

City of Lafayette
City Council Meeting Minutes
March 8, 2001
7:30 PM

ROLL CALL: Acting Mayor Jackie Carpenter called the meeting to order at City Hall at 7:32 p

FLAG SALUTE: Acting Mayor Jackie Carpenter led the flag salute.

ROLL CALL: Phil Lieberman, City Administrator, called the roll.

PRESENT: Ron Harris, Acting Mayor Jackie Carpenter, Bob Cullen, Terry Yarbrough, Neil Meads, and L
ABSENT: None

STAFF PRESENT: Phil Lieberman, City Administrator; Trena Cranfill, Assistant to the City Adminis
Deputy Ron Wellborn.

ATTENDEES: Mike Carpenter, Caroline Harris, Marianne Mitchell, Tom Laird, Don Leard, and Kim Schweig

ADOPTION OF MINUTES:

Harris made a motion to accept the February 22, 2001 minutes. Terry Yarbrough seconded the m
There was no discussion, and the motion passed unanimously.

ACCOUNTS PAYABLE:

Yarbrough made a motion to accept the accounts payable. Ron Harris seconded the motion.
There was no discussion, and the motion passed unanimously.

CONSENT AGENDA:

Laird made a motion to accept the Consent Agenda. Ron Harris seconded the motion. Discu
Laird asked Deputy Ron Wellborn if there were only 2 calls to 911 the whole month. Deputy Ron We
there were only 2 calls that didn't fit in any of the other categories. Has the Sheriff's Office had an
the earthquake that happened last week (emergency preparedness)? Deputy Ron Wellborn sa
't heard anything, but the emergency response division would probably have more informatio
or Jackie Carpenter said that the utility bills now reflect the new rates. She wanted to confirm
Laird wanted to have an odd amount (e.g. 60.04), when an exact number of cubic feet were used (e.g. 300)
structure (1.12/100 CF over 300) created hundreds of sewer classes. In order to reduce the
fees, the users were grouped into a few classes and then rounded to .04, .08, or .12. There wa
discussion and the motion passed unanimously.

DISCUSSANCE OF INTERESTED CITIZENS:

Laird, 820 Jackson Ct., said that there was a Citizen's Utility Board Meeting held on February 2
Community Center. Tom Laird was informed that this was an illegal meeting. He researched
meeting laws on the internet, and he is concerned with the legality issues that could be involved with
Laird should consider giving out packets to all new committee members informing them of the
responsibilities, public meetings law, charter, etc. This would help to avoid a similar situation in the future.

DISCUSSANCE FROM THE COUNCIL:

Harris asked who called this CUB meeting. Bob Cullen said that it was his understanding that it
was an illegal CUB meeting. He was told that people were getting together to discuss the sewer plant. He di
it was a CUB Meeting. He was invited to the meeting to discuss the sewer plant. Laura Laird sa
Laird read up on the ORS (Oregon Revised Statutes) regarding public meeting law. She is conc
Laird never called the meeting wasn't aware of the statutes and could be fined for this violation. Bob C
Laird has recently read the ORS and understands them now, but he did not go with the impression that

be sure that all topics discussed at the illegal meeting were also discussed at the regular public meeting. Phil Lieberman said that the local school did not respond to the earthquake by conducting a drill or evacuation. Phil Lieberman said that she talked with Jim Fenstermaker, District Safety Officer, and Elaine Taylor, Superintendent, about this. The school did not feel severe shaking and so they didn't feel it was necessary to conduct a drill or evacuation. The school was angry that the City did not call and check on them after the earthquake. Phil Lieberman said that this was a reasonable request and the City should have called them. Laura Laird said that it would be a good idea to develop a disaster response sheet. Acting Mayor Jackie Carpenter said that this was brought to City Council before, and this Emergency Preparedness Committee would be gathered and brought back to Council. Laura Laird said that Wascher Elementary is a Community Emergency Center, and hopes that next time something like this happens, we will be prepared. Phil Lieberman said that after the earthquake happened, Randy Hubbard and Jim Anderson took the large fire trucks out of town checking for damage. Trena Cranfill and Lori Labb drove the other trucks out of the building. The City received a call from YCOM verifying that the trucks were out of the building. The City should look into emergency preparedness procedures. Discussion ensued. Acting Mayor Jackie Carpenter asked if anyone would request the City of McMinnville's emergency preparedness plans (required duties, contacts, schedule, etc.) would also be useful to find the information that Russell Kappes brought before Council a few months ago. Phil Lieberman said that the state has an emergency radio system that can be picked up on almost any frequency. Phil Lieberman said he will look into this further.

City Council gave permission to hear from the audience.

Janet Mitchell, 1606 Bridge St., said that McMinnville has a Red Cross Disaster Action Team and is working to prepare for events like this. Anyone could get involved to learn more about dealing with disasters.

Laura Laird said that the latest issue of the Local Focus had 2 sets of grants that the City might be interested in (OT Project list and park & rec. grants-due April 20). Phil Lieberman said that these grants usually come in biennially, and the City is not ready to apply for park & rec. grants quite yet. The City is reapplying for the street grant that was denied last year, and are looking for additional street grants.

Laura Laird asked for some more clarification on the connection between the CUB and the Lafayette Citizens for Fiscal Responsibility. Phil Lieberman said that he is not sure what the connection is between the two. The Chief Petitioners are Ron Ross, Mark Andreas, and Albert Larsen. The City Attorney has been in communication with the Lafayette Citizen's for Fiscal Responsibility through their lawyer, David B. Smith. David Smith said that he told the City that he believes the Elections Official should have written the ballot titles for these grants. Trena Cranfill, as City Elections Official, was served a writ of mandamus on Thursday, and must appear in court on March 29, 2001. Phil Lieberman said that Paul Elsner is confident in his findings, and the Lafayette Citizens for Fiscal Responsibility were invited to rewrite the measures, but they have declined to do so. Phil Lieberman said that he is not at liberty to make comments on this issue other than the facts as they are presented. Council members, as elected/appointed officials are free to voice your opinions. Neil Meads said that the people who presented this did not present themselves or their concerns. The City does not need this. Bob Cullen said that he is concerned about blocking the citizen's right to the initiative process. The City Council might find themselves in a position of disagreeing with the citizens' right to vote on any issue that they feel is important. The Lafayette Citizens have the right to decide their own fate. Laura Laird said that they were invited to resubmit. Phil Lieberman said that it is part of the initiative process under the constitution. The City may disagree with the substance of the initiatives, but he doesn't want to be a part of the consensus that says that because of their motivation, the initiatives are not to be considered. The Chief Petitioners have not completed the documents to meet the requirements of the statute. Phil Lieberman said that there has been a lot of time, planning, expertise, and deliberation that has gone into this. Discussion ensued.

Phil Lieberman said that he provided some information to Council from the News Register and the News Register regarding the water project. There is a meeting next Tuesday, March 13, 2001 that will be held with Phil Lieberman, Sue Hollis, Phil Lieberman, and Chris Gilmore regarding the future plans for the Dayton Falls Dam.

Phil Lieberman said that he wrote a letter to Senator Wyden's office asking for appropriations, and in the process of writing the letter, he came up with an outline of what's going on in the City. There is a possibility that the City will be able to get some funding from the state.

BUSINESS:

Montgomery Watson Contract (Res. 01-06):

Lieberman said that he recommends tabling this item until the next meeting. The main body of the contract is complete, but the two exhibits are still being worked on. There are some minor modifications that should be made. The contract will only apply to the pre-design and preliminary design stages of engineering. The City Council's Utility Board would like to have another look at the contract before a recommendation is made to Council. The consensus of Council is to table this agenda item until the next meeting (March 22, 2001).

Purchase of Backhoe:

Lieberman said that Randy Hubbard has checked with other public agencies who have already purchased backhoes. This allows the City to get the backhoe for a better price, and going out to bid is not required. Randy Hubbard got quotes for a John Deere, Case, and a Komatsu backhoe. They all have similar specifications. Randy Hubbard recommends purchasing the John Deere backhoe, due to the low bid. Bob Cullen said that the quotes were for a new machine and Phil Lieberman said that it was. Randy made sure that the backhoe met the necessary specifications that are appropriate for the City. The City owns a backhoe now that is 15 years old, and it is in very bad shape. Bob Cullen said that this will cut down on the work that will be contracted out (catch basins, connections, etc.). Phil Lieberman said that there will be a lot more things that the City will be able to do, and with proper maintenance the backhoe will last a very long time. The old backhoe is 15 years old. Bob Cullen asked if the City has the money to spend on a backhoe. Phil Lieberman said that it is in the City's budget. Neil Meads said that this will make Public Works quicker and more efficient if they have a good piece of equipment. Acting Mayor Jackie Carpenter said that it will be cost effective in the long run. Phil Lieberman said that there are so many little things that can be taken care of with the new backhoe. Bob Cullen said that the City will be able to do more things themselves with this new piece of equipment. Terry Yarbrough said that he is worried about the timing of this purchase. Public perception is a concern right now, and it is better to hold off on this purchase for a couple months. Bob Cullen said that this money would come from the water rate fund and can only be spent on certain things. Discussion ensued. The consensus of Council is to table the purchase of the backhoe until the next meeting to answer some questions about the backhoe. The purchase of the backhoe will be put first under new business.

3rd Street Lights:

Patricia Cranfill said that she had spoken to Tracy Aguilar, PGE, about removing two street lights on 3rd Street above or near the new lights. It will cost \$511.48 to turn off and remove the lights. Currently, the City pays \$7/light/month. Bob Cullen asked why this wasn't included in the streetscape. Phil Lieberman said that he didn't anticipate that they would need to be taken out. Phil Lieberman said that it would be cheaper for the City to have PGE come out and remove them. Bob Cullen said that he thinks the City will be saving them up (appearance, energy costs, energy conservation, etc.). Neil Meads said that it will improve the look of the town and will provide energy savings. The Consensus of Council is to have the City schedule PGE to come out and remove the lights on Third Street. Staff will schedule PGE to come out and remove the lights.

BUSINESS:

AT&T Franchise Extension (Ord. 538):

Lieberman said that the cable franchise negotiations are still going on between McMinnville and AT&T. Phil Lieberman said that Pam Beery recommends extending the franchise agreement until McMinnville negotiations are complete. Terry Yarbrough made a motion to adopt Ordinance 538 at a single meeting and to purchase the franchise by title only. Ron Harris seconded the motion. Discussion- Bob Cullen asked if this was a franchise and Phil Lieberman said that it was. There was no more discussion and the motion passed unanimously. Phil Lieberman read Ordinance 538 by title only. Terry Yarbrough made a motion that the motion pass to a second vote. Neil Meads seconded the motion. There was no discussion and the motion passed.

wing SDC's later this year. Phil Lieberman said that the City will be hiring a firm to make sure that (Capital Improvement Plans) are completed and reflected in the new SDC study. There is a letter from the firm asking for input regarding redistricting and reapportionment. The Council or any member of the Council would like to come to write a letter responding to these issues. The Yamhill County Fairgrounds is asking the City to participate in the fair this year. Please let staff know if Council would like the City to have a table at the fair. Bruce Starr, State Representative, is asking for input regarding transportation priorities if anyone has any questions and or voice your opinions.

COMMITTEE REPORTS:

Heritage Days

Next meeting will be April 2nd, 7 p.m., at Roadhouse Deli.

Parks, Open spaces, Wetland & Conservation

None.

Community Center Update

Cullen said that there have been some problems with temperature control in the community center. The staff is working on getting this fixed up.

Public Work

None.

Public Safety

None.

Planning

The last meeting was cancelled due to the lack of a quorum. Council would like to hear from the Planning Commission on their recommendation from Skip on whether the number of members should be reduced to 5. Council should appoint another member to the committee. Terry Yarbrough said that as long as someone else leaves the committee, he would be in favor of reducing the number of members, but he doesn't want to kick anyone off of the committee. Acting Mayor Jackie Carpenter said she would like to hear what the Planning Commission would like to do before anyone is appointed to the committee.

3rd St. Advisory Committee

There will not be another meeting until April 7, 2001 immediately following the open house that is being held from 11 a.m. to 1 p.m. at Wascher Elementary School. This event will be advertised in the newspaper, on the city website, bills, and the reader board. Acting Mayor Jackie Carpenter asked if representatives from each committee have been asked to attend and make a presentation at the town hall? Phil Lieberman said that once the Council decides on an agenda and presenters, the committees will be informed of the format of the town hall. The town hall will be put on the next City Council agenda.

COUNCIL MEMBER'S REPORT:

Acting Mayor Jackie Carpenter said that the Newberg Animal Shelter Friends is having a fund-raising event called Wags-n-Whiskers (Dinner and Silent Auction). If anyone would like to attend, contact staff and they will give you the information. The State of Oregon Liquor Control Commission is accepting nominations for an outstanding alcohol server award of excellence. If anyone is interested in nominating someone

tes approved on this 22nd day of March, 2001.

PROVEE:

ATTESTED:

g Mayor Jacquelyn Carpenter

Phil Lieberman, City Administrator