

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

**1. CALL TO ORDER:** Acting Mayor Neil Meads called the meeting to order at City Hall at 7:30 p.m.

**2. FLAG SALUTE:** Acting Mayor Neil Meads led the flag salute.

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

*Present:* Bob Cullen, Acting Mayor Neil Meads, and Gary Filpi.

*Absent:* 3 vacancies.

*City Staff Present:* Phil Lieberman-City Administrator, Trena Cranfill-Assistant to the City Administrator, Deputy Ron Wellborn.

*Others:* Mike Carpenter, Jackie Carpenter, Ron Harris, Laura Laird, Marianne Mitchell, Don Leard, Joe Giesbers, Ron Ross, Brett Teel-Montgomery Watson, Beth Karechi- Yamhill County Mediators, Ronda Taft, Cheryl Springer and approximately 3 others.

**4. APPROVAL OF MINUTES:**

Bob Cullen made a motion to accept the October 25, 2001 minutes. Gary Filpi seconded the motion. There was no discussion and the motion passed unanimously.

**5. ACCOUNTS PAYABLE:**

Gary Filpi asked if the Council usually receives the accounts receivable along with the payables. Phil Lieberman said that the auditor and Avis Buck are wrapping up the audit for the year and are making all of the necessary adjusting entries. The statements will be up to date and available at the next meeting. Gary Filpi inquired about the \$1769.66 payment to the Yamhill County Tax Collector. He wanted to know if this was the discounted amount, and Phil Lieberman said yes. Gary Filpi asked about the payment to Montgomery Watson and if this was premature to the amendment of their contract that was on the agenda for tonight. Phil Lieberman said that this is a payment against the existing contract, and it is not premature to pay this invoice now. Bob Cullen made a motion to accept the accounts payable. Gary Filpi seconded the motion. Discussion- Bob Cullen asked about the payment to LZN. Is this a payment against an ongoing balance, or is it the last payment? Phil Lieberman said that it is the second to last payment and the engineers will be reviewing all invoices before a final payment is made. There was no more discussion and the motion passed unanimously.

**6. CONSENT AGENDA:**

Phil Lieberman said that the Fire Dept. levy failed in Carlton. This levy was going to allow Yamhill, Carlton, and Lafayette to share a full time Fire Chief. Bob Cullen said that he would like to see the new Dodge pickup that the City purchased have the City seal put on it so people will know that it is a City vehicle. Gary Filpi said that he noticed that the parking spaces on Madison Street in front of Cinco de Mayo were covered up right away and he wanted to thank Staff for taking care of it so quickly.

LZN needs to be reminded of the clean up that they need to be doing around town.

Gary Filpi said that October's delinquent water bills took a significant drop over the previous month. Phil Lieberman said that staff has been enforcing the existing utility billing policies. An updated project list will be provided at the next meeting. Bob Cullen asked if all of the complaints in the complaint log have been addressed, and Phil Lieberman said that he will make sure that all of them are addressed.

Beth Karechi, from Yamhill County Mediators, said that this is National Mediation Month, and Yamhill Co. Mediators are presenting awards to Cities that have shown support to the organization in the past. Beth Karechi presented the City Council with a plaque for showing their support to Yamhill County Mediators over the past year.

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

**7. BUSINESS DISCUSSION FROM THE COUNCIL:**

Bob Cullen asked about the status of the park well. Phil Lieberman said that it is completed and running at about 50 gpm. Until the water table rises, the well sucks too much air if it is run much higher than that. Bob Cullen asked if the soda ash injection system is a priority with Westech, and Phil Lieberman said that he expects the engineering to be completed next week. Phil Lieberman said that there was a team meeting (CH2Mhill, Ed Sigurdson, Phil, Sue Hollis) in Dayton about the joint water project. They discussed the strategy for well drilling and the pump house and both will be going out to bid in January. The bid documents have also been started on the reservoir and the treatment plant. Bob Cullen said that he would like to see a conceptual design of this water

project to allow people to see where these wells, well houses, and reservoir will be and what they look like. A bulletin board at Wascher School would also be a good idea to inform people of City projects. Discussion ensued.

## **8. NEW BUSINESS:**

### **a) Contract Amendment with Montgomery Watson (Res. 01-29):**

Phil Lieberman said that Montgomery Watson was originally contracted to complete a certain scope of work. Because of the additional work on the siting issues that was necessary, the scope of work has expanded and increased the amount of the contract. There is an amendment to the contract and a cost spreadsheet in your packet explaining the extended scope of work and the increase in contract price. The original contract was for \$120,500 and the proposed amendment would increase the total contract cost to \$184,712. Bob Cullen asked if it was appropriate to change the amount of the contract before the City has acquired the Industrial site. Phil Lieberman said that this is a maximum amount of the contract. The engineers bill on an hourly basis, and if they don't have to do some of this work, the contract will be less. The owner of the Industrial property intends to sell the property to the City, and the Federal acquisition process has already been started. The engineers will only be charged for work that they perform. This increase in engineering costs is a little over 50% of the original contract amount. A great amount of research had to be put into the siting issues that arose. Bob Cullen said that he is not convinced that the current site isn't adequate. Discussion ensued.

Marianne Mitchell, 1606 Bridge Street, said that the CUB did want the Industrial site considered a long time ago. The issues about the flood plain was talked about for weeks. The original RFP shows a contract amount of \$108,000. This is too important of a decision to make tonight. There has been a problem with Montgomery Watson meeting the timeline that has been laid out by the City.

Phil Lieberman said that inflation costs continue to rise, but the Council always has the option of not passing a resolution. Bob Cullen said that he doesn't want to drive up the cost of the plant, but he is still not convinced that the current plant site can't be used.

Brett Teel, Engineer from Montgomery Watson, said that at the City Council meeting on October 11, 2001 the Council compared the Terry Park site and the Industrial Park site and dollar wise they are about even. The Industrial site allows for expansion in the future. In the facilities plan that was done in 1998, the plant size was based on a population projection, and the population increased more than expected so the capacity of the plant also increased. With these changes, the Terry Park site kept getting smaller. The facility can be put on Terry Park, but the operating costs will be higher. Discussion ensued.

Neil Meads said that he wants to see the community keep moving forward, and it is not automatic that all of this engineering money will be spent. Phil Lieberman said that the money will not be spent unless the work is required.

Gary Filpi made a motion to amend Resolution 01-29 to make the effective date of the resolution on the date that it is passed. Bob Cullen seconded the motion. Discussion- Bob Cullen said that in reality most of this money will be spent. There was no more discussion and the motion passed unanimously. Gary Filpi made a motion to adopt Resolution 01-29, as amended. Bob Cullen seconded the motion. Discussion- Bob Cullen said that the City is at a disadvantage because the Council isn't able to get input on this from the members of the former CUB. No one understands this issue as well as they need to. Gary Filpi said that it is vital to keep the City moving in a forward direction. There was no more discussion and the motion passed with Gary Filpi voting aye, Bob Cullen voting nay, and Acting Mayor Neil Meads broke the tie by voting aye.

### **b) Purchase of diffusers for WWTP- Single Source Bid (Res.01-30):**

Phil Lieberman said that the City has been presented with a set of plans from Beaver Equipment Co., for the purchase and installation of a new diffuser for the existing Wastewater Treatment Plant. Montgomery Watson has recommended this reputable firm. The City would be ahead financially by going with a single source bid, and it would also save time. It is the opinion of Montgomery Watson that the City won't find a better price. The total cost for the diffuser would be around \$14,000. Brett Teel said that he understood that the City wanted this process expedited as quickly as possible to help out with some over capacity and odor problems. If the diffusers were put out for public bid, additional documents (extra time, money) would be required. Phil Lieberman said that overall the City will have spent less than \$50,000 on improvements to keep the plant running. Bob Cullen made a motion to amend Resolution 01-30 to make the effective date of the resolution on the date that it is passed. Gary Filpi seconded the motion. There was no discussion and the motion passed unanimously. Gary Filpi made a motion to adopt Resolution 01-30, as amended. Bob Cullen seconded the motion. There was no discussion and the motion passed unanimously.

Gary Filpi made a motion to take a break. Bob Cullen seconded the motion. There was no discussion and the motion passed unanimously. A break was taken at 8:46 p.m. The meeting was called back to order at 8:56 p.m.

## **9. NEW BUSINESS:**

### **a) Citizen's Utility Board:**

Phil Lieberman said that he presented Council with a memo regarding the recommended changes in the structure of the CUB. This is just one idea, and staff would like to hear Council's ideas as well. Gary Filpi said that he would like to wait until the Council seats are filled before making this type of decision. Bob Cullen said that he feels like there was a misunderstanding between the CUB, staff, and Council. Bob Cullen thought that there was a good balance of people on the committee. The City benefits from the volunteers in town. The CUB didn't deliberately stall the sewer plant process. Bob Cullen said that there is no disadvantage to having a group of interested citizen's in town trying to understand what is going on in the community. Phil Lieberman agreed, but he said that the CUB went way beyond that. Discussion ensued.

Neil Meads said that he agrees that the CUB is beneficial, but he would like to see a new mission statement created and this committee should be in place for other projects as well, not just the sewer plant. Bob Cullen said that citizen's should have input on the way utilities are run. Acting Mayor Neil Meads said that this committee should gather and distribute information on all projects in town.

Bob Cullen said that he would like staff to draft new roles and responsibilities for the CUB including short and long-term goals and present them at the next meeting. Acting Mayor Neil Meads suggested having a work session with the past members of the CUB to discuss the roles and responsibilities and past history of the group. Bob Cullen said that the committee could consist of all new members. Acting Mayor Neil Meads suggested getting some written examples from other cities. Phil Lieberman said that he will make several suggestions at the next meeting.

### **b) Update on Town Hall Meeting:**

Phil Lieberman said that he had a meeting with Beth Karechi- Yamhill County Mediators and Roger Bairstow- OSU Extension Service on Tuesday to discuss the Town Hall Meeting. An agenda and strategy were developed for the meeting. There is the possibility that the City can hold an emergency election, and the informal election is also a possibility. The emergency election requires that certain deadlines are met. The difference between the two is that an informal poll would extend to January and an emergency election would extend to March. The options will be explained at the meeting on Saturday. The Secretary of State informed the City that an emergency election can be held for candidates, not just referenda. The mediators recommended that the agenda be limited. There are two things to be accomplished at this meeting- (1) Election Options (2) Reasons behind recalls. Phil Lieberman said that the mediators will be putting together a document summarizing the meeting.

## **10. APPEARANCE OF INTERESTED CITIZENS:**

Ron Harris, 1282 Third St. #1, said that LZN Excavating has cut a hole in the chain link fence that borders the back of Pioneer Park. The hole has been left open for over 2 months now and nothing has been done to fix it. This is dangerous as kids and animals can fit through this hole. Getting this fixed needs to be made a priority. Staff said that they will contact a fence company, have them fix it, and bill LZN for it.

Don Leard, PO Box 722, said that the Housing Authority agreed when CASA was built that there wouldn't be any convicted felons living there. Don Leard says he knows of someone that has been convicted of theft that lives there and also a sex offender that lives there. Bob Cullen said that he would like to see a copy of their lease agreements to see if its provisions address this issue. Neil Meads asked staff to contact the director of the Housing Authority about this issue.

Cheryl Springer, 855 13<sup>th</sup> Court, said that she is embarrassed at this display of democracy. She said that she and her husband have volunteered on different committees and have been turned down and she wants to know why.

Acting Mayor Neil Meads said that this is not a position that he wants to be in. This is a learning process for all 3 members of the Council and he hoped that the public understood that.

## **11. CORRESPONDENCE / DISCUSSION / INFORMATION**

Phil Lieberman said that Council received a letter from the Secretary of State's office stating that an emergency election can be held for the purpose of filling Council vacancies. Bob Cullen asked if the City has looked into a website yet. Phil Lieberman said that a citizen has volunteered to establish a website for the City and staff will be meeting with that person to set something up.

## **12. COMMITTEE REPORTS:**

### **a) Heritage Days**

None.

**b) Parks, Open spaces, Wetland & Conservation**

The Watershed Advisory Committee is still working on the management plans for the watershed. The committee's life was extended for a few months to allow them time to complete the management reports. Two reports are complete and the committee has a proposal for a third one. All three reports should be completed by Spring 2002.

**c) Community Center Update**

None.

**d) Public Works**

None.

**e) Public Safety**

None.

**f) Planning**

None.

**13. MAYOR'S REPORT:**

None.

**14. ADJOURN:**

Bob Cullen made a motion to adjourn. Gary Filpi seconded the motion. There was no discussion and the motion passed unanimously. The meeting was adjourned at 9:54 p.m.

**Minutes approved on this 11th day of December, 2001.**

**APPROVED:**

**ATTESTED:**

\_\_\_\_\_  
Acting Mayor Neil Meads

\_\_\_\_\_  
Phil Lieberman, City Administrator