love to see, and would mean a lot to him. They want to appeal to community pride.
- Starr added that with the Marathon coming here, they are hoping to have a track that the runners can go around. Partnering with the Marathon could give another opportunity for more grants.
- Loshbaugh asked if the student population was going up or down?
- Thomas told him this year, it's dropping slightly. His daughter's class is huge, but they are all graduating. Since 20 years ago, they've had continued increases to the population. Now that some of the area private schools have closed, we've absorbed those students.
- Starr added that we increased this last year by 25 students, just due to Harris closing.
- Caughey wanted to comment that the City is hoping to grow our tax base, and we hope that we can attract people who are building new homes. That can equate to more population, and obviously, more school age children. We're improving the roads, and the water. The fire department is improving with their new building, and we hope that the school is successful in their bond measure. All of those together make this a great place to move to. He felt we should support their bond as much as we can without

getting ourselves in trouble. He's seen nothing in print so far, or anywhere else on the school bond. He's hoping that they can start getting out more information. He suggested getting in touch with Edie Moro, and with the person that the City Council used when working on the City bond.

- Thomas said that he will be getting in touch with both of them, as well as the Register Guard. They talked to the Democrat Herald at Grandparents Day, so there will be an upcoming article. In addition, they are putting out door hangers, and another member of the team is working on a mailer.
- Caughey encouraged them to have town hall meetings too. All of Council was involved in that. He knows how much personal contact means to people, and he felt it made a difference for the City on passing our bond measure.
- Caughey then **motioned that the Harrisburg City Council is supporting and endorsing the Harrisburg School District Bond Measure 22-170. He was seconded** by Puls, and the **City Council voted unanimously to support and endorse School District Bond Measure 22-170.**

#### The matter of Reviewing the 2nd Qtr FY 2017-2018 Financial Report Document

**Staff Report:** Gaines noted that there really wasn't anything of note in the 2<sup>nd</sup> Qtr. report. Latta added that on page 46, you can see that the expenditures aren't normal. That's due to the poplar tree damage, and the reimbursement from CIS (City County Insurance Services) for that.

Council expressed surprise at the poplar tree reimbursement issue with CIS, and Latta noted that we had an ongoing discussion with CIS about what is considered the process piping. They wanted to claim that the lines going to the trees weren't considered process piping, but as we pointed out, there is no other piping, and that there is over a million dollars in poplar tree piping there. The total clean up really passed over from last year, to this year. Where the trees had been pulled up, stretched, and broken off, all the feeders, valves, and piping wasn't reusable. All the piping in the rows, or partial rows that wasn't affected was untouched. Caughey said that part on page 46 was the only thing he had a question on.

- Downey **motioned to approve the 2nd Quarter Financial Report for Fiscal Year 2017-2018, and was seconded** by Caughey. **The City Council then voted unanimously to approve the 2<sup>nd</sup> Quarter Financial Report.**

#### **Others:**

##### Recycling Woes

- Councilor Keaton had gone to a Linn County Waste Advisory Meeting; he had passed out the paperwork that he was given at that meeting. (Please see Addendum's 3, 4 and 5) Because of policy changes in China, a lot of what Oregon was recycling, is now getting rejected. Out of all the recycling numbers, they will now only accept 5 of them, and only if they are clean. The rest of the recycling will now be going to the land fill.
- Puls asked how that was; there were numbers on everything.
- Keaton explained that a lot of the companies selling product, will use a circular symbol, that looks like it's a recycle symbol, but it's not. You have to have the number, with a directional in it.

Downey said that she didn't know until recently that you have to take caps off of the bottles. She was surprised to see shredded paper as not being a recyclable. Keaton said that it's too small, and gums up the machines. Milk jugs aren't recyclable anymore. There are a lot of things that everyone considers recyclable, that isn't. They are trying to switch over to other

markets, mostly in southeast Asia. Many of our garbage companies have been stockpiling recycling, and now it's starting to go to the landfills. The DEQ has gotten involved, and is having to allow the recycling to go into landfills. To give you an idea of the difference to the garbage companies, previously, the average rate that they could sell a ton of recyclables for was \$9 a ton. Now, it's costing about \$70 a ton. Puls thought the main reaction was going to be all the companies dropping recycling. Keaton said that some counties in Oregon have abandoned their recycling programs completely. Republic Services will be changing their rates because of all of this. They've been going without adjustments for a while. It will likely increase by \$2 this year. In fact, it may end up being significantly over \$2 in increase by the end of the year. The Council discussed this issue more briefly. Latta said that all the City Managers in Linn and Benton County are meeting on Monday about this. Downey thanked Keaton for attending the meeting.

#### Justice Center/Library Remodel

- Latta handed out a schedule and task list for the remodel. (Please see Addendum No. 6). He said that we have decided to use our own City engineer, and staff, on a lot of the work we need to do. Our last City Council meeting here will be April 11<sup>th</sup>. Between the 12<sup>th</sup> and 1<sup>st</sup> of May, the crew will be remodeling here. They will drop down the wall where you can see the header in this room. We meet with the Linn County Sheriff's department tomorrow, when we will go over the room configuration, and how we we'll address IT issues, etc. We will keep the Library open as long as we can, although obviously, at some point, we will need to close, and then will reopen after the remodel. Our own staff will knock out walls down there. By March 30<sup>th</sup>, we should receive our final concept plan, have construction drawings by the end of May, and then hopefully, put out an RFP for construction. We know that it will take a month to a month and a half for the commercial plan review. Assuming that Council is ok with the plans, and going out for bid, then we'd like to have the bid awarded by July 25<sup>th</sup>. In preparation for all this, the Library will be taking down all their books, taking inventory, and then rescanning books to the software. We will give Cheryl room here in this side of the Council Chambers, to do all the work she will need to do while the Library is closed. She'll also be working on development of programs and policies; there is still plenty of work to do. While the kids aren't going to be able to use the computers, or check out books, we do still hope to run some programs during summer.
- Downey asked if they couldn't order books still?
- Latta told her yes, through the exchange. Cheryl will be working on that, as it doesn't get used often today.

City Council discussed where they would be meeting in the senior center. Latta said that we'll have to figure out the room layout, but it should work out well. Caughey wanted to make sure that the seniors knew we were doing this, and Latta told him that they did. The senior center is actually bigger than this room. He said if we do need a larger room, then we can meet at the schools. We have made arrangements to hold Municipal Court at the Fire Station. Their board has approved that. Puls asked if the Library Board was ok with the temporary closing? Latta told her that it's up to Council to decide what we are going to do. We are doing some of the things that the board requested, such as widening the door, and moving it to the front. He noted that it will really accentuate the library. We'll probably add paint and molding too. He went over the changes again that we were planning on doing at that location.

#### Oregon Main Street

- Latta said that we talked briefly about this program a couple of years ago and haven't talked much about it since. However, now that we are looking at redoing our main street

down to Macy, and are getting more done, we'd like to fill in those vacant storefronts. This program is a good way to engage people; not only the business owners, and property owners, but citizens too. We want to get a certain look and feel in our downtown and this program can help facilitate that. It doesn't cost any money to join. There are different levels you can do; Transforming Downtown, Exploring Downtown, and Performing Main Street. He is recommending that we join at the Exploring Downtown level. It's sort of a middle of the road approach. All we need to do is to complete a letter of intent, and take a community survey.

Some of the things we will be required to do is to arrange for community meetings; we get partners engaged and involved. We encourage our staff, and volunteers to attend their trainings. We'll also be establishing committee's and a Board of Directors. We need a local contact person to serve as liaison, form a main street group within the first year, and attend at least one network training event a year. Then we create a main street boundary and map. If you like it, then he thinks it will provide some ancillary benefits, such as grants that might be available. Caughey was enthused! Keaton asked how much time it would take. Latta said some, but he thinks we want to make this effort anyhow. We can bring in advisory staff too, like a RARE person. Keaton said that lots of people wanted to be involved with the HRA. Latta said that was a formal approach. He wanted to talk with business owners, and get some folks to participate on the committee. ***Council Consensus was to move ahead with Exploring Downtown.*** Latta told them that if they wanted to see other cities and what they were doing, they can look at some of the Performing Main Streets. Albany is one of those, as is Astoria. They started at Exploring Downtown, and then worked their way up.

**With no further business to discuss, the City Council adjourned at the hour of 7:56pm.**

---

Mayor

---

City Recorder

## Proposed Bond

### Frequently Asked Questions

#### **Q. What projects would the proposed bond address?**

A. The proposed \$8.9 million bond to fund the following projects:

School buildings are old and many components have outlived their life span. Elementary school is 65 years old and the middle school is 79 years old and the high school is 45 years old.

- Facility improvements to all three schools including electrical, HVAC and plumbing system upgrades to extend the school's useful life.
- The installation of new roofs where there are several 20 year roofs that are over 25 years old.
- Construction of additional classrooms at each school as needed.
- Safety, security and facility improvements at all district schools.
- District-wide energy savings improvements to reduce operating costs.

Site improvements for our athletic complex especially the track.

- Construction of a storage building for the school district.
- Site improvements, demolition and equipping of projects and bond issuance costs.

#### **Q. How were these proposed projects determined?**

A. Three public meetings were held to discuss school facility needs along with two meetings with each buildings staff. In addition, over 200 community members, parents and staff members responded to a facility needs survey. The district's facilities assessment was just completed this fall demonstrating the strong need for electrical and HVAC upgrades. We have a number of items that have outlived their life span. If the bond passes we will evaluate schools to determine what projects would most economically improve building safety/security and extend the useful lives of school buildings.

#### **Q. What does this do to my existing tax rate?**

A. The proposed 15 year bond would be structured to increase the current bond tax rate of \$1.09 per \$1,000 of assessed value to \$1.59 per \$1,000 of assessed value. The impact on a home with an assessed value of \$200,000 is estimated to be an increase in taxes of \$99/year or \$8.24/month. This new bond will replace the existing bond that expires in June of 2019. The tax payer will not have two different tax payments. Depending on interest rates, a final partial year payment may be necessary during the 2032-33 fiscal year at a tax rate that is less than the current bond tax rate before all district bonds are fully paid off. Actual tax rates may differ, depending on interest rates incurred and change in assessed value.

#### **Q. Why not build a brand new school?**

A. In order to build a brand new school we would need 25 -30 million dollars. That is 3 to 4 times more than we are asking for in this current bond request. Instead of \$1.59/\$1,000 assessed value you would be paying \$4.77-\$6/\$1,000 of assessed value.

**Q. Are any state funds available?**

A. Harrisburg School District is guaranteed \$2.2 million in matching funds from the state if the district passes the bond measure and if any of the three districts ahead of us are not able to raise matching funds we could receive another \$1.8 million in matching funds.

**Q. Why do the schools need new classrooms?**

A. Each of the schools has different needs;

- The Elementary School needs two new classrooms to accommodate a surge in enrollment and keep class size at an optimal level.
- The Middle School needs classroom space for electives such as art and robotics.
- The High School needs state of the art Science classrooms and the art classroom is too small.

**Q. What improvements does the track need?**

A. The track isn't used for training or track meets because;

- Its surface is uneven and has numerous pot-holes making it dangerous to run on for training purposes and,
- Its shape must be changed since it doesn't comply with current metric standards

**Q. Why a storage building?**

A. A storage building would save the district money for two basic reasons;

- It would allow the purchase of items in bulk. Buying supplies in large quantities is less expensive than purchasing small amounts and,
- A temperature controlled building would permit furniture, equipment, fixtures, and so forth to be safely stored until needed thus saving money to buy new.
- Currently, items are stored in instructional space in our fabrication shop. Once a storage facility is built, this will free up the instructional space for additional project construction.

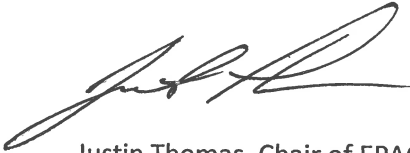
March 14, 2018

Dear Mayor Duncan and City Council of Harrisburg,

Thank you for taking time out of your busy agenda to listen to our Eagles Political Action Committee bond measure presentation. After listening to the facts of our bond proposal and answering your questions we would like for you to make a decision. That decision is whether to show support or not of our bond measure 22-170. It is our desire that Harrisburg City Council would vote tonight showing your support and endorsement of bond measure 22-170:

I move that Harrisburg City Council go on record as supporting and endorsing the Harrisburg School District bond measure 22-170.

Sincerely,

A handwritten signature in black ink, appearing to read 'Justin Thomas', with a stylized flourish at the end.

Justin Thomas, Chair of EPAC



## OREGON REFUSE & RECYCLING ASSOCIATION

### Recycling in Oregon

Recycling has been around as long as garbage itself – back in the “horse and cart” collection days, if there were materials of value in the garbage, someone pulled them out and sold them to a market. Over time, the system evolved to what we have today; the biggest changes happened more than 25 years ago with the 1991 Oregon Legislature’s passage of the law requiring curbside recycling collection in every Oregon community of 4000 people or more. Oregon was one of the first states in the nation to pass such comprehensive legislation, and has been a leader in recycling programs since, meeting goals to recover waste for recycling while also looking ahead to find the best ways to manage materials for greater sustainability for our future.

#### The Recycling Process

Oregon state law requires that citizens have the opportunity to recycle. For most residents and businesses, this opportunity is offered through curbside collection programs. Throughout most of Oregon, city and county governments determine the curbside program elements, service standards and the fee customers will pay for the service. In most Oregon cities and counties, franchised solid waste and recycling companies implement the programs and provide the collection services to customers. As a part of the curbside service, customers receive carts and bins for recycling, instructions about recycling, and collection on a regular schedule. Once collected, the materials are delivered to recycling processors that use a combination of mechanical equipment and people to sort the materials into separate commodities. The processors then package the clean and marketable commodities into bales of materials (paper, tin, plastic, etc.) and deliver them to markets that use the recycled materials to make new products.

#### Recycling Laws and Regulation

Oregon’s recycling laws and rules begin at the state level. The [Oregon Department of Environmental Quality](#) implements relevant state laws, found in ORS Chapters 459 and 459A. Among other important standards, the law sets forth the economic test for recycling at [ORS 459.005\(19\)](#), which states that “recyclable material means any material or group of materials that can be collected and sold for recycling at a net cost equal to or less than the cost of collection and disposal of the same material.” If this test is not met, then the material is not recyclable.

Cities and counties have the authority to establish recycling collection programs, including the materials that will be recycled in their communities. If they choose to set recycling collection service standards, they must also set rates that cover the costs of collectors to provide the service. That requirement is found at [ORS 459A.085\(8\)](#). In addition, in the Portland area, the Metropolitan Regional Government oversees some aspects of solid waste management.

The majority of Oregon’s cities and counties have chosen to franchise their solid waste and recycling collection services, working with solid waste and recycling businesses to implement the collection programs for their citizens. A “franchise” used in this context is different than what is commonly thought of; it is a legal agreement between a city or county and a business

whereby the business implements the city or county's solid waste and recycling program. Many Oregon franchised businesses are small, family-owned companies, while others are the locally-operated arms of regional or national companies. All of these businesses deliver recycling collected in their local programs to processing businesses. Many of these companies – both collection and processing – are members of Oregon Refuse and Recycling Association (ORRA).

### **Recycling Collection and the Markets**

As recycling collection has evolved, so have the recycling markets. When recycling programs began, the biggest component of collection was fiber – newspaper, cardboard, and other paper – and the markets for these materials were domestic, and often even local to Oregon. Oregon's recycling fed paper mills, locally and regionally. Over the past 25-30 years, much of the world's manufacturing has shifted to China, and now China is the largest manufacturing nation in the world. As a result of this shift, domestic manufacturing declined, Oregon mills closed, China grew, and the Chinese market for recycling materials expanded as well. Ships arriving from China with goods were delivered into West Coast ports, and those empty containers were ready to be filled with recycling and shipped back to China – at a lower cost and with higher prices paid to Oregon processors than a domestic manufacturer would pay for the same material. China became the market for 60% of the world's recycling, and recyclable materials became the sixth largest U.S. export to China.

Over this time, recycling collection changed as well. Most recycling programs in Oregon and in the rest of the United States moved to commingled collection carts – almost all recycling is placed in one cart, instead of separated into specific materials at the curb. The change was an effort to allow for the collection of more diverse materials with greater convenience to customers while also offering increased worker safety – reducing the potential for back-related lifting injuries for employees, among other risks. Commingled collection did in fact lead to improved worker safety and it increased collection volume and more material recovery – on average, 30% more material is collected. However, it also increased contamination – both from well-meaning but misguided people who didn't follow the program guidelines and from those who intentionally throw garbage in their recycling carts. Efforts have been ongoing to try to curb this contamination, which hovers at about 9%, but with limited success (9% is a very good number when comparing to other states, but before commingling, the number was under 5%). Despite increased contamination, the Chinese market continued its demand for material, so while troubling and less acceptable in domestic markets, the contamination was not catastrophic to recycling programs.

### **Current Market Crisis**

China's government has been signaling its intent to make environmental cleanup and protection a priority, stating it no longer would accept "foreign garbage." Implementing "National Sword" on January 1, 2018, China banned the import of some commonly recycled items, such as mixed scrap paper and all plastics that are numbered 3-7. In addition, the National Sword set a new contamination standard of no more than 0.5%, a number that is far below any existing international or domestic standard. The standard is all but unachievable with existing curbside contamination rates and with current equipment and system costs. As a result, Oregon commingled recycling is no longer being delivered into China at this time. The loss of the

largest, most stable market is forcing Oregon processors to search for uncertain, less stable “spot” markets in order to move materials.

Even if markets can be found, the cost to deliver recyclables to processors continues to rise. At this point, commingled recycling programs around the state are failing the economic test (it costs more to recycle than it does to dispose), so cities and counties and their collection partners are considering hard choices: some are using limited storage to hold collected recycling while others (in accordance with Oregon state statutes) have delivered material for disposal; some have stopped or limited recycling programs; others are continuing, but are faced with increased rate implications for customers and concern from collectors who are footing the bill until the rates are adjusted to reflect the costs. And even if rates are raised so programs can continue, it cannot be guaranteed that the material collected for recycling can actually be recycled, so how can the public’s trust be protected and maintained?

Going forward, if materials can be cleaned to meet the Chinese standard, another uncertainty is what China’s level of demand will be. The Chinese government issues import licenses for recycling materials. China issued only 108 import permits in the first round of 2018, compared to 2,937 import permits in the same period for 2017. China is ratcheting down on its polluting mills by limiting supply; of the 2,400 mills in China, only the 200 that meet modern manufacturing and environmental standards are expected to stay in business. As these facilities close, there will be continuing market uncertainty. Finally, another factor that must be considered is China is ramping up its efforts to build its own domestic recycling streams; once local collection infrastructure is in place, overall demand for imported recycling will decrease.

China has proven it is willing to cause major market disruption to further its efforts to clean up its environment, and that market disruption is having a drastic effect on recycling programs worldwide. Oregon needs to acknowledge this means a hard “re-set” of collection programs, and look for ways to find the opportunity in this challenge. It is right that China is cleaning up; how can Oregon programs do the same?

### Call to Action

Having been at the forefront of recycling for decades, Oregonians are well poised to successfully navigate necessary changes through this period of market transition. Here are some steps to consider to reduce negative effects of the changed recycling market.

- Make smart purchases and consider the packaging choices of what is purchased – can the item be recycled? Could it be reused instead of recycled?
  - Establish a Life Cycle Analysis of packaging choices. Some packaging has other outstanding benefits (shelf-stable products that don’t require refrigeration and avoid food spoilage), so disposing of it at the end of its life due to lack of viable markets may well be the best, and most environmentally-protective choice.

- Recycling programs should limit the list of acceptable materials for commingled recycling and use the reduced list as basis for an all-out education campaign to Oregonians to reset their recycling habits in general and follow the list in specific.
- Add enforcement and continued follow up to programs to increase compliance. Funding is key and the effort will require cooperation of government and business partners, but customers must get feedback and some must have incentives (or disincentives) to “recycle well,” in order to decrease curbside contamination.
- Encourage customers to evaluate their service needs during this period; they may need to right size their garbage cart. Likewise, jurisdictions need to evaluate whether they have appropriate collection services (every other week garbage pick-up, every other week recycling pick up, etc.)
- Processors’ role: equipment changes or other innovations that allow them to sort for streams of materials with market demand?
- Consider whether expanded use of central recycling depots would be beneficial in certain areas and for specific materials.
- Try a pilot program of “dual stream” collection with existing equipment – fiber one week, containers the next, and see how the processors do. Use information as a basis for discussing how collection should look in the future.
- What is a market? Convene interest group and set criteria and a format to follow before adding new items to curbside programs.
- Domestic markets – what can be done to renew traditional markets and establish new markets?



State of Oregon Department of Environmental Quality

# Disposal Concurrences

Updated on March 9, 2018

## What are disposal concurrences?

Oregon's recycling laws are designed to provide residents with the opportunity to recycle to help conserve resources, energy and reduce environmental impacts. Given the unprecedented market conditions, recycling processors are now struggling to find markets to accept mixed paper or plastics. In such circumstances, the Oregon Department of Environmental Quality, working closely with representatives from the recycling industry and local governments, has developed a short-term concurrence process to help alleviate the backup of material throughout the collection and processing system. This process requires collaboration and oversight for local governments to ensure all other options are exhausted before disposal can happen.

Number of concurrences since Oct. 1	Total tonnage disposed of – from Oct.1 to Jan. 31	Percentage of materials collected in commingled programs*	Percentage of all materials collected for recycling*
18	6,114 tons	5-6 percent	less than 2 percent

\*Percentages calculated using averages from the previous year.

## To date, DEQ has concurred on the following:

Organization Name	Date	Materials Type	Frequency	Material Source Areas
Central Coast Disposal	9/27/2017	Residential commingled	One time	Florence
Hood River Recycle and Transfer Station	10/19/2017	Residential commingled	Ongoing	Hood River County
The Dalles Transfer Station	10/19/2017	Residential commingled	Ongoing	Wasco County, Sherman County, Gilliam County
Baker Sanitary Service	10/26/2017	Mixed Plastics	Ongoing	Baker City, Baker County
Southern Oregon Sanitation, Inc.	10/27/2017	Residential commingled	Ongoing	Grants Pass, Cave Junction, Rogue River, Gold Hill, Eagle Point, Shady Cove, Butte Falls, Jackson County, Josephine County
Pioneer Recycling Services	10/31/2017	Aseptic containers and cartons	Ongoing	Entire State of Oregon
Republic Services - Grants Pass	11/1/2017	Residential commingled	Not exercised	Grants Pass, Josephine County
Rogue Materials Recovery	11/2/2017	Residential commingled	Ongoing	Medford, Central Point, Jacksonville, Phoenix, Jackson County
Klamath County Solid Waste Division	11/3/2017	Depot-collected: Comingled, scrap paper, corrugated cardboard, rigid plastic and #3-#7 plastic	One time	Klamath County
Waste Pro	11/7/2017	Residential commingled	Ongoing	La Grande, Island City

Rogue Disposal and Recovery	11/7/2017	Residential commingled	Ongoing	Medford, Central Point, Jacksonville, Phoenix, Jackson County
Willamette Resources Inc.	11/14/2017	Film plastic, rigid plastic containers	One time	Wilsonville, Tualatin
International Paper	1/22/2018	PVC film	One time	Eugene
Garten	2/12/2018	mixed waste paper, rigid plastics and #3-#7	Ongoing	Aurora, Aumsville, Dallas, Detroit, Donald, Eugene, Gates, Gervais, Hubbard, Independence, Idanha, Jefferson, Keizer, Mill City, Monmouth, Mt. Angel, Newport, Salem, Silverton, Scotts Mills, Stayton, Sublimity, St. Paul, Turner, Waldport, Woodburn
Prineville Disposal	2/14/2018	Residential commingled	Not exercised	Crook County
Waste Connections (Vancouver WA)	2/15/2018	Scrap paper	One time	City of Portland, Lane County, Coos County, Columbia County, Clackamas County
Thompson's Sanitary Service, Inc.	2/27/2018	Residential commingled, depot	Not exercised	City of Newport and Lincoln County, including the UGB, and unincorporated areas around Newport
Roseburg Disposal Co.	3/2/2018	Residential commingled	Ongoing	City of Roseburg, including the UGB, and unincorporated areas around Roseburg.



## OREGON REFUSE & RECYCLING ASSOCIATION

### Suggested Items that are OK for Commingled Recycling Programs\*

#### 1. Paper

- Newspaper, including advertisements and paper inserts
- Corrugated cardboard
- Magazines and catalogs
- Junk/Direct mail
- Boxes — cereal, cracker, cookie and shoe boxes
- Office paper — copier and printer paper, file folders, note paper, computer paper, brochures

#### 2. Metal

- Steel (tin) cans
- Aluminum cans

#### 3. Plastic – Bottles and Jugs only — clean with lids removed

- Beverage bottles — soda, water, juice — 12 ounces or larger only
- Other bottles — soap, household cleaning solutions
- Jugs — milk, juice, detergent

\*This is the most comprehensive list of materials to include. For those programs that choose to offer a more limited group, that would be acceptable as well.

### Suggested Items to Remove from Commingled Recycling Programs

#### 1. Paper

- Aseptic packaging and all milk, juice, soup or similar boxes or cartons
- Shredded paper

#### 2. Metal

- No scrap metal

#### 3. Plastic

- Plastic tubs — salsa, margarine, cottage cheese, hummus, etc.
- Yogurt cups
- Planting or nursery pots
- 5-gallon buckets

#### 4. Glass

### Depot Alternatives

For those jurisdictions that would like to offer additional recovery options, it might be possible to establish drop off options at depots.

Revised 2/12/18

## Justice Center / Library Remodel

### Tentative Schedule & Tasks

- April 11<sup>th</sup> – Last City Council Meeting in City Hall
- April 12<sup>th</sup> – May 1<sup>st</sup> - Remodel City Hall
  - Relocate substation
  - Provide tech needs for LCSO at City Hall
  - Others?
- April 12<sup>th</sup> – May 1<sup>st</sup> – Prepare Justice Center / Library for Demolition Work
  - Relocate furniture (tables & chairs JC)
  - Relocate books from North and Northeast walls (Lb)
  - Build/Install shelving in storage room (Lb)
  - Others?
- March 30<sup>th</sup> – Final Concept Plan prepared by Branch Eng.
  - Review and approve by City Staff Committee (CSC)
- April 23<sup>rd</sup> – May 18<sup>th</sup> – Schematic Design for remodel prepared by Branch Eng.
  - Review and approve by CSC
- May 21<sup>st</sup> – June 29<sup>th</sup> – Construction drawings and bid packet completed
  - Review and approve construction drawing by Council
  - Submit for building permits
- July 1<sup>st</sup> – July 18<sup>th</sup> – Out for Bid and Bid Opening
- Bid Awarded July 25<sup>th</sup> by Council
- Close Library according to Construction Schedule provided by contractor
  - Provide temporary office space at City Hall for Library Staff
  - Inventory and box books (prior to start of construction) (Lb)
  - All books will be updated in Evergreen and relabeled (Lb)
  - Development/Refinement of Library programs and policies for re-opening (Lb)
  - Continue to provide library services/programs; with exception of physical space, computer use, and book checkout (Lb)
  - Others?
- August – December 2018 – Project Completed