

City of Lafayette
City Council Meeting Minutes
Thursday May 9, 2024, at 6:30 p.m.

1. **CALL TO ORDER:** Mayor Malcomson called the meeting to order at 6:30p.m.
2. **FLAG SALUTE:** Mayor Malcomson led the flag salute.
3. **ROLL CALL:** Kennedee Richardson called the Roll:

Present: Mayor Hilary Malcomson, Lee Gilgan, Joseph Carswell, Kayla Paulsen, Jessica Kitt, Russell Burrows

City Staff Present: Branden Dross, City Administrator; Kennedee Richardson, City Recorder; David Robinson, City Attorney; Chad Snyder, Public Works Director

Others: Curt McLeod, Paul (no last name given), Megan Meisner, Tara Brown, Michael Ross

4. **CITIZEN INPUT ON NON-AGENDA ITEMS:**

Paul (no last name given) stated that while they are appreciative of Terry Park being cleaned up, they are unhappy with the lack of accessibility for disabled residents. Mayor Malcomson states that as a part of the Parks Master Plan they will be relooking at the rules of Terry Park, City Administrator Dross adds that at no time was it legal to drive into any Lafayette Parks. Paul asks why the Mayor and Council do not have keys or meeting rooms. City administrator Dross and Mayor Malcomson attempt to answer this question. Councilor Burrows asks Paul if Terry Park were to be reopened for driving what hours would Paul think are appropriate, Paul states that daytime hours would be appropriate.

Michael Ross reads a prepared statement to the council regarding concerns of dogs at large and the possible lack of residents who are unaware of both dog owner responsibilities and dog safety if someone were to come across a dog at large. Ross thanks City Administrator Dross for being too willing to help with this concern.

5. **ADDITIONS TO OR DELETIONS FROM AGENDA:**

City Administrator Dross adds 7H, Oregon City/County Management Association (OCCMA) Travel Authorization. City Administrator Dross shifts all sections down one starting with section 8 Department Reports then adds a new section 8 Recreational Immunity. Mayor Malcomson adds 5.5 Proclamation for Lafayette Teachers Appreciation Week.

5.5. MAYORS PROCLAMATION

Mayor Malcomson reads a proclamation to declare the second week of May 2024 Lafayette Teacher Appreciation Week.

6. PUBLIC HEARING- SANITRAY SEWER SYSTEM DEVELOPMENT CHARGE METHODOLOGY

Mayor Malcomson opens the public hearing at 6:52pm; no public comment, the public hearing is closed at 6:53pm. Curt McLeod addresses the Council to speak about the Sanitary Sewer System Development Charge (SDC). Councilor Gilgan states a conflict. McLeod continues explaining what he is proposing in the provided report and how the proposal was determined. Mayor Malcomson clarifies with McLeod that the rate changes would be absorbed only by new buildings.

7. ACTION ITEMS:

a. April 11, 2024, City Council Meeting Minutes

Councilor Gilgan notes that in section 8B in the second to last line the wording of the motion should be “excepting 10B” instead of “accepting 10B”. Councilor Gilgan also states that in section 7B the wording should be changed to “most Mayors who responded” and suggested listing the specific Cities mentioned. Council President Paulsen moves to approve the April 11, 2024, City Council Minutes with the suggested changes; Councilor Carswell seconds, motion passes unanimously.

b. Appeal of Downtown Design Review and Award Committee Grant Denial of \$12,500

Mayor Malcomson explains how the appeal will be heard and asks City Administrator Dross if there was anything to add outside of what was provided to Council, there were no additions. Appellant Tara Brown addresses the Council questions and a further explanation for her appeal. Councilor Gilgan states to Brown that the prior council denied the grant request was because an Air BnB was not considered a commercial business and therefore did not fit within the grant requirements. City Attorney David Robinson agrees with the prior council’s understanding of commercial verse residential businesses. Council President Paulsen moves to not accept the Appeal of the Downtown Design Review and Award Committee Grant Denial of \$12,500; Councilor Kitt seconds, motion passes unanimously.

c. Amendment No 2 to the McMinnville Water and Light Development Charge Contract

City Administrator Dross shares negotiation details and changes that were accomplished, Councilor Gilgan states that City Administrator Dross was able to save the City a large amount of money through his negotiations. Council President Paulsen moves to approve the Amendment No 2 to the McMinnville Water and Light Development Charge Contract; Councilor Carswell seconds, motion approved unanimously.

d. Ordinance 646- First Reading- Amending the LMC Chapter 8, Building

Mayor Malcomson opens the public hearing at 7:22pm; no public comment, public hearing closed at 7:23pm. Councilor Gilgan states conflict. Mayor Malcomson proceeds with the first reading of Ordinance 646 by title only. City Administrator Dross provides context to the reason for the amendments and thanks the City Attorney for the assistance.

e. Resolution 2024-03 Sanitary Sewer SDC Update

Councilor Gilgan states conflict Mayor Malcomson reads Resolution 2024-03 by title only. Council President Paulsen moves to approve the Resolution 2024-03 Sanitary Sewer SDC Update; Councilor Kitt seconds, motion passes 4-0 with 1 abstention.

f. 2024-2025 Police Services Agreement with Yamhill County Sherriff's Office for \$379,605.11

City Administrator Dross explains how the monetary portion of the service agreement was determined. Council President Paulsen states that the County has been consistent from prior discussion and that it is appreciated. Councilor Carswell moves to approve the 2024-2025 Police Services Agreement with Yamhill County Sherriff's Office for \$379,605.11; Council President Paulsen seconds, motion passes unanimously.

g. 2024-2025 Master Services Agreement with Mid-Willamette Valley COG

City Administrator Dross goes over the change in the type of agreement with the COG, Councilor Carswell moved to approve the 2024-2025 Master Services Agreement with Mid-Willamette Valley COG; Council President Paulsen seconds, Councilor Gilgan opposed, motion passes 4-1.

h. Travel Authorization

City Administrator Dross explains the purpose of this added section is to request travel expenses be covered to attend the Oregon City/County Managers Association summer conference in Hood River, Oregon. City Administrator Dross has already applied and been accepted for a scholarship that would cover the expenses for registration and lodging. Council President Paulsen moves to approve the City Administrator request for travel authorization to the summer conference at OCCMA; Councilor Kitt seconds, motion passes unanimously.

8. RECREATIONAL IMMUNITY:

City Attorney David Robinson explains what recreational immunity is per ORS 105 and changes that have been made due to new case law stemming from 2019 Fields versus the City of Newport. Robinson is working with the City Administrator to create a resolution to protect the city from litigation under ORS 105.668 that was adopted by Oregon Legislature in last years short session.

9. DEPARTMENT REPORTS:

City Administrator Dross provides update to the council of upcoming meeting with Portland General Electric to address new rate increases. City Administrator Dross shares that along with his involvement with ICMA he and other peers have created American Association of Municipal Executives (AAME) a mentor group for City Managers, City Administrator Dross states to the Council that AAME will be the primary focus instead of ICMA.

- a. Code Enforcement
No discussion.*
- b. Administration: Accounts Payable
No discussion.*
- c. Public Works
No discussion.*
- d. Fire Department
No discussion.*
- e. Yamhill County SO Report
No discussion.*

10. COUNCILOR'S REPORTS:

No councilor reports.

11. MAYOR'S REPORT:

Mayor Malcomson provides a reminder that there are only a few more days in the pause to accept council applications.

12. EXECUTIVE SESSION: *per ORS 192.660(2)(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.*

Mayor Malcomson recessed the regular session of the City Council meeting at 7:47pm to enter an Executive Session as allowed by ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

Mayor Malcomson adjourned the Executive Session and reconvened the regular session at 8:26pm

13. ACTION ITEM in follow up to Executive Session:

a. Collective Bargaining Agreement with LiUNA Local 737

Council President Paulsen moves to approve the 2024-2027 City of Lafayette collective bargaining agreement with LiUNA Local 737 and for the Mayor to authorize; Councilor Carswell seconds, motion passes unanimously.

14. ADJOURNMENT:

Council President Paulsen moved to adjourn; Councilor Gilgan seconded the motion, which passed unanimously. No further discussion.

Minutes approved on the 18th day of June 2024.

CERTIFIED:

ATTESTED:


Hilary Malcomson, Mayor


Kennedee Richardson, City Recorder