



MYRTLE CREEK CITY COUNCIL  
REGULAR COUNCIL MEETING AGENDA  
MYRTLE CREEK COUNCIL CHAMBER

**AGENDA PACKET 1/2/2024**

*All city public meetings are being digitally recorded for sound and video camera surveillance.*

The City Council of the City of Myrtle Creek will meet on **Tuesday, January 2, 2024, at 5:30 PM** in the Myrtle Creek Council Chamber, 207 NW Pleasant Street, Myrtle Creek, Oregon.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, for other accommodations for persons with disabilities, or for remote access should be made at least 48 hours in advance of the meeting to the City Recorder at 541-863-3171.

The City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the study session and or/meeting.

**REGULAR COUNCIL MEETING – 5:30 PM**

*Anyone wishing to speak on an agenda item should complete a Public Comment Form and give it to the City Recorder. Public Comment Forms are located at the entrance to the meeting place. Anyone commenting on a subject not on the agenda will be called upon during the “Citizens Heard on Non-Agenda Items” section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the City Council.*

- 1. Call to Order/Roll Call**
- 2. Pledge of Allegiance**
- 3. Election of Officers**
- 4. Public Presentations** – *Items that do not require immediate council action, such as presentations, discussions of potential future action items.*
- 5. Citizens Heard on Non-Agenda Items**
- 6. Consent Agenda** – *Requires a motion*  
*The consent agenda consists of items of a repeating or routine nature considered under a single action. Any Councilor may have an item on the consent agenda removed and considered separately upon request.*
  - 6.1 Approval of minutes of the Regular City Council Meeting for December 5, 2023**

**7. Regular Agenda**

*Citizens will be provided the opportunity to offer comments on action items after staff has given their report and if there is an applicant, after they have had the opportunity to speak. Action items are expected to result in motions, resolutions, orders, or ordinances.*

7.1 Review of 2023 City Council Goals

7.2 Umpqua Economic Development Partnership

**8. Resolutions**

*Citizens will be provided the opportunity to offer comments on action items after staff has given their report and if there is an applicant, after they have had the opportunity to speak. Action items are expected to result in motions, resolutions, orders, or ordinances.*

8.1 Resolution 24-01 – 974 NE Bond Street – A Resolution Authorizing the City Recorder to Establish a Lien on Real Property for Failure to Abate Nuisances

8.2 Resolution 24-02 – 0 Johnson Street – A Resolution Authorizing the City Recorder to Establish a Lien on Real Property for Failure to Abate Nuisances

8.3 Resolution 24-03 – 1106 NE Leon Court – A Resolution Authorizing the City Recorder to Establish a Lien on Real Property for Failure to Abate Nuisances

8.4 Resolution 24-04 – 127 NW Division – A Resolution Authorizing the City Recorder to Establish a Lien on Real Property for Failure to Abate Derelict Building

**9. City Administrator Report**

**10. Mayor and Councilor – Committee Reports and Councilor Comments**

**11. Executive Session**

*The Myrtle Creek City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660 but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.*

**12. Adjournment**



# CITY OF MYRTLE CREEK

## REGULAR MEETING OF THE CITY COUNCIL

**DATE:** December 5, 2023

**PLACE:** Council Chambers, 207 NW Pleasant St., Myrtle Creek, Oregon

**PRESIDING OFFICER:** Mayor Matthew Hald

**COUNCILORS PRESENT:** Councilors: Robert Chaney, Sr., Luke Dillon, Diana Larson, Susan Harris, Bill Burnett

**COUNCILORS ABSENT:**

A quorum was present throughout the meeting.

**STAFF IN ATTENDANCE:** City Administrator Lonnie Rainville, City Recorder Joanna Bilbrey, Finance Officer Lesley Hiscocks, Police Chief Jonathan Brewster, Fire Chief Manie Pires

**CALL TO ORDER:** Mayor Matthew Hald called the December 5, 2023 meeting to order at 5:30 PM

### PUBLIC PRESENTATION

Dr. Paul Hillyer -South Umpqua School District Update

### CITIZENS HEARD ON NON-AGENDA ITEMS

No citizen comments presented.

### CONSENT AGENDA

#### Parts I & II

Motion was made by Councilor Burnett and seconded by Councilor Dillon to approve Consent Agenda Parts I & II as presented in the December 5, 2023 council packet. *Discussion: None*

Vote: Motion passed unanimously.

### DEPARTMENT REPORTS

#### Planning/Community Development Department

City Administrator Lonnie Rainville submitted the Planning Department Report into record as written.

## **Finance Report**

Finance Officer Lesley Hiscocks submitted the Finance Report into record as written.

## **Police Department**

Police Chief Jonathan Brewster submitted the Police Report into record as written.

## **Fire Department**

Fire Chief Manie Pires submitted the Fire Department Report into record as written. The Fire Chief shared that they just finished their boot drive and have the Cloth-a-Child event going on. This month also includes the lighted parade, toy run, and Santa Day. Food baskets and toys will be delivered by volunteers this month as well. Several surrounding communities including Canyonville , Milo, Days Creek, and Tiller receive toys from the Myrtle Creek Volunteer Fire Department's toy drive.

## **Public Works**

City Administrator Lonnie Rainville submitted the Public Works report into record as written.

## **REGULAR AGENDA**

Railroad Property – Counselor Diana Larson

Counselor Larson heard back from Mr. Marlarkey with the railroad and he shared that he is waiting to hear back regarding the possibility of the railroad being willing to sell the land near the trestle. He asked her while they were waiting if we had a fair market value idea of what we were willing to offer.

Counselor Larson sent back the assessor's value and an estimate from a realtor. She asked not only about the sale of the property but also as a lease or donation.

## **CITY ADMINISTRATOR REPORT**

City Administrator Lonnie Rainville shared that on November 13<sup>th</sup> he attended a listening session with Senator David Smith Senator Rob Wagner, and House Representative Virgil Osborn. Final amendments are under review for the Douglas County Natural Hazzard Mitigation Plan. The cutover to the Riverside Lift Station happened on November 14<sup>th</sup> and aside from a couple of minor issues during the initial startup it has been running smoothly. Pacific Power has assigned a work order for four new streetlights in Mytle Creek. Three will be placed on Laurance and one at the corner of Neal and Simpson. The Public Works crew has their new pickup and are working on getting the yellow lights installed. We will have a student representative from South Umpqua High School joining the Council on January 16<sup>th</sup>. Urban Renewal funds were moved from a basic checking account into a money market account so that they can earn a greater interest rate. The hope is that the interest can help cover the Building Improvement Grants that are issued each year. Public Works Superintendent Zach Potter has been working with the City Administrator and the Utility Clerk to identify broken meters. Currently 29 meters have been identified. New meters have been ordered.

## **MAYOR AND COUNCILOR – COMMITTEE REPORTS and COUNCILOR COMMENTS**

Counselor Harris thanked the Public Works team for hanging the Christmas lights downtown and shared that at the Silver Bells luncheon frenzy the money went to a fund to help families of children with

juvenile diabetes. The program currently serves 70 family with a majority of them in South County. Counselor Chaney shared about the trip to cut the downtown Christmas tree and also that about 100 people were served at the Thanksgiving Dinner. The lighted truck parade is this Saturday, with the chili feed starting around 5:30 pm.

#### **ADJOURNMENT**

Mayor Matthew Hald adjourned the regular meeting of the City Council for December 5, 2023 at 6:27 P.M.

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Matthew Hald, Mayor

Attest:

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Joanna Bilbrey  
City Recorder



# 2023 Council Goals for the City of Myrtle Creek

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1. Improve public communication through the use of electronic means that include the city website, and social media.
  - a. Continued development of website content.
  - b. Development of City Facebook Page for promotion of news, events, and meetings.
  - c. To improve internal communication, developed monthly employee newsletter.
2. Work with neighboring jurisdictions to identify needs and opportunities that will strengthen the southern Douglas County region.
  - a. Working with Riddle and Canyonville Main Street Associations to develop a plan for a regional presence.
  - b. Started bi-monthly City Manager meeting with Riddle, Canyonville, and Glendale.
3. Develop partnerships and options to improve the healthcare offering in Myrtle Creek to meet the needs of the community.
  - a. Communicated with Evergreen to determine if there is an opportunity for expanded services. There was interest but because of doctor shortage Evergreen did not want to pursue at this time.

- b. Public Meeting held by Aviva Health to discuss healthcare in Myrtle Creek. Like Evergreen, Staffing was a barrier to an urgent care.**

**4. Have city departments create outreach programs that will foster community connection and public support.**

- a. Quarterly town hall meetings
  - i. July - Transportation**
  - ii. October – Parks**
  - iii. February 2024 – Main Street and Urban Renewal District****
- b. Utilize Website features and implemented Facebook page to communicate with community.**
- c. Police involvement with school district to improve student safety.**
- d. Public Works Spring Cleanup Program.**
- e. Plan to add fall leaf pickup program in fall 2024.**

**5. Complete a cost benefit analysis on the feasibility of the City having electric vehicles in its fleet of vehicles.**

- a. Investigated replacing meter reader cart with electric vehicle. Cost was a barrier with only limited use cost benefit was not identified.**
- b. Plan to look at cost to replace city admin vehicle with electric in the future.**

**6. Establish a long-range plan for the Myrtle Creek Commercial District.**

- a. Working with Main Street Association to start community needs assessment.**
- b. Scheduling town hall meeting for February 2024 to get community input for Commercial District.**
- c. Working with Umpqua Partnership to assist in soliciting bids for agency to prepare marketing plan and to conduct survey to assist with attracting business and visitors to Commercial District.**

**7. Establish a continuous improvement and enhancement plan for city parks.**

- a. Continued focus on pathway safety, replaced portions of sidewalks in Maggie Steinbough Park that were trip hazards.**
- b. Identified needed pool repairs that included crack in pool shell and need for new filter media.**
- c. Refurbished Millsite Park sign.**
- d. Identified potential walking path extension and applied for grant to assist with funding of the project.**
- e. Established plan for addition of pickleball courts to Maggie Steinbough Park in spring 2024.**



- 8. Evaluate administrative processes to identify areas that can be improved to allow for more transparency in governmental operations.**
  - a. Moved to Cash Basis Accounting Method to address GASB 87 and 96 required processes.**
  - b. Improved financial reporting to City Council to provide more detail on the fiscal position of the City.**
  - c. Held two town hall meetings and have third scheduled to present work being done by the city and to solicit input from community members on their views on community needs.**
- 9. Work with all city departments and agencies receiving city funding to create transparency in operation including use of public funds.**
- 10. Implement measures to identify problematic areas with city infrastructure and implement strategies that will address these issues.**
  - a. Conducting lead and copper pipe inventory.**
  - b. Planning for replacement of Nichol Ave waterline.**
  - c. Broken meter replacement project identified 29 meters that needed replaced.**
  - d. North water tank cleaning and inspection identified and request for proposal sent out.**
  - e. Working with Dyer Partnership to create a bid packet for painting of south water tank.**

- f. Worked to identify and apply for funding to assist with waterline improvements.**
- g. Update of Sewer SCADA control and monitoring systems.**
- h. Update and upgrades of South Myrtle and South Main Sewer lift stations.**
- i. Completed construction of Riverside lift station.**
- j. Identified needs for automated backwash for water intake and settling basin for water plant improvements.**
- k. Applied for and received SCAG of \$250,000 to pave Holly and Leon Streets in 2024.**
- l. Improved focus on street improvements with street patching program implemented for summer 2023 that will continue in.**

**11. Create a pedestrian safety plan that includes potential issues and solutions.**

- a. Completed community assessment for lighting and pedestrian pathway issues.**
- b. Completed map showing identified locations of pedestrian pathways issues and locations for needed lighting.**
- c. Worked with Pacific Power to install four new streetlights.**

# Myrtle Creek - City Council Agenda Report

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**Agenda item: Myrtle Creek Promotional Campaign Proposal**

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Meeting Date:	January 2, 2024	Primary Staff Contact:	Lonnie Rainville
Department:	Administration	E-Mail:	lrainville@myrtlecreek.org
Secondary Dept.:		Secondary Contact:	

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**Issue before the Council:**

Discussion about Umpqua Partnership Assisting the City of Myrtle Creek to put out an RFP to conduct survey and focus interviews and create media to promote the City of Myrtle Creek.

**Background:**

Through conversation with Brian Prawitz, the Umpqua Economic Development Partnership (UEDP) would assist the City in putting out an RFP to solicit bids for a company to facilitate survey's and focus group discussions to identify how to promote Myrtle Creek to increase interest in the city and increase tourism. The end project would be promotional media the city could use to promote the city to increase tourism and interest from small business. The budget we are looking to put out would be not to exceed \$25,000.

**Fiscal Impact:**

None with this approval. If Council approves the City to work with UEDP to develop an RFP, the received bids would be brought to both Urban Renewal Board and City Council for review and potential funding approval.

**Council Options:**

Council can approve the city to working with UEDP to put out an RFP for the creation of a Myrtle Creek promotional campaign.

Council take no action and the City will take no further action on the issue.

**Potential Motion:**

I make a motion to approve the City to work with UEDP to put out an RFP for the creation of a Myrtle Creek promotional campaign with the campaign budget not to exceed \$25,000.



# UMPQUA ECONOMIC DEVELOPMENT PARTNERSHIP

## Request for Proposals

To: Marketing Agencies in Douglas County

From: Brian Prawitz, Executive Director

Date: 12/4/2023

Re: City of Myrtle Creek Marketing Campaign

The Umpqua Economic Development Partnership is seeking proposals from qualified marketing agencies to design and execute a promotional campaign for two aspects of the City of Myrtle Creek.

The campaign includes two projects. It should showcase attractive elements for both the City of Myrtle Creek, and for Myrtle Creek's downtown core. The process should involve surveys and focus groups to confirm the effectiveness of the messaging, and lead to professional video content targeting specific audiences. The projects would need to produce measurable increases in Myrtle Creek's presence and profile for potential new residents, businesses, and visitors to the area contributing to the economic development of the city.

Proposals shall include estimates, philosophy, and a description for each of the following elements:

1. Plans for developing and conducting a local survey, and/or focus groups, to develop key visuals, attractive elements, and/or a slogan or brand for both the city and downtown as separate projects.
2. Film and edit videos for both the city of Myrtle Creek and downtown. Video estimate should include the cost of titles, graphics, effects, and music.
3. Optimize content and messaging to an audience of visitors and travelers to the area.
4. Post the videos to the city's Facebook page and website.
5. Create a digital campaign to reach the target audience through recommended platforms.

The campaign budget should not exceed \$25,000. Proposals will be confidential.

Please reply with questions, and final proposals via email to Brian Prawitz, Umpqua Economic Development Partnership: [bprawitz@uedpartnership.org](mailto:bprawitz@uedpartnership.org) no later than September 14, 2023.

SUSTAINING SPONSORS: Avista, Aviva Health, CCD Business Development Corporation (Founding Member), CHI Mercy Health, Con-Vey, Dole Coalwell Attorneys, Old 99 Brewing & Loggers Tap House, Oregon Pacific Bank, Roseburg Forest Products, Rogue Credit Union, Umpqua Community College VISION SPONSORS: Douglas ESD, Pacific Power, Orenco Systems MISSION SPONSORS: Banner Bank, City of Sutherlin, Umpqua Bank, Umpqua Dairy EXECUTIVE SPONSORS: Allen Rental GENERAL SPONSORS: Dave Sabala, Express Employment Professionals, SAIF

522 SE Washington Ave • Roseburg, OR 97470 • (541) 464-3527 • [www.uedpartnership.org](http://www.uedpartnership.org)

CITY OF MYRTLE CREEK  
OREGON  
RESOLUTION 24-01

<b>A RESOLUTION AUTHORIZING THE CITY RECORDER TO ESTABLISH A LIEN ON REAL PROPERTY FOR FAILURE TO ABATE NUISANCES</b>
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**WHEREAS**, Myrtle Creek Municipal Code Chapter 8.05.170 provides for the definition of properties to abate the nuisance as determined by the City Council; and

**WHEREAS**, it was determined that a nuisance existed on real property described as follows by the Douglas County Assessor records:

PROP ID: R10342 TAX ID: 29-05W-27AB-06200  
HERMANN'S SUBDIVISION, BLOCK 8, LOT PT 8, ACRES 0.50  
PHYSICAL ADDRESS: 974 NE Bond Street, Myrtle Creek, OR 97457

**WHEREAS**, the property owner/occupant failed to abate the nuisance upon proper notification; and,

**WHEREAS**, the nuisance violation on the property above described was abated by the City of Myrtle Creek in accordance with the provisions of Myrtle Creek Municipal Code 8.05.200;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Myrtle Creek, Douglas County, Oregon, that the cost of abating the nuisance above described was \$4,235.53 plus the cost of recording in the Douglas County Clerk's Office of \$186 (\$93 for filing the lien and \$93 for releasing the lien). The City Recorder is now directed to enter in the docket of city liens a statement that the sum of \$4,421.53, has been assessed against the property above described. Such assessment shall become due and payable immediately after entry of the same in the docket of city liens and Douglas County Clerks Records and delinquent thirty (30) days thereafter. Such assessment shall accrue interest at eight percent (8%) annually from the date this lien is entered into the Lien Docket until paid. Fees will also be assessed to record the lien, as well as to release the lien with the Douglas County Clerk.

**BE IT FURTHER RESOLVED** by the City Council of the City of Myrtle Creek, Douglas County, Oregon, that when the City Recorder of the City of Myrtle Creek shall have completed entry of the assessment in the City Lien Docket and Douglas County Clerk Records, in accordance with the provisions of this Resolution, they shall, by registered or certified mail, postage prepaid, forward to the property owner/occupant, at the last known address, a copy of this Resolution, together with a notice stating when such assessment shall become delinquent.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF MYRTLE CREEK THIS 2<sup>nd</sup>  
DAY OF JANUARY 2024**

**APPROVED BY THE MAYOR THIS 2<sup>nd</sup> DAY OF JANUARY 2024**

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Matthew Hald, Mayor

ATTEST:

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Joanna Bilbrey, City Recorder

CITY OF MYRTLE CREEK  
OREGON  
RESOLUTION 24-02

<b>A RESOLUTION AUTHORIZING THE CITY RECORDER TO ESTABLISH A LIEN ON REAL PROPERTY FOR FAILURE TO ABATE NUISANCES</b>
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**WHEREAS**, Myrtle Creek Municipal Code Chapter 8.05.170 provides for the definition of properties to abate the nuisance as determined by the City Council; and

**WHEREAS**, it was determined that a nuisance existed on real property described as follows by the Douglas County Assessor records:

PROP ID: R129144 TAX ID: 29-05W-27AB-03701  
HERMANN'S SUBDIVISION, BLOCK 5, LOT 3, ACRES 0.11  
PHYSICAL ADDRESS: 0 Johnson Street, Myrtle Creek, OR 97457

**WHEREAS**, the property owner failed to abate the nuisance upon proper notification; and,

**WHEREAS**, the nuisance violation on the property above described was abated by the City of Myrtle Creek in accordance with the provisions of Myrtle Creek Municipal Code 8.05.200;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Myrtle Creek, Douglas County, Oregon, that the cost of abating the nuisance above described was \$992.08, previous abatement charge of \$82.64, plus the cost of recording in the Douglas County Clerk's Office of \$186 (\$93 for filing the lien and \$93 for releasing the lien). An additional The City Recorder is now directed to enter in the docket of city liens a statement that the sum of \$1,260.72, has been assessed against the property above described. Such assessment shall become due and payable immediately after entry of the same in the docket of city liens and Douglas County Clerks Records and delinquent thirty (30) days thereafter. Such assessment shall accrue interest at eight percent (8%) annually from the date this lien is entered into the Lien Docket until paid. Fees will also be assessed to record the lien, as well as to release the lien with the Douglas County Clerk.

**BE IT FURTHER RESOLVED** by the City Council of the City of Myrtle Creek, Douglas County, Oregon, that when the City Recorder of the City of Myrtle Creek shall have completed entry of the assessment in the City Lien Docket and Douglas County Clerk Records, in accordance with the provisions of this Resolution, they shall, by registered or certified mail, postage prepaid, forward to the property owner/occupant, at the last known address, a copy of this Resolution, together with a notice stating when such assessment shall become delinquent.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF MYRTLE CREEK THIS 2<sup>nd</sup>  
DAY OF JANUARY 2024**

**APPROVED BY THE MAYOR THIS 2<sup>nd</sup> DAY OF JANUARY 2024**

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Matthew Hald, Mayor

ATTEST:

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Joanna Bilbrey, City Recorder



CITY OF MYRTLE CREEK  
OREGON  
RESOLUTION 24-03

<b>A RESOLUTION AUTHORIZING THE CITY RECORDER TO ESTABLISH A LIEN ON REAL PROPERTY FOR FAILURE TO ABATE NUISANCES</b>
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**WHEREAS**, Myrtle Creek Municipal Code Chapter 8.05.060(2) provides for the definition of hazardous trees and the responsibility of property owners to remove such trees; and

**WHEREAS**, it was determined that a hazard existed on real property described as follows by the Douglas County Assessor records:

PROP ID: R20246 TAX ID: 29-05W-22CA-15900

SCHOOL ADD, LOT 78, ACRES 0.22

PHYSICAL ADDRESS: 1106 NE Leon Ct, Myrtle Creek, OR 97457

**WHEREAS**, the property owner/occupant and the City of Myrtle Creek entered into an agreement to remove said hazardous tree; and,

**WHEREAS**, section 5 of said agreement (Exhibit A) provides per MCMC 8.05.210 that a lien will be placed on the property if owner chooses not to pay for the cost of the removal of the tree;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Myrtle Creek, Douglas County, Oregon, that the cost of abating the hazard above described was \$3,500.00. The City Recorder is now directed to enter in the docket of city liens a statement that the sum of \$3,500.00, has been assessed against the property above described. Such assessment shall become due and payable immediately after entry of the same in the docket of city liens and Douglas County Clerks Records.

**BE IT FURTHER RESOLVED** by the City Council of the City of Myrtle Creek, Douglas County, Oregon, that when the City Recorder of the City of Myrtle Creek shall have completed entry of the assessment in the City Lien Docket and Douglas County Clerk Records, in accordance with the provisions of this Resolution, they shall, by registered or certified mail, postage prepaid, forward to the property owner/occupant, at the last known address, a copy of this Resolution, together with a notice stating when such assessment shall become delinquent.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF MYRTLE CREEK THIS 2<sup>nd</sup>  
DAY OF JANUARY 2024**

**APPROVED BY THE MAYOR THIS 2<sup>nd</sup> DAY OF JANUARY 2024**

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Matthew Hald, Mayor

ATTEST:

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Joanna Bilbrey, City Recorder

AGREEMENT

DATE: June 17, 2021

PARTIES: City of Myrtle Creek (City); and  
Peggy L. Ryther-Mahoney (Owner)

RECITALS:

A. Owners own certain real property at 1106 NE Leon Court, Myrtle Creek, Oregon, described as Lot 78, School Addition to the City of Myrtle Creek, Douglas County, Oregon (the Property).

B. There is a large, dead tree (the Tree) on the Property that presents a hazard to the people, buildings, and power lines located nearby. For these reasons it is in both parties' interests for the Tree to be cut down and removed.

AGREEMENTS:

1. The above recitals are true and are incorporated herein in full by this reference.
2. The parties acknowledge receipt of adequate and sufficient consideration for this Agreement.
3. The City or the City's contractor, at City's expense, agrees to furnish all materials, equipment, tools and labor to cut down the Tree and remove all debris from the Property in a good and workmanlike manner.
4. Owner may pay to City the costs incurred by City for cutting and hauling off the Tree. Payment shall be made at City office in Douglas County, Oregon.
5. If owner chooses not to pay for the cost of the removal of the Tree, a lien will be placed on the property as prescribed in section 8.05.210 of city code which states;

*(3) If the cost of the abatement is not paid within 30 days from the date of the notice, an assessment of the costs, as stated or as decided by the council, shall be made by resolution of the council and shall be entered in the docket of city liens. When the entry is made, it shall constitute a lien on the property from which the Tree was removed.*

6. City shall indemnify and hold Owners harmless against all claims or liabilities asserted by third parties or governmental agencies for all acts directly within City's control for damages to property or persons through negligence of City. Owners shall indemnify and hold City harmless against all claims for liability asserted by third parties or governmental agencies, for all


acts directly within Owner's control for damages resulting directly or indirectly from Owners acts or omissions hereunder, whether negligent or otherwise.


7. Time is of the essence of this Agreement and all particulars.

8. If this Agreement is placed in the hands of an attorney for collection, Owners agree to pay City's reasonable attorney fees and collection costs and if suit or action is filed thereon, and also agree to pay City's reasonable attorney fees both at trial and also upon any appeal.

PROPERTY OWNER

CITY OF MYRTLE CREEK

  
Peggy L. Ryther-Mahoney

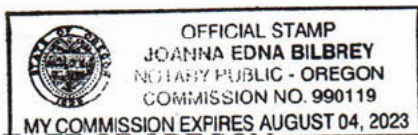
By:   
Sean Negherbon, City Administrator

STATE OF OREGON )

) ss.

County of Douglas )

This instrument was acknowledged before me this 17<sup>th</sup> day of June, 2021, by Peggy L. Ryther-Mahoney

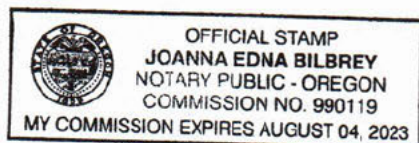


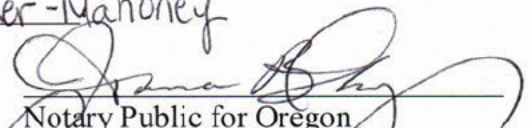
STATE OF OREGON )

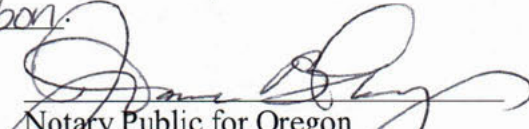
) ss.

County of Douglas )

This instrument was acknowledged before me this 17<sup>th</sup> day of June, 2021, by Sean Negherbon



  
Notary Public for Oregon  
My Commission Expires: Aug. 4, 2023

  
Notary Public for Oregon  
My Commission Expires: Aug. 4, 2023

CITY OF MYRTLE CREEK  
OREGON  
RESOLUTION 24-04

<b>A RESOLUTION AUTHORIZING THE CITY RECORDER TO ESTABLISH A LIEN ON REAL PROPERTY FOR FAILURE TO ABATE DERELICT BUILDING</b>
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**WHEREAS**, Myrtle Creek Municipal Code Chapter 15.10.050 provides for the definition of properties to abate derelict buildings as determined by the City Council; and

**WHEREAS**, it was determined that a derelict structure existed on real property described as follows by the Douglas County Assessor records:

PROP ID: R16846 TAX ID: 29-05W-21DD-03700  
GABBERT'S ADDITION, BLOCK 1, LOT 2 through 7, ACRES 0.67  
PHYSICAL ADDRESS: 127 NW Division St, Myrtle Creek, OR 97457

**WHEREAS**, the property owner/occupant failed to abate the derelict building upon proper notification; and,

**WHEREAS**, the derelict building violation on the property above described was abated by the City of Myrtle Creek in accordance with the provisions of Myrtle Creek Municipal Code 15.10.110;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Myrtle Creek, Douglas County, Oregon, that the cost of abating the derelict building above described was \$293,845.25. The City Recorder is now directed to enter in the docket of city liens a statement that the sum of \$293,845.25, has been assessed against the property above described. Such assessment shall become due and payable immediately after entry of the same in the docket of city liens and Douglas County Clerks Records and delinquent thirty (30) days thereafter. Such assessment shall accrue interest at ten percent (10%) annually from the date this lien is entered into the Lien Docket until paid.

**BE IT FURTHER RESOLVED** by the City Council of the City of Myrtle Creek, Douglas County, Oregon, that when the City Recorder of the City of Myrtle Creek shall have completed entry of the assessment in the City Lien Docket and Douglas County Clerk Records, in accordance with the provisions of this Resolution, they shall, by registered or certified mail, postage prepaid, forward to the property owner/occupant, at the last known address, a copy of this Resolution, together with a notice stating when such assessment shall become delinquent.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF MYRTLE CREEK THIS 2<sup>nd</sup>  
DAY OF JANUARY 2024**

**APPROVED BY THE MAYOR THIS 2<sup>nd</sup> DAY OF JANUARY 2024**

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Matthew Hald, Mayor

ATTEST:

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Joanna Bilbrey, City Recorder