

City of Lafayette
City Council Meeting Minutes
July 8, 2004
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: Mayor Lotis Hanks, Councilors Bob Cullen, Ron Ross, Michael Roberts, and Gary Filpi.
Absent: Edwina Meitzen, excused. Marianne Mitchell - unexcused.
City Staff Present: Diane Rinks- City Administrator, Jim Anderson- Public Works Foreman.
Others: Beth Karecki of Your Community Mediators, Steve Malone, Melodie Malone, Don Leard, Bonnie Pursel, Tom & Laura Laird, approximately 4 others.
- 4. APPROVAL OF MINUTES:**
Gary Filpi made a motion to accept the June 10, 2004 minutes. Ron Ross seconded the motion. There was no discussion and the motion passed unanimously.
- 5. REVIEW OF PROCEEDINGS AND APPROVE MINUTES OF SPECIAL MEETINGS:**
Ron Ross made a motion to accept the minutes of the June 24, 2004 Special Meeting which was a work-session of the council to discuss law enforcement options. The motion was seconded by Michael Roberts. There was no discussion and the motion passed unanimously.
- 6. ADDITIONS AND DELETIONS:**
City Administrator Diane Rinks added the Public Works Report as item #3 under Departmental Reports, an update on the NPDES Permit Renewal as item #1 under discussion items and the Heritage Days budget as item #2 under discussion items. Resolution No. 04-14 was added under Legislative Actions later in the meeting.
- 7. PUBLIC HEARINGS:**
There were no public hearings scheduled.
- 8. CITIZEN INPUT ON NON-AGENDA ITEMS:**
Don Leard addressed the council concerning the drinking fountain he donated to the city five years ago with the understanding it would be maintained by the city. He informed the council that during the first year it was installed, the seals blew out and the city staff never fixed it for a year or so. Now it has been broken and turned off since last fall. He would like to see the city live up to their agreement to maintain it.

Steve Malone addressed the council, not to complain but to remind them that we are not here to squabble, but to help the community. He would like the council to think of the kids in the community and move forward. Part of his previous proposal was aimed at helping kids and that still could be something that could be put in place even if the council elects to go with the county Sheriff's contract.

Bonnie Pursel reminded the council that she had made a proposal concerning the Community Center last fall and Councilor Ross said we'd look at it again after the first of the year but that has not happened. She feels that the city is losing rental income because there is no stove hood and that the kids need a place to go. Councilor Ross asked that this be added as an agenda item at a future meeting.
- 9. DEPARTMENTAL REPORTS:**
 - 1) City Administrator report:**
Diane Rinks had put together a summary of accomplishments over the past year and a half and her thoughts on what the coming priorities should be for the council. Gary Filpi read the bulleted "accomplishments" so the audience could be aware of what those were. Ron Ross asked that a copy of this report be sent out with the next water bills to the citizens.
 - 2) Accounts Payable report:**
There were no questions on this report.

3) Public Works report:

Jim Anderson had prepared a report for the council using a new format that he would like to continue with on a monthly basis. The council appreciated this new format but Gary Filpi asked for an explanation of the "work orders" section. Jim explained that every time a problem comes up at city hall and public works has to be called out to do something, a work order is written up. This is a multi-part form, so it can be signed-off on, one copy returned to city hall, and one copy filed at public works. These include water service shut-offs and turn-ons, meter rereads, leak checks, etc. It does not include the 40 to 60 forty-eight hour notice door hangers that they post each month, or the resulting shut-offs. Ron Ross asked Jim if he knew what the hardness was of our water. Jim informed him that he does not know that at this time, but that he and the City Administrator had just discussed having this tested, possibly quarterly, so he would be able to answer that question when it comes up. He then gave a brief update on the Joint Water Project with Dayton. He informed the council that we need to be monitoring our chlorine levels because of the distance we are bringing the water and that we're having a hard time keeping them at acceptable levels.

11. ACTION ITEMS:

1) Request for Donations – Your Community Mediators and Yamhill Basin Council

Beth Karecki presented the council with information on what services the Community Mediators program offers to the community. She informed the council that they are a 501 (c) (3) organization and their services are free to the community. The City of Lafayette has used their service before. She stated that they rely on donations to operate and that last year, the City donated \$450. Gary Filpi made a motion to donate \$500 from the 2004-05 General Fund/Miscellaneous line item to Your Community Mediators. Bob Cullen seconded the motion. The Mayor called for discussion and Ron Ross stated that he felt that \$500 was too much in light of all of the other budget cuts that we had to make. Bob Cullen stated that he felt those cuts were more of a reason to donate more to this program because it will be needed more and more. Michael Roberts agreed with Ron that he felt that \$500 was too much. The mayor asked the City Administrator to poll the council: Michael Roberts and Ron Ross voted nay. Gary Filpi and Bob Cullen voted yes. Mayor Hanks then broke the tie with a nay vote. The motion failed. Bob Cullen then made a motion to donate \$450 this year and the motion was seconded by Gary, but then Gary rescinded his second when it became apparent that the motion was still not going to pass. Therefore, Bob Cullen's motion died for a lack of a second. Then Gary Filpi made a motion to donate \$400 this year to YCM and it was seconded by Ron Ross. The motion passed unanimously.

Also before the council was a request from the Yamhill Basin Council for a \$300 donation. They are an organization focused on conducting activities that will improve water quality and watershed stewardship in the Yamhill River and Chehalem Creek watersheds. The council briefly discussed what, if any, direct benefit and involvement the city has with this organization. Michael Roberts made a motion that we make no donation this year to the Yamhill Basin Council. He motion was seconded by Bob Cullen. The Mayor called for discussion and Gary Filpi stated that he felt that we all benefit from the work this organization does in protecting the watersheds of the county. The vote was taken and the motion passed 3-1, with Gary Filpi casting the nay vote.

2) Temporary Occupancy Permit for 344 3rd Street:

Mayor Hanks added this to the agenda at this point since the owner, Don Leard, was in the audience. At the June 10th meeting, the council had directed the City Administrator to grant a temporary, 30 day occupancy permit pending the receipt of the required easements. He asked the City Administrator if Mr. Leard had turned in the paperwork that he needed for occupancy of his building. Diane Rinks informed the council that he had not, and that she would have to revoke the temporary permit on Monday, July 12th if it was not received. She also reminded the council that the parking lot construction issues still remain, but the council had granted occupancy anyway. After some discussion as to whose attorney was reviewing this paperwork, Mr. Leard indicated he would try and get it in by Monday.

3) Approval of Amended Job Descriptions:

Diane Rinks explained to the council that several of our existing job descriptions need minor amendments to reflect the restructuring that recently took place in the public works department. The basic job functions of each position remain the same. Gary Filpi questioned whether the union needed to sign off on these changes and Diane informed him that they did not. Bob Cullen made a motion to approve the amended job descriptions and the motion was seconded by Ron Ross. The motion passed unanimously.

12. DISCUSSION ITEMS:

1) DEQ NPDES Permit Renewal:

Diane Rinks informed the council that the NPDES (sewer discharge) permit has been reviewed by DEQ and they can not grant the "mass load limit" increase that was requested by HBH Engineering, unless the city wanted to go through a costly and time consuming process to justify the need. Diane indicated that she has discussed this with Rob Henry and that he feels comfortable that the new plant design is adequate to meet the limits in spite of this. The decision between the City Administrator and the Engineers was to proceed to bid the project. However, Diane informed the council that late this afternoon she learned that the environmental consultant we had contracted with to prepare the DSL and Corp of Engineers permits were having trouble with them. She will be meeting with Mike and Rob Henry the next day to discuss this issue further.

2) Heritage Days Budget Questions:

Gary Filpi brought to the council a concern that had been raised about the Heritage Days Budget and the expenditure of donated funds. Melodie Malone had contacted him after being told by the City Administrator that the total that could be spent during this fiscal year for Heritage Days was what was appropriated in the adopted budget. A \$200 donation had come in from Macore Corporation in April or May that was to be used specifically for children's games and prizes. Since it was receipted in during the 2003-04 fiscal year, it ended up as part of the carryover balance as of June 30th, 2004. There was a discussion as to whether the budget committee intended for donation money to be spent. Melodie Malone stated that it was always the intent of the Heritage Days Committee that this money would be available, in addition to what was allocated in the budget which was based on the budget they presented. Ron Ross stated that the city is accountable for that money if it is run through the city's books and can only be spent in accordance with state budget law. After further discussion, it was the consensus of the council to figure out a way that the money could be spent as intended by Macore, within the bounds of state budget law. Diane Rinks explained that we would have to deal with the donation received prior to June 30th and any more donations that may be received as separate issues. She suggested that if the council wished, \$200 of general fund money could be allocated to be spent in place of the "non-appropriated" donation, and that if more donations are received, they could, by resolution, be accepted and appropriated by the council. It was the consensus of the council to do that, with the intent that the \$200 could be repaid to the general fund next year, even though that intent would not be binding on the budget committee. Diane Rinks had prepared a resolution for the council to deal with the \$200 if they chose to do so.

10. LEGISLATIVE ACTIONS:

1) Resolution 04-14 Budget Transfer:

Diane Rinks read a resolution to the council that she had put together to address the previously discussed item. She informed them it would be Resolution No. 2004-14 and the title would be: In the Matter of a Resolution Transferring Appropriated Funds in the 2004-05 Budget. \$200 will be transferred from the General Fund Contingency to the General Fund, Materials and Services, Miscellaneous line item. Bob Cullen made a motion to adopt Resolution No. 2004-14. The motion was seconded by Michael and passed unanimously. It was reiterated by the council that the intent was that this amount would be repaid next year to the general fund.

13. COMMITTEE REPORTS:

Bonnie Pursel, Chairperson of the Heritage Days Committee, addressed the council to ask that any monies that come into the front desk for Heritage Days, whether it be fees or donations, have the receipt copied and given to her. Diane Rinks stated that was probably already being done but she would make sure.

14. MAYOR'S REPORT:

None.

15. REVIEW OF HANDOUT MATERIAL:

None.

16. ADJOURNMENT:

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 8:32 p.m.

Minutes approved on this 12th day of August, 2004.

APPROVED:

ATTESTED:

Mayor Lotis Hanks

Diane Rinks, City Administrator