

**City of Lafayette**  
**City Council Meeting Minutes**  
**November 9, 2006**  
**6:30 PM**

- 1. CALL TO ORDER:** Mayor Don Leard called the meeting to order at City Hall at 6:30 p.m.
- 2. FLAG SALUTE:** Mayor Don Leard led the flag salute.
- 3. ROLL CALL:** Diane Rinks, City Administrator, called the roll.  
*Present:* Mayor Don Leard, Lisa Heatherly, Jim Sieber, Michael Roberts, Art Bixman, and Bob Cullen.  
*Absent:* 1 vacancy.  
*City Staff Present:* Diane Rinks- City Administrator, and Trena McManus- Assistant to the City Administrator.  
*Others:* Bonnie Pursel, Rod Sharp, Shirley Venhaus, Darrell Flood, Angela Flood, Jim Crowell, and approximately 1 other.
- 4. APPROVAL OF MINUTES:**  
Bob Cullen made a motion to accept the October 12, 2006 minutes. Jim Sieber seconded the motion. There was no discussion and the motion passed unanimously.
- 5. REVIEW PROCEEDINGS AND APPROVE MINUTES OF SPECIAL MEETINGS:**  
None.
- 6. ADDITIONS AND DELETIONS:**  
Diane Rinks said that she would like to add agenda item 10(1)- Ordinance 588- Amending Section 1.270 of the Lafayette Municipal Code dealing with Municipal Court Fees (first reading). There were no other additions or deletions.

**PRESENTATION FROM SHIRLEY VENHAUS RE: HERITAGE DAYS:**

Shirley Venhaus gave the Council an update on the happenings with the Yamhill County Historical Society. She said that they had 12 more acres donated (Highway 99/Durham Lane in McMinnville) for their new museum site. The society has also hired a new director for 4 hours/week to help with grant writing. Shirley Venhaus said that the Historical Society has a Harvest Festival each year, and they would be interested in coinciding this event with Heritage Days. Their focus would be on the history and heritage of Lafayette. Bonnie Pursel (Heritage Days director) said that she would love to work together with the Historical Society.

- 7. PUBLIC HEARINGS:**  
None.
- 8. CITIZEN INPUT ON NON-AGENDA ITEMS:**  
None.
- 9. DEPARTMENTAL REPORTS:**
  - 1) City Administrator report:**

Diane Rinks said that she has been spending the majority of her time on the wastewater treatment plant project. She said that she had another meeting with HBH Engineering and Emery & Sons discussing what needs to be done to get the project finished. She provided the Council with a copy of a warning letter from DEQ for a fecal coliform NPDES permit violation. The current plant no longer runs as it was designed to because of the changes that have been made during the construction of the new plant. There was a sewer overflow at the treatment plant on Sunday, November 5 that had to do with the construction of the new plant. There is an ongoing discussion between the engineer and contractor as to whether this is a design or a construction problem. Diane Rinks said that she had the City Engineer look at the cracks in the new tanks to give a recommendation on how they should be fixed. She also said that she will probably be ready to present a time extension for this project to the Council at the next meeting. Art Bixman asked if the tank cracks/leaks are a quality issue and Diane Rinks said that it is most likely due to stress fractures because the tanks have sat empty for an extended period of time. Diane Rinks said that she is hoping to have an offer on the portion of Terry Park that is needed for the bridge project by next month. This would be the second offer, because the first offer wasn't what she was hoping for. The parks encumbrance needs to be fulfilled prior to selling the piece of Terry Park to the County.

The audit for FY05-06 was done on Oct. 26 and everything went well. We may have a report for the next Council meeting.

The easement agreement for well #2 (with Evergreen) is now complete (signed and recorded at the county).

The City has received an extension for the Dayton water rights permits until 2025.

Diane Rinks said that she is investigating the feasibility of establishing an Urban Renewal District in Lafayette.

Bob Cullen asked what an Urban Renewal District is and Diane Rinks said that it would create a stand alone agency in the downtown area. The city tax dollars that are generated from any increases in assessed value in that area could be used for infrastructure improvements in that district. There has to be a specific plan in place that states what the money would be used for.

Art Bixman asked about the status of negotiating the price for the piece of Terry Park for the new County bridge. Diane Rinks said that she is trying to negotiate a price to cover the City's cost of placing a new water line under the bridge.

Michael Roberts asked about the status of drilling a new well (jointly with the City of Dayton). Diane Rinks said that she is working on revising the Intergovernmental Agreement to include the drilling of both well #2 and well #5. She is hoping to have the design back from Westech in the next few months.

## **2) Accounts payable report:**

There were no questions on this report.

## **3) Public Works report:**

Art Bixman asked about the fire hydrant that was repaired and wondered where it was. Diane Rinks said that the hydrant is located at the entrance to the sewer treatment plant and it was fixed so that it could be used to fill the new tanks so the necessary testing could be done before the new plant goes on line.

Art Bixman asked about the warning letter that the City received from DEQ. He said that all of the public works reports from the last few months said that all permit levels were met. Diane Rinks said that she will go back and check the reports.

## **4) Fire Department report:**

There were no questions on this report.

## **5) Sheriff report:**

Sergeant Tim Svenson was not at the meeting, so there was no report.

# **10. LEGISLATIVE ACTIONS:**

## **1) Ordinance 588- Amend LMC 1.270 re: Municipal Court Fees (first reading):**

Diane Rinks said that this ordinance deals with Municipal Court Fees, and it would allow all court fees to be set by an order of the judge. The administrative fees will remain in the code. Instead of having to change the code every time a fee needed to be changed or added, this would allow the judge to change them as he/she deems necessary. Bob Cullen made a motion to do the first reading of Ordinance 588 by title only. Michael Roberts seconded the motion. There was no discussion and the motion passed unanimously. Diane Rinks read the Ordinance by title only- 'An Ordinance Amending Section 1.270 of the Lafayette Municipal Code dealing with Municipal Court Fees'. This Ordinance will be put on the next agenda for the second reading and adoption.

# **11. ACTION ITEMS:**

## **1) Nuisance Declaration:**

Diane Rinks said that there has been progress made on the nuisances around town, but there are 3 properties that still need to be addressed for tall grass/vegetation. The Municipal Code states that noxious vegetation is grass or weeds more than 10 inches high between May 15<sup>th</sup>- October 15<sup>th</sup>. However, the Council can declare any property a nuisance at any time.

Bob Cullen made a motion to declare Haylen Meadows Phase 3, 717 Adams Street, and 450 5<sup>th</sup> Street to be a nuisance for noxious vegetation and subject to the City's abatement procedures per LMC Chapter 5. Lisa Heatherly seconded the motion. Discussion- Lisa Heatherly asked why the dates of May 15- October 15 are even in the code, and Diane Rinks said that during those months the vegetation would be considered a fire hazard. There was no more discussion and the motion passed with Michael Roberts voting nay.

## 12. DISCUSSION ITEMS:

### 1) Possible refinancing of water/sewer bonds:

Art Bixman said that he would like to know what the current balances are on the water and sewer bonds. Also, what costs would be involved in converting that debt to a levy on property taxes. Diane Rinks said that after the December 2006 payments, the balance will be about 6 million dollars combined (for water and sewer). The cost for doing a bond sale could be anywhere from \$85-100,000. This bond sale would also require an approval from the voters at an election which would also result in additional expenses if it was not at a general election. Diane Rinks had done some research and preliminary calculations and the tax rate that would have to be levied to meet the bond obligations would be higher than the City's entire tax rate now (\$3.4857/\$1,000). This large of a levy would create a large gap between the amount that those with higher assessed property values would have to pay than those with smaller assessed values. For most people, the amount that they would save on utility bills would not cover the increase they would face in their property taxes. So, overall, this would not result in a net savings for most customers.

### 2) Municipal Parking Lot time limits:

Mayor Don Leard said that he purchased the lot next to City Hall about 10 years ago, and through a lease agreement between him and the City, the entire lot has been designated as municipal parking. However, there is a problem with people parking in the lot all day on the weekends, when Martha's Tacos needs the parking for their customers. Mayor Don Leard asked the Council to consider setting a 2 hour parking limit for the parking lot. Diane Rinks asked how this limit would be enforced. The Council agreed that it wouldn't be enforced, but they hope that putting up a sign will detour people from parking there all day. After some discussion, Michael Roberts made a motion to direct staff to place a 2 hour parking sign near the entrance of the parking lot and to have '2 hour parking' sprayed on the center spaces, and to enter into a new parking lot lease agreement with Martha's Tacos (who now owns the property). Bob Cullen seconded the motion. There was no more discussion and the motion passed with Lisa Heatherly voting nay.

### 3) Work Session- Door to Door Sales and Garage Sales- poss. Ordinance revisions:

Bob Cullen made a motion to table this agenda item until January 2007. Jim Sieber seconded the motion. There was no discussion and the motion passed, with Michael Roberts voting nay.

## 13. COMMITTEE REPORTS:

None.

## 14. MAYOR'S REPORT:

None.

## 15. REVIEW OF HANDOUT MATERIAL:

Mayor Don Leard reviewed the complaints that were received.

## 16. ADJOURNMENT:

Jim Sieber made a motion to adjourn. Art Bixman seconded the motion. There was no discussion and the motion passed unanimously. The meeting was adjourned at 8:24 p.m.

**Minutes approved on this 14th day of December, 2006.**

**APPROVED:**

**ATTESTED:**

\_\_\_\_\_  
Mayor Don Leard

\_\_\_\_\_  
Diane Rinks, City Administrator