

**City of Lafayette**  
**City Council Meeting Minutes**  
**January 9, 2003**  
**6:30 PM**

- 1. CALL TO ORDER:** Mayor Lotis Hanks called the meeting to order at City Hall at 6:30 p.m.
- 2. FLAG SALUTE:** Mayor Lotis Hanks led the flag salute.
- 3. ROLL CALL:** Diane Rinks, City Administrator, called the roll.  
*Present:* Bob Cullen, Mayor Lotis Hanks, Joe Giesbers, Ron Ross, Marianne Mitchell, Mike Lewis, and Gary Filpi.  
*Absent:* None.  
*City Staff Present:* Diane Rinks- City Administrator, Trena Cranfill-Assistant to the City Administrator.  
*Others:* Cecil Elbert, George Meitzen, Edwina Meitzen, Mike Henry, Mike Hanks, Laura Laird, Tony Bell, Terry Yarbrough, JoAnn Ellis, Celeste Viau-Navetta, Jim Anderson, and approximately 2 others.
- 10. NEW BUSINESS:**
  - a) Swear in new City Council**

Diane Rinks swore in the new City Council- Ron Ross, Gary Filpi, Joe Giesbers, Mayor Lotis Hanks, Mike Lewis, Bob Cullen, and Marianne Mitchell.

Mayor Lotis Hanks read a proclamation for 2003.
- 4. APPROVAL OF MINUTES:**

Gary Filpi made a motion to accept the December 12, 2002 minutes. Marianne Mitchell seconded the motion. There was no discussion and the motion passed with Ron Ross (absent from that meeting) and Mike Lewis (not on Council at the time) abstaining.
- 5. ACCOUNTS PAYABLE:**

Gary Filpi made a motion to accept the accounts payable. Bob Cullen seconded the motion. Discussion- Mike Lewis asked if he could get itemized bills for PGE. Mike Lewis said that he thinks the City is being charged for some meters that are no longer in use (e.g. well # 3, 7). Staff will look into this. Mike Lewis asked about the expenditure to United Pipe and Supply. Trena Cranfill said that public works replaced some meters that needed to be converted to the touch read system (Wascher School, Sleepy Hollow, etc.). There was some discussion about graveling Water Street. Gary Filpi asked about the \$2,800 expenditure to USTI. Diane Rinks said that this is the yearly cost for software support on the utility billing system. There was no more discussion and the motion passed unanimously.
- 6. CONSENT AGENDA:**

Sergeant Roger Conley said that Deputy Wiro (who has been covering Lafayette) will be re-assigned for the next 6 months and Deputy Kelly Noe will be taking over in Lafayette for him. The Sheriff's Department is changing their records management system, and asked for everyone's patience during this transition. Sgt. Conley passed out the yearly statistics for Lafayette (traffic and criminal). The report includes all citations issued in Lafayette during the year (2002). Gary Filpi made a motion to accept the consent agenda. Bob Cullen seconded the motion. There was no more discussion and the motion passed unanimously.
- 7. APPEARANCE OF INTERESTED CITIZENS:**

Celeste Viau-Navetta, 583 Jackson St.- said that she wanted to welcome the new and old Council members, and said if they have any questions about LCAT (Lafayette Community Action Team), please contact her. LCAT meetings are held on the first Monday of each month at 7:00 at the Community Center if anyone would like to attend. The board is looking for new members.

Jay Skaggs, 820 Washington St.- said that there is a problem with speeding vehicles at 8<sup>th</sup> and Washington. Mr. Skaggs asked that the intersection have 4-way stop signs instead of a 2-way. He also asked for more speed limit signs to be posted through town.

Diane Rinks said that there are inconsistencies in the placement of traffic signs throughout town. Diane Rinks said that she needs to review the transportation system plan to see if some of the problems have already been addressed in the plan. But, it would be a good idea to do a sign inventory to establish where the existing signs are and where new ones are needed. Discussion ensued. Diane Rinks said that she will also talk to Skip Wendolowski to see if he has any suggestions on how to develop such an inventory.

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

Gary Filpi thanked Diane Rinks for her written report on the status of the different projects she's been working on. Gary Filpi asked if there is any further update on the Wilson Street Pump Station project. Diane Rinks said that Stanley Construction has not provided the proper forms to the sub-contractors. She is working with them to get everything back on track. The City is currently holding 3 payments to Stanley Construction until this problem is resolved. The project should be complete within 4-6 weeks.

Ron Ross asked if a copy of Diane Rink's report could be available at the front counter for the public. Staff will put a copy of this report at the front counter.

Marianne Mitchell asked why there has been discussion about the requirement to go out for a vote on the construction of the wastewater treatment plant. The City already had the money when the charter amendment was passed.

Diane Rinks said that the City Attorney's opinion is that the charter reads that any expenditure over \$1 million must go out to a vote of the people. It doesn't matter that the City already has the money. The charter amendment applies to expenditures, not debt limit. Marianne Mitchell said that that doesn't make any sense, and she could find a lawyer that would argue otherwise. Bob Cullen said that he argued for a debt limit versus a spending limit because a spending limit limits the City's ability to do business. Ron Ross said that it becomes the Council's responsibility to inform the residents. Diane Rinks said that this will be on the next agenda for further discussion.

Mike Lewis said that he has some other ideas about ways to save the City money. Ron Ross suggested that Mike come in to city hall and talk to Diane Rinks first before it is brought before the Council.

Diane Rinks said that she wanted to see if the Council had an interest in purchasing the property west of Commons Park (adjacent to the railroad). Gary Filpi asked if it is large enough and Diane Rinks said yes. The Consensus of Council is that Diane Rinks should look into this property further.

Mike Henry suggested that a perpetual easement might also be an option for the City. Diane Rinks said that she will look into this further.

Gary Filpi asked if Diane Rinks had talked to Ezra Koch (owner of Industrial Property) yet. Diane Rinks said that she did talk to him and she told him that the proposed plan is to build on the existing site and not on the Industrial site. Mr. Koch's offer was based on the sewer plant being built on the Industrial site along with the infrastructure (road, water, sewer). Mayor Lotis Hanks said that if this needs to be discussed further, it should be placed on the next agenda.

Bob Cullen said that he really liked the newsletter this month.

Diane Rinks said that the League of Oregon Cities is offering a series of smaller workshops this year. If anyone is interested in any of the classes, please let Trena know and she will sign everyone up.

Marianne Mitchell said that there was an article about Joel Perkins in the January 5, 2003 edition of the Oregonian. Marianne Mitchell said that she would like to see follow up meetings scheduled with Westech Engineering and the Planning Commission. Ron Ross would like to see a specific agenda for these meetings. Discussion ensued.

Marianne Mitchell said that there have been problems with 2 contracts (COG Administrator recruitment and Diane Rinks contract) recently, and she said that she would like to see Council get a copy of all contracts before they are legally binding. Diane Rinks said that the Council should see contracts before they are approved. Gary Filpi said that the Council should pay a little closer attention to the contracts that come before them. Discussion ensued.

## **9. OLD BUSINESS:**

### **a) Proposed changes to Council Rules:**

Bob Cullen said that he agreed with Diane's suggestions for changes to the Council agenda. The consensus of Council is to include the recommendations to change the format of the agenda in the modifications to the Council Rules. This will be put on the next agenda for formal adoption.

### **b) SDC Suit Extension:**

Diane Rinks said that she included copies from the attorney and the judge about the status of this case. The judge has been swamped and hasn't been able to review the case. The Council has the option of having the case re-heard, or wait until the original judge renders a decision. Re-trying the case could cost thousands of dollars. Bob Cullen made a motion to accept Mike Martinis' recommendation to wait for the original judge to make a decision. Mike Lewis seconded the motion. There was no more discussion and the motion passed unanimously.

## **10. NEW BUSINESS:**

### **b) Appoint Council President:**

Ron Ross made a motion to nominate Gary Filpi as Council President until December 31, 2004. Bob Cullen seconded the motion. There was no discussion and the motion passed unanimously.

**c) Review of December 17, 2002 Special Meeting:**

Mayor Lotis Hanks read the agenda. The agenda included call to order, flag salute, roll call, executive session as allowed by ORS 192.660 (1) (d) re: labor negotiations, approval of union contract, adoption of job descriptions, and adjourn. Joe Giesbers made a motion to approve the minutes of the special meeting, December 17, 2002. Bob Cullen seconded the motion. There was no discussion and the motion passed with Mike Lewis (not on Council at the time of this meeting) abstaining.

**d) Approval of OLCC license for Bill's Market (change of ownership):**

Bob Cullen made a motion to authorize the City Administrator to sign the OLCC license recommendation for Bill's Market. Joe Giesbers seconded the motion. Discussion- Gary Filpi said that the forms are not filled out properly. There are a few spaces that are left blank, and they should submit a complete application before it is approved. Bob Cullen withdrew his motion. Staff will bring this agenda item back before the Council when the application has been completely filled out.

**e) Water Rights Audit:**

Bob Cullen said that some of the work being proposed has been done by the WCAB (Watershed Citizen's Advisory Board), and he wanted to know if that information could be used in this audit.

Diane Rinks said that Bob Long will be working with Jordan Schrader on this and he has also worked with the WCAB, and Diane said that the \$5,000 fee tells her that a lot of this work has been completed and will be incorporated in the audit. Over the last 5-7 years, a hold has been put on the extensions for water rights for municipalities because there has been a lot of confusion at the state level. The state rules have been rewritten and they are now dealing with the extensions again. It is critical to get all of the information about water rights documented and to not let one slip through the cracks. It is important to find the resources to do this. Diane Rinks said that they will be evaluating the data that the City provides about the production of the water sources and they will compare that to the legal water rights that the City has.

Mike Lewis said that this was done when the joint water project with Dayton started. Bob Cullen said that was a source evaluation, not a water rights audit. Diane Rinks said that this is the next step in the process. Discussion ensued.

Bob Cullen made a motion to direct staff to enter into an agreement with Jordan Schrader to perform a water rights audit for \$5,000. Gary Filpi seconded the motion. Discussion- Mike Lewis said that it has been done and he wants to see the daily water logs for the last 5 years. Diane Rinks said that the audit will look at the City's legal water rights, not just the daily usage. Discussion ensued.

There was no more discussion, the Council was polled, and the motion passed, with Ron Ross, Gary Filpi, Bob Cullen, and Joe Giesbers voting aye, and Mike Lewis and Marianne Mitchell voting nay.

**f) Holiday Schedule:**

Diane Rinks said that there is a discrepancy between the personnel handbook and the union contract regarding holidays. The union members will follow the union contract and the non-union members will follow the personnel handbook until the personnel handbook is changed. City Hall will be closed on Martin Luther King, Jr. Day, Monday, January 20, 2003.

**11. CORRESPONDENCE / DISCUSSION / INFORMATION:**

Diane Rinks said that the Mayor from West Linn sent a letter asking for support on 3 issues regarding review of land subdivisions, adding police, fire, library, and schools to the capital improvement list, and repeal the 20-year land supply rule. The Council decided not to take any action at this time.

**12. COMMITTEE REPORTS:**

**a) Heritage Days**

None.

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

None.

**c) Community Center Update**

Marianne Mitchell said that Richard Jewell (Community Center liaison) was supposed to give a report on the Community Center before he left the Council. Staff will try to contact him.

**d) Public Works**

None.

**e) Public Safety**

Terry Yarbrough, 717 Jefferson- asked about the status of the Traffic Safety Committee. Trena Cranfill said that there hasn't been enough interest to fill the vacancies on the committee.

**f) Planning**

None.

Ron Ross said that he will not be at the next meeting because he will be out of town.

Marianne Mitchell said that she will not be at the next meeting because she will be out of town.

**14. MAYOR'S REPORT:**

Mayor Lotis Hanks said that he wants to have a town hall meeting on a Saturday in February to give the citizens a chance to meet the Council and City Administrator.

**15. ADJOURN:**

Ron Ross made a motion to adjourn. Gary Filpi seconded the motion. There was no discussion and the motion passed unanimously. The meeting was adjourned at 8:31 p.m.

**Minutes approved on this 23rd day of January, 2003.**

**APPROVED:**

**ATTESTED:**

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Mayor Lotis Hanks

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Diane Rinks, City Administrator