



City of Lyons
Phone: 503 859 2167
Fax: 503 859 5167

449 5th Street
Lyons, Oregon 97358

MINUTES LYONS CITY COUNCIL MEETING May 25, 2010

OPEN MEETING 7:55 P.M.

The Lyons City Council Meeting was called to order by Mayor Mike Lucas. Present were City Councilors Doug Morgan and Dan Burroughs. Councilor Jeff Branch was excused. City Councilor Lon Conner participated in the meeting via telephone. City Staff in attendance were City Manager Mary Mitchell, Assistant City Manager Audrey Mc Nerney and Public Works Employee J.D. Burns.

GUESTS. Steven Baldwin and Micki Valentine.

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. There being none, the meeting continued.

CONSENT AGENDA.

Lucas asked if there were any questions regarding the Consent Agenda which includes the Minutes of the April 27, 2010 City Council Meeting; the Minutes of the May 12, 2010 Special City Council Meeting; Resolution #423 regarding Provision of Services by the City of Lyons, and the May, 2010 Bills to Pay Report. There being no questions, Morgan made a motion to approve the Consent Agenda. Lucas seconded the motion. Voice vote. Motion carries.

OLD BUSINESS.

- **City Wide Clean-up (Recap).** Lucas stated that the City had collected the sum of \$286 primarily by people residing outside of the City limits and from the fee for the collection of tires. These funds will go toward defraying the costs of the clean-up. The City received positive feedback from the citizens who utilized the service. He further stated that the City wished to express their appreciation to the volunteers and especially to Councilor Dan Burroughs who ran his backhoe all day and made everyone's job easier.
- **25th Street Light, Sign, Brush & Tree Removal.** Burroughs reported that Dave Curran from the Linn County Road Department had informed him that Pacific Power had already pulled permits for the installation of a power pole at the intersection of 25th Street and Main Street. He suggested

that the City contact Pacific Power since we had not yet received a cost estimate or authorized the installation of a street light. Lucas said that he would contact Curran in the morning to determine the status of this issue. Burroughs went on to state that he and Burns would be taking care of clearing brush and trees along 25th Street. Burns has already cleared the brush and trees along the 7th Street right of way.

- **Updates: Website, Reader Board, Library Ramp & Survey.**

- **Reader Board.** The reader board shipped on May 24 and the estimated delivery date is May 27th. The culvert has been dug, the conduit has been laid and the electrical has been run. Salem Signs will receive the sign and make sure that all parts are included and it is in good operational order. They will coordinate with Mark Griswold, the electrician. They will put up the pole, get the sign mounted and the remote control access installed. They were unable to install a dedicated circuit. Conner suggested that it might be a good idea to contact the local newspapers to announce the installation of the reader board and to publicize its inauguration.
- **Website.** Mitchell stated that the website is almost complete and should be ready for a demonstration at the next City Council meeting. Morgan offered to provide projector for the demonstration. Baldwin also offered the use of his projector if needed.
- **Public Works Job Opening.** Mitchell then reported that the applications on file had been reviewed. There were two viable candidates but neither was a perfect fit for the job. Staff contacted Manpower and met with their representative. However, there is a charge of \$2,000 to hire someone through Manpower. The representative provided two resumes; neither was superior to what the City has been receiving by advertising the job opening. The decision was made to re-advertise the position which will appear in tomorrow's newspaper. The plan is to accept applications through June 2nd and conduct interviews on June 3rd and 4th.
- **5th Street Tree Removal.** There is a tree located in the right of way on 5th Street which is growing up around the power lines. A letter has been sent to the adjacent property owner notifying them of the intent to remove the tree. Pacific Power has offered to limb the tree and the City will have to remove it. Mitchell stated that she had not yet received a proposal on the cost of removal. She said that removing the tree will improve visibility for traffic coming from Cedar Street onto 5th Street. It will also significantly improve the visibility of the reader board. It was the consensus of Council to authorize the removal of the tree.
- **Survey.** Mitchell stated that there is a Planning Commission Workshop scheduled for June 8th to discuss the survey questions being proposed by Planning Commissioners. It is anticipated that we will also receive proposed questions from the Water District, Fire District, Library and the School District. The questions will be brought to Council for a review prior to the finalization of the survey. Morgan stated that he had not yet had an opportunity to discuss this issue with the Water District. Valentine said that the Fire District had not yet discussed their proposal either.
- **Auditor.** Mitchell stated that the reason the Council did not have current financial reports to review was because there were certain entries which needed to be made into Quickbooks. She informed Council that she has made multiple attempts to contact the auditor to get his assistance in making these entries, both by phone and by e-mail and has received no response. She said that she did not know why the auditor has not responded

since there is good working relationship. Since she was getting no response from the auditor she contacted the firm of Boldt, Carlisle and Smith who were the City's auditors from 1991 to 1994, (who still provide Municipal Accounting Audit services) and requested a proposal from them as to what they would charge to provide such services to the City. She is awaiting a response from them. She is very dissatisfied with the auditing services presently being provided to the City since she has, over the years, found inaccuracies, incorrect information, and now poor communication. She read the e-mails, beginning with the one sent April 30th and the second e-mail sent on May 18th to the auditor requesting his assistance. In addition to those e-mails she made several telephone calls and additional e-mails, none of which have been responded to. Mitchell stated that it is recommended that auditors be changed every three to five years. The City has utilized this auditor's services for at least five years. Lucas stated that the City is faced with two problems. One is the errors discovered by Mitchell which have occurred over the years, and currently, his complete lack of response to her inquiries. Morgan commented that there was a third issue in that the City should, as a rule switch auditors periodically. Lucas made a motion to authorize Mitchell to investigate hiring a different City Auditor at a rate comparable to that of the current auditor's and to authorize Mitchell to retain such an auditor without further Council approval. Morgan seconded the motion. Voice vote. Motion carries.

- Library Ramp. Lucas stated that the proposed ramp for the Library has to be "engineered" and a decision made as to whether to construct it out of lumber or cement. Another decision to be made is whether or not to seek monetary assistance to help defray the costs. Burns said that he had turned over the questions regarding construction of the ramp to the engineer who had advised that a concrete ramp would cost \$8,000 to \$10,000 to build and that a wood ramp would cost about \$1800 in materials to build or around \$6,000 to \$7,000 if a builder is contracted. The engineering would cost around \$900 to \$1,000. Mitchell suggested that she draft a Request for Proposal (RFP) and see what kind of bids are received. Burroughs and Burns both stated that the engineering must be done by a separate entity first and then contractors can bid on the construction. There was discussion as to whether to build the ramp out of wood or concrete. Burroughs recommended that it be constructed of concrete since wood would require more maintenance. Burroughs stated that he could talk to a few local businesses that might be willing to volunteer some materials. Burroughs also stated that the existing ramp would have to be removed by the City. Lucas commented that there were local businesses which might make monetary donations or volunteer some labor or materials. It was the consensus of Council to have engineering prepared for the construction of a concrete ramp. Lucas said that the way to proceed after determining that the ramp should be of concrete construction would be to get engineering "specs" and then get bids. After the City gets the bids Council can evaluate how it is to be paid for. The only outlay of cash at that point would be for the engineering. Lucas made a motion to authorize Burroughs to obtain engineering for a concrete ramp to be constructed at the Library meeting ADA specifications after which the City can then issue an appropriate RFP. Conner seconded the motion. Voice vote. Motion carries. Lucas stated that Conner will be the project manager when he returns.
- Backhoe Work -13th Street. Lucas stated that McDougall had submitted a proposal of \$700 for the pending backhoe work on 13th Street. Clastine Ritchie, Parks Commissioner will be coordinating this project. They are waiting on decent weather to complete this project. Lucas stated that the completion of this work and the work that is being done in connection

with constructing an ADA approved ramp at the library shows the City's continued efforts and concern for the citizens of Lyons. The City is continuing to work toward resolving these issues to the benefit of all concerned.

NEW BUSINESS.

- **Linn County Law Enforcement Contract.** Lucas stated that the Linn County Sheriff's Office would like to continue to provide their services to the City of Lyons and are requesting a 4% increase in their contract price for the fiscal year 2010-2011. Over the years since 2004, the contract amount has increased from \$52,000 to \$68,000 this coming year. In the prior years whatever the Sheriff's office has requested in the way of an increase has been agreed to by the City. The citizens pay for the majority of the cost but the City pays the difference between the amount levied and the contract price out of the General Fund. The amount requested has been budgeted into the City's 2010-2011 budget. There was discussion regarding acceptance of the requested 4% increase. Morgan stated that the 4% did not seem extraordinarily high in that we know that the COLA last year was 2.1%; they have to contribute PERS and there are increased costs for operating expenses. Lucas commented that the Sheriff's Department will not increase its services if we agree or decrease their services if we do not agree. This amount is what they need to continue to operate at the current level. Burroughs said that he did not feel that it was a significant increase. Conner said that he did not think that the City could provide the same service for that price and he had no issue with the increase. Lucas said that he would also agree with the 4% increase. The City has the funds and the contract has been budgeted for. Resolution #426 Agreement for Law Enforcement Services was presented to Council for review. Burroughs made a motion to adopt Resolution #426, Morgan seconded the motion. Voice vote. Motion carries.
- **Council Availability for June Meeting.** Burroughs said that he would be available. Conner said that it was likely that he would still be in Kentucky but that he would be available by telephone. Morgan stated that it was a good possibility that he would be available. Lucas said the he would be available.

There being no further business to come before Council, Conner made a motion to adjourn the meeting. Burroughs seconded the motion. The meeting adjourned at 9:40 P.M.

Audrey McNerney
Assistant City Manager