

City of Lafayette
City Council Meeting Minutes
May 10, 2018 at 6:30 p.m.

1. **CALL TO ORDER:** President Sproul called the meeting to order at 6:30 p.m.
2. **FLAG SALUTE:** President Sproul led the flag salute.
3. **ROLL CALL:** Preston Polasek, City Administrator called the roll.
Present: Marie Sproul, Doug Cook, Chris Harper, Stan Kosmicki, David Sword, Wade Witherspoon
Absent: Chris Pagella (excused)
City Staff Present: Preston Polasek, City Administrator; Terry Lucich, Fire Chief
Others: Greg Goularte, Don Leard, Adam Bertram, Lisa Cook, Rick and Kim Meyer, Dustin and Christine Brungardt, Jim Jacks, City Planner, Mid-Willamette Valley Council of Governments; Ian Gelbrich, Project Architect, FFA Architecture and Interiors
4. **REPORT FROM YAMHILL COUNTY SHERIFF'S OFFICE:** Councilor Kosmicki noted that there is a new deputy assigned to Lafayette and staff will encourage the deputies to continue to attend the Council meetings to provide updates on what is happening in the community.
5. **APPROVAL OF MINUTES:** Councilor Cook made a motion to approve the minutes of the April 12, 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. **PUBLIC HEARING:**
 - a. **Ordinance no. 635, Amending the Land Development and Zoning Code to allow Accessory Dwelling Unit and House of Worship Residential Uses**

President Sproul opened the public hearing on Ordinance 635, amending the Land Development and Zoning Code to allow accessory dwelling unit (ADU) and house of worship residential uses at 6:35 p.m. Jim Jacks, City Planner reviewed the staff report and explained that these changes are necessary to comply with Senate Bill (SB) 1051, passed by the 2017 Legislature.

Mr. Jacks explained one change that has occurred since the Planning Commission has finished their review and it is needed in order to be consistent with the language in SB 1051. SB 1051 requires that cities of 2,500 or greater allow one ADU per detached single family dwelling, previously the Planning Commission recommended one ADU per single family lot. The bill also states the properties must be located in a residential zone and that each jurisdiction can impose reasonable local regulations relating to siting and design. The Lafayette Planning Commission held three work sessions and a public hearing on this topic and is recommending the following regulations:

 - The owner of the property must occupy one of the two dwellings, either the main house or the ADU.
 - House of Worship has replaced church in the code language and follows the state requirement for affordable housing options on the property.
 - Require one off-street parking spot.

- An ADU may be detached, an addition to the primary dwelling, or the conversion of a portion of the primary dwelling, but an attached or detached garage may not be converted to an ADU.
- Increase the size of the ADU from 800 to 1,000 square feet or 50 percent of the primary dwelling and cannot exceed the height of the primary dwelling.
- Multiple design elements, such as set-backs, location on the property, and architectural standards that must be met.
- A site development review will not be required for an ADU.

Council will still need to address, through the Lafayette Municipal Code, utility requirements and if system development charges will be assessed for these types of units.

Rick Meyer, 866 16th Street

Mr. Meyer asked about how an ADU will be addressed for emergency responders? Mr. Jacks noted that addressing is not part of the development code.

Don Leard, 220 Madison Street

Mr. Leard asked about the parking requirements and how those will be calculated. Mr. Jacks noted that the garage does not count as a parking space, only the two drive way spots would count towards off-street parking. The Public Works Construction Code will also need to be updated to allow two drive ways.

Council discussed the recommended change in size of the ADU and directed staff to go back to the previous version of a maximum size of 800 square feet of gross floor area, or 40 percent of the primary dwelling's gross floor area. Mr. Jacks noted that the minimum size of an ADU is set through the requirements in the Oregon Residential Specialty Code. Council also directed staff to require three architectural standards for an ADU, instead of two. Councilor Harper said that the Planning Commission did an excellent job on the code changes and appreciated their hard work. Councilor Sword recommended Council send the Planning Commission a thank you note for their efforts.

President Sproul closed the public hearing at 7:55 p.m. Councilor Sword made a motion adopting the staff report with changes made by the City Council and approving the following amendments, changing the maximum size to 800 square feet and requiring three architectural standards for an ADU. Councilor Harper seconded the motion. There was no further discussion and the motion passed unanimously (5-0).

President Sproul conducted the first reading, by title only, of Ordinance 635, an ordinance amending the Lafayette Zoning and Development Ordinance to allow ADU's and House of Worship residential uses (LA 2018-01). The second reading will occur at the June City Council meeting.

9. ACTION ITEMS:

a. Resolution 2018-06, Water System Development Charge (SDC) Increase

Mr. Polasek reminded Council that this item was discussed at the last meeting. Council postponed a decision at that meeting due to a potential discrepancy between the new fee schedule and the Public Works Design Standards. The Public Works Design standards require a one inch water service lateral for both residential and commercial, but the meter size could be smaller. If the commercial use changes and the new use will require more water, the meter size would go up and they would pay the difference in SDCs.

The proposed changes will make calculating Water SDCs much simpler for the City, and easier for developers to understand how the charges are calculated. The meter size is based on the number of fixtures the building is going to have. Staff noted that Resolution 2018-06 applies to all dwelling units, thus ADU's would need to pay SDCs and be metered separately.

Councilor Kosmicki made a motion to approve Resolution 2018-06, increasing the water system development charges effective July 1, 2018. Councilor Cook seconded the motion. There was no further discussion and the motion passed unanimously (5-0).

b. Law Enforcement Services Contract for FY 2019

Councilor Sword moved to approve the law enforcement services agreement with Yamhill County Sheriff's Office in the amount of \$263,751 for fiscal year 2018-2019 and authorized the Mayor to execute the agreement. Councilor Harper seconded the motion. There was no further discussion and motion passed unanimously (5-0).

c. YRWA Expense in Support of Stored Water Allocation for Municipal Uses

Mr. Polasek explained that this was discussed at the last regional meeting in April. The YRWA heard a presentation from GSI and the Oregon Water Utility Council regarding a study being conducted by the Army Corps of Engineers regarding the allocation of stored water in their jurisdiction. Currently the proposal for the amount of stored water to be allocated for municipal and industrial use is five percent. Through the lobbying efforts of the League of Oregon Cities, Special Districts Association, and the Oregon Utilities Council they are hoping to increase that allocation to ten percent. In order to support these advocacy efforts the YRWA is being asked to contribute \$10,685 and Lafayette's share would be \$1,175.

Councilor Harper made a motion to approve approximately \$1,175 for advocating to the Army Corps of Engineers in support of stored water allocation for municipal and industrial use. Councilor Kosmicki seconded the motion. There was no further discussion and the motion passed unanimously (5-0).

d. City Administrator COLA and Merit for FY 2019

President Sproul said that Council needs to discuss and decide the COLA and merit bonus for the City Administrator. The COLA for this year is 4.2 percent and the merit bonus can be between 0-4 percent of annual salary on June 30, 2018.

Councilor Harper made a motion to approve for the City Administrator an annual COLA of 4.2 percent, effective July 1, 2018, and a one-time merit compensation of four percent, which equates to \$3,705.60, and is payable with the first paycheck in July 2018. Councilor Cook seconded the motion. There was no further discussion and the motion passed unanimously (5-0).

10. DISCUSSION ITEM:

a. Fire Station Bond Option for November 2018

At the last Council meeting staff was directed to present cost options for a fire station only. Council discussed trying to keep the bond around \$5 million without sacrificing the functionality and lifespan of the Fire Station as currently designed. Mr. Polasek explained the importance of having a fire station in Lafayette and being able to respond to any emergency in the City within five minutes or less. Who staffs the facility doesn't matter at this time, but a station is essential to guaranteeing quick response time.

Ian Gelbrich, Project Architect reviewed the presentation that is located in the packet. The direction that he received was to evaluate costs for a fire station only option to help Council

determine the price and scope. He reviewed the baseline cost for the original project which included the City Hall. The total cost for the project was approximately \$8.2 million which included a \$420.16 per square foot building construction cost, site costs, and soft costs. In order to figure out a rough cost estimate for a fire station only Mr. Gelbrich reduced the site cost and soft costs, and carried over the \$420.16 per square foot. The proposed fire station is 10,500 square feet and is estimated to cost \$5.5 million.

For comparison purposes Mr. Gelbrich reviewed fire stations that are currently being built by Tualatin Valley Fire and Rescue and Clackamas County Fire District. The key takeaway is the dollar per square foot cost, which on average is \$547.21. The Lafayette station would be very comparable to these stations in size and function. Taking these stations into consideration the estimated cost for a new fire station could be \$5.5 - \$6.3 million. Discussion ensued about what amount would be favorable to the voters. If the bids come back higher than what the voters approve the City could fund the remaining amount through internal funds, loans, and possible grants. If the Council doesn't want to make up the difference, then the City would have to look for ways to cut back the project at that time. Staff explained how the cost of the bond measure would go down as more houses get built in the City, because more people are paying into the system the amount per \$1,000 would go down.

Mr. Polasek noted that the City should wait and pay for any redesign of the facility until after the approval of the bond. Council decided that due to the rise in the cost of construction it would be best to go for a fire station only option in November. Also, by going in November the City would not have to pay for election costs.

Councilor Kosmicki made a motion to submit to the voters for approval a general obligation bond for \$5.2 million for a fire station only. Councilor Sword seconded the motion. Council discussed the amount and reiterated that this will likely be the last opportunity to ask the voters for their support. Councilor Sword commented that educating the voters will be important to the success of the bond measure. Discussion ensued about the type of education efforts. The motion passed 4-1, with Councilor Witherspoon voting no. Councilor Witherspoon felt that keeping the amount under \$5 million is important to its success. Staff roughly calculated the cost per month at \$5.2 million and it would be about \$15 per month for a house assessed at \$180,000. After this meeting staff will reengage the Municipal Advisor and Bond Counsel to get a more accurate property tax rate per \$1,000 of assessed valuation.

After the discussion the Council decided to revote on the amount. Councilor Harper made a motion to submit to the voters for approval at the November 2018 General Election a bond in the amount of \$5.2 million for a fire station only. Councilor Kosmicki seconded the motion. There was no further discussion and the motion passed unanimously (5-0).

Council took a break at 9:56 p.m. and returned to regular session at 10:01 p.m.

11. DEPARTMENT REPORTS:

- a. Public Works:** Councilor Cook asked about the leaks in the Public Works report. Mr. Polasek said that there have not been very many and they have not been major.
- b. Water Consumption/Distribution:** Councilor Cook explained the water distribution report and the new information that is included. Staff reiterated that the water loss shown in this report is likely a paper loss and Konrad Dimmitt, Public Works Supervisor has been working with Gordon Munro, City Engineer to investigate the meters up in the watershed.

- c. **Wastewater Treatment:** Mr. Polasek noted that the City is progressing on the biosolids disposal. Staff is working on updating the City's Biosolids Master Plan per DEQ. After that process is complete the City will be continue with the farm application process.
- d. **Administration:** Staff will pursue getting a fence installed on the north side of Veteran's Park. The repairs to the vacuum truck will be completed early next week. Angela Speier is out this week for leadership training. The Annual Clean-up Day will be on Saturday, May 12 from 8-10 a.m. Located at the Council station is information about a training that is taking place on June 14 through the League of Oregon Cities for elected officials.

12. **COMMITTEE REPORTS:** None.

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

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

15. **ADJOURNMENT:** Councilor Harper made a motion to adjourn the meeting. Councilor Kosmicki seconded the motion. The motion passed unanimously (5-0) and the meeting adjourned at 10:28 p.m.

Minutes approved on 14th day of June, 2018.

CERTIFIED:


Chris Pagella, Mayor

ATTESTED:


Angela Speier, Assistant City Administrator