

City of Lafayette
City Council Meeting Minutes
September 28, 2000
7:30 PM

1. **CALL TO ORDER:** The meeting was called to order at 7:30 PM at the City Hall.
2. **FLAG SALUTE:** Acting Mayor Jackie Carpenter asked the Pack 284 cub scouts to lead the flag salute.
3. **ROLL CALL:** Phil Lieberman, Interim City Administrator, called the roll.
Present: Acting Mayor Jackie Carpenter, Ron Harris, Bob Cullen, and Terry Yarbrough.
Absent: Russell Kappes (excused), one vacancy
City Staff Present: Phil Lieberman, Interim City Administrator, Trena Cranfill.
Others Present: Laura Laird, Marianne Mitchell, Mike Schrader of Ater Wynne, Kevin Leid, Celeste Viau-Navetta, Pack 284 Cub Scouts and Den Leader Curtis Stringer and approximately 9 others.

4. **APPROVAL OF MINUTES:**
Acting Mayor Jackie Carpenter asked for a motion to accept the September 14, 2000 minutes. Ron Harris made a motion to accept the September 14, 2000 minutes. Terry Yarbrough seconded the motion. There was no discussion. The motion passed unanimously.

5. **ACCOUNTS PAYABLE:**
Terry Yarbrough made a motion to accept Accounts Payable. Ron Harris seconded the motion. There was no discussion. The motion passed unanimously.

6. **APPEARANCE OF INTERESTED CITIZENS:**
There was none.

7. **BUSINESS DISCUSSION FROM THE COUNCIL:**
The Council had no business discussion.

Acting Mayor Jackie Carpenter asked Council if agenda item 9 a could be moved up so that Mike Schrader from Ater Wynne could leave early. Council agreed to move agenda item 9 a.

9. **OLD BUSINESS:**

- a) **Master Water Bond Resolution (res. 00-24)**

Mike Schrader from Ater Wynne presented the final copy to be executed to the Council. There were just a couple of minor changes (clarifying small issues, removing brackets, etc.) made from the last draft of the resolution at the request of the City's Attorney, Paul Elsner. This master water bond resolution authorizes bonds to be issued, not to exceed 4.5 million dollars. There are a few things that need to happen over the next month or so. Ater Wynne needs a signed copy of the resolution presented tonight if Council approves it. The final form will be ready for signing in the middle of October, and they will also finalize the rate on the bonds. Sutro and Co. will then sell the bonds and the money will be transferred to the City. The bond issue will be closed by the end of October or beginning of November. It is very important that these bonds are in place before the Taxpayer Protection Initiative (93) goes into effect (if it passes). Mike Schrader said that he would be glad to answer any questions that Council may have.

Bob Cullen wanted to know if this contract would be held to the same restrictions as the wastewater bonds with regard to arbitrage. Phil Lieberman said that they would and these bonds are going to be a little more difficult to execute. Bob Cullen wanted to know exactly what this money would be used for. Phil Lieberman said that it would be used for repairing delivery lines, drilling a new well, building a treatment plant for the new wells, and 1-2 reservoirs. Mike Schrader said that as part of the closing procedures, they will have legal counsel available to explain what you can and can't spend the money on, and other questions that may arise. Bob Cullen wanted to know if the bonds don't sell, will the rate payers have to pay the bonds? Is there a doubt that the

full amount of the bonds will be sold? Mike Schrader said that there is no doubt. There will be a commitment in place, that the bonds will be sold, at closing.

Acting Mayor Jackie Carpenter wanted to let the younger members of the audience (boy scouts) know that the Council is talking about where their drinking water will come from and how it will get to their homes.

Marianne Mitchell wanted to know where the Council is at with the water project. Have any decisions been made? Phil Lieberman said that there was a decision made today that will save the City from having to go to court. There are only one or two other issues that need to be cleared up, and they are anticipated to be taken care of soon. Marianne Mitchell said that the issues are still important and wanted to know if they had to be cleared up before the City can issue the bonds. Phil Lieberman said that the City has an alternative plan if the the court doesn't rule in the City's favor. It would be a more expensive alternative, and he is hoping that the City won't have to exercise the option. The water rights issue and the condemnation of the well sights is all done, and the other issue should be taken care of soon.

Council Discussion - There was none. Terry Yarbrough made a motion to adopt Resolution 00-24, establishing a Master Water Bond, as presented. Ron Harris seconded the motion and the motion passed unanimously.

8. NEW BUSINESS:

a) Donation of Park and Open Space Tracts in Lafayette Plantation:

Skip Wendolowski and Phil Lieberman feel that this is something that needs to be sent back to the Planning Commission. The Council had accepted another tract in Lafayette Plantation already but it turns out to be void because the development did not have a final plat at the time and so the tracts were not theirs to donate. Phil Lieberman requested that Council table agenda item 8 (a) and send it back to planning. Council unanimously agreed to this request.

b) City Administrator application process, closing date, advertising (res. 00-23)

Acting Mayor Jackie Carpenter asked Phil Lieberman if he wanted to elaborate on this. Phil Lieberman said that he wanted to see the City go through a formal process in selecting a new City Administrator. He suggested establishing at least a three person selection committee to determine the next step(s) in the selection process. Phil Lieberman said that Council needs to select who they want to be on the committee before they accept the resolution. Ron Harris said that he agrees and disagrees with what Phil Lieberman has said. Ron Harris feels that Phil should be put in place as the new City Administrator now. He knows more about the City than anyone else does. He knows the financial background of the City and is catching up very quickly in the other areas. It is not easy to find someone with no political aspirations, and feels it is a waste of time and money to go through this formal process. Ron Harris would like to see Phil Lieberman put in place as City Administrator now. Bob Cullen thinks that the City is required to have a notice published. Ron Harris doesn't think that the City is required to, and it would be a waste of fees and time. Phil Lieberman said that he would like to see the applications read and reviewed to be sure that the best candidate for the position is chosen. Bob Cullen said that he assumed that this would have to be done. He didn't consider the route that Ron Harris is proposing. Terry Yarbrough feels that a formal process is a necessity, and the Council should appoint a committee. Phil Lieberman submitted a memo giving a few suggestions on who would be knowledgeable and helpful in choosing a new City Administrator. Acting Mayor Jackie Carpenter said that Phil Lieberman has done an excellent job picking up the pieces and moving on. He works well with everyone, and if it makes Phil Lieberman more comfortable to go through a selection process, then the Council should do it. The majority of the Council feels that going through a formal process in selecting a City Administrator would be the best for the City. Bob Cullen would like to see Sue Hollis on the committee because he has worked with her before on different projects and the City is also working with her on a joint project. She would have some very helpful input to provide in this selection process. Acting Mayor Jackie Carpenter would like input on who the staff and council members should be. Bob Cullen said that he would prefer to see Randy Hubbard on the committee because he works closely with the City Administrator. Bob Cullen said that Terry Lucich is only here part time and he isn't sure how full his schedule is. Acting Mayor Jackie Carpenter asked who would like to be involved from Council. Terry Yarbrough volunteered and Acting Mayor Jackie Carpenter also said that she would like to be

involved. Ron Harris said that he would also like to see Trena Cranfill be a part of the committee if it was alright with Council. Council agreed to add Trena Cranfill and also Jerry Overgard to the committee. Acting Mayor Jackie Carpenter wanted to know if there would be a cost to the City. Phil Lieberman didn't see why there would be. Acting Mayor Jackie Carpenter wanted to make sure that everyone was in agreement and read the list of people mentioned. The members of the City Administrator Selection Committee are: Sue Hollis, Randy Hubbard, Terry Yarbrough, Jackie Carpenter, Trena Cranfill, and Jerry Overgard. Terry Yarbrough made a motion to adopt resolution 00-23 as presented. Bob Cullen seconded the motion. There was no discussion and the motion passed unanimously.

Acting Mayor Jackie Carpenter would like to move item 8 c to the bottom of the agenda to see if Deputy Ron Wellborn shows up. Council agreed.

9. OLD BUSINESS:

b) Flatwork and Sprinkler Systems (ord 532)

Phil Lieberman said that Skip Wendolowski is going to rewrite this ordinance and has not had time to do so. Once it is rewritten, it will be brought before Council at that time. Phil Lieberman requested that this item be tabled until a later meeting. Council unanimously agreed.

c) Utility Billing Policy and Procedures

Phil Lieberman said that Council has seen a draft of these policies before. This draft includes the rates as well. It is now all in one document. Bob Cullen wanted to clarify that rates haven't been changed, they have just been organized. Phil Lieberman said that that was true, and the biggest change in policy is on page 3, which adds a reconnect fee of \$75 before 7:30 am and after 3:00 p.m. This is to encourage customers to get their bills taken care of during business hours. Terry Yarbrough wanted to know if there is a minimum charge even if the water is off. Phil Lieberman said that there is not because no one reads the meter, and the clerk doesn't have to monitor the account. Terry Yarbrough said that sometimes people have their water turned on for temporary reasons, and any and all meters should be checked whether the water is on or off. Phil Lieberman said that he will talk to Randy Hubbard, but he knows that eventually all of the meters get checked. Terry Yarbrough said that if the meters get checked every couple of months, that would be alright. In Dundee, people have to pay in order to keep their water lines hooked up. Phil Lieberman said that in the spring he will come back to Council with a water rate analysis addressing these costs. Ron Harris and Bob Cullen had no discussion. Terry Yarbrough made a motion to accept the utility billing policies and procedures as the City's official policy. Ron Harris seconded the motion. There was no discussion and the motion passed unanimously.

8. NEW BUSINESS

c) Crosswalk Safety-Ron Wellborn

Ron Wellborn was not in attendance of the meeting, so Acting Mayor Jackie Carpenter said she would tell Council about the issues that were discussed at the Traffic Safety Committee meeting. There are grants available right now for cities that would provide funds for monitoring crosswalks. A uniformed officer would watch to see if people stopped, and if they didn't the officer would start ticketing people. This would not cost the City anything. There have been complaints lately about people not stopping for pedestrians. There are a lot of kids that use the crosswalks to get to school or the park. Deputy Ron Wellborn will be writing up the grant and submitting it by the due date, which is sometime in October.

10. CORRESPONDENCE/DISCUSSION/INFORMATION:

Phil Lieberman pointed out to Council that there is an update on the Community Center including financial statements, scheduling, and a rental agreement. There is a possibility of rates needing to be changed. Denise, LCAT Director, will be making a proposal about the rates and then Phil Lieberman will bring it back to Council. Phil Lieberman said that there are building improvements and church revenue included in the financial statements that won't apply for the future. Acting

Mayor Jackie Carpenter wanted to know what the church was paying. Bob Cullen thought it was around \$300 a month.

Phil Lieberman asked Council if they wanted staff to prepare ordinances addressing the issues in the letter that the Traffic Safety Committee submitted. Currently, there are no ordinances in place to enforce these restrictions. Acting Mayor Jackie Carpenter said that someone has been putting up 2 hour parking signs and asking the sheriff to enforce the signs, but without ordinances in place, they cannot be enforced. Would Council like to see staff put together two ordinances addressing 2 hour parking on 3rd Street and Fire Department Parking Only behind the Fire Hall. The City Council unanimously agreed. Bob Cullen wanted to know how the City is going to proceed with the downtown project. Phil Lieberman said that there is other grant money available for the 2nd phase of the downtown project. Phil Lieberman is trying to keep up with 10 different financing packages right now, and is going to make sure that all of the deadlines are met to keep these projects going.

Marianne Mitchell had given Phil Lieberman a paragraph of Oregon Revised Statutes (ORS) that said the public was allowed to see the minutes of an executive session. Phil Lieberman interpreted it differently, and denied her request. His interpretation was confirmed in a discussion with Paul Elsner. The City has the right not to release the minutes to the public.

There is also a schedule of meetings in October included in the packet and Bob Cullen said that he would like to see the schedule dated at the bottom so its easier to keep track of the most updated schedule.

Terry Yarbrough said that he knows there is a grant for \$20-30,000 for improvements on Monroe Street. Phil Lieberman said that that money was turned back because there was a \$100,000 match involved. That money was figured into the budget, but it would leave the 3rd St. fund short and also wouldn't allow for other improvements that are badly needed. Terry Yarbrough said that this is news to him, and he understood from Bob Willoughby that the grant was a done deal. He also thought that this would tie into Main Street. Phil Lieberman said that he would look into it. Terry Yarbrough would like Phil Lieberman to find out. Acting Mayor Jackie Carpenter said that if there's a question, we should try and get it answered. Bob Cullen wanted the enforcement of the crosswalk safety to be tied with awareness. The City needs to educate people and encourage them to adhere to the rules before people get ticketed. By encouraging compliance, enforcement will be a lot easier. Acting Mayor Jackie Carpenter said that there are public awareness issues that will be addressed. Discussion ensued on public awareness.

11. CONSENT AGENDA:

Terry Yarbrough made a motion to accept the consent agenda. Bob Cullen seconded the motion. There was no discussion and the motion passed unanimously.

12. COMMITTEE REPORTS:

a) Heritage Days

The next meeting is scheduled for October 16, 2000 at 7:00. This committee will start the planning for the 2001 Heritage Days. Anyone is welcome to attend as they are looking for new volunteers. Phil Lieberman said that he will have it put up on the reader board to encourage participation.

b) Parks, Open Spaces, Wetland, and Conservation

None.

c) Community Center Update

None.

d) Public Works

Terry Yarbrough said that the \$3,000 spent on tarping in the watershed must have been on manual labor. Phil Lieberman said that a forester advised the City that that is how it should be done. Terry Yarbrough said that the light on 7th street facing into the park doesn't work at all now. Phil Lieberman said that he would go out and get the numbers off the pole, but Terry Yarbrough said that he could bring them in.

e) Public Safety

Ron Harris said that it is important that everyone votes on the police levy in November.

f) Planning

None.

13. MAYOR'S REPORT

At her request, Jackie has requested that Trena Cranfill look at any mail that comes in addressed to the Mayor to evaluate the urgency of the contents, and if it needs to go to the Mayor or to someone else. This request does not include the other Council members unless they make the same request.

She would also like to see at least one other member of Council be involved with the SWEEPS program. If Phil Lieberman or herself cannot go to a meeting or event, she would like to have someone to back them up. Bob Cullen said that if she really needs help, he would be able to help out. Terry Yarbrough also said that he would volunteer as well.

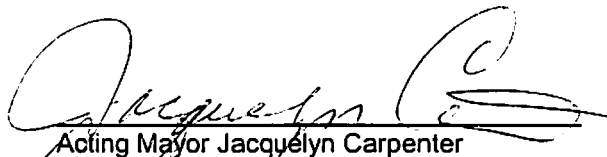
14.ADJOURN:

Terry Yarbrough made a motion to adjourn. Ron Harris seconded the motion. There was no discussion and the motion passed unanimously. The meeting was adjourned at 8:43 p.m.

Minutes approved on this 12th day of October, 2000.

APPROVED:

ATTESTED:



Acting Mayor Jacquelyn Carpenter



Phil Lieberman, Interim City Administrator