

**City of Lafayette**  
**City Council Meeting Minutes**  
**September 26, 2002**  
**6:30 PM**

- 1. CALL TO ORDER:** Council President Bob Cullen called the meeting to order at City Hall at 6:33 p.m.
- 2. FLAG SALUTE:** Council President Bob Cullen led the flag salute.
- 3. ROLL CALL:** Richard Van Orman, Interim City Administrator, called the roll.  
*Present:* Marianne Mitchell, Joe Giesbers, Bob Cullen, Gary Filpi, and Richard Jewell.  
*Absent:* Ron Ross (exc.) and Mayor Lotis Hanks (exc.).  
*City Staff Present:* Richard Van Orman- Interim City Administrator, Trena Cranfill-Assistant to the City Administrator, and Deputy Bob Wiro.  
*Others:* Cecil Elbert, Tony Bell, Mike Hanks, Laura Laird, Mike Henry, Linda Littleton-Bristol, Lance Vandecoevering, Ron Harris, Mike Bilbrey, Carol Paddock, and approximately 2 others.
- 4. APPROVAL OF MINUTES:**  
Gary Filpi made a motion to accept the September 12, 2002 minutes. Richard Jewell seconded the motion. There was no discussion and the motion passed unanimously.
- 5. ACCOUNTS PAYABLE:**  
Joe Giesbers made a motion to accept the accounts payable. Marianne Mitchell seconded the motion. Discussion- Bob Cullen said that the Council asked for detailed billings from Ed Sigurdson at the last meeting and he pointed out to the Council that those billings were in the packet. Most of Ed Sigurdson's billing is for CH2Mhill services. CH2Mhill's billings are also included in the packet for the Council's review. There was no more discussion and the motion passed unanimously.
- 6. APPEARANCE OF INTERESTED CITIZENS:**  
Ron Harris, 1282 Third St., #1- asked if anything has been done about the trespassers in the watershed. Richard Van Orman said that Randy Hubbard and Laura Laird went up in the watershed last week and they didn't find any obvious tracks or evidence of entry. Laura Laird did find a pop can that had bullet holes in it that had apparently been used for target practice. Laura Laird said that she and Randy talked to Mr. Blanco and he said the trespassers are using the main road and somehow they are getting through the gate. Council asked if the locks on the gate have been changed recently, and staff said that they will check with Randy Hubbard. Deputy Bob Wiro said that Mr. Blanco (property owner near watershed) should be encouraged to call 911 if he sees people trespassing.  
Carol Paddock, 5001 NE Mineral Springs Road, McMinnville- said that she wanted to inform the Council of an issue that is going on near her property on Mineral Springs Road (see packet file 9/12/02). The property owners have submitted plans for a 6-lot proposed subdivision to be developed on the property. Carol Paddock said that she has filed an appeal on some of the conditions of approval on the application, with the County. She said that the County Commissioners made no changes to the conditions, and so she has filed intent to appeal to LUBA (Land Use Board of Appeals). The conditions that Carol Paddock is appealing are the proposed access road (she feels it has a dangerous corner), and the inadequate method of demonstrating an adequate water supply. The County does not provide a proper method for demonstrating an adequate water supply. Carol Paddock said that if the residents in that area end up having water problems, they may end up petitioning the City for help with the water situation. If that happened, she talked to Skip Wendolowski and he said that there are 3 options: do nothing, annex, or the City could extend the water lines out onto Mineral Springs Road. She said she doesn't know if or when this could become an issue for the City, but she wanted to let the Council know what was happening.  
Mike Bilbrey, 1011 Monroe St.- said that Lafayette is growing and traffic is becoming a greater concern all the time. He said that he doesn't want to see Lafayette become another Dundee. Mike presented the idea of rerouting one direction of traffic onto Second Street. Bob Cullen said that this is a good idea, but it is a hard sell to ODOT (Oregon Department of Transportation). The Council encouraged Mr. Bilbrey to get involved with the Traffic Safety Committee.  
  
Mike Henry, HBH Engineering- said that he met with DEQ on Tuesday, and they said that the KCM/Westech plan is the approved facilities plan that they are basing this project on, not the Montgomery Watson plan. He said that he also talked to DEQ about the population projection that he presented to Council and they said they don't have a problem with that number. Mike Henry said that he still feels like the City needs to look at the I&I (Inflow and Infiltration) problem and include it in the sewer project. Smoke testing was done about 4 years ago, and only a few violations were found. The next step would be to do manhole evaluations, which is done during

the rainy period. Mike Henry said that he will provide recommendations for this in November or December. If the City decides to add this to the project, a \$150-200,000 allowance will have to be put into to the budget. Discussion ensued.

Bob Cullen asked if there is a disadvantage to not looking at the Montgomery Watson plan. Mike Henry said that he is still using the information from the Montgomery Watson pre-design plan and incorporating it into his pre-design. The pre-design report that HBH will be producing will address things that the Westech report did not, in the form of a technical memorandum. Mike Henry said that he will be looking for the best alternative for the City that is within the existing budget. Discussion ensued.

Bob Cullen asked what the next step will be and Mike Henry said that his firm will be assessing the different treatment options that are available. Mike Henry said that he expects to have the pre-design report ready by mid-November and in the long term the City needs to be prepared to go to construction on this project around January 2004. Discussion ensued.

Richard Van Orman asked the Council to add an agenda item under New Business, 9(b) Utility Worker Vacancy. The Council agreed.

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

Marianne Mitchell said that she wanted to talk about the request for a decision on Ezra Koch's offer on the purchase of the Industrial property. Marianne Mitchell said that it seems like a good idea, but the City might not develop it right away. If the road is not put in right away, he might not want to sell the property to the City. Richard Jewell said that he doesn't want to see a transfer station go in on the Industrial property. The issue of the ordinance change about transfer stations will come before the Council in November. Gary Filpi asked if Ezra Koch has any conditions of sale, and Richard Van Orman said that he hasn't seen anything in writing. Council asked the staff to talk with Ezra Koch and find out what his terms of sale are on the property. Staff will follow up on this. Discussion ensued.

Bob Cullen said that there may need to be some modifications made to the park rules that were adopted at the last meeting, and he asked staff not to have signs made until these issues are cleared up. Staff will put this on the next agenda.

## **8. NEW BUSINESS:**

### **a) Approval of Modified findings for Mitchell partition (01-01-01):**

Marianne Mitchell excused herself from her Council position for this agenda item, due to a conflict of interest. Richard Van Orman said that the Council needs to ask the applicant if the terms of the order meet her approval. Marianne Mitchell said that she has one small correction to make. On page 7, d, items 1,2, and 3 should reflect that engineering drawings **were** submitted on a previous subdivision application. The Council agreed to these changes. Gary Filpi made a motion to adopt the City Council order on planning file 01-01-01, Marianne Mitchell, with the changes as noted above. Richard Jewell seconded the motion. There was no more discussion and the motion passed with Marianne Mitchell abstaining.

### **b) Approval of Council Rules and Ground Rules:**

The Consensus of Council is to table this agenda item until November or December.

### **c) Extension of AT&T Franchise (Ord. 550):**

Gary Filpi made a motion to adopt Ordinance 550 at a single meeting and to read the ordinance by title only. Marianne Mitchell seconded the motion. There was no discussion and the motion passed unanimously. Richard Van Orman read the ordinance by title only (An ordinance extending the franchise agreement with AT&T Broadband and declaring an emergency). Marianne Mitchell made a motion that Ordinance 550 pass to a second reading. Gary Filpi seconded the motion. There was no discussion and the motion passed unanimously. Richard Van Orman read the ordinance by title only. Gary Filpi made a motion to adopt Ordinance 550 as presented. Joe Giesbers seconded the motion. There was no discussion and the motion passed unanimously.

### **d) Re-instatement of CUB (Citizen's Utility Board):**

Bob Cullen said that there have been some strong feelings about the CUB, and he believes that there is some value in it. The CUB is a way to get information out to the people, and it is a venue to ask questions. If the CUB is brought back for this purpose, then Bob Cullen said that he supports the reinstatement of the CUB. Marianne Mitchell said that the CUB provides a base of information to the Council. The board did a lot of work to bring recommendations to the Council. The CUB wrote the original RFP for the sewer plant project. Marianne Mitchell said that the CUB wasn't allowed to fulfill all of the tasks that were given in the resolution that created the CUB,

and she supports the reinstatement of the committee. Gary Filpi said that he wanted to see the scope of the committee broadened to more than one area (water, sewer, parks, etc.). Discussion ensued.

Richard Jewell said that there could be a disadvantage to the committee if it takes up too much of Mike Henry's time when he should be working on the project to meet the deadlines that the City is faced with. Mike Henry said that he has worked with committees that are beneficial and also ones that are not. He said that a CUB would be more advantageous during the design phase of the project. Discussion ensued. The Council asked staff to draft a resolution to reinstate the CUB and present it to the Council at the next meeting. Staff will follow up on this.

Richard Jewell made a motion to take a 10-minute break. Joe Giesbers seconded the motion. There was no discussion and the motion passed unanimously. A break was taken at 8:22 p.m. The meeting was called back to order at 8:32 p.m.

## **9. OLD BUSINESS:**

### **a) Schedule candidate forum:**

The Council discussed having a candidate forum to give the residents a chance to meet and ask questions of the candidates running for Council. The Consensus of Council is to hold a candidates forum on Tuesday, October 22, at 7:00 p.m. at the Community Center.

Richard Van Orman asked if the Council would like to have a mediator at this meeting and the Council asked staff to contact Commissioner Leslie Lewis to see if she would be interested in mediating the forum. The News Register also sponsored the last candidate forum and they may be interested in sponsoring the event again. Staff will contact them.

### **b) Utility Worker Vacancy:**

Richard Van Orman said that since he is an interim administrator, he is referring the termination of Robert Foreman to the Council. Robert Foreman has turned in his keys without comment and has not returned to work since September 12, 2002. It is staff's recommendation that Robert Foreman be terminated and to proceed with recruitment to fill the position. Gary Filpi made a motion to direct the Mayor to sign the termination letter and proceed with recruitment to fill the position. Marianne Mitchell seconded the motion. Discussion- Richard Jewell asked if it was necessary to hire another person to take his place. Richard Van Orman said that there are technically 2 utility worker positions vacant. The City is definitely in need of filling at least one of the positions. There was no more discussion and the motion passed unanimously.

## **10. CORRESPONDENCE / DISCUSSION / INFORMATION**

Richard Van Orman said that the City Administrator interviews will be held on October 2, at 5:30 p.m. and October 3, at 6:00 p.m. Dave Galati has provided the interview questions and if the Council has any comments on the interview questions, they must be submitted to City Hall by Monday at 5 p.m. Richard Van Orman said that he provided the Council with information on the Community Center that came as the result of a meeting he had with the Community Center manager and Council liaison Richard Jewell. Staff provided the Council with a breakdown of Westech's services for FY2002. Included in a packet is a letter from Laura Laird about some concerns she has about the park rules that were adopted at the last meeting. Richard Van Orman said that he would like to submit these concerns to the City Attorney for review.

## **11. COMMITTEE REPORTS:**

### **a) Heritage Days**

None.

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

None.

### **c) Community Center Update**

There was some discussion about the repairs that need to be done on the Community Center. The highest priority repairs are replacing the two broken windows and re-keying the doors. Staff will follow up on this.

### **d) Public Works**

Gary Filpi said that he has noticed water coming up from the ground on 6<sup>th</sup> Street, right behind the old church next to the historical society log cabin. Linda Littleton-Bristol said that there is also an exposed pipe near the 4<sup>th</sup> Street Pump Station that is dangerous to children and animals. Staff will follow up on this.

### **e) Public Safety**

None.

### **f) Planning**

Gary Filpi said that at the last planning commission meeting they reviewed the waste ordinance changes, and decided that the changes weren't necessary.

**12. MAYOR'S REPORT:**

None.

**13. ADJOURN:**

Gary Filpi made a motion to adjourn. Marianne Mitchell seconded the motion. There was no discussion and the motion passed unanimously. The meeting was adjourned at 9:15 p.m.

**Minutes approved on this 10th day of October, 2002.**

**APPROVED:**

**ATTESTED:**

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Mayor Lotis Hanks

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Richard Van Orman, Interim City Administrator