

City of Lafayette
City Council Meeting Minutes
February 12, 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, Michael Roberts, Leah Harper, Dean Rhodes, and Chris Pagella.

Absent: Bob Cullen (excused) and Nicholas Harris.

City Staff Present: Diane Rinks- City Administrator, Jamie Rhodes- City Clerk.

Others: Chris Harper, Nicole Montesano- News Register, Beth Pagella, Randy Kashka, Mary Heisler, Sarah Schweiger, Tara Shelburne, Suzi Lorence, Bonnie Pursel, Philip Pursel, Darrell Flood, Angela Flood, Travis Johnson, Doug McGillivray- Yamhill County Emergency Manager, Janis Braich- McMinnville School District, Brenton Camac, Greg Schouweiler, Connie Wallace, Ken Jansen, Karen Jansen, Jeff Gregory, Christine Gregory, Dianne Shamburg, Sergeant Steve Warden, and approximately 5 others.

4. APPROVAL OF MINUTES:

Chris Pagella made a motion to approve the January 8, 2009 minutes as presented. Dean Rhodes seconded the motion. There was no discussion and the motion passed unanimously.

5. REVIEW PROCEEDINGS AND APPROVE MINUTES OF SPECIAL MEETINGS:

January 22, 2009 AND January 26, 2009.

Dean Rhodes made a motion to approve the January 22, 2009 and the January 26, 2009 minutes as presented. Chris Pagella seconded the motion. There was no discussion and the motion passed unanimously.

6. ADDITIONS AND DELETIONS:

Mayor Chris Heisler said that he would like to discuss the Council meeting agenda protocol. This will be discussed under agenda item 12(2)- Amended Council Rules. He also wanted to give a brief report on the special town hall meeting that was held on February 10, 2009. This will be discussed under agenda item (14)- Mayor's Report. Chris Pagella wanted to add the topic of a fuel log/trip report for City vehicles to the agenda. This will be discussed under agenda item 9(3)- Public Works Report.

There were no other additions or deletions.

7.a. PRESENTATION: Presentation of plaque to 5th Grade Pride Team:

Mayor Chris Heisler presented a plaque and individual certificates on behalf of the City Council to the Wascher Elementary 5th Grade Pride Team for their efforts in naming the City park at 15th/Grant Street as "Community Pride Park". Michelle Graham- School Counselor and Coordinator of the Pride Team, Larry Vollmer- McMinnville School District School Board Member, and Eloisa Torres- Assistant Teacher and parent were in attendance to thank the Council for recognizing the students for their efforts.

McMinnville School District Superintendent Mary Alice Russell:

Larry Vollmer and Janis Braich, both school board members, were in attendance at the meeting to speak on behalf of Superintendent Mary Alice Russell, who was unable to attend the meeting.

Janis Braich said that the school district is working on long-term planning and developing a "Vision 2020" plan to look at what the students should be accomplishing, where the school district has been and where they are going. They are looking for input from the community as to what that vision should be. A survey was distributed and asked people to participate and return it to the McMinnville School District. Larry Vollmer said that one thing they are doing now for high school students is offering programs that earn college credit. Discussion ensued. Wascher Elementary recently received a state award from the Oregon Reading Association for having an Exemplary Reading Program. Mayor Chris Heisler asked how the district is getting the word out about this project and the need for feedback. Janis Braich said that they are going to a lot of Council meetings, it's posted on the district website, in the newspaper, and advertisements are posted throughout the community. Larry Vollmer said that there will be a meeting at Wascher Elementary on March 5, 2009 at 7:00 p.m. to discuss this long term plan.

Doug McGillivray- Yamhill County Emergency Manager:

Doug McGillivray introduced himself as Yamhill County's Emergency Manager. He said that the purpose of emergency management is to help get the City and citizens [of Lafayette] prepared to cope with hazards and

disasters. He reviewed his handout that addressed the principles of emergency management: Definition, Vision, Mission, and Principles. The County's Emergency Plan will encompass Lafayette, but he needs to work with the City so he can figure out what will work for Lafayette and determine the City's needs. The purpose of a CERT team (Community Emergency Response Team) is to train them to be able to be prepared to protect themselves (and others) when disaster strikes. They are also a great resource to be the 'eyes and ears' for law enforcement and emergency responders so that they can be utilized in the most vital areas.

He wanted to let the Council know that the County has qualified for state disaster declaration because of the snowstorm last December. Anyone that experienced extraordinary expenses attributable to the snowstorm may be able to recover some of those expenses. Leah Harper asked about an interoperable communication system. Doug McGillivray said that there are different radio systems throughout the County. The different systems (agencies) cannot communicate to each other by radio. Mayor Chris Heisler asked about the City being able to recuperate some of the overtime costs related to the snowstorm. Doug McGillivray said that once the declaration is final, FEMA will assess each site/situation to determine eligibility for reimbursement. Bonnie Pursel asked if a flyer could be put in the next water bill about the upcoming CERT classes. The consensus of the Council was to allow the CERT classes to be advertised in an upcoming water bill.

Greg Schouweiler, 290 Canyon View Drive- asked if the potential FEMA money would cover damage to the roads (Canyon View Dr.) that were caused by the snowstorm but are just showing up now. Doug McGillivray said that if the damage was caused from the storm then it could be covered, but FEMA would have to make that assessment.

7.b. Public Hearings: Hazard Mitigation Plan:

Mayor Chris Heisler opened the public hearing at 7:32 p.m.

Diane Rinks said that the State of Oregon Office of Emergency Services in conjunction with FEMA, hired the URS Corporation (Anchorage, Alaska) to complete hazard mitigation plans for all of the County's in the state. It is a requirement of FEMA that before any mitigation funds can be made available, each County must have a hazard mitigation plan in place.

Diane Rinks gave an overview of the plan.

Mayor Chris Heisler reviewed the list of hazards in the plan, including floods, winter storm, landslide, fire, earthquake, volcano, and wind. The technological hazards were: destruction of utilities, transportation systems, and hazardous materials. Chris Pagella asked if the City adopted the County's (mitigation) goals during this process. Diane Rinks said that the goals are pretty general, but the City tried to concentrate on the actions to consider (whether the goals are ongoing or completed). Chris Pagella asked about planning/financing for some of the projects listed in the plan. Diane Rinks said she will review the list on an ongoing basis and will be part of the material given to the budget committee to consider.

There was no public input on this issue.

Mayor Chris Heisler closed the public hearing at 7:53 p.m.

8. CITIZEN INPUT ON NON-AGENDA ITEMS:

Travis Johnson, 1002 Market St.- asked if now is the time to speak about the development of a basketball court on Bridge Street. He was asked to wait until that discussion item came up on the agenda, and he would be given a chance to speak.

Sarah Schweiger, 710 Water Street and Tara Shelburne, 656 Water St.- asked how the Council felt about Heritage Days and wanted to know when it was going to happen again.

Leah Harper said that community events are a great asset, but she is not sure if it can happen right now. Mayor Chris Heisler said that if that is what the community wants, then he would like to see it happen in some form. It takes citizen involvement. It may end up being an event other than Heritage Days.

Diane Rinks said that the money is still in the budget for Heritage Days, and in order to be able to give that money to a group to continue Heritage Days, a group would need to file for a 501(c)(3) non-profit status. Heritage Days can no longer be a City function. It needs to be a separate organization.

Mayor Chris Heisler said that it will be addressed more during the budget process. Chris Pagella said that he would support the continuation of Heritage Days.

Bonnie Pursel asked if the \$900 that is currently in the budget for Heritage Days will remain there indefinitely. Diane Rinks said that it will as long as the budget committee budgets the money there.

9. DEPARTMENTAL REPORTS:

1) City Administrator report:

Diane Rinks said that the new sewer lift station pump for the Canyon View lift station should be delivered in about a week.

Dean Rhodes said that he noticed the legal opinion on the proposed charter has been posted on the website.

Diane Rinks said that we did get approval from the City Attorney yesterday, so it has been posted.

2) Accounts payable report:

Leah Harper said that she has asked that the payroll check register be included in the packets each month.

3) Public Works report:

Chris Pagella asked if fuel/trip logs are used in the City vehicles. Diane Rinks said that a log is kept at the tank anytime fuel is taken out recording the date, and which vehicle the fuel is put in. Chris Pagella said that he would like to see a trip log kept on each city vehicle to track mileage and gas usage. He said that he could provide a sample log to public works. Michael Roberts said that a daily log with start times and end times would give more detail and oversight about the uses of the vehicle. The consensus of the Council was that they would like to see Public Works start keeping fuel/trip logs.

4) Fire Department report:

There was no discussion on this report.

5) Sheriff report:

Sergeant Steve Warden discussed some of the current cases that are pending in Lafayette. Some of the taggers that have been in the area have been caught. The Sheriff's Department is working to heighten awareness in the community. Discussion ensued. Sergeant Warden also said that the department offers civilian ride alongs with the deputies if anyone is interested.

Mary Heisler, 1407 Madison St.- said that at the town hall meeting, people were concerned with the amount of gang activity in town and it may be helpful to hold a separate town hall meeting to discuss this issue.

Sergeant Warden said that he hasn't seen any true gang activity in town for years. However, tagging is one of the first warning signs of it. Michael Roberts suggested establishing neighborhood watch programs to try and discourage this type of activity. Sergeant Warden said that it is important for the community to be proactive.

10. LEGISLATIVE ACTIONS:

1) Ordinance No. 597- Building Code Inspection Operating Plan:

Diane Rinks said that the City is required to have a Building Code Inspection Operating Plan on file with the State. The legislature passed a new statute that establishes consistent forms and fees methodology requirements. It provides some standardization among the different jurisdictions. The City has always adopted the state's building code fees as our fee schedule.

Chris Pagella made a motion to adopt Ordinance 597, as presented. Michael Roberts seconded the motion. Diane Rinks read the ordinance by title only- 'An Ordinance amending Ordinance No. 506 and 558 regarding adoption of the City's Building Code Inspection Program and declaring an emergency.' Discussion- Mayor Chris Heisler asked why this is an emergency and Diane Rinks said that it is because the new regulations technically went into effect January 1, 2009. There was no more discussion and the motion passed unanimously.

2) Resolution 2009-01- Dayton/Lafayette Intergovernmental Agreement:

Diane Rinks said that this agreement specifies the ownership, financing, and shared costs of the wells and water treatment plant in the joint water project with the City of Dayton. There is no change to exhibit B (Financial), and exhibit C is the operation and maintenance guide. Dean Rhodes asked if this is the same as the one the Council saw in January. Diane Rinks said that there was one minor change in exhibit 'A', and reviewed that change. Chris Pagella asked how the City is repaying the \$600,000 loan to the City of Dayton. Diane Rinks said that it is a budgeted loan payment to the City of Dayton that is made every year. Diane Rinks reviewed the breakdown of the maintenance costs for the water treatment plant and how they are calculated. Michael Roberts made a motion to adopt Resolution 2009-01, as presented. Dean Rhodes seconded the motion. There was no more discussion and the motion passed unanimously.

Michael Roberts made a motion to take a 5-minute break. Chris Pagella seconded the motion. There was no discussion and the motion passed unanimously. A break was taken at 8:52 p.m. The meeting was called back to order at 8:58 p.m.

3) Resolution 2009-02- Building Permit Fees:

Michael Roberts made a motion to adopt Resolution 2009-02, as presented. Leah Harper seconded the motion. There was no discussion and the motion passed unanimously.

11. ACTION ITEMS:

None.

12. DISCUSSION ITEMS:

1) New Park/Basketball Court:

Jeff Gregory, 1019 Bridge St.- said that he has some concerns with a basketball court going in at 1055 Bridge St. He goes to bed early, and he has dogs that will bark if people are playing basketball next door. He had some concerns about security, what the City would do to protect the property, and whether there would be restrooms there.

Mayor Chris Heisler said that he is not sold on the idea of a basketball court at this location.

Dianne Shamburg, 1151 Washington St.- thanked the City for tearing down the old manufactured home on this property and she thinks a park would be nice there.

Michael Roberts said that there aren't plans to put in restrooms at this location.

Diane Rinks said that the property would be fenced, and shrubbery would be planted to help with noise.

Michael Roberts said that this is the only suitable property for a basketball court that is flat land.

Mary Heisler, 1407 Madison St.- said that in the 2004 Parks Plan, it looked like the basketball court was just supposed to be moved closer to the community center at Commons Park (out of the baseball field), and wondered why this wasn't done. She also wanted to know if the proposal for the 1055 Bridge St. property supposed to include park facilities in addition to the basketball court. Diane Rinks said that there won't be a lot of room left there if a basketball court and parking is put in, but they would hope for enough room to put a picnic table, a little grass area, and some type of play equipment.

Diane Rinks said that this property is a nice location for a basketball court to be utilized by multiple subdivisions and the Budget Committee has discussed it for 2 years, and the decision was made to make the improvements to the ballfield and relocate the basketball court. Mayor Chris Heisler said that he doesn't feel that this project should be rushed into, because there are a lot of good projects in the parks plan that should be pursued. Discussion ensued.

Travis Johnson, 1002 Market St.- said that he is in favor of a park or a basketball court at this location, but the City needs a basketball court somewhere.

Angela Flood, 287 Canyon View Dr.- said that the Budget Committee did decide to allocate \$40,000 towards a retaining wall at Perkins Park to begin the project to make the property ready for a basketball court. That money has since been used on a different project, without the consent of the Council.

Dean Rhodes said that the people that have written letters and come to the meeting tonight have deep concerns about a basketball court being put at 1055 Bridge St., but seem to be OK with the idea of a park there. It does seem like a good place for a park. He wanted to know if this grant would be available for the development of a park.

Diane Rinks said that the chances would be better to apply for the grant for a basketball, because those funding the grant are looking to fund active uses rather than passive uses.

Chris Pagella said that he agrees that it is important to have a basketball court, but there might be other options. He asked if it would be possible to ask Joe Green for land to construct a basketball court. He suggested deferring a decision to a later time.

Discussion ensued.

Chris Pagella made a motion to table this discussion and defer the decision on the construction of a basketball court and the use of the property at 1055 Bridge St. to a later date (to be determined). Dean Rhodes seconded the motion. There was no more discussion and the motion passed unanimously.

2) Amended Council Rules:

Mayor Chris Heisler said that he would like to see some changes made to the agenda regarding public input. He had a concern about removing the section of the Council Rules that states that a citizen can place something on an agenda.

Diane Rinks said that the public addresses the Council and if the Council feels the issue needs placed on an agenda, then they can do that. The issue can also be directed to staff to handle outside of a meeting.

Leah Harper said that it is something that other cities do and the Council just needs to set a protocol.

Chris Pagella suggested leaving the rules as it is for one more month and take all requests for agenda items and see if leaving this in the rules causes any problems.

Mayor Chris Heisler said that he would like to leave the sentence in the rules about allowing members of the public to request that a matter be placed on an agenda. Chris Pagella questioned why members of the public couldn't go to a council member with these requests and allow time to prepare to deal with the concern. Mayor Chris Heisler said that a log should be kept with the requests that come in, and it should not be up to one person to decide whether an issue is placed on an agenda. Discussion ensued.

Angela Flood, 287 Canyon View Dr.- said that a year and a half ago, she had requested to be placed on the agenda to discuss a list of grievances she has with the City Administrator and she is still waiting for a response.

She questioned what the repercussions are if the Council violates the Council Rules, and if there are none, she asked the Council to consider whether there should be.
Brenton Camac, 1402 Madison St.- said that there needs to be some “checks and balances” and if something is decided to not be put on an agenda, then the public should be made aware.
Chris Pagella said that some things do not need to be put on an agenda, and can be handled in other ways. The requests should be filtered.
Discussion ensued again on this topic.
Michael Roberts made a motion to accept the proposed Council Rule amendments, as presented. Dean Rhodes seconded the motion. Discussion- Mayor Chris Heisler said that he would like to see #3 and #4 switched in Section 5.2.1.
Michael Roberts agreed to amend his motion to include the amendment to Section 5.2.1 as suggested by Mayor Heisler. Dean Rhodes seconded the amendment to the motion.
Leah Harper said that she would like to change the wording on ‘Citizen Input on non-agenda items’ on the agenda itself. This item will be discussed at a later time.
There was no more discussion and the motion passed unanimously.

3) Community Center Proposal:

Michael Roberts made a motion to accept Mary Heisler’s proposal for creating a volunteer position of Community Center manager and assigning Bonnie Pursel as the volunteer Community Center manager. Chris Pagella seconded the motion. Discussion- Diane Rinks said she doesn’t see a reason to have a phone installed at the Community Center because scheduling will not be a part of the position. Michael Roberts amended his motion to remove the installation of a phone from the proposal. Chris Pagella seconded the amendment to the motion. There was no more discussion and the motion passed unanimously.

13. COMMITTEE REPORTS:

None.

14. MAYOR'S REPORT:

Mayor Chris Heisler passed out a summary of the highlights from the Town Hall Meeting that was held on February 10, 2009. The attorney’s opinion was reviewed and amended with some slight changes suggested by the Secretary of State’s Office and has been posted on the City’s website.

15. REVIEW OF HANDOUT MATERIAL:

None.

16. ADJOURNMENT:

Michael Roberts made a motion to adjourn. Leah Harper seconded the motion. There was no discussion and the motion passed unanimously. The meeting was adjourned at 10:40 p.m.

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

APPROVED:

ATTESTED:

Mayor Chris Heisler

Diane Rinks, City Administrator