

City of Lafayette
City Council Meeting Minutes
January 27, 2005
6:00 PM

1. CALL TO ORDER: Mayor Don Leard called the meeting to order at City Hall at 6:00 p.m.

2. FLAG SALUTE: Mayor Don Leard led the flag salute.

3. ROLL CALL: Diane Rinks, City Administrator, called the roll.

Present: Michael Roberts, Mayor Don Leard, Steve Malone, Art Bixman, Lisa Heatherly, and Ron Ross.

Absent: 1 vacancy.

City Staff Present: Diane Rinks- City Administrator, Trena McManus- Assistant to the City Administrator.

Others: Melodie Malone, Kevin Malone, Peder Mikkelson, Sara Mikkelson, Betty Roberts, Kim Schweiger, Kenny Schweiger, Edwina Meitzen, George Meitzen, Bonnie Pursel, Celeste Viau-Navetta, and approximately 2 others.

4. WORK SESSION RE: COMMUNITY CENTER:

Ron Ross said that he walked through the Community Center the other day, and he said that there needs to be a motion sensor light on the back door. The gate to the basement is also broken. Ron Ross said that he also had a discussion with the pastor of the Community Church (Jim Peterson) and he (Ron) feels that the youth issues of the community are being addressed by the Church. Anyone that is interested in starting a new program should see what programs are already being done. Ron Ross said that the condition of the Community Center is deteriorated. The occupancy limit of the Community Center also needs to be addressed.

Steve Malone said that the City can't rely on the church to provide youth activities because it is religion based. The youth group meets on Monday (for teens) and Thursday nights (for middle schoolers).

There was some discussion about the current condition of the Community Center.

Bonnie Pursel said that she wants to provide a non-denominational (neutral) place for kids to go. She doesn't expect more than about 10 kids on a daily basis.

Michael Roberts said that he would like to see another mold test done to make sure that the building is safe to be in.

Lisa Heatherly said that if a program is started, volunteers would need to have background checks done, and there would need to be 2-3 adults on site at all times. Proper training is very important. Discussion ensued.

Ron Ross said that he thinks there are some good ideas in Bonnie's proposal, but there is no program being presented. Ron Ross said that he would like to hear from the pastor as to what the church is offering.

Steve Malone suggested going to other cities that are operating a similar program and get copies of their standard operating procedures.

Art Bixman said that he would also like to hear from Pastor Jim Peterson about the programs that the church is offering.

Mayor Don Leard said that if the Council has concerns about the safety of the building, then those issues need to be addressed first. Diane Rinks said that when the mold test was done by the insurance company about a year and a half ago, the upstairs was declared safe. The insurance company recommended that access to the basement be limited to those who had the proper safety equipment. It is probably time to have another mold test done. Diane Rinks will look into the cost of doing this.

Bonnie Pursel said that she will gather some procedure manuals from other cities. This will be placed on the next agenda for further discussion.

5. APPROVAL OF MINUTES:

Art Bixman made a motion to accept the January 13, 2005 minutes. Lisa Heatherly seconded the motion. There was no discussion and the motion passed unanimously.

6. REVIEW OF PROCEEDINGS AND APPROVE MINUTES OF SPECIAL MEETINGS:

None.

7. ADDITIONS AND DELETIONS:

Ron Ross said that he would like to set a deadline for the Council to have any changes to the Council rules submitted by March 30 so that staff has time to compile the changes and bring before Council for discussion. The Council agreed.

There were no other additions or deletions.

8. PUBLIC HEARINGS:

None.

9. CITIZEN INPUT ON NON-AGENDA ITEMS:

Kenny Schweiger, 710 Water St.- said that he has been waiting for a year and a half for a building permit (to place a mobile home on Industrial property).

Diane Rinks said that it is not proper for the City Council to make decisions on planning issues. Kenny has applied for a building permit to place a mobile home on Industrial property and it was denied by the City Planner (Walter Wendolowski) because that is not an allowed use in an Industrial zone. The Planning Commission made an interpretation of the code in reference to a "caretaker" dwelling and upheld the Planner's decision to deny the permit. Kenny Schweiger's option at this time is to apply for a zone change on that piece of property. If a zone change is applied for, then the City Council would have to hold a hearing after a recommendation was made from the Planning Commission. Council involvement at this time might preclude their participation.

Kenny Schweiger said that he has already went to the Planning Commission, where Skip asked the Planning Commission to provide an interpretation of a "caretaker dwelling". Kenny said that state law mandates that the City give him a zone change. Discussion ensued.

Diane Rinks read a letter from the City Attorney (Andy Jordan) dated June 14, 2004 regarding his interpretation of code section 2.107.02(A).

Discussion ensued.

Art Bixman made a motion that Kenny Schweiger go back before the Planning Commission to deal with this issue and the City Council will not be dealing with it at this time. Ron Ross seconded the motion. There was no more discussion and the motion passed with Steve Malone voting nay.

Melodie Malone, 1282 Third St. #62- asked if the City could light the flag in front of City Hall. It looks like there is a light on the building that just needs a bulb replaced. Staff will look into this.

Steve Malone said that he wanted to discuss a resident's concern about testing backflow devices. This was added as Discussion Item #1.

10. DEPARTMENTAL REPORTS:

1) City Administrator report:

There were no questions on this report.

11. LEGISLATIVE ACTIONS:

None.

12. ACTION ITEMS:

1) City Council Applicant Interviews/Appointment:

Ron Ross said that Cliff Brotherton does not meet the residency requirements. The Council removed his application from consideration.

There were two applicants (Jim Sieber and Peder Mikkelson) in the audience that had submitted the questionnaires that were sent out the previous week. After reviewing the questionnaires, the Council addressed the applicants. Discussion ensued.

Don Leard moved to appoint Jim Sieber to the City Council. Michael Roberts made a motion to accept the Mayor's nomination. Steve Malone seconded the motion. There was no more discussion and the motion passed unanimously.

Diane Rinks swore in Jim Sieber and he sat at the Council table.

Art Bixman made a motion to take a short break. Lisa Heatherly seconded the motion. There was no discussion and the motion passed unanimously. A break was taken at 7:25 p.m. The meeting was called back to order at 7:34 p.m.

13. DISCUSSION ITEMS:

1) Backflow device testing:

(Added by Steve Malone)

Steve Malone said that he was approached by a resident of Pioneer Park about the City's requirement to have backflow devices installed and tested. The letter says that it is the property owner's responsibility to have the device installed and tested. There was some discussion as to whether it is the tenants of pioneer park's responsibility (because they don't own the land) to have the device installed and tested or if it is the park

owner's responsibility. Diane Rinks said that this issue came up last year as well. She will contact the owner of Pioneer Park and discuss this issue with them.

14. COMMITTEE REPORTS:

None.

15. MAYOR'S REPORT:

Mayor Don Leard said that it states in the October 14, 2004 minutes that the Council requested that the Joel Perkins park gate be closed and locked. That has not been done yet. The minutes also state that Jim Anderson was going to look into removing the battered wood from the picnic tables and replacing it with a more durable material. Has this been done yet? Diane Rinks said that it was her understanding that he was going to get quotes in time for the budget process, but she will check with Jim.

Mayor Don Leard asked about the status of the water conservation management plan. Diane Rinks explained the purpose of this plan and explained that it is in the process of being prepared right now.

16. REVIEW OF HANDOUT MATERIAL:

Diane Rinks said that she would like to get some clarification from the Council as to the format of her report that she provides the Council each month. She would like to provide an agenda summary, which would give the Council some background on the agenda topics before they are discussed in the meeting. An update on ongoing projects would also be provided.

Ron Ross said that he would like to see some long term goals established. Diane Rinks said that the Council needs to have a long term goal setting session to establish what those specific goals are. Discussion ensued.

Art Bixman asked about the towing company that is being operated on the corner of 3rd and Washington. Diane Rinks said that the only thing they have been approved for is to have an office in the home. It is obvious that they are doing more than that because of the tow trucks and cars around the home. Diane Rinks said that she will try to contact the owner about this issue.

17. ADJOURNMENT:

Ron Ross made a motion to adjourn. Lisa Heatherly seconded the motion. There was no discussion and the motion passed unanimously. The meeting was adjourned at 8:22 p.m.

Minutes approved on this 10th day of February, 2005.

APPROVED:

ATTESTED:

Mayor Don Leard

Diane Rinks, City Administrator