

City of Lafayette
City Council Meeting Minutes
September 11, 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, Edwina Meitzen, Mike Lewis (arrived late at 6:56), Mayor Lotis Hanks, Marianne Mitchell, and Gary Filpi.
Absent: None.
City Staff Present: Diane Rinks- City Administrator, Trena McManus-Assistant to the City Administrator, and Skip Wendolowski- City Planner.
Others: Travis Johnson, Celeste Viau-Navetta, Mike Caruso (PUD Rep.), Frank Nelson (PUD Rep.), and Karen Lee (PGE Rep.).
- 4. APPROVAL OF MINUTES:**
Gary Filpi made a motion to accept the August 14, 2003 minutes. Bob Cullen seconded the motion. There was no discussion and the motion passed, with Marianne Mitchell abstaining (she was not at the last meeting).
- 5. REVIEW OF PROCEEDINGS AND APPROVE MINUTES OF SPECIAL MEETINGS:**
None.
- 6. ADDITIONS AND DELETIONS:**
Diane Rinks said that she needs to add 3 items and delete 1 item.
The executive session can be deleted, add department report #5- Fire Department, Action Item #2- Approve extension of judges contract, and Action Item #3- Approve increase to attorney rate.
Marianne Mitchell wanted to add Discussion Item #2- Developer requirements.

There were no other additions and deletions.
- 7. PUBLIC HEARINGS:**
 - 1. 01-08-07- Transportation System Plan (TSP):**
Open Hearing
Mayor Lotis Hanks opened the hearing at 6:34 p.m.

Skip Wendolowski said that the Transportation System Plan was discussed at the July 24 meeting and it was his understanding that the Council generally accepted the plan, but there were some concerns about the requirements/construction of bike lanes. Skip reviewed the history of the development of the TSP. Skip Wendolowski said that the TSP addresses the long-term transportation needs of the City. A couple of revisions were made to the TSP to address the concerns about the bike lanes that were brought up at the July 24 meeting. Discussion ensued.

Staff Report:
Skip Wendolowski reviewed the staff report on Planning File No. 01-08-07. One advantage of adopting the TSP is that you cannot get in line for state or federal funding (for projects listed in TSP) without it. Bob Cullen asked if parking will be excluded when bike lanes are required and Skip Wendolowski said that bike lanes will not impede on existing parking availability. Discussion ensued.

Close Public Hearing:
Mayor Lotis Hanks closed the hearing at 6:52 p.m.
- 8. CITIZEN INPUT ON NON-AGENDA ITEMS:**
Karen Lee, PGE Rep.- reviewed PGE's current service areas and said that PGE is opposed to the current PUD (People's Utilities District) process. The formation of a PUD in Yamhill County will be on the ballot in November 2003. PGE currently serves 6 counties in the state. The PUD would not be under the regulatory authority of the OPUC(Oregon Public Utilities Commission). The PUD would set its own debt limit, rates, and power generating facilities. Discussion ensued.

Mike Lewis arrived at 6:56 p.m.

Bob Cullen said that he has read that PGE has found itself in a position where they have had to sell off some of its generating assets and wanted to know if that will make the rates go up.

Karen Lee said that this information has been distorted by the PUD. The goal of PGE is that the generating facilities remain whole in order to serve all of its customers. If anything will break up PGE, it will be the PUD condemnation process.

Gary Filpi asked how the members of the OPUC are chosen, and Karen Lee said that the governor appoints them for 3-year terms. They are of diverse political backgrounds and from different areas of the state. Discussion ensued.

Mike Caruso, PUD Rep.- said that he doesn't feel that PGE puts the ratepayers first. The rates are extremely high, and he said that the PUD would be a non-profit agency and the board would consist of local people.

Frank Nelson, PUD Rep.- said that the City may have an increase in business opportunities if the electricity rates were lower. It would also be better for the residents if the rates were lower. Discussion ensued.

Travis Johnson, 1002 Market St.- said he is concerned about the wetland next to Wascher School. He said that if the City has the opportunity to acquire this wetland area, it would benefit the City in the long run to maintain this 'buffer' between the school and nearby residences.

Celeste Viau-Navetta, 583 Jackson Street- said that she went and talked to two families who have lived next to the wetland for many years and it has not been maintained regularly. She asked the City to consider acquiring this property.

Diane Rinks said that this piece of land has been designated a wetland (no matter who owns it), but there is a question about who is going to own and maintain it. The homeowners association could own and maintain it. In 1998, the Council agreed to accept the wetland from Turner Estates. The exchange of ownership never happened, and Turner Estates no longer owns the property. The Council will have to decide whether to accept it from the new owners. Diane Rinks said that her recommendation would be to allow the homeowners association to take it if that is an alternative. This decision is not holding up the project, and further research needs to be done before this is brought back to the Council.

9. DEPARTMENTAL REPORTS:

1) Accounts Payable report:

There were no questions on this report.

2) City Administrator report:

Bob Cullen asked about the pending intergovernmental agreement with McMinnville so they can provide the proper certifications and run necessary tests for the sewer plant. Diane Rinks said that the attorneys are reviewing it now, and it should be ready to sign in a week or two. The plant is running good right now.

Gary Filpi asked how many lots the Red Hills subdivision is going to be and Diane Rinks said that it will be a 99 lot subdivision.

3) Public Works report:

There were no questions on this report.

4) City Clerk report:

There were no questions on this report.

5) Fire Department report:

Added by Diane Rinks under 'Additions and Deletions'.

Ron Ross said that he would like to talk to Terry Lucich about his memo on the stove for the Community Center. Ron Ross said that he is not convinced that this is a commercial 'deep fat frying' building. Diane Rinks said that he is within his authority to require this type of stove hood. Discussion ensued.

Terry Lucich will be asked to attend the next Council meeting (if he is not working).

10. LEGISLATIVE ACTIONS:

1) Ordinance 564- Adoption of Transportation System Plan:

Gary Filpi made a motion to adopt Ordinance 564 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 and ordinance amending the Lafayette Planning Atlas, the Comprehensive Plan, and Zoning and Development Ordinance. Gary Filpi made a motion that Ordinance 564 pass to a second reading. Ron Ross seconded the motion. There was no discussion and the motion passed unanimously. Diane Rinks read the ordinance by title only. Gary Filpi made a motion to adopt Ordinance 564, as presented. Ron Ross seconded the motion. There was no discussion and the motion passed unanimously.

11. ACTION ITEMS:

1) Approve recommendation for WWTP environmental work:

Diane Rinks said that she provided the Council with 3 cover letters from the firms that submitted proposals on the environmental work for the WWTP (Wastewater Treatment Plant). Diane Rinks said that she is recommending Adolfson and Associates, Inc. of Portland. This firm is familiar with these types of projects, and their goal would be to help the City get the project done. Diane Rinks said that she would like to negotiate and enter into a contract with Adolfson and Assoc. There is \$25,000 budgeted for the environmental work, but she didn't feel it should take that much.

Edwina Meitzen made a motion to authorize Diane Rinks to negotiate and enter into a contract with Adolfson and Assoc. to do the environmental work for the new WWTP, for no more than \$15,000. Gary Filpi seconded the motion. There was no more discussion and the motion passed unanimously.

2) Approve extension of municipal court judge:

Added by Diane Rinks under 'Additions and Deletions'.

Diane Rinks said that the City has an annual contract for municipal court judge services. The contract is actually with the City of Carlton, and they pay the judge. The contract actually expired on June 30, so it needs to be renewed for a one-year period. The judge is paid \$200 per month. Ron Ross made a motion to renew the contract with the City of Carlton for municipal court judge services, to expire June 30, 2004. Gary Filpi seconded the motion. There was no more discussion and the motion passed unanimously.

3) Approve increase in City Attorney's hourly rate:

Added by Diane Rinks under 'Additions and Deletions'.

Diane Rinks said that the existing contract with Jordan Schrader states that their hourly rate may be re-negotiated each June. They are proposing a \$15/hour increase to \$165/hour. Ron Ross made a motion to approve the increase to the City Attorney rate to \$165/hour. Edwina Meitzen seconded the motion. There was no more discussion, the Council was polled, and the motion passed with Ron Ross, Gary Filpi, Bob Cullen, and Edwina Meitzen voting aye and Marianne Mitchell and Mike Lewis voting nay.

12. DISCUSSION ITEMS:

1) Apartment Building (rental):

Diane Rinks said that she received the report from the structural engineer on the apartment building and the results were not as bad as anticipated. The repair recommendations are to replace the upstairs deck, eliminate the mold in the bathrooms, and paint the exterior. Diane Rinks said that she recommends to make the suggested repairs, but to hold off on making any repairs to the upstairs apartment until the downstairs is rented. The upstairs apartment will take a significant amount of money to repair. Edwina Meitzen made a motion to make the recommended repairs to the apartment building per the structural engineers report. Gary Filpi seconded the motion. There was no more discussion and the motion passed unanimously.

2) Developer requirements (monument boxes):

Added by Marianne Mitchell under 'Additions and Deletions'.

Marianne Mitchell said that surveyors are having to dig up monuments in the streets to expose the monuments, which create large holes. The developers have paved over them in the past. There should be boxes put in to protect the monument markers. Diane Rinks said that she will talk to Randy Hubbard about this.

13. EXECUTIVE SESSION AS ALLOWED BY ORS 192.660 (1) (H):

~~re: litigation or litigation likely to be filed~~
Deleted by Diane Rinks under 'Additions and Deletions'.

14. COMMITTEE REPORTS:

None received.

Marianne Mitchell suggested listing Travis Johnson's website on the water bills since he has links to City documents. Marianne Mitchell also said that the Council should review the Council rules.

15. MAYOR'S REPORT:

Mayor Lotis Hanks said that he attended the annual cub scout pinewood derby race in Salem, and Lafayette's troop did very well in the race.

16. REVIEW OF HANDOUT MATERIAL:

None.

Diane Rinks said that there isn't anything planned for the next agenda and staff is extremely busy right now preparing for the auditors. She recommended reducing Council meetings to once a month. The second meeting can be held if it is needed at any time. Edwina Meitzen made a motion to reduce the Council meetings to once a month (second Thursday of each month). Gary Filpi seconded the motion. There was no more discussion and the motion passed unanimously.

17. ADJOURNMENT:

Gary Filpi made a motion to adjourn. Bob Cullen seconded the motion. There was no discussion and the motion passed unanimously. The meeting was adjourned at 8:57 p.m.

Minutes approved on this 9th day of October, 2003.

APPROVED:

ATTESTED:

Mayor Lotis Hanks

Diane Rinks, City Administrator