

**City of Lafayette**  
**City Council Meeting Minutes**  
**January 11, 2007**  
**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, Michael Roberts, Art Bixman, and Bob Cullen.

*Absent:* Jim Sieber, 1 vacancy.

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

*Others:* Darrell Flood, Angela Flood, Sarah Flood, Esther Flood, Joe Favata, Betty Roberts, Rod Sharp, Sergeant Tim Svenson, Deputy Jeff Donahoo, Chris Pagella, and approximately 2 others.

**4. APPROVAL OF MINUTES:**

Art Bixman made a motion to accept the December 14, 2006 minutes. Bob Cullen seconded the motion. There was no discussion and the motion passed unanimously.

City Clerk Jamie Rhodes swore in new Council members Matt Smith, Jim Rue, and Darrell Flood (Mayor).

Mayor Darrell Flood said that he wanted to elect the Council President and review the Council Rules before any other items of business on the agenda.

**11. ACTION ITEMS:**

**1) Elect Council President:**

Mayor Darrell Flood said that the only person that came to him and expressed interest in being Council President is Art Bixman, so he recommended that the Council elect Art Bixman as Council President.

Matt Smith made a motion to elect Art Bixman as Council President. Jim Rue seconded the motion. There was no discussion and the motion passed with Bob Cullen, Jim Rue, and Matt Smith voting aye, and Lisa Heatherly and Michael Roberts voting nay.

**12. DISCUSSION ITEMS:**

**3) WORKSESSION: Review Council Rules:**

Mayor Darrell Flood said that Section 7.1 says that 'the Council shall meet regularly at 6:30 p.m. on the second and fourth Thursday of each month in Council Chambers.' Diane Rinks said that the previous Council voted to forego the second meeting, unless something urgent needed to be dealt with. There was some discussion as to whether the Council should meet twice a month or if the Rules should be changed to actually reflect the Council's meeting schedule. Diane Rinks said that due to many factors (efficiency, production, a staff member being on maternity leave, budget season, etc.), having two meetings a month is not feasible at this time. If an occasional worksession is needed, then we can deal with that on an as needed basis. The consensus of the Council is to change the wording in Section 7.1 of the Council Rules to state that 'the Council shall meet regularly at 6:30 p.m. on the second Thursday of each month in the Council Chambers'. The rules already state that the Council may schedule additional meetings or worksessions at its discretion.

Mayor Darrell Flood said that Section 10.2 says that 'the City Attorney shall attend all regular Council meetings unless excused by the City Administrator or Mayor....'. Diane Rinks said that she excuses the Attorney from most meetings as it is not necessary for him to be here, and he charges to attend meetings. After some discussion, it was the consensus of the Council to change the wording to say that 'the City Attorney shall attend a Council meeting at the request of the City Administrator or Mayor....'.

Mayor Darrell Flood asked for clarification about how staff members are paid when they are required to attend the meetings. Diane Rinks said that staff is given comp. time for attending the meetings whenever possible, but there are times when the additional time off is not feasible and overtime is paid.

Mayor Darrell Flood said that he would like to schedule a worksession at the second meeting in January to discuss the necessary liaison roles (section 18.1). Diane Rinks said that she was planning on only having the Council orientation at the worksession at the end of January. If you get multiple items on the agenda, then it becomes difficult to stay focused and stay within the guidelines of a worksession. The liaison roles will be discussed further at a later date.

**5. REVIEW PROCEEDINGS AND APPROVE MINUTES OF SPECIAL MEETINGS:**

None.

**6. ADDITIONS AND DELETIONS:**

Diane Rinks said that the Resolution number on agenda item 10(1) should be changed to 2007-01 (not 2006-14). Mayor Darrell Flood said that he wanted to move the Emergency and Disaster Preparedness Committee item from under the Mayor's report to Discussion Item 12(4). He also wanted to add Discussion Item 12(5)- LMC 5.440 re: junk. There were no other additions and deletions.

**7. PUBLIC HEARINGS:**

None.

**8. CITIZEN INPUT ON NON-AGENDA ITEMS:**

None.

**9. DEPARTMENTAL REPORTS:**

**1) City Administrator report:**

Diane Rinks said that she would like to schedule a second meeting in January so that the Council could have a worksession for the purpose of an orientation session. This will give the new members of the Council an opportunity to get up to speed on the projects that are going on and to ask questions. The Council agreed to have a Council worksession on January 25, 2007. (This was later rescheduled to January 26, 2007.) Due to the ice/snow storm, water shut offs were postponed until next week.

**2) Accounts payable report:**

Michael Roberts asked about the payment to the Dayton Tribune, and Diane Rinks said that they do all the printing that the City needs (envelopes, pink tags, business cards, bill paper, etc.). Bob Cullen asked if the payment to Cingular Wireless was for the Public Works Department and Diane Rinks said that it is the cell phone that is in the fire engine. There were no other questions on this report.

**3) Public Works report:**

Mayor Darrell Flood and Jim Rue went on rounds with Jim Anderson last week to get a tour of the City's facilities. Any other Council member who has not gone on a tour was encouraged to do so. Mayor Darrell Flood said that while he was on the tour, Jim Anderson said that well #10 was without power due to the wind storm, and he wondered if power has been restored to the well yet. Diane Rinks said that public works has to reset the pole before PGE can come back and restore power. Since it is winter time, the well is not in use anyway, so while this is on their list of things to do, it is not critical at this time.

**4) Fire Department report:**

There were no questions on this report.

**5) Sheriff report:**

Sergeant Tim Svenson said that the Sheriff's Office had a slow call volume for Lafayette in December. Sergeant Tim Svenson introduced the new code enforcement officer, Deputy Jeff Donahoo, to the Council. Deputy Donahoo is keeping a binder with all of the code enforcement issues that he comes across throughout town that tracks his contacts, when tags are hung, and needed follow ups. Mayor Darrell Flood asked if Deputy Donahoo is going to be getting certified to do traffic patrols, and Sergeant Svenson said that he should be completing this training in the next couple of months. Mayor Darrell Flood said that it would be nice to have a deputy patrolling around the school early in the morning and when school gets out. Bob Cullen asked about the possibility of getting more bicycle helmets to hand out to kids. Sergeant Tim Svenson said that he is looking into getting some from the City of Sheridan since they have a bunch that aren't being used.

## **10. LEGISLATIVE ACTIONS:**

### **1) Resolution 2007-01- Madison St./Lafayette Highway Bridge Agreement:**

Bob Cullen made a motion to adopt Resolution 2007-01, as presented. Lisa Heatherly seconded the motion. Discussion- Diane Rinks said that the County has agreed to pay for the total cost of placing the City's water line under the bridge in exchange for the two easements (portions of Terry Park) that are needed to complete the project. Art Bixman asked about the timeline for this project, and Diane Rinks said that it will start as soon as possible and the project is scheduled to take about a year and a half. Jim Rue asked if the park encumbrance issue has been resolved and Diane Rinks said yes. There is no suitable property in the city limits to transfer the encumbrance to, so the County is purchasing 10 acres next to Locks Park and they will be placing the encumbrance on that property. Since we (the City) made the ability to build this bridge contingent upon being able to move this encumbrance off of Terry Park, the County will be able to use bridge grant funds to purchase this 10 acre piece of property. There was no more discussion and the motion passed unanimously.

## **11. ACTION ITEMS:**

### **2) Accept FY2005-06 Audit:**

Michael Roberts made a motion to accept the FY05-06 Audit. Art Bixman seconded the motion. Discussion- Diane Rinks said that she intended to have the auditor here tonight, but because of the bad weather, he was not able to attend. She said that she will try to answer any questions that the Council may have.

Mayor Darrell Flood said that he had a concern about the statement on page 3 that states that, 'The City does not maintain historical cost and depreciation records for capital assets.' Diane Rinks said that the auditor usually provides a letter to the Council explaining why these statements are included in the auditors report every year. It is the recommendation of the auditor that we do not do this. The City is not required to do this and it would be very expensive and cumbersome, so the auditor just has to state that they cannot express an opinion on it either way. In the auditors letter, he states that this does not indicate any deficiencies, but it is a time and money saving alternative that the City has prudently elected.

Mayor Darrell Flood also expressed a concern about the statement on page 4, that states that 'Management has not presented the required Management's Discussion and Analysis'. Diane Rinks said that this is also addressed in the auditors letter. The auditor states that the City chose to follow ORS (Oregon Revised Statutes) instead of GAAP (General Accepted Accounting Principles), which is perfectly acceptable. Mayor Darrell Flood referred to page 50 and the comment that states that the auditors are not competent by training to comment on the adequacy of the City's insurance policies. He asked staff about the adequacy of the City's insurance policies. Diane Rinks said that the City does have adequate coverage (\$2 mil. General liability). The Council considered increasing that amount to \$4 million about a year ago, and chose not to at that time. Bob Cullen asked how often the City has a risk management assessment done, and Diane Rinks said that the last one was done about three years ago. One was done on the new sewer plant 6-8 months ago. Art Bixman asked if the insurance company determines when these assessments will be done or can the City request that one be done. Diane Rinks said that she can ask the insurance company. There was no more discussion and the motion passed unanimously.

## **12. DISCUSSION ITEMS:**

### **1) Accept resignation and appoint new members to Heritage Days Committee:**

Mayor Darrell Flood said that he would like to change the name of the Heritage Days Committee to the Heritage Days/Community Enhancement Committee. Diane Rinks said that she has a concern about broadening the scope of what the Heritage Days Committee does at this time because the goal is to get Heritage Days to a point where it can become its own stand alone entity (non-profit organization). The only reason that the City has not required this yet is because as their own entity, they would have to provide their own insurance policy and that is cost prohibitive for them at this time. So, the City has to keep Heritage Days in the budget and as a City Committee. If the goal is to have community events as fundraising opportunities for Heritage Days, that can be done without changing the name of the committee. Discussion ensued.

Bonnie Pursel submitted a letter of resignation as Heritage Days Director to the Council. Art Bixman asked staff to send Bonnie Pursel a thank you letter for her willingness to volunteer. Angela Flood has expressed an interest in fulfilling this role on the committee. Mayor Darrell Flood appointed Angela Flood (as director) and Judy Welch to the Lafayette Heritage Days Committee. Bob Cullen made a motion to accept the Mayor's nominations. Michael Roberts seconded the motion. There was no discussion and the motion passed unanimously.

### **2) Council representative for YCTA (Yamhill County Transit Area) Committee:**

Bob Cullen said that he served on the Yamhill County Transportation Committee for two years and they discussed alternate transportation services, mass transit, and funding issues. Mayor Darrell Flood said that Art Bixman has volunteered to serve on this committee. There were no other volunteers to serve on the committee. Michael Roberts made a motion to elect Art Bixman to be the City of Lafayette's representative on the Yamhill County Transit Area Committee. Jim Rue seconded the motion. There was no discussion and the motion passed unanimously.

#### **4) Emergency and Disaster Preparedness Committee:**

Mayor Darrell Flood said that he would like to establish a committee for preparing an emergency plan for the City. He said that he feels it is important for the City to have a document to refer to in the event of an emergency. He would like the committee to come up with a plan in six months and bring it to the Council for review. Matt Smith asked if the Council should provide a general direction for the committee before a committee is created. Discussion ensued. Jim Rue said that he wants to get organized, and really understand all of the policies and procedures that are already in place before a committee is created. Diane Rinks said that it is important for the Council to understand what the City already has in place and for the Council to decide as a body what the tasks and purpose of this committee will be before it is created. After some discussion, the Council decided to schedule a worksession at a later date to discuss a possible Emergency Preparedness Committee.

#### **5) LMC 5.440- Junk:**

Mayor Darrell Flood said that he has noticed a stove and water heater that is sitting outside the City's apartment building on Market Street. If the City is asking residents to comply with the code and clean up their properties, then we should be held to the same standards as well. Diane Rinks said that she has asked Public Works to remove the stove the next time they went to the recycling center, but she will check with them again. The water heater is an outside unit that supplies the building. The building is vacant, so she will look into having it removed.

Esther Flood, 210 Canyon View Drive- said that if the water heater is not removed, then it should be enclosed so it cannot be seen.

### **13. COMMITTEE REPORTS:**

None.

### **14. MAYOR'S REPORT:**

\*Emergency and Disaster Preparedness Committee

Mayor Darrell Flood moved this to a Discussion agenda item 12(4).

\*Mayor Coffee Dates

Mayor Darrell Flood said that he would like to start meeting at least once a month in a local restaurant in town to be available for citizens to come in and talk to him about any issues they may have. He said that he would like Diane Rinks to come as well if she is available. There were some concerns raised by the Council about having a paid staff person taken out of the office to do this. Diane Rinks said that she is available to the public through City Hall. The Council also expressed concerns about the City incurring any costs for these coffee dates.

\*Newsletter

Mayor Darrell Flood said that he would like to start writing a monthly newsletter to be included in the water bills. There was some discussion about the extra work that this would cause for staff to have an insert in the bills every month for this. It was the consensus of the Council that the Mayor can provide staff with a paragraph to include on the back of the utility bills, and if he wants to write a longer newsletter, then that will be posted on the City's website for people to access.

Chris Pagella, 446 E. 16<sup>th</sup> Street- said that maybe some of the local restaurants would be willing to hand out a newsletter to their customers.

### **15. REVIEW OF HANDOUT MATERIAL:**

Diane Rinks said that the League of Oregon Cities is hosting a training session for newly elected officials this Spring. If anyone is interested in attending, please let staff know so we can get you signed up.

Mayor Darrell Flood asked if responses are sent to every person that sends in a comment or question on their utility bills. Diane Rinks said that if someone has a legitimate question, then a response is sent. If people are just complaining and don't really ask a question, then it is not responded to. There was some discussion as to whether

every comment or complaint should be responded to or if it should be at the City Administrator's discretion. The Council was polled and the majority of the Council felt it should be at the City Administrator's discretion.

**16. ADJOURNMENT:**

Michael Roberts made a motion to adjourn. Art Bixman seconded the motion. There was no discussion and the motion passed unanimously. The meeting was adjourned at 8:53 p.m.

**Minutes approved on this 8th day of February, 2007.**

**APPROVED:**

**ATTESTED:**

---

Mayor Darrell Flood

---

Diane Rinks, City Administrator