

City of Lafayette
City Council Meeting Minutes
January 8, 2009
6:30 PM

1. CALL TO ORDER: Mayor Chris Heisler called the meeting to order at City Hall at 6:30 p.m.

2. FLAG SALUTE: Mayor Chris Heisler led the flag salute.

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

Present: Mayor Chris Heisler, Nicholas Harris, Leah Harper, Dean Rhodes, Bob Cullen, and Chris Pagella.

Absent: Michael Roberts (excused).

City Staff Present: Diane Rinks- City Administrator, Trena McManus- Assistant to the City Administrator, Public Works Foreman Jim Anderson, Fire Chief Terry Lucich.

Others: Chris Harper, Nicole Montesano- News Register, Beth Pagella, Randy Kashka, Carol Paddock, Mary Heisler, Sarah Schweiger, Tara Shelburne, Patricia Rhodes, Suzi Lorence, Robin Zimmerman, Robin Mullin, Dan Selsor, Beth Selsor, Sergeant Steve Warden, and approximately 2 others.

4. APPROVAL OF MINUTES:

Nicholas Harris made a motion to approve the December 11, 2008 minutes as presented. Chris Pagella seconded the motion. There was no discussion and the motion passed unanimously.

Mayor Chris Heisler said that he wanted to welcome everyone to the meeting, and thanked the citizens for their confidence and support. He said that he is humbled and honored have been elected as the new Mayor. The challenge before all of the Council and staff is to earn and maintain the trust of the community and to conduct ourselves in the best interest of the citizens in all we do and to those we serve. He pledged that he will serve the citizens with their best interest at heart. There will be no self-serving agenda on his part. He and the members of the Council have taken a sworn oath to uphold the U.S. Constitution, City Charter, and to serve the citizens to the best of their ability. He promised to serve the citizens with the integrity and ethics that their trust requires. Tonight, we truly do begin a new Lafayette.

5. REVIEW PROCEEDINGS AND APPROVE MINUTES OF SPECIAL MEETINGS:

None.

6. ADDITIONS AND DELETIONS:

Diane Rinks said that there is an agenda item for a presentation from the City's Auditor, but the action to accept the FY07-08 audit needs to be added as Action Item #6. There were no other additions or deletions.

7. PUBLIC HEARINGS:

None.

7.a. PRESENTATION: City Auditor Tom Glogau- FY07-08 Audit Review:

Tom Glogau (Grove, Mueller, and Swank) gave a short presentation on the FY07-08 Audit, and then he said he would answer any questions that the Council may have. He said that the Council is welcome to contact him at a later date if they have additional questions.

Chris Pagella asked for some clarification on the City's practices of maintaining historical records on capital assets, because there was a finding in the audit that the City is not maintaining adequate asset records. It was the auditor's recommendation that the City continue to have the finding that the City is not maintaining adequate asset records. Tom Glogau said that it is very costly and of little benefit to try and capture all of the original cost figures for the City's assets (40, 50, 80 years ago). The City's capital assets are insured for replacement value, not original purchase price. The City Council has taken formal action to not try and capture those historical figures, but the City has maintained asset records for the last 5 years, and will continue to do so in the future.

Mayor Chris Heisler said that it is his intent to give the audience an opportunity to ask questions on the agenda items as they come up. If it is something that is not able to be answered immediately, then they will be followed up on as soon as possible. Diane Rinks said that if this is something the Council would like to do, then the Council Rules would need to be changed to reflect that. This will be discussed further at a later meeting.

Pages 3-8 contain the Management Discussion & Analysis (MD&A), which summarizes the rest of the audit. There are two basic functions of city government (governmental services and business services). The governmental

functions are funded primarily by property taxes, and the business services are funded primarily by ratepayers (water/sewer bills).

Tom Glogau said that as of June 30, 2008, the audit reflects the City is in a strong financial position.

Dean Rhodes asked what the City's total debt is right now, and Tom Glogau said that the total debt (as of June 30, 2008) amounts to approximately \$7.410 million.

Bob Cullen said that it important to understand that this debt figure represents the costs of capital improvement projects that have been completed and funded.

Discussion ensued.

Mary Heisler, 1407 Madison St.- asked what the \$900,000 on Infrastructure Improvements was spent on (in FY07-08). Diane Rinks said that \$610,000 was for the final payments on the construction of the wastewater treatment plant. Diane Rinks said that she couldn't recall what the other \$300,000 was for, but she would look it up and let Mary know. (Note: The \$300,000 was for the drilling costs for well #2 and #5)

8. CITIZEN INPUT ON NON-AGENDA ITEMS:

Carol Paddock, 5001 NE Mineral Springs Rd., McMinnville- said that she has a pending case with LUBA (Land Use Board of Appeals) regarding Lafayette View Estates, and she came to the Council last month to ask for their permission to 'stay' the case so that she could try to work out other possible solutions with the developer. The previous Council took no action on this request, and she wanted to get a sense from this new Council about how they feel.

Diane Rinks recommended that the Council not discuss this issue because LUBA could remand this case back to the City Council at a later date.

The consensus of the Council was to not act on the request to 'stay' the LUBA case at this time, as this case may appear before them again at some point in the future.

9. DEPARTMENTAL REPORTS:

1) City Administrator report:

Diane Rinks said that she wanted to welcome the new council and has hopes that everyone can work together to move the City forward. The public works department incurred a significant amount of overtime monitoring the water and sewer systems during the snow storm. The watershed lost power due to a tree falling on the power lines, and one of the sewer lift stations also lost power. They did a great job making sure that services weren't interrupted and they should be recognized for their efforts. Mayor Chris Heisler asked staff to provide public works with a letter of thanks for their efforts during the snow storm.

2) Accounts payable report:

Leah Harper asked about the payment to the Council of Governments, and Diane Rinks said that the City contracts with the Council of Governments for Planning Services and the fees are billed monthly. Leah Harper also asked about the payment to the City of Dayton and Diane Rinks said that is for our portion of the operation and maintenance costs of the Lafayette/Dayton Water Treatment Plant. Chris Pagella asked about the payment to Westech Engineering for the Dayton wells, and Diane Rinks said that $\frac{3}{4}$ of those costs are Lafayette's responsibility and $\frac{1}{4}$ of the costs are reimbursed to us from the City of Dayton (Well #2 is owned by Lafayette and well #5 is shared with the City of Dayton).

3) Public Works report:

Dean Rhodes said that he has noticed some tagging around the Wascher School area (gods of urban chaos) and wanted to know if Jim Anderson knew what the tag was on the sign that he had to replace. Jim Anderson said that the sign was at 5th/Jackson Streets and the tag was '420'.

4) Fire Department report:

Bob Cullen asked if there were any significant events (calls) resulting from the snow storm, and Fire Chief Terry Lucich said that there weren't any significant calls attributed from the storm. Fire Chief Terry Lucich said that all of the engines are equipped with chains, so they didn't have a problem getting around. The biggest challenge was getting the volunteers to the station, but most of them have four wheel drive vehicles.

5) Sheriff report:

Sergeant Warden said that the month of December was a little quieter than normal, probably due to the weather. Nicholas Harris said that he has noticed an increase in tagging and it is spreading all throughout town, and he wanted to know if Sergeant Warden had noticed an increase in this activity.

Sergeant Steve Warden said that he has noticed an increase in tagging county wide. It is sometimes difficult to distinguish between copycat and gang activity. The sign '420' is a code sign for marijuana, and isn't indicative of gang activity. There was some discussion about the curfew laws for minors, and for Lafayette kids under 15, curfew is 10:00 p.m. and for kids 15-18, curfew is 11:00 p.m.

10. LEGISLATIVE ACTIONS:

None.

11. ACTION ITEMS:

1) Election of Council President:

Leah Harper made a motion to elect Chris Pagella as Council President. Nicholas Harris seconded the motion. Discussion- Diane Rinks said that one thing to remember is that the Council President needs to be available during office hours to sign checks in the event that the Mayor is unavailable. There was no more discussion and the motion passed unanimously.

2) Acceptance of Planning Commission Resignation:

Dean Rhodes made a motion to accept Chris Pagella's resignation from the Planning Commission. Bob Cullen seconded the motion. There was no discussion and the motion passed unanimously.

3) Declaration of Planning Commission Vacancy:

Mayor Chris Heisler said that he would like to have the vacancy (and all subsequent vacancies) posted on the reader board, city website, and on the utility bills. He wanted to give people 30-45 days to submit applications and then all applications will be reviewed.

4) Naming of Park at 15th & Grant Streets:

The 5th grade pride team at Wascher Elementary School came up with the name, Community Pride Park, as the new name for the park at 15th & Grant St. Mayor Chris Heisler read a statement from the school saying that the kids chose the name because they hope that people will take care of it, be safe, keep it clean, and just overall take pride in it.

Dean Rhodes asked if the City maintains this park, and Diane Rinks said yes. He asked if the City checks the bolt connections and Jim Anderson said that public works does check the structure as part of the regular maintenance of the park.

Dean Rhodes made a motion to accept the name "Community Pride Park" for the park at 15th & Grant Street. Nicholas Harris seconded the motion. Discussion- After some discussion, the Council asked staff to invite the principal of Wascher School and the kids comprising the 5th grade pride team to the next Council meeting, to present them with a plaque and individual certificates to express the Council's appreciation of their efforts. There was no more discussion and the motion passed unanimously.

5) Appointment of Representative to the Agri-Business Economic Development Comm.:

Mayor Chris Heisler said that Nicholas Harris has expressed interest in serving as the representative for this committee, but wanted to know if anyone else was interested. Diane Rinks said that this opening has been advertised in a previous water bill. Leah Harper said that she would be willing to serve as an alternate, if Nicholas Harris is unable to attend.

Nicholas Harris said that this committee is going to work toward formulating a plan to encourage agri-tourism (vineyards, farms, etc.) in Yamhill County. Each City's role will be to try and generate interest within the business community and provide input on how the City of Lafayette can contribute towards encouraging agri-tourism. The duration of the committee will be 10-12 months.

Mayor Chris Heisler, with the consensus of the Council, appointed Nicholas Harris to the Yamhill County Agri-Business Economic Development Committee, with Leah Harper as the alternate.

6) Accept FY07-08 Audit:

Bob Cullen made a motion to accept the FY07-08 audit. Dean Rhodes seconded the motion. There was no discussion and the motion passed unanimously.

12. DISCUSSION ITEMS:

1) New Park/Basketball Court:

Diane Rinks said that the City recently purchased the property located at 1055 Bridge Street for additional park land. The previous Council wanted to purchase a piece of property to be able to relocate the basketball court that was removed from Commons Park in order to improve the baseball field. Since the Council has changed, there needs to be a discussion about the use for this property.

Bob Cullen said that during the last budget process, there was discussion about improving the ball field and Commons Park and the necessity to remove the basketball court in order to do that. The Council, Budget Committee and staff also recognized the importance of replacing that amenity (basketball court) somewhere else in town. When the opportunity to purchase this piece of property came up, it was the intention of the previous Council to place the basketball court at this location. He encouraged the new Council to move forward with this project (to develop a basketball court).

Nicholas Harris said that he would like to consider a skate park for this location (possibly in addition to a basketball court).

Bob Cullen said that during the parks master plan process, a skate park was discussed, but was not pursued because it targets a small demographic, and does not appeal to the community at large.

Mayor Chris Heisler said that there are already basketball courts at Wascher Elementary. He is not convinced that a basketball court is the best use for this property. He suggested putting some information in the water bills about this and asking for input from the community.

There was some discussion about a grant opportunity through the State Parks Department, which has deadlines for applying coming up in April.

Leah Harper asked if the neighbors have been informed about the possibility of this property becoming a basketball court, and staff said no. Nicholas Harris and Dean Rhodes said that they would like to see the neighbors informed about the proposed use of this property, and ask for their input.

Bob Cullen made a motion to move forward with the development of a basketball court on the property located at 1055 Bridge Street. The motion failed for lack of a second.

Nicholas Harris made a motion to notify adjacent property owners (to 1055 Bridge Street) informing them of the proposed use for this property, ask for their input, and put this item on the February Council agenda. Dean Rhodes seconded the motion. There was no more discussion and the motion passed unanimously.

2) Lafayette/Dayton Intergovernmental Agreement (IGA) Rewrite:

Diane Rinks said that the original Intergovernmental Agreement with the City of Dayton concerning the construction and operations of the joint water system was signed in 1995. There were a couple of subsequent addendums that detailed the ownership of the new infrastructure. Now that the project is near completion, it will be more efficient to rewrite the agreement to include the addendums, remove the now impertinent details, and also add new clarification on the ownership of well #5. The rewrite of this IGA has been in the works since 2006, both cities' attorneys have reviewed it, and the Dayton City Council has reviewed the draft IGA this past week, and agreed to the document, with formal adoption for both cities set for February. Discussion ensued. Exhibit A of the Intergovernmental Agreement provides a definition of who owns the different assets, and exhibit C is the Maintenance and Operation Agreement. This Intergovernmental agreement will come back to the Council in February for final approval.

3) Reservoir Planning/Watershed Improvements:

Diane Rinks said that she would like to start on the next step in the planning for a new reservoir, and have some geo-technical work done in the watershed (proposed site for new reservoir). It will cost about \$16,000 to have this work done, and this is included in the FY08-09 budget. This geo-technical work will confirm whether or not the new reservoir will be feasible on this site. After that, the next step would be acquiring an easement from the property owner, and then design work could begin.

The consensus of the Council was to move forward with the geo-technical work.

4) Snow Routes:

Because of the snow storm that occurred last month, Nicholas Harris has expressed some interest in determining snow routes for the City and a list of companies that are available to contract with for snow removal, in the event a major snow event occurs again. Chris Pagella asked about the possibility of adapting a city vehicle with the appropriate equipment for snow removal. Diane Rinks said that this is such an unusual event that the cost for the equipment would be significant. After some discussion, the priority streets for snow removal will be Madison Street, Bridge Street, and 7th Street.

5) Five Year Plan:

Diane Rinks provided the Council with a copy of the five year plan that was prepared by the previous Council for

their review. She is hoping to have some further discussions about this document over the next few months. Mayor Chris Heisler suggested to the rest of the Council that, if they haven't already, they should review the executive summary of the water master plan, as it answers a lot of questions and is a great source of information about the City's water system.

6) Schedule Orientation Session:

After some discussion, the Council decided to schedule an orientation session on Thursday, January 22, 2009 at 6:00 p.m. at City Hall.

13. COMMITTEE REPORTS:

None.

14. MAYOR'S REPORT:

None.

15. REVIEW OF HANDOUT MATERIAL:

None.

16. ADJOURNMENT:

Bob Cullen made a motion to adjourn. Dean Rhodes seconded the motion. There was no discussion and the motion passed unanimously. The meeting was adjourned at 9:53 p.m.

Minutes approved on this 12th day of February, 2009.

APPROVED:

ATTESTED:

Mayor Chris Heisler

Diane Rinks, City Administrator