

***City of Lafayette***  
**City Council Meeting**  
June 14, 2012—6:30 p.m. held at the  
Lafayette City Council Chambers at 486 Third Street, Lafayette, Oregon

INVOCATION by Dax Garlinghouse, Lafayette Community Church. The invocation was given after the Citizen Input on Non-Agenda Items, as the speaker was late arriving.

**I. CALL TO ORDER**

Mayor Heisler called the meeting to order at approximately 6:30 p.m. on June 14, 2012.

**II. FLAG SALUTE**

Mayor Heisler led the flag salute.

**III. ROLL CALL**

Assistant to the City Administrator Maben conducted the roll call of the Council:

Mayor Heisler, present; Councilor Pagella, present; Councilor Harper, present; Councilor Joy, present; Councilor Smith, present; Councilor Sproul present.

City Staff Present: City Administrator Polasek, present; Asst. to the City Administrator Maben, present.

Audience Attendance: Joseph Cook, WOW General Manager; Don and Janice Leard; Mary Heisler; G. Doug Cook; Angela Flood.

**IV. REPORT FROM YAMHILL COUNTY SHERIFF'S OFFICE**

Deputy Rice provided the Council with a report on Lafayette crime data. In addition, he explained that city ordinance violation letters were mailed last month and that he is now doing follow-up to these letters. He explained that the prescription pill drop off box has arrived at City Hall, but will need installed.

**V. MINUTES OF PREVIOUS MEETINGS**

Councilor Pagella moved to approve the minutes of the September, 8, 2011 Regular Meeting; April 30, 2012 Budget Committee Meeting; and the May 24, 2012 Regular Meeting with corrections as listed. Councilor Smith seconded. Motion carried 5-0. (Councilor Harper, aye; Councilor Joy, aye; Councilor Pagella, aye; Councilor Smith, aye; Councilor Sproul, aye).

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CORRECTIONS: May 24, 2012 Regular Meeting—Councilor Harper advised that on page 2, third row, that the word “require”, should be changed to “charges”. Doug Cook also explained that page 4 should reflect his position on the Planning Commission as “Vice Chair” instead of “Chair”.

**VI. ADDITIONS TO OR DELETIONS FROM AGENDA**

Mayor Heisler advised that he planned to move items around on the agenda so that those in the audience on specific items would not have to wait too long. The items on the agenda to be moved are the Right-of-Way Dedication and Easements with the Leards, Waste Disposal Rates, and Appointments to Boards and Committees.

\* For organization in the minute keeping, these changes will be listed in their original agenda order.

**VII. CITIZEN INPUT ON NON-AGENDA ITEMS**

CONCERN OVER INVOCATIONS

Angela Flood expressed concern over the invocations held at the Council meetings. She stated that the invocation is not the business of the city and that she would like to register her objection to the invocations.

LIBERTY BELL

Mary Heisler asked the Council to consider resurrecting the Liberty Bell (replica) in front of City Hall and to check into having it restored.

Mayor Heisler directed the staff to locate the bell and to place this item on the next agenda for discussion.

**VIII. PUBLIC HEARINGS**

RESOLUTION 2012-07—ELECTION TO RECEIVE STATE REVENUE SHARING

Mayor Heisler opened the public hearing. There were no comments either in favor nor in opposition. Mayor Heisler closed the public hearing.

Councilor Smith moved to approve Resolution 2012-07 Declaring the City’s Election to Receive State Revenues. Councilor Pagella seconded. Motion carried 5-0. (Councilor Harper, aye; Councilor Joy, aye; Councilor Pagella, aye; Councilor Smith, aye; Councilor Sproul, aye).

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RESOLUTION 2012-06—ADOPTION OF THE FY 2013 BUDGET, MAKING  
APPROPRIATIONS, AND IMPOSING TAXES

Mayor Heisler opened the public hearing. There were no comments either in favor nor in opposition. Mayor Heisler closed the public hearing.

Councilor Smith moved to approve Resolution 2012-06, Adopting the City of Lafayette Budget for Fiscal Year 2012-2013, making appropriations, and imposing taxes at the permanent rate of \$3.4857 per \$1,000 assessed valuation. Councilor Sproul seconded. Motion carried 5-0. (Councilor Harper, aye; Councilor Joy, aye; Councilor Pagella, aye; Councilor Smith, aye; Councilor Sproul, aye).

IX. ACTION ITEMS

RESOLUTION 2012-03—REPEALING RESOLUTION 2011-21 TRANSFER OF  
MONIES WITHIN THE STREET FUND

City Administrator Polasek explained that this Resolution was established in anticipation of work beginning in FY 2011-2012 on the 3<sup>rd</sup>/Madison Street project. He explained that the project will actually begin in FY 2012-2013 therefore the Resolution needs to be repealed.

Councilor Harper moved to repeal Resolution 2011-21. Councilor Smith seconded. Motion carried 5-0. (Councilor Harper, aye; Councilor Joy, aye; Councilor Pagella, aye; Councilor Smith, aye; Councilor Sproul, aye)..

RESOLUTION 2012-04 CITY GRANT POLICY

(note: language in bold was added, strikethrough was deleted)

Mayor Heisler asked that the language be adjusted in #3 of the Resolution to “**Approval and/or** funding for City Grant may be increased or decreased **or denied** during the fiscal year by the City Council”. ~~depending on the merit of an untimely request and the availability of funds”.~~

Councilor Pagella moved to approve Resolution 2012-04-City Grant Policy with the recommended changes. Councilor Harper seconded. Motion carried 5-0. (Councilor Harper, aye; Councilor Joy, aye; Councilor Pagella, aye; Councilor Smith, aye; Councilor Sproul, aye)..

RESOLUTION 2012-05 WORKER’S COMPENSATION COVERAGE FOR  
VOLUNTEERS

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City Administrator Polasek explained that each year the Council determines by Resolution whether or not to extend worker's compensation coverage to volunteers, and that for the current fiscal year the coverage was extended to all qualified volunteers. He also advised that the cost of this coverage is minimal, but that future rates could be increased if a volunteer is injured and receives workers compensation.

Councilor Sproul moved to approve Resolution 2012-05, approving workers compensation coverage for volunteers for FY 2013. Councilor Joy seconded. Motion carried 4-1. (Councilor Harper, aye; Councilor Joy, aye; Councilor Pagella, aye; Councilor Sproul, aye; Councilor Smith, nay).

**RESOLUTION 2012-08 APPROVING WASTE DISPOSAL RATES EFFECTIVELY  
JULY 1, 2012**

Joseph Cook, General Manager, explained the rate sheet (exhibit A) which was distributed to the Council showing the current and proposed rates to be effective July 1, 2012. In addition he discussed the CPI reporting, and the annual percent change in the CPI-U (West B/C). He explained that Western Oregon Waste is proposing to apply the contracted CPI adjustment and also proposes to change the rates for contracted services to reflect changes in the rates charged to WOW (Western Oregon Waste) by those contractors, this would include medical waste rates and the drop box ton rates.

Councilor Harper asked if rates were being increased or adjusted with every city that contract with WOW. He answered, yes and that they had to increase one particular city by 18%.

Councilor Smith moved to approve Resolution 2012-08 approving Western Oregon Waste rates effective July 1, 2012. Councilor Sproul seconded. Motion carried 4-1. (Councilor Harper, aye; Councilor Pagella, aye; Councilor Smith, aye; Councilor Sproul, aye; Councilor Joy, nay).

**APPROVE RIGHT-OF-WAY DEDICATION AND EASEMENTS WITH DON AND  
JANICE LEARD**

City Administrator Polasek explained that approval of the right-of-way dedication and easements is necessary before awarding a contract to reconstruct the Third/Madison intersections. The dedication will accommodate the turning radius needed for the eastbound on Third Street to Madison Street truck route. The three easements are required for sidewalk placement on Madison Street, Third Street and Second Street.

Councilor Sproul moved to approve the right-of-way dedication and three sidewalk easements from Don and Janice Leard and authorize the City Administrator to execute and record said documents. Councilor Smith seconded. Motion carried 5-0. (Councilor

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Harper, aye; Councilor Joy, aye; Councilor Pagella, aye; Councilor Smith, aye; Councilor Sproul, aye)..

THERE WAS A BREAK IN THE MEETING AT 7:10 P.M. IN ORDER TO  
NOTORIZE THE DOCUMENTS. MEETING RESUMED AT 7:20 P.M.

AWARD CONSTRUCTION CONTRACT FOR 3<sup>RD</sup>/MADISON STREET  
IMPROVEMENTS

City Administrator Polasek explained that ODOT has increased their grant to \$140,000 (from \$100,000) and that this would allow schedules A, B, and C for a total of \$223,457.73 if the bid is awarded to lowest bidder Jeff Kersey Construction, Canby, OR.

Staff was directed by the Council to find a definition of “substantial completion” that is listed in the contract.

Councilor Pagella moved to award the Third and Madison Street improvements contract in the amount of \$223,457.73 to Jeff Kersey Construction, Inc., and authorize the City Administrator to execute the contract contingent upon the recording of the necessary right-of-way dedication and easements, and authorize the City Administrator to execute a new or amended IGA with ODOT regarding the extra \$40,000 grant, and set the project budget for CIP number 7 at \$245,000. Councilor Smith seconded. Motion carried 5-0. (Councilor Harper, aye; Councilor Joy, aye; Councilor Pagella, aye; Councilor Smith, aye; Councilor Sproul, aye).

Councilor Sproul moved to amend the CIP for FY 2013, dated June 14, 2012. Councilor Smith seconded. Motion carried 5-0. (Councilor Harper, aye; Councilor Joy, aye; Councilor Pagella, aye; Councilor Smith, aye; Councilor Sproul, aye).

CONTRACT WITH MWVCOG FOR PLANNING SERVICES IN FY 2013

City Administrator Polasek explained that the current planning services contract with the Mid-Willamette Valley Council of Governments (MWVCOG) must be renewed each year. He also explained that there are no cost increases or contractual changes.

Councilor Harper moved to approve the contract with MWVCOG for planning services in FY 2013 and authorize the City Administrator to execute the contract. Councilor Smith seconded. Motion carried 5-0. (Councilor Harper, aye; Councilor Joy, aye; Councilor Pagella, aye; Councilor Smith, aye; Councilor Sproul, aye).

APPOINTMENT TO BOARDS AND COMMITTEES

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Mayor Heisler distributed a bio sheet on Doug Cook, which showed his past experience. Mayor Heisler felt that Mr. Cook would be a good addition to the Council; explaining that he showed a positive attitude and willingness to serve. He explained he wants to see new people involved and likes to see them involved in other areas and committees before holding a position on the City Council. Mayor Heisler recommended Mr. Cook to the vacant Council position.

Councilor Pagella reiterated Mayor Heisler's comments and wants to see people getting involved, especially in appointed seats.

Councilor Pagella moved to appoint Doug Cook to the position of City Council. Councilor Joy seconded. Motion carried 5-0. (Councilor Harper, aye; Councilor Joy, aye; Councilor Pagella, aye; Councilor Smith, aye; Councilor Sproul, aye).

**X. DISCUSSION ITEMS**

**COUNCILOR ABSENTEEISM**

Mayor Heisler read Section 27(2) of the Lafayette City Charter regarding vacancies and advised that the Council would need to make a declaration to consider a vacancy due to absenteeism. He asked that the Council consider this portion of the Charter going forward.

**DEPARTMENT REPORTS**

**PUBLIC WORKS DEPARTMENT**

The Council expressed concern about employees being paid while negotiating a union contract.

Councilor Harper asked about the "Welcome to Lafayette" area on the west side of town. She explained that it was knee deep in weeds and that the banners are in serious disarray. She also asked about the repair of plumbing to well #1 and also spoke of enforcement of temporary signs.

**WATER CONSUMPTION REPORT**

Doug Cook gave an update on the water report; he explained that there were previous problems in May, but that it has been stabilized. He explained that the issue with the valve is still under investigation and they haven't yet heard back from the manufacturer.

**ADMINISTRATION REPORT**

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Councilor Harper asked about the fire merger and when they may see this item on the agenda for discussion.

City Administrator Polasek explained that when the Council and Carlton agree on the contract the study will begin. He explained that at the July 26<sup>th</sup> Council meeting he will have ESCI (Emergency Services Consulting International) on the agenda, which will provide the Council with options. He advised that this study will be approximately \$12,500.

He also advised the Council that Tim Goodman, Comcast, donated \$250 for the children's 4<sup>th</sup> of July parade, and that the City donated \$500, which will make a total of \$750 for their event this year.

In addition, he explained that the City is currently seeking volunteers to water the hanging flowers baskets for the second watering on the weekend. He credited Melanie with the idea of using a modified golf cart and that it could be purchased from city beautification monies.

City Administrator Polasek advised that Matthew Pearson started last Monday as the City's new Groundskeeper. He also stated that street overlay letters will be going out tomorrow and that as of this date, one business owner is interested and recommended a possible 50/50 split with business owners. He asked for the Council's opinion on this prior to the July 26<sup>th</sup> meeting. He stated near Antonio's are two parking spaces and a driveway that would cost approximately \$2,500, and that a 50/50 split may encourage business owners to consider this an opportunity for improvements.

Councilors Sproul, Pagella, Harper and Smith felt this would make the city look nicer and that it would be a good way to get businesses interested in making improvements.

City Administrator Polasek advised that recently he and Councilor Joy attended the Small Cities Business meeting and that Lafayette was asked to host the next meeting in September. The host city provides a meeting place, lunch and an LOC (League of Oregon Cities) Coordinator. There was Council consensus to proceed.

City Administrator Polasek presented results on the water review. Mayor Heisler advised it was alright for the Council to review, but wanted this on the next agenda.

He asked the Council permission to hold an in-service day for City Hall, which would include team building and a work program for the year. He advised that this would be difficult to do if staff is helping customers and felt it best to close for a day. There was Council consensus to proceed.

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Mayor Heisler stated he wants the banners and the “Welcome to Lafayette” areas cleaned up and kept cleaned up.

Councilor Pagella also expressed concern that this was not getting done.

**EXECUTIVE SESSION**

At 9:40 p.m., Mayor Heisler read the script to enter into executive session per ORS 192.660(2)(d), to conduct deliberations with persons designated by the governing body to carry on labor negotiations. There were no objections for Doug Cook to stay for the executive session, but not to participate.

At 9:45 the Council entered executive session.

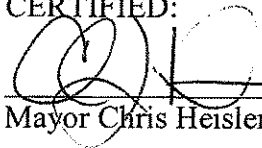
At 10:09 the Council exited executive session

**ADJOURNMENT**

Councilor Smith moved to adjourn the meeting. Councilor Pagella seconded. Motion carried 5-0. (Councilor Harper, aye; Councilor Joy, aye; Councilor Pagella, aye; Councilor Smith, aye; Councilor Sproul, aye).

Meeting adjourned at 10:10 p.m.

CERTIFIED:

  
\_\_\_\_\_  
Mayor Chris Heisler

ATTESTED:

  
\_\_\_\_\_  
Asst. to City Administrator Melanie Maben