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MINUTES LYONS JOINT CITY COUNCIL/ PLANNING COMMISSION MEETING July 27, 2010

OPEN MEETING 6:00 P.M.

The Lyons City Council Meeting was called to order by Mayor Mike Lucas. Present were City Councilors Doug Morgan, Jeff Branch, Lon Conner and Dan Burroughs. Planning Commission members in attendance were Clastine Ritchie and Ed Jones. Planning Commissioners Kim Hunn and Cheri Doran were excused. Planning Commissioner Steve Baldwin's absence was unexcused. City Staff in attendance were City Manager Mary Mitchell, Assistant City Manager Audrey Mc Nerney and Public Works employees J.D. Burns and Doug Miller.

GUESTS. Allison McKenzie, of GROW, Bonnie Taylor and Sara Smith of the Sugar and Spice Bakery, Linda Grace of Social Graces Pet Dog Training, Eric Puro and Renate Medley of the Canyon Arts Festival, Ryan Keckley of the Santiam Canyon Gospel Festival, and Dennis Hoop of GROW.

Mayor Lucas asked that all stand for the Pledge of Allegiance. He then inquired as to whether there were any declarations of conflict of interest or ex-parte contact regarding the agenda items. Burroughs declared a conflict of interest in that he had submitted a bill for services rendered which is included in the Bills to Pay Report. There being no further declarations of conflict of interest or ex-parte contact regarding the agenda items, the meeting continued.

New Business: Sugar & Spice – Sarah Smith & Bonnie Taylor. Bonnie Taylor said that she wanted to thank Council for their support of the GROW program. She went on to state that their business would not be where it is today without GROW. She also thanked Staff for supporting their business and letting people know about them. Allison McKenzie, Enterprise Facilitator for the Grow Program, said that this business was a "poster child" for how they do their projects. Bonnie and Sara came to GROW in January with the spark of an idea for a business. They were very organized from the beginning. She wanted to add her thanks for the City's support of the GROW program and this business. Because they are such a good example of the work that GROW does they wanted the City to see them personally. She went on to say that Sugar & Spice is planning a "Ribbon Cutting" ceremony at the Summerfest in Stayton and extended an invitation to Council and Staff to attend along with other dignitaries who will be present. The ceremony will be at 9:30 A.M. on July 31st. The booth will be on 3rd Street between High and Ida. Lucas commented that there is nothing like a live example to show that GROW is a vibrant organization.

Lucas thanked McKenzie for the update. McKenzie stated that there are other businesses in Lyons that are in process but are not quite ready to launch yet. McKenzie said that a big part of their success this year has to do with the grant that Lyons sponsored for them. Without funding they would not have been able to continue.

Eric Pruro – Canyon Arts Festival. Eric Pruro and Renate Medley stated that they were here on behalf of the Canyon Arts Festival which was held in Mill City in April of this year. Pruro stated that on behalf of the original board of directors they would like to thank the City of Lyons for the support they received in terms of the local artists who contributed and businesses who sponsored the festival. There were about 2,000 people who attended the Festival. Medley stated that they had received a lot of feedback from the online survey and from the media as well. They wanted to express their thanks for the City's support and to let Council know how proud they should be of the many local artists who took the opportunity to get to know of and to know each other and to share their work. She went on to state that they would be preparing for their second year next April at which they hope to include some good children's entertainment. To express their appreciation, they presented the City with a framed poster representing the first Canyon Arts Festival showcasing a painting done by a local artist. Pruro said that they hoped the poster would be displayed prominently to remind people of the Festival and encourage them to attend next year's festival which will be held on April 30, 2011 in Mill City.

Doug Miller – New Public Works Hiree & Introductions. Lucas reminded Councilors that last month Miller had been selected to be a member of the City staff to work with maintenance but that he had not actually started working at that time. It has been 30 days since Miller started to work for the City and since some of the Council had not had an opportunity to meet him previously Lucas asked him to give Council a brief history. Miller informed Council that he had applied for this job when it was first advertised but that he had ranked second and J.D. was hired at that time. He and his wife have a second residence in Detroit and when they were in Detroit they noticed that the job had been advertised again. He contacted Mitchell regarding the position but in the interim he had committed to a job with Anderson Construction for a 30 – 60 day period to install a CoGen plant. He kept in contact with Mitchell and Lucas and advised them that he was very interested in the position and worked out a schedule whereby he could work both jobs until the Anderson job was finished. He said that he was very grateful for the position. He went on to state that he was married, had 4 children and 5 grandchildren. He had worked for Willamette Industries for 35 years (30 years for Willamette, 4 years for Weyerhaeuser and 1 for International Paper). He said that he wasn't ready to retire but he didn't want to go back to sitting at a computer all day. Lucas commented that Miller makes the trip from Albany each workday. Miller said that he was hoping to make his primary home in Detroit within the next year or two. Lucas asked him what he did at his last job. He said that the job was as what they called the lead fireman in the Recovery Department. They made steam for the paper machines and generated electricity for the grid for Pacific Power. Lucas said that the City was glad to have Doug on staff and commented that the City has moved on from the days when Jones, as a Council member, put in many hours doing some of the work that is now being done by two people working a total of 6 man days. He thanked Jones for his time, effort and dedication during his tenure as Parks & Cemetery Commissioner

Brian Keckley – Santiam Canyon Gospel Festival. Brian Keckley introduced himself as the Fair Coordinator for the Santiam Canyon Gospel Blue Grass Festival which is to be held on August 27 & 28 at Roberts Field in Mehama. He provided Council with copies of a poster. He said that he was aware that

the City of Lyons had sponsored some events in the past and would like to request sponsorship for the Festival in the sum of \$500-\$1,000. He referred to Festival Committee's website and commented that their goal was to bring the community together. He said that there would be a concert area, a kids' area and vendors. If they are able to raise enough money they would like to install street lights in Mehama. Last year there was a concert only. This year they are including vendors. Lucas asked what vendors had agreed to come. Keckley said that so far they have Hawaiian Shave Ice, a janitorial company advertising their business, various crafts, and a vendor selling Miche Bags (purses). They charge \$50 for the two days for craft vendors; \$99 for two days for food and commercial vendors and \$50 for non-profit vendors. If the City were to provide a \$500-\$1,000 sponsorship the City's logo would go in the brochure which will be a 16 page handout. It's the event guide but it is also their marketing piece. There will be a signature page on the back where people can get signatures of the band members to keep as a souvenir. Their goal is to have 70 vendors. Branch asked whether all profits from this concert will go to the town of Mehama. Keckley responded that all profits after expenses are covered will go to improvements in Mehama. Mitchell asked what their expenses would be. Keckley said that they have to pay for the bands appearances, advertising, printing and other miscellaneous items. So far their total expenses are about \$5,000 - \$6,000. Conner asked how their attendance was last year. Keckley said that it was very small last year and expenses over and above what was raised were paid for by the committee out of pocket. He felt that it would be much bigger this year. He said that concert admission would be \$15 and camping would be \$10 a night or \$15 for both nights. He went on to say that they wanted to do something like a pancake breakfast for the community on Saturday morning and suggestions regarding what type of event they should provide will be welcomed. Lucas asked if they would take less than the \$500-\$1,000. Keckley said they would appreciate whatever amount the City decided on. Mitchell asked if the committee was a non-profit. The structure currently is registered as an LLC but eventually they would like to have non-profit status and a board. He said that this is the idea of Mehama Community Church and Troy Gulstrom, its Pastor. Branch asked who was running the project. Keckley responded that it was Keckley, his associate Jeff, Troy Gulstrom, and Gulstrom's brother who was scheduling the bands. Mitchell asked who a check would be made payable to. She was advised that it would be made payable to either Santiam Canyon Gospel Festival or SCGBF. Mitchell asked if any of the churches from Lyons were participating. Keckley said that as soon as he talked to them he was hopeful that they would. He said that at present they were advertising through social media and word of mouth but as money becomes available they plan to advertise in the Statesman Journal and local newspapers. They are estimating an attendance of least 300-400 people for the concert. That doesn't include the Fair aspect because vendors bring in people. He said that it is almost impossible to estimate the number of people who may attend but they are hopeful that word of mouth, the internet and local advertising will bring many people to the event. Lucas commented that the City is supporting the GROW program and as McKenzie stated earlier it is interesting how entrepreneurs who don't even know each other are meeting and interacting at activities such as this. Mitchell asked what the vendor costs were and was advised that it was \$50 for crafts and non-profit organizations and \$99 for food and commercial. The comment was made that this cost was very affordable; much less than at most events. Mitchell suggested that rather than giving them a sponsorship check Council might consider sponsoring a few vendor booths for Lyons' businesses through the GROW program. This would directly benefit businesses in Lyons that are trying to get off the ground. Allison McKenzie could determine the appropriate recipients. This would directly benefit citizens of Lyons. Mitchell explained that the money from the City comes from City taxpayers. Since the event will be located in Mehama and profits would benefit Mehama this would be a way to link the benefit directly to City taxpayers. It would also further support the GROW program. Dennis Hoop, a

member of the GROW Board said that he would be happy to pass this information to McKenzie. Since GROW is a non-profit corporation it would be a more appropriate transaction for the City. If the City sponsors two or three tables through GROW it would help achieve GROW's mission. Morgan asked if Hoop knew whether there were businesses that could benefit from such a sponsorship. Hoop said that there were always several businesses in the process of launching. If offered the opportunity to present their wares at no cost to them Hoop felt certain that they would take advantage of the opportunity. He explained that GROW is not comprised of entrepreneurs that just want to begin the process. It also for existing businesses that wish to take advantage of the GROW expertise. After discussion Conner made a motion for the City to donate an amount not to exceed \$300 to GROW specifically to sponsor vendor booths at the Santiam Canyon Gospel Festival for businesses which are a part of the GROW program and are located within Lyons' City Limits. Keckley commented that there are three rows for vendor booths and the center row contains half booths so people could be showing their goods both out of the front and the back. He said more than one vendor could share a booth. Branch seconded the motion. Voice vote. Motion carries.

CONSENT AGENDA.

Lucas asked if there were any questions regarding the Consent Agenda which includes the Minutes of the June 25, 2010 City Council Meeting; the Minutes of the June 29, 2010 Planning Commission meeting, and the June, 2010 Bills to Pay Report. Mitchell stated that since there was no quorum of Planning Commissioners present the Minutes of the June 29, 2010 Planning Commission Meeting must be eliminated from the Agenda. Branch asked about the billing from JMS Engineering. Mitchell explained that JMS Engineering is the City Engineer. McNerney advised that Jim Schuette, the principal of JMS Engineering, had inspected a driveway approach (which must be approved by our City Engineer) for a residence constructed by Mitchell Homes who had requested and paid for a Driveway Approach Permit. There was more than one inspection required and Mitchell had been billed and paid for the extra inspections not covered under the permit fee. There being no further questions or comments, Conner made a motion to accept the Consent Agenda as amended. Morgan seconded the motion. Voice vote. Burroughs abstained. Motion carries.

OLD BUSINESS UPDATES

- **Auditor Selection.** Lucas reminded Council that at the last meeting it had been decided that Mitchell would put out a Request for Proposal (RFP) for Auditor's Services. The City has received three (3) bids, two of them for the same price and one which was much higher than the other two. Lucas went on to say that last month's Minutes reflect that Mitchell had been authorized to select an auditing firm that would be "comparable in cost" to the present auditor. Mitchell gave a report as to the steps taken in order to select a new auditor. After doing some research on the backgrounds and checking the references of the two comparable bids, (and receiving a glowing report from both the City of Stayton and the City of Tangent) Mitchell selected the firm of Steve Tuschscherer, CPA, PC to conduct the City's 2009/2010 and 2010/2011 annual audits. Mitchell, together with McNerney, interviewed Mr. Tuschscherer and two of his associates. Mitchell felt the interview went very well. They are a small firm who started in 1993. Their fee is somewhat higher than that of the previous accountant but they were one of the two lowest proposals received. Mitchell stated that she had asked Lucas and Morgan if they felt that

this fee was comparable. After deliberation, they said that in their opinion the fee was comparable. Branch said that he had heard nothing negative about the previous accountant during the many years he performed the City's Audit. Mitchell explained that the discussion regarding replacing him came about after a particularly difficult year. Previously there had been some minor mistakes that the City was able to work through. This last year was extremely bad because due to his lack of communication Mitchell had been unable to prepare the financial statements for Council for a period of two months. Morgan stated that even if he did a perfect job it is a point of integrity to change auditors periodically. Lucas discussed his personal experience with the auditor's refusal to communicate on a timely basis. Branch said that he had no problem with the City choosing another auditor; he just wanted to understand the reasoning behind this decision.

- **Morgan- Garage Sale Permitting.** Morgan stated that he had done some additional research into this issue because it is his opinion that our ordinance regarding garage sale fees could be done away with and still accomplish the reason for adopting it. He has had correspondence with some other cities that have been through this process. What the City brings in in fees does not nearly pay for the enforcement of the ordinance. The ordinance is in place to deter permanent garage sales going on week after week at the same residence. Morgan said that he felt it would be a good will gesture to eliminate the fee. There was an article from the Stayton Mail stating that one of the things the City of Stayton has implemented is an on-line registration. Since we now have a website the City could also implement this procedure. Some of the other cities are eliminating the fee but regulating garage sales. If the City becomes aware of a violation steps can be taken to enforce the ordinance. Burroughs asked how the City would keep track of them. Morgan responded that citizens could at least register with the City but there would be no charge. One of the cities he corresponded with stated that there are signs that a garage sale is taking place. If it is determined that an excessive number of garage sales are taking place at one location the resident can be required to close it down because of a violation of City regulations. Mitchell suggested that she and Morgan review the existing ordinance and determine how to effect the change. Lucas commented that the purpose of the garage sale fee was never the money. The purpose was to eliminate the possibility of perpetual garage sales.
- **Sex Offender List Distribution.** Lucas said that the City had requested the list from the Sheriff's Office because the Sheriff's Office had notified the City that a sex offender labeled predatory had moved into the area. Staff was advised that the Sheriff's Office does not have a current list because the records are maintained by the State Police. After checking several websites on line the staff has compiled a list of not only the predatory sex offender but those sex offenders who are off supervision. A sex offender is labeled as such for the rest of his or her life whether or not they are on probation. Conner asked whether the library had been advised that the predatory sex offender had moved into the area. Mitchell affirmed that they had been so notified.
- **Discussion Regarding Handling of Library Ramp Design, Proposals & Construction – Burroughs, Branch & Conner.** Burroughs commented that if the ramp is made out of concrete it doesn't have to be engineered. Conner stated that we should start getting bids for its construction. Mitchell stated that it was necessary to have a draft of the design prior to preparing an RFP. Burroughs said that he will prepare a design drawing for the approval of the Linn County Planning & Building Department. Once that drawing is approved the City can prepare an RFP and put the project out for bid. Burroughs went on to say that Branch had suggested that the rails on the ramp should be out of steel and galvanized. That requirement can be included in the RFP. Morgan asked if there would be anything in the design to protect the rails from skateboarders and the like.

Burroughs stated that they should be too high to be used by skateboarders but some stops can be installed on them. Conner commented that having the ramp made out of concrete will limit the amount of maintenance required. Burroughs said that there can be a finish on it that will make it safe for walking. After the design is approved Branch and Conner will review it and authorize the RFP.

COMMISSIONER & DISTRICT LIAISON REPORTS & UPDATES.

- **Burroughs – 25th Street Brush & Tree Removal.** Burroughs reported that the bushes and trees have been removed from 25th Street. Dave Curran, Linn County Road Department has agreed to remove the brush on Lyons Mill City Drive which is obscuring the street sign. Lucas asked Hoop if he could notice any difference regarding visibility of the street sign. Hooper said that the sign visibility was now much better at the intersection (of 25th Street and Lyons Mill City Drive.) Hoop then stated that several people had asked him about the street light which had been removed from the intersection. Lucas commented that this issue had been discussed at the last few City Council meetings. Mitchell stated that PP&L are asking for \$2500 to replace it. PP&L was not paid for the electricity generated at that pole because they had never sent a bill. Lucas said that in order to improve visibility at that intersection Linn County, at the City's request, had installed a sign with an arrow indicating 25th Street. Hooper said that there were approximately 325 building sites in that area and it was his opinion that there was a potential liability issue. Lucas commented that it was not a City issue in that all of the residents in the area are in the county. Hoop then stated that those residents enter the area through City property. Lucas said that it did not seem appropriate to spend \$2500 of the City's money on something that will benefit primarily county residents. There was discussion regarding the responsibility for the removal of the light. Lucas suggested that if someone asks Hoop a question regarding the light that he refer them to City Hall to find out how and why the light was removed and what the City has done to remediate the problem.
- **Morgan – Water District and Fire District Meetings.** Morgan stated that not much was going on with the Fire District at this time but that he had sat in on the last Water District Board meeting. They had a question as to what happened to the money from the Sewer Fund. Morgan explained that there had been a fund designated for land acquisition for a sewer which had about \$13,000 in it. The fund was set up in 1997 and was supposed to be closed out in 12 years if no acquisition was made. No acquisition was made and the fund was closed out at the end of the fiscal year. They questioned whether those funds had paid for the City's new sign. Morgan told them that he did not believe so but that he would investigate that issue further and let them know at their next meeting. Morgan stated that the Board wanted to know why we are so interested in their operations and questioned whether we had ulterior motives such as trying to take over the Water District. Morgan assured them that the City is attempting to work together to promote more and better communication and that there was no such plan. Morgan invited Bill Grimes, Supervisor of the Water District to come to this City Council meeting because the City has received the water line map from the county and there are some aspects of the mapping that are unclear. Grimes informed Morgan today that he would be unable to attend. Invitations to attend the meeting were also extended to all Water Board members. The Water Board members informed Morgan that they were going to look into whether or not they wanted copies of the City Council's executive session minutes for the past 5 years. Lucas stated that the Water District has been invited to

participate in the Community Survey which is in the process of being put together by the Planning Commission. The Fire District is in the process of compiling some questions to be included. Lucas has been advised by Kelly Namitz of the Water Department that they do not wish to participate in the Survey. Lucas said that he had hoped there would be representatives of the Water District at this meeting so that they could be advised that there will be questions included in the Survey regarding the Water District either prepared by the Water District or the Planning Commission. Lucas commented that the Water District's budget does not appear to be in the same format as other tax generating organizations. Mitchell has offered to work with Kelly Namitz, who prepares their budget, to help her in any way possible and to give her guidance or assistance in budget matters. Lucas went on to state that the City is going to continue to try to partner with them, but part of that partnering is knowing what they do and how they do it. Conner stated that if they are not interested in coming to City Council meetings, perhaps other City Council members should go to their meeting. As "the public" we should be allowed to attend their meetings. They are in fact a Public Utility to which the taxpayers pay a fee every month. Lucas said that he would encourage those present at the meeting to check out their website which shows their technical performance. Mitchell can provide anyone who is interested with the website address. Morgan stated that the reason for City Council's involvement is to see this District, which operates within our City limits and services our residents, works in a better fashion. The City is looking at ways in which help can be offered. Morgan commented that the Water District Board members are not accustomed to having anyone attend their meetings so when he first began to attend the meetings there was an inquisitive tone to his attendance. The tone has become slightly more aggressive since they realize that he will be continuing to attend the meetings on behalf of the City. After some further discussion Morgan said that he would attempt to continue a friendly dialogue between the two bodies.

- **Baldwin – School District Meetings.** Baldwin was not present so no report was presented.
- **Ritchie -Parks and Recreation.** Ritchie reported that around the middle of March the City had an Environmental Resource Survey conducted at the Freres Park property on 13th Street in an effort to point out the existing good/bad conditions of the natural resources such as the ponds, the drainages and the wetland areas. The report discussed the conditions of the general habitat areas in the park and made recommendations for vegetation maintenance. It recommended that the berm, which was created in an effort to keep the water from overflowing the flat areas by the bridge on 13th Street, be pulled back from the wetland encroachment. It also recommended that the concrete/ asphalt debris by the sand shed be removed and properly disposed of. There were some imported dirt, rocks and vegetation piles in the area which needed to be removed. The City received a bid from and contracted with McDougal Backhoe Services, Inc. to take care of these issues. Ritchie said that McDougal did an excellent job. McDougal recommended talking to Kyle Freres about bringing down some of the large trees and branches that could be dangerous in the event of a windstorm. Freres gave Ritchie the number of the person to contact in this regard. An area has been set up to dispose of debris and such by the 13th Street bridge. If the pile gets too big the trees and branches can be taken to Freres and they will dispose of them free of charge. The parks on 13th Street need some attention. The paths are overgrown but the City (and Ritchie personally) are working on clearing them. A park in Albany was being renovated and disposing of their playground equipment. The City purchased that playground equipment at a very good price. Volunteers are needed to install this equipment at the park. The area around the south porta-pottie has been cleared and will make a nice playground area when the equipment is installed. Ritchie

has contacted the contractor who removed the equipment from the Albany Park. He said that he would not be available until some time in September. He will put together a proposal to install the equipment at Freres Park. This contractor gave the City a detailed diagram as to how the equipment should be put together in the event volunteer labor is utilized. The merry-go-round will be installed at the City Park next to City hall. Ritchie would like to make this a community project but there are a lot of pieces that need to be put together and the material is very heavy duty. Lucas asked if Ritchie preferred that the contractor who took the equipment apart to re-install it for the City. Ritchie said that is difficult to get volunteers to help. Mitchell said that that seems to be the appropriate course of action. Ritchie said that her husband could put the equipment together but to date he hasn't had the time. Mitchell suggested that Ritchie's husband submit a proposal so that the City has some idea of the potential cost. Burroughs commented that the National Guard had sent volunteers to put together the playground equipment at Mari-Linn School. Hoop suggested that the City could have the county provide a work crew comprised of people who have to do community service to do the labor and this contractor could supervise the project. Mitchell said the City had previously utilized the county's services to clear the pathways in the park and the cost is minimal. The contractor who uninstalled the playground equipment could be contacted to find out what equipment might be needed to put the equipment together. Mitchell said that she would look into this aspect. The equipment will have to be painted and some brackets replaced prior to putting it together. Ritchie said that she has someone who has offered to do the painting. Ritchie has also contacted Superior Tire and they have big tractor tires available which she would like to have at Freres Park for the kids to play on. Burroughs pointed out that you have to pay to get rid of them. The tires can't be destroyed or trashed. Lucas suggested posting a "volunteers wanted" on the City's website. Ritchie said that the gentleman who lives in the yellow house on Dogwood has been doing some mowing in the park area. She said that it would be nice to give him a "thank you" for his work. Mitchell said that she would take care of that. Lucas thanked Hoop for his input.

- **Conner – Library & Cemetery.** The library ramp issue has already been discussed. Conner stated that he needed to get together with Doug and J.D. to go over the status at the cemetery.
- **Hunn – Planning Chair – NHMP & Survey Updates.** Hunn was unable to attend tonight's meeting. Mitchell reported that they were waiting to get information from the School District, Fire District and Water District to include in the survey. She said that she had received a very good sample of a survey from Silverton from Jones which they can use as a base for the City's survey.

OPEN HEARING

P-1-2010 – An Ordinance Amending the City's Floodplain Management Plan, and Declaring an Emergency. Lucas noted that there had been notation in the Councilor's meeting books to remind Councilors to read the Ordinance prior to the meeting so that they can be familiar with its content. Lucas said that FEMA had made digital maps and made a few minor changes and added some additional criteria. There was language in the Ordinance that was mandatory. If the City does not adopt this mandatory language FEMA will suspend the City's participation in the National Flood Insurance Program. Conner commented that he had just returned from Kentucky where he was working with FEMA as a Disaster Assistance Employee and Hazard Mitigation Specialist on the flood disaster there. There were counties who were refused assistance because of their failure to comply with the requirements. Lucas read the

Ordinance by title. Lucas asked if anyone present who had questions or would like to make a comment regarding this Ordinance. There being no public comment the hearing was closed.

CLOSE HEARING

After discussion the ordinance was read by title a second time. Branch made a motion to adopt Ordinance No. P1-2010 – An Ordinance Amending the City’s Floodplain Management Plan, and Declaring an Emergency. Burroughs seconded the motion. Voice vote. Motion carries. Council commended Mitchell for her hard work in connection with the finalization of this Ordinance.

NEW BUSINESS.

- **Resolution #428 – A Resolution to Place a Law Enforcement Levy for Fiscal Years 2011-2012 through 2014-2015 on the November 2010 General Election Ballot.** Lucas read the Resolution by title and commented that the only action that was being taken was that a four (4) year levy, not to exceed \$75,000 per year for law enforcement services for the fiscal years 2011-2012 through 2014-2015 be submitted to a vote of the people at the November 2010 General Election. He stated that the rate is higher because of the Sheriff’s Department’s increased costs. The levy rate has gone from \$62,000 to \$75,000. The people will make the decision as to whether they want to impose a levy to pay for that law enforcement services. The only decision to be made by Council is whether or not to put it on the ballot. Morgan asked if the levy could be capped at more than \$75,000. Mitchell explained that the contract price for the law enforcement services increases each year and that in determining the cap of \$75,000 she anticipated that the contract price would continue to increase every year. Branch asked what the cap on the last levy was. Mitchell responded that it was \$60,000. After discussion Conner made a motion to adopt Resolution #428 – A Resolution to Place a Law Enforcement Levy for Fiscal Years 2011-2012 through 2014-2015 on the November 2010 General Election Ballot. Morgan seconded the motion. Voice vote. Motion carries.
- **Resolution #429 – Ballot Title – Law Enforcement Levy.** Lucas stated that Resolution #429 – Ballot Title is the actual ballot title for a Four-Year Local Option Levy for Law Enforcement Services. Mitchell stated that there may be some minor changes in the language but that the substance will not change. After discussion Morgan made a motion to adopt Resolution #429 Ballot Title with such minor changes as may be necessary or appropriate. Conner seconded the motion. Voice vote. Motion carries.
- **Election Reminder.** Lucas commented that the elected terms of the Mayor and three Council positions will expire as of December 31, 2011. The only Councilor who doesn’t have to run for re-election is Burroughs. Mitchell reminded Councilors that the filing deadline is August 20th and that she would appreciate the Councilors submitting the paperwork (which she previously provided) as soon as possible if it is their intention to run for re-election.
- **Letter re Posting on Reader Board.** Lucas stated that the City had received a letter commenting that there was no free lunch and that the City’s digital sign would be accurate if it said “Children may eat lunches Monday thru Friday at the School paid for by taxpayers.” While the members of the Council agreed in principal with his opinion, they felt that the reader board at City Hall was not the appropriate venue to display it. In addition the sign does not have the capability of displaying a message of that length. Council instructed staff to respond to the letter and advise

that citizen that his comments are noted and that the sign is not an appropriate venue to bring this issue to the public's attention.

- **Council Availability for August Meeting –August 24, 2010.** Branch stated that he didn't think he would be available. Burroughs, Conner, Lucas and Morgan all said that they would be available.
- **Linda Grace – Dogs Off Leash in the Park.** Grace said that she was concerned about people waking with dogs off leash at Freres Park because she had concern that off leash dogs could get into a fight or harass people enjoying the Park. She said that she had also considered sponsoring a station at the park with clean up bags as a reminder to people to clean up after their animals. Ritchie expressed concern that this would be an invitation to vandalism. The wood duck homes that had been placed in the park were torn down and destroyed about a week after they were installed. Grace asked what the City Ordinance was regarding dogs. Mitchell stated that dogs "must be under the owner's control at all times." It does not state specifically that they must be leashed. The City operates under the Linn County Dog Control Ordinance. There was discussion regarding the manner in which the City processes ordinance violations. Ritchie asked if the City could provide a sign which states what the day use hours are. Mitchell responded that day use is defined as dawn to dark, however she often sees people at the park after dark. Lucas stated that questions regarding signage do not necessarily need to be brought before Council. Hoop suggested putting the City ordinance number on signs to give them more weight. It was suggested that a sign be placed at the park stating that dogs must be under control of owners at all times and that the number of the ordinance requiring this be included on the sign.

There being no further business to come before Council, Branch made a motion to adjourn the meeting. Morgan seconded the motion. The meeting adjourned at 8:15 P.M.

Audrey McNeerney
Assistant City Manager