

City of Lafayette
City Council Meeting Minutes
May 22, 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, Ron Ross, Marianne Mitchell, Mayor Lotis Hanks, Gary Filpi and Mike Lewis.
Absent: 1 vacancy
City Staff Present: Diane Rinks- City Administrator, Trena Cranfill-Assistant to the City Administrator, Skip Wendolowski- City Planner.
Others: Cecil Elbert, Edwina Meitzen, Celeste Viau-Navetta, Bonnie Pursel, Matt LaPlante- News Register, and approximately 2 others.
4. **APPROVAL OF MINUTES:**
Gary Filpi made a motion to accept the May 8, 2003 minutes. Marianne Mitchell seconded the motion. There was no discussion and the motion passed unanimously.
5. **REVIEW OF PROCEEDINGS AND APPROVE MINUTES OF SPECIAL MEETINGS:**
None.
6. **ADDITIONS AND DELETIONS:**
Mike Lewis said that he would like to add an agenda item to discuss the budget. This item will be added as Discussion item #3.
Diane Rinks said that she would like to delete agenda item 10(3), and discuss the City Administrator report and other information relating to the joint water project under action item #7 (added agenda item).
7. **PUBLIC HEARINGS:**
None.

Mayor Lotis Hanks moved Action Item #1 to this point in the agenda.
11. **ACTION ITEMS:**
 - 1) **Nomination to City Council position:**
Mayor Lotis Hanks said that 3 applications have been received for the vacant City Council position. The Mayor asked the Council if they would like to hold a special meeting to interview the candidates. Discussion ensued. Bob Cullen asked Mayor Hanks if he was ready to make his nomination now, and the Mayor said yes.
Mayor Lotis Hanks nominated Edwina Meitzen to fill the vacant Council position.
Bob Cullen made a motion to accept the Mayor's nomination. Gary Filpi seconded the motion. There was no more discussion, the Council was polled, and the motion passed with Marianne Mitchell voting nay.

Diane Rinks swore in Edwina Meitzen as a City Councilor, and Edwina was seated at the Council table.

Mayor Lotis Hanks moved Discussion Item #2 to this point in the agenda.
12. **DISCUSSION ITEMS:**
 - 2) **City Involvement/Structure of Heritage Days:**
Bonnie Pursel, 1333 Adams- said that she understands that the Council has some concerns about the structure of Heritage Days and she is here to answer any questions that she can about Heritage Days (past and present). There was some discussion about how Heritage Days was structured in the past.
Diane Rinks handed out the resolution that set up the Heritage Days committee and the Heritage Days budget (see packet file 5/22/03). The Heritage Days committee was established as a City committee, and if it is going to continue to operate that way, it needs to follow public meetings law requirements, and the City needs to be more involved in the decisions that are made.
Bonnie Pursel said that copies of the meeting minutes are kept at City Hall and the committee has a chairman (Bonnie Pursel) and a secretary (Betsy Oakes).

Diane Rinks said that if the City is going to be involved with Heritage Days, then the City needs to formally recognize the committee and its members.

Bonnie Pursel said that she will provide the Council with the names of the members of the committee. Staff will put this on the next agenda so the members of the committee can be officially appointed. Discussion ensued.

Ron Ross said that any committee of the City needs to report to the Council on a regular basis, so the Council is aware of what the goals and vision of the committee is.

8. CITIZEN INPUT ON NON-AGENDA ITEMS:

Celeste Viau-Navetta, 583 Jackson St.- said that she is disappointed that the issues with the summer program (LCAT) are not being solved, and she is frustrated that LCAT still hasn't had a meeting with the City. Trena Cranfill said that she has spoken to Laura Laird a few times over the last two weeks, and have discussed budget issues with her over the phone. Laura has not been feeling well and she is supposed to call to set up a meeting when she is feeling better.

Mike Lewis said that the City should create an LCAT committee, and treat it the same as Heritage Days.

Bob Cullen said that it seems like that would solve many issues if the City was able to be more involved in administering the program. Ron Ross said that if the City is going to be involved, then it should be set up similar to Heritage Days and establish a committee.

Diane Rinks said that if LCAT applies for funding from CCF, the City will be asked to sign the contract, and the Council will have to decide if they want to sign the contract. Discussion ensued.

Diane Rinks said that if LCAT makes recommendations on how they plan on dealing with the issue of paying the teenagers for the summer open center, then the staff will make a recommendation on how to pursue this.

9. DEPARTMENTAL REPORTS:

1) City Administrator report:

This item was discussed under agenda item 11(7).

2) Sheriff's report:

There were no questions on this report.

3) Fire Department report:

There were no questions on this report.

4) City Clerk report:

There were no questions on this report.

Ron Ross made a motion to approve 9(2), 9(3), and 9(4). Gary Filpi seconded the motion. There was no discussion and the motion passed unanimously.

Mayor Lotis Hanks moved Legislative Action #4 to this point in the agenda.

10. LEGISLATIVE ACTIONS:

4) Ordinance 561- Lafayette Zoning and Development Ordinance Amendments:

Skip Wendolowski said that this ordinance reflects what the Council approved concerning sign requirements and conditions of approval, and instructed staff to prepare at the last meeting.

Ron Ross made a motion to adopt Ordinance 561 at a single meeting and to read the ordinance by title only.

Bob Cullen seconded the motion. There was no discussion and the motion passed unanimously. Diane Rinks

read the ordinance by title only- "In the matter of an Ordinance amending the Lafayette Zoning and

Development Ordinance". Ron Ross made a motion that Ordinance 561 pass to a second reading. Bob

Cullen seconded the motion. There was no discussion and the motion passed unanimously. Diane Rinks

read the ordinance by title only. Ron Ross made a motion to adopt Ordinance 561, as presented. Bob

Cullen seconded the motion. There was no discussion and the motion passed unanimously.

Mayor Lotis Hanks moved Action Item #2 to this point in the agenda.

11. ACTION ITEMS:

2) Renewal of City Planner contract:

Diane Rinks said that the Council received a letter from Skip Wendolowski in the packets requesting a renewal of his contract with the City for planning services. Skip is increasing his hourly rate from \$40/hour to \$45/hour. Diane Rinks said that she feels the increase is justifiable- he has not increased his rate in the 6 years he has been with the City, and \$45/hour is a very good rate for a planner. Diane Rinks recommended that the Council continue the contract with Skip Wendolowski.

Marianne Mitchell said that \$20,000 has been budgeted for planning- she asked how much has Skip billed so far this year, and Diane Rinks said about \$16,000.

Skip Wendolowski said that he doesn't charge for mileage, phone calls, faxes, or transportation. He also carries a 1/2 million-dollar liability policy. Skip said that he enjoys working with the Council, Planning Commission, and the staff and would like to continue to work for the City.

Bob Cullen asked how much of Skip's time is reimbursable (from land use fees), and Skip said about 30% on average. Bob Cullen said that he would like to see more of Skip's time paid from land use fees. Discussion ensued.

Marianne Mitchell said that she would like to see the planner take a more proactive role with the planning commission (e.g. problems with the siting of manufactured homes).

Skip Wendolowski said that if the consensus of the Council is that they would like him to do this, he certainly can do that. Skip's concern was that this costs money, and doesn't want it to burden the City financially. Discussion ensued.

Edwina Meitzen made a motion to authorize the Mayor to sign (renew) the contract with Skip Wendolowski for planning services for a period of two years (through June 30, 2005). Gary Filpi seconded the motion. There was no more discussion and the motion passed unanimously.

10. LEGISLATIVE ACTIONS:

1) Resolution 03-08- Adoption of Watershed Mgmt. Action Plan and Fire Training Plan:

Diane Rinks said that the Watershed Management and Action Plan and Fire Training Plan was accepted at the last meeting and staff was directed to prepare the resolution for adoption.

Ron Ross made a motion to adopt Resolution 03-08, as presented. Edwina Meitzen seconded the motion. There was no discussion and the motion passed unanimously.

2) Resolution 03-09- Budget Transfer Resolution for FY02-03:

Diane Rinks said that the last transfer on this resolution is to correct a typographical error- the \$3,000 was supposed to go into Materials and Services, not personal services. The money went into the right category in the budget, and this is just to correct the language on the appropriation resolution.

The \$10,000 transfer to building inspection is needed because the cost of building inspections has exceeded the estimated figure.

The \$1,600 transfers to system repairs and maintenance in water and sewer operations is necessary because the 1990 Chevy pickup (service truck) has had a lot of problems and it needs to have the engine replaced. One of the cylinders is dead on the engine. The Yamhill County Public Works shop has submitted a bid of \$2,554 to fix the truck. This works out to be about \$35-40/hr. which is very reasonable for a mechanic. Diane Rinks said that it is cheaper than buying a new vehicle.

Discussion ensued.

Mike Lewis said that he requested copies of the vehicle maintenance records on the City vehicles about a month ago, and hasn't received them yet. Diane Rinks said that if Mike wants to come by City Hall, he can review these documents.

Ron Ross made a motion to adopt Resolution 03-09, as presented. Gary Filpi seconded the motion. There was no more discussion, and the motion passed with Mike Lewis voting nay.

~~3) Resolution 03-10- Joint Water Project Intergovernmental agreement:~~

~~Deleted by Diane Rinks under 'Additions and Deletions'.~~

11. ACTION ITEMS:

3) Approval of Accounts Payable:

Gary Filpi made a motion to accept the accounts payable. Bob Cullen seconded the motion. Discussion- Mike Lewis said that there is a bill for the tractor, and he said that it should still be under warranty. Diane Rinks said that there was an additional filter (unknown to public works) underneath the radiator that needed to be replaced and it kept overheating. Maintenance items are not covered under warranty. Mike Lewis asked what happened to the dump truck and Diane Rinks said that the axle snapped. There was some discussion as to whether a CDL (Commercial Drivers License) is required to operate the dump truck. There was no more discussion and the motion passed with Mike Lewis voting nay.

4) City Sanitary- electronic equipment recycling:

Diane Rinks said that the Council asked staff to inquire further about the electronic equipment recycling at

the last meeting. This service will be offered at the recycling center in McMinnville only. It will not be a curbside service. The consensus of the Council is that this service should be offered to the residents. Gary Filpi asked if this information could be included in a future water bill. Staff will look into this.

Gary Filpi made a motion to take a 10-minute break. Bob Cullen seconded the motion. There was no discussion and the motion passed unanimously. A break was taken at 8:15 p.m. The meeting was called back to order at 8:22 p.m.

5) Approve engineering services agreement amendment:

Diane Rinks said that there are 3 important issues that need to be dealt with in regard to the joint water project. The first issue is that another increase in the engineering services agreement in the amount of \$82,617 has been submitted. Ed Sigurdson has listed out the design changes, and this amendment should take the project through construction and closeout. The original agreement was laid out in 1997, and many aspects of the project have changed since then. The City did do an amendment in December 2002, but that amendment focused on the design phase of the project instead of through the entirety of the project. Ron Ross asked if this increase is for both cities, and Diane Rinks said that this is just Lafayette's increase. Dayton's increase in engineering services is about \$113,000. Discussion ensued. Bob Cullen made a motion to authorize the City Administrator to sign the engineering services agreement amendment with EAS Engineering. Edwina Meitzen seconded the motion. There was no more discussion and the motion passed unanimously.

6) Award water project contract:

The second issue regarding the joint water project is accepting the bids that were submitted and awarding the construction contracts. Diane Rinks reviewed the bid spreadsheet in the packet and recommended that the contracts be awarded to C&M Construction for the distribution and transmission lines and to Williams Brothers Construction for the reservoir, water treatment plant, and booster pumps. Discussion ensued. Bob Cullen made a motion to award the construction contracts to Williams Bros. Construction (for the reservoir, water treatment plant, and booster pumps) in the amount of \$1,962,594 and to C&M Construction (Distribution and Transmission Lines) in the amount of \$1,963,472.70, contingent upon the signing of addendum #2 of the Intergovernmental Agreement. Edwina Meitzen seconded the motion. Discussion- Gary Filpi asked where Dayton is with this and Diane Rinks said that the Dayton City Council has already approved it. Ron Ross asked about the cost of "pigging" (removal of iron and manganese deposits in the existing water main) the lines and Diane Rinks said that the City cannot afford to contract out for this service. Once the contracts are signed, there is a possibility that the contractors will install the required "tee" in the line as one of the first things they do, allowing the City crew to do the pigging. There was no more discussion, the Council was polled, and the motion passed unanimously.

7) Intergovernmental Agreement with Dayton/City Admin. report:

Diane Rinks said that she has received a draft of Addendum #2 to the Intergovernmental agreement, which has 3 parts (operations/maintenance agreement, repayment agreement, and a designation of joint and separate assets). Diane Rinks said that she has spoken to Andy Jordan- City Attorney, and there are still some minor issues that need to be worked out. Dayton will be the operator of the system, and the operations and maintenance agreement will be based on usage. The repayment agreement gives Dayton subordinate liens on water revenues in the event Lafayette defaults on the loan. Diane Rinks reviewed who owns the different wells, reservoir site, etc. Discussion ensued. The operations and maintenance agreement is a first draft, and it is still in negotiations between the attorneys. The consensus of Council is that the operations and maintenance agreement should come back to Council for final approval. Discussion ensued. The consensus of Council is that they agree with the concept of the addendum and the loan agreement. Diane Rinks said that she will bring these documents back to Council for final approval at the next meeting (or a special meeting if needed).

12. DISCUSSION ITEMS:

1) Discussion of mowing ordinance:

Marianne Mitchell stepped down from the Council for this discussion item (she is the owner of a large parcel of land in Lafayette).

Diane Rinks presented an example of additional language that the City could add to the existing mowing ordinance to address large parcels (more than one acre), and setting a "mowing season". More specifically,

mowing would only be required between June 1st and September 30th and only designated areas of large parcels would need to be mowed at all. Ron Ross said that he would like to see if the Fire Chief has any input on this proposed language. There was some discussion on the dates set for the enforcement of the ordinance. Marianne Mitchell said that large parcels should be treated differently than those with small established lawns. Marianne Mitchell said that dates for requiring mowing don't always work because of the fluctuations in the rainy season.

The consensus of the Council is that the language be left as proposed and asked staff to prepare an ordinance for adoption at the next Council meeting, if the Fire Chief has no objections.

3) Discussion on 03-04 Budget:

Added by Mike Lewis under 'Additions and Deletions'.

Mike Lewis said that he wants the Council to tell him how he should present his proposed cuts at the next meeting. Mike Lewis said that he owes it to the community to cut spending somewhere. Diane Rinks said that he needs to make a motion at the hearing to cut certain line items and let the Council vote on it. Gary Filpi said that Mike has to be prepared to validate his proposed cuts.

Diane Rinks said that because of her short time here, the only thing that she has to go on when preparing the budget is the historical data.

13. COMMITTEE REPORTS:

None received.

14. MAYOR'S REPORT:

None.

15. REVIEW OF HANDOUT MATERIAL:

None.

16. ADJOURNMENT:

Bob Cullen made a motion to adjourn. Ron Ross seconded the motion. There was no discussion and the motion passed unanimously. The meeting was adjourned at 9:43 p.m.

Minutes approved on this 12th day of June, 2003.

APPROVED:

ATTESTED:

Mayor Lotis Hanks

Diane Rinks, City Administrator