

**City of Lafayette**  
**City Council Meeting Minutes**  
**March 13, 2018 at 6:30 p.m.**

1. **CALL TO ORDER:** Mayor Pagella called the meeting to order at 6:30 p.m.
2. **FLAG SALUTE:** Mayor Pagella led the flag salute.
3. **ROLL CALL:** Angela Speier, Assistant City Administrator called the roll.  
*Present:* Chris Pagella, Marie Sproul, Stan Kosmicki, Chris Harper, David Sword, Doug Cook  
*Absent:* one vacancy  
*City Staff Present:* Preston Polasek, City Administrator; Angela Speier, Assistant City Administrator; Terry Lucich, Fire Chief  
*Others:* Christin Brungardt, Don Leard, Darrell and Angela Flood, Crystal Poulson, Robert Byrne, Rick and Kim Meyer, Debby Miller, Pat Randall, Bill Larson
4. **REPORT FROM YAMHILL COUNTY SHERIFF'S OFFICE:** None.
5. **APPROVAL OF MINUTES:** Councilor Cook made a motion to approve the minutes of the February 8, 2018 City Council meeting. Councilor Sword seconded the motion. There was no discussion and the motion passed unanimously (5-0).
6. **ADDITIONS TO OR DELETIONS FROM AGENDA:** None.
7. **CITIZEN INPUT ON NON-AGENDA ITEMS:** None.

8. **ACTION ITEMS:**

a. **Initiative Petition 2017-01, Allowing Backyard Chickens and Rabbits**

Initiative Petition 2017-01 has qualified for the ballot, thus Council has to consider either adopting the initiative, placing a competing measure on the ballot, or taking no action. Staff is recommending that Council take no action and refer it to the voters in November. The City Attorney prepared the ballot title and the explanatory statement based on the petition. The signatures were not verified in time for the measure to be referred to the May ballot.

Councilor Sword moved to take no action on Initiative Petition 2017-01 and refer it to Lafayette voters during the November 6, 2018 General Election. Councilor Kosmicki seconded the motion. Debby Miller, 1536 N Jefferson Street and Bill Larson explained issues that their pest control company has seen as a result of chickens being allowed in Portland. He said that he is seeing a bigger rat infestation due to the lack of cleanliness of chicken coops which can impact neighboring houses as well. Christine Brungardt commented that Lafayette is one of nine cities in Oregon that ban chickens currently and the only one in Yamhill County. The motion passed 4-1, with Councilor Harper voting no.

b. **Resolution 2018-04, Explanatory Statement for Water Intertie Project**

City Council approved the ballot title for the water intertie measure at the February meeting and is now being asked to review the explanatory statement for approval. The measure needs to be sent to the County Clerk's Office by March 15<sup>th</sup>. Staff discussed the 15-year financial plan to fund water capital improvement projects and how this project fits into that plan. There is not another water source that the City could access. Discussion ensued about the regional water system and how this intertie will serve as the connection to the regional plant once it is built and

will supplement Lafayette's water source in the meantime. Don Leard, 220 Madison, noted that the idea of connecting Lafayette and McMinnville has been discussed since 1985.

Councilor Sword made a motion to approve Resolution 2018-04, May 2018 explanatory statement to be submitted for the ballot measure captioned: Construction of intertie to expand water supply to the City. Councilor Harper seconded the motion. Staff noted that the tentative supply agreement includes a caveat that it must be approved by the voters in order for the intertie to be built. There was no further discussion and the motion passed unanimously (5-0). Council directed staff to draft a colorful brochure that explains the water intertie project to be mailed to Lafayette residents in late April/early May separate from the utility bill.

**c. Resolution 2018-05, Sprint Franchise Renewal**

Staff reported that this draft franchise, if approved, will replace the five-year extension to the previous franchise. The agreement includes more modern language and addresses more issues than the previous franchise. Sprint has agreed to a rate increase of 26.5 percent. The franchise is for right-of-way (ROW) occupation and is more of a privilege tax and would be valid for ten years, with an option to renew. Under this agreement Sprint would pay \$2.25 per linear foot for ten years, that amount wouldn't change unless the city limits grow. There is a cost associated with maintaining the ROW and franchises allow cities to receive compensation to do that on behalf of the citizens.

Councilor Sproul moved to adopt Resolution 2018-05, granting a non-exclusive franchise to Sprint Communications Company L.P., to use the public rights-of-way for the placement of non-cable telecommunications facilities. Councilor Kosmicki seconded the motion. There was no further discussion and the motion passed unanimously (5-0).

**d. Parks Maintenance Contract to Lone Fir Landscaping, LLC**

Staff directed Council to the two-year contract located in the Council packet. The City would pay \$39,177 for the first year of the contract; the second year would increase 4.2% for a CPI adjustment. Staff reviewed the areas that are not covered by this contract, including: Terry Park, playground structures, above ground structures, garbage receptacles, and doggy bag stations. These will be maintained by the Public Works Department. Council voiced concern about keeping weeds out from under the play structures and stressed the importance of regular maintenance of those areas.

Pat Randall noted that she attended a community service event where the Cub Scouts were volunteering to pick up garbage at Joel Perkins Park. She said that all the garbage receptacles were overflowing, the play structures were a mess, and the picnic shelter was filthy. She said it looked terrible and that she was embarrassed by the condition of the park. Staff explained that Public Works will be fully staffed next week and that Joel Perkins Park will look beautiful for the East Egg Hunt at the end of the month. Mr. Polasek explained the Public Works staffing level over the last six years and how park duties got rotated between employees. Angela Flood requested the City keep a list of chemicals the company will be using to spray for weeds at the parks.

Councilor Sword made a motion to approve the two-year contract for parks maintenance with Lone Fir Landscaping, LLC and authorized the City Administrator to execute the contract. Councilor Cook seconded the motion. There was no further discussion and the motion passed unanimously (5-0).

**e. Grant Request from Yamhill County for Public Transit**

This request is from Yamhill County to help pay for new transit buses. Councilor Sword serves on the Yamhill County Transit Area (YCTA) Board and noted that this request is crucial and has been sent to all communities that are served by Yamhill public transit. The YCTA staff is researching ways to improve their service to the community through surveys and demonstrations and Councilor Sword encouraged everyone to participate.

Councilor Sword moved to provide YCTA a matching funds grant in the amount of \$3,054 to support the purchase of new public transit buses. Councilor Harper seconded the motion. There was no further discussion and the motion passed unanimously (5-0).

**f. Proscriptive Level I Water Curtailment for Summer 2018**

Staff explained that Council discussed this subject in January and at that time there was consensus that the City would move forward with a proscriptive level I restriction. The purpose of doing this is to try and avoid further curtailment in the summer months. It also allows residents to plan their landscaping needs and addresses a lot of the concerns voiced by residents last fall.

Councilor Sword moved to direct staff to implement a proscriptive level I water use curtailment on July 2, 2018. Councilor Harper seconded the motion. There was no further discussion and the motion passed unanimously (5-0).

Council took a break at 8:03 p.m. and returned to regular session at 8:10 p.m.

**9. DISCUSSION ITEMS:**

**a. Statement of Economic Interest (SEI)**

Staff noted that this is a reminder to Council to file their annual SEI with the Oregon Government Ethics Commission (OGEC) by April 15, 2018. The individuals that need to file will receive an email on March 15<sup>th</sup> from the OGEC announcing the opening of the filing period. Staff will email Council the link to the SEI log-in page.

**b. Sponsorship for National Night Out Event on August 7, 2018**

Angela Flood referred to the letter in the Council packet and reviewed the list of requests for the City to do prior to the event. She noted that City waived the fees to use the Community Center and Commons Park for the event. The Mayor read a letter from Chief Lucich and fire department volunteers in response to Ms. Flood's proposal on providing retirement to volunteer firefighters. The volunteers feel that if someone wants to help, they should support and advocate for a new fire station. Ms. Flood said that the two issues should be separate and this event is about community building. She said that the citizens rejected that bond because of money and the way it was presented.

Staff distributed a revised staff report that recommends that the City not sponsor this event due to past actions of the coordinators, Angela and Darrell Flood. Mr. Polasek explained that these past actions pose a significant liability to the City and puts the City at too great of risk if past actions are repeated. He explained that these actions include personal attacks on volunteers, use of hate speech, repeated public meeting disruptions over false information about city finances, and outbursts of anger. Mr. Polasek gave a number of examples of this behavior through the years.

Councilor Sword moved that the City not become a sponsor of the National Night Out event as requested. Councilor Sproul seconded the motion. There was no further discussion and the motion passed unanimously (5-0). The coordinators can still go forward with the event, but the City will not be a sponsor.

**c. Public Safety Bond for Fire Station/City Hall**

Staff needs direction from City Council on how they would like to proceed with a future bond measure. Council agreed to hold a Work Session on the topic Tuesday, March 20, 2018 at 6:30 p.m. Ian Gelbrich, Project Architect with FFA Architecture and Interiors is available to attend Tuesday and will provide input and guidance on the next steps.

**10. DEPARTMENT REPORTS:**

- a. Public Works:** Councilor Kosmicki asked about the possibility of adding a fence on the north side of Veterans Park. The City is still waiting on the HOA documents from the developer to see if fencing will be required around the properties.
- b. Water Consumption/Distribution:** The water loss data is not verified and will be discussed further at the next Water Resources Committee meeting.
- c. Administration:** Pat Randall provided Council with an update on the volunteer efforts regarding graffiti removal. She said that she has heard very positive feedback from neighbors and the majority of it has been removed. Council thanked Pat for the report and for her efforts. Staff will be attending a Small Cities Region II meeting in Donald on March 22, 2018. The Public Works Supervisor started last week and two new public works employees will start next week. The Bridge Street Sidewalk project has been re-bid and the bids will be opened at the end of the month. If the bids come back high again, then that money will be used for street overlays next year. The renters moved out of the duplex. In response to the comment card in the packet, staff noted that the Jefferson Street potholes have been filled and it is a good candidate to be paved next year.

**11. COMMITTEE REPORTS:** None.

**12. COUNCILOR'S REPORTS:** None.

**13. MAYOR'S REPORT:** None.

**14. EXECUTIVE SESSION** per ORS 192.660(2)(i) to review and evaluate the employment-related performance of the chief executive officer of any public body. Mayor Pagella read the executive session script and Council entered into executive session at 9:00 p.m.

Council returned to regular session at 9:37 p.m.

**15. ADJOURNMENT:** Councilor Kosmicki made a motion to adjourn the meeting. Councilor Sword seconded the motion. The motion passed unanimously (5-0) and the meeting adjourned at 9:37 p.m.

**Minutes approved on 12<sup>th</sup> day of April, 2018.**

CERTIFIED:

  
Chris Pagella, Mayor

ATTESTED:

  
Angela Speier, Assistant City Administrator