

City of Lafayette
City Council Meeting Minutes
July 15, 2021 at 6:30 p.m.

1. **CALL TO ORDER:** Mayor Sproul called the meeting to order at 6:30 p.m.
2. **FLAG SALUTE:** Mayor Sproul led the flag salute.
3. **ROLL CALL:** Administrator Preston Polasek called the Roll:
Present: Mayor Marie Sproul, Christine Brungardt, James Drebin, Lee Gilgan, Sheila Neuman, Kayla Paulsen
City Staff Present: Preston Polasek, City Administrator; Kevin Perkins, Assistant City Administrator; Deputy Joshua Schmidt; Jim Jacks, City Planner
Others: Vidal Francis, ODOT; Elaine Howard (joined via Zoom at 9:40 p.m.), Albert and Helga Lacock; Dave Larmouth, Recology; Ronnie Vostinak, Homeward Bound Pets; Laverne Pitts, YCAP

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

Deputy Schmidt presented the monthly report to the City Council, including a redacted list of all calls responded to by the Sheriff's Office in the City. He is new to patrolling the area and stated that Deputy McMahon has been tackling a lot of the code enforcement complaints while he has been handling mostly the criminal reports. All patrol deputies, including rural patrol, have been responding to an increased number of traffic violation complaints and incidents due to the construction in the City. Councilor Drebin asked whether there is a way to show whether a case has been resolved. Deputy Schmidt stated that the only way to do that is call the Sheriff's Department or courts and ask about a specific case and its resolution. The Deputies try to keep victims up to date on the case status but they also respond when a member of the public calls and asks about a specific case.

5. **APPROVAL OF MINUTES:** City Council, June 10, 2021
Councilor Goularte noted that item 5 has a typo to be corrected.

President Brungardt moved to approve the minutes of the June 10, 2021 City Council Meeting as amended. Councilor Paulsen seconded the motion, which passed unanimously.

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

None.

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

Albert Lacock,

Albert Lacock asked whether the Council can do anything about the offensive sign on a house on 7th street. It is political and contains offensive language. When they recently tried to sell their house they had difficulty getting help because of the City's condition. Mayor Sproul suggested they look for a new realtor; the homes in the park she owns have been selling almost as soon as they are listed. Lacock also expressed concern about junk cars on properties in the city. He asked whether it was legal in the city to store cars in the backyard of a home with gas tanks with fuel remaining in them. Mayor Sproul stated that she cannot personally answer that

question, it would be more appropriate for them to speak to the City Administrator. Administrator Polasek commented that in regards to the offensive signs government is not allowed to dictate the content of signs on private property; such signs are protected by the first Amendment. Councilor Gilgan concurred, stating that as a practicing attorney he confirmed that government is not allowed to take such an action, in the past cities have been sued over such actions and lost.

Dave Larmouth, Recology

Larmouth stated that the local landfill has restricted the types of waste that it will accept; it is not fully closed but it will no longer accept municipal waste and refuse. It has been termed a “temporary metering” but Recology has not received a timeline when, or if, it will fully reopen. It is their understanding that this is a situation that will continue for several months or years. The restrictions have not changed the recycling operations or what will be accepted at the McMinnville transfer station. The truck traffic and waste that had been going to Riverbend landfill will now have to be delivered to the Coffin Butte landfill in Benton County. Rate adjustments may be necessary and they are unlikely to be uniform across the communities in Yamhill County; however, rates will not double, as some in the public have feared. The earliest they may have proposed rate increase requests ready would be August 1, 2021, but it is unlikely to be that soon. The rate change would take place on November 1, so working backwards on the timeline that would require staff to review the change with the City Council in September.

8. ACTION ITEMS:

a. FY 2022 City Grants Allocation

Ronnie Vostinak, the Executive Director of Homeward Bound Pets stated that she has provided the Council with some new information about upcoming events. Last year the City provided \$1,200 and they are asking for the same to help fund their medical program. They are also working to replace their facility with a larger footprint and will be starting a capital campaign in the near future. In the last year they had over 700 animals come through their door and will need to expand to continue to provide necessary services to the area. They have also passed their licensing review and have been encouraged to keep moving forward with the plan to upgrade the facility by the licensing agency. In the last year they have also hired a manager who is also a vet tech and can handle many of the low-grade medical needs of their animals, which will reduce their overall costs. Homeward Bound also continues to contract with Yamhill County to act as the County’s animal shelter, including managing the dog licensing for the County. The shelter also helped out during the fires last year by providing dog care supplies at the emergency relocation centers. Additionally, they have had to spend more time socializing animals that are to be adopted but have not had any training.

Laverne Pitts from Yamhill Community Action Partnership (YCAP) has applied for a grant on behalf of the food bank and its distribution effort. The pandemic has unfortunately emptied the shelves of the food bank, the panic buying in 2020 also reduced the donations from the local grocery stores. Donations also had to be quarantined to protect against COVID, and they did not have the space to do so. Last year they moved about 2.2 million pounds of food through a facility designed to move only 1.6 million pounds. YCAP has received other donations to meet some of their specific needs, including replacing a forklift. They also partner with the Wascher and Lafayette Food Banks to serve residents in Lafayette. Councilor Drebin asked whether they are open to new volunteers yet; Pitts stated that unfortunately they still have to be very cautious, but they have had volunteers helping outside the facility and with deliveries. Another

program where they need help is in their youth outreach. In this program volunteers would welcome a youth in need of stability into their home for up to a couple of weeks until more permanent housing can be found for them. They are in need of homes in each community; interested host homes would be screened and go through extensive checks before participating.

Council discussed the remaining applications where the applicants were not present. Administrator Polasek stated that Your Community Mediators is the only grant recipient that directly benefits City operations. Council determined that because residents have access to mediation through the state court system it was not necessary to fund Your Community Mediators grant request. Council also had questions about the service levels of the Girl Scouts, whose coordinator lives in Newberg; the decision was to delay the decision and allow Councilor Paulsen to reach out to the Girl Scouts leader. Administrator Polasek discussed Shakey Paws, which is a locally run non-profit that helps to care for the animals of residents going through medical procedures that makes caring for the animals difficult and helps animals in other situations that traditional shelters are not able to. In reviewing the Wascher PTA request, Councilor Paulsen stated that she believes that the Wascher Pantry receives support from the USDA along with other federal sources. Additionally, their partnership with YCAP will offset some of the typical costs of a food pantry. She suggested providing a lesser amount of grant would be more appropriate. Councilor Neuman stated that the Masonic Cemetery does not have access to many grant opportunities and does contain many of the pioneer families of the City of Lafayette.

Councilor Paulsen moved to disburse \$1,200 to the YCAP Food Bank. Councilor Drebin seconded the motion, which passed unanimously.

Councilor Paulsen moved to disburse \$1,200 to Homeward Bound Pets. President Brungardt seconded the motion, which passed 5-1 (Councilor Gilgan opposed).

Councilor Paulsen moved to disburse \$1,200 to the Lafayette Food Pantry. Councilor Neuman seconded the motion, which passed unanimously.

Councilor Paulsen moved to disburse \$500 to the Shakey Paws Foundation. President Brungardt seconded the motion, which passed unanimously.

Councilor Paulsen moved to disburse \$800 to the Masonic Cemetery. Councilor Drebin seconded the motion, which passed unanimously.

Councilor Paulsen moved to disburse \$500 to the Wascher PTA Food Pantry. President Brungardt seconded the motion, which passed 4-2 (Councilors Gilgan and Goularte opposed)

Council directed staff to modify the application to require applicants to provide the specific number of Lafayette residents served by their program and to require attendance at the July meeting when the Council determines city grant allocations.

b. Resolution 2021-07, Check Signing Authority

Administrator Polasek stated that this resolution would add Mayor Sproul as one of the authorized check signers for the City. Currently the authorized signers are President Brungardt, Administrator Polasek and Assistant Administrator Kevin Perkins.

Councilor Paulsen moved to approve Resolution 2021-07, Designating Signees for City Checks. Councilor Neuman seconded the motion, which passed unanimously.

c. Resolution 2021-08, Rescinding Pandemic Declaration of Emergency

Mayor Sproul stated that this is a two part decision; the first is that the Governor has lifted the state's declaration of emergency, therefore Council will need to decide whether to rescind the City's declaration of emergency; the second part is whether to continue the Restaurant Relief Program. She stated that she is in favor of continuing the relief program until the end of the Highway 99 construction. She would like to extend it to the end of September and then review it at the October meeting. Council discussed whether to review it monthly or to give it a date certain. Council determined that the program should continue on a month-to-month basis and be reviewed at each Council meeting.

President Brungardt moved to approve Resolution 2021-08, rescinding Resolution 2020-02 Declaring a State of Emergency in the City of Lafayette. Councilor Paulsen seconded the motion, which passed unanimously.

d. ODOT Contractor Work Permit Modification

Administrator Polasek introduced Vidal Francis who is the project manager for ODOT on the Highway 99W project through Lafayette and Dundee. ODOT staff is aware of the impacts on the community due to traffic delays and are continuously working to minimize delays. He is aware of the desire to open the side streets but the decision to open an intersection also has to take into consideration the impacts on residences and other uses. The flaggers try to get people through the work zone as quickly and orderly as possible. He described the four phases of the HWY 99 project within the City. On the first section it has taken about four weeks; the initial section typically takes more time than the others as the contractor gets everything aligned and working smoothly. He has been engaged with the local business owners to address their needs as much as possible, which has been a great experience. Councilor Drebin asked when the Washington and Bridge intersections may be open. Francis stated that it should be in the near future as they get more asphalt down and reduce the old pavement to a manageable height. Councilor Paulsen asked whether the request to work on Saturdays is to ensure they finish by September 30 or if it is a backup plan. Francis stated that the contractor has no choice but to be done by September 30, but he will make the commitment to the Council that he will ensure that if the contractor wants to use a Saturday that it is definitely necessary. Councilor Drebin asked ODOT to look at having an intersection that is only crossing Third Street, and does not allow for turns. Vidal stated that it would need more than signage to control such an intersection, but he will look into it. Councilor Drebin then asked what it would take or if it could be done to make accommodation for a future signaled crossing. Vidal stated that typically something like that is worked out ahead of time. Once the contract is finalized ODOT is mostly confined to the scope of work included in the contract.

President Brungardt moved to approve the Hwy 99W work permit to allow construction activities each week from Monday 6:00 am through Saturday 6:00 am, and to allow work on two Saturdays per month from 6:00 am to 5:00 pm. If needed for the contractor to stay on schedule. Councilor Paulsen seconded the motion, which passed unanimously.

Mayor Sproul requested that the two Saturdays of work not be consecutive weekend.

9. DISCUSSION ITEMS:

a. Accessory Dwelling Unit Regulations

Jacks reviewed the staff report contained in the meeting materials. Primarily, the changes to the ADU regulations pertain to eliminating the City's requirements for off-street parking and the requirement that the owner occupy one of the dwellings; both changes are driven by changes to state statute. The Planning Commission has not yet held its hearings, which will need to be done before the City Council can take action. Council and staff discussed changing some of the language in several of the sections, however, any changes would still need to go through the Planning Commission before the Council can make a decision. Jacks stated that he could include some language in the Planning Commission staff report stating that there were suggestions from Council at this meeting. Council and staff also discussed SDC's in relation to ADU's and whether SDC's should or could be waived. Jacks commented that the SDC's are based off the impacts on infrastructure and an ADU would have a similar impact as a single family home. Councilor Drebin noted that the City of Portland has programs to discount the costs of ADU development and requested Council consider such a program for Lafayette. Administrator Polasek asked what the public benefit would be for such a subsidy. Councilor Gilgan supported a council discussion on the matter. Staff noted that there have been no applications to construct an ADU and few if any inquiries in recent memory. Mayor Sproul noted that there is going to be training for the Planning Commission on September 25 with the next meeting planned to be in October.

b. Performance Measures for City Administrator

Mayor Sproul suggested changing the evaluation form to a rating from 0-10 and then base any raise or bonus on the scoring. Councilor Gilgan stated that may take away discretion from Council if a scale is set or it could cause other councilors to compensate one way or another to reach a specific rating. Councilor Neuman commented that this is something that needs to be hammered out prior to the hiring a new administrator; the Council needs to separate the discussion from the specific person. Council also discussed the timing of the performance review and the awarding of the merit bonus. Consensus was to continue to conduct Polasek's evaluation in February, as stated in his contract, and to have the decision on a merit bonus presented the following month.

c. Urban Renewal District Implementation Proposal

Elaine Howard joined the meeting via Zoom and briefly reviewed her proposal and solicited questions from the Council. Councilor Drebin asked when is the appropriate time to discuss the boundary. Howard stated that if they approve a contract with her then they would then need to discuss details like the boundary soon. The boundary is one of the most important decisions to make. Mayor Sproul commented that there will be a lot of important decisions in the early meetings including setting up the URD Board and creating the project list. Mayor Sproul asked whether the September 1 date is a hard and fast deadline. Howard stated that all County assessors set the new tax rolls in the second week of October, however, there is too much to accomplish before that date this year. The target date is really January 1, 2023 to allow for the increment to be collected in Fiscal Year 2023-2024. A plan will need to be adopted in November 2022 and then it will take effect after 30 days. Mayor Sproul commented that while school districts are affected the forgone funding is equalized by the state. Howard concurred and stated that school funding is a state level decision and it is supplemented by other state level sources, such as the lottery. Mayor Sproul asked whether other agencies, such as the County, have to approve the URD. Howard stated that the proposed district is entirely within the City limits, so the County does not have approval authority.

Howard departed the meeting at 9:59 p.m.

Mayor Sproul stated that while this was scheduled as a discussion item, she would like to make the decision to move forward. Councilor Neuman concurred, especially considering that this contractor created the feasibility study and changing contractors now would be a step back. Councilor Gilgan stated that he would like time to review the material prior to making a decision, since this was listed as a discussion item.

This item will be continued to the August City Council meeting for decision.

10. DEPARTMENT REPORTS:

a. Public Works: Water Production and Consumption

b. Fire

Mayor Sproul noted that volunteer Firefighter Dustin Brungardt was entered into the rolls of the national register, which is a significant honor. Councilor Brungardt added that there was a great pancake breakfast and there is a team from Lafayette at one of the large fires in the state. Administrator Polasek noted that Chief Lucich is the conflagration coordinator for the county and works with all the departments in the area to assemble and send teams when a this is a crical call for assistance. Yamhill County is one of the few counties to continue to maintain this capability and provide assistance both in and out of state.

c. Administration: Accounts Payable and Code Enforcement

Admin Report:

- No applications for the Code Enforcement Officer have been received. The position will be reposted as “open until filled.” Mayor Sproul suggested seeing if there is a head hunter service for this type of position. Many sectors are having a difficult time attracting workers.
- The SCA grant for Madison Street improvements has been signed and finalized.
- The County will be paving Lafayette Highway during the next weekend.
- ARPA funds should be coming soon. Regional priorities may include the next leg of the bypass; Lafayette’s priority is a second reservoir.

11. COMMITTEE REPORTS

None

12. COUNCILOR’S REPORTS

Councilor Neuman reviewed discussions around putting together a community activities team to plan and hold community based activities, including the three currently planned and held by City staff. After discussion it was determined that it would be good to move forward; every successful city has a community group that conducts these activities, Lafayette does not. Given the turmoil of the past two years this would be a positive step to give citizens an opportunity to work together. She is working to put together a core team to get the concept off the ground. Mayor Sproul commented that this is a way that can develop a lot of community pride.

13. MAYOR'S REPORT

None.

14. ADJOURNMENT

President Brungardt moved to adjourn the meeting. Councilor Paulsen seconded the motion. There was no discussion and the motion passed unanimously.

Minutes approved on 12th day of August, 2021.

CERTIFIED:

ATTESTED:


Marie Sproul, Mayor


Kevin Perkins, Assistant City Administrator