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MINUTES LYONS CITY COUNCIL MEETING **April 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 Lon Conner, Doug Morgan, Dan Burroughs and Jeff Branch. City Staff in attendance were City Manager Mary Mitchell, Assistant City Manager Audrey McNerney and Public Works Supervisor J.D. Burns.

GUESTS. M. D. (Mike) Rolow, Mia Mohr, Tim Kirsch, Jeff Cone, Steve Baldwin, Dave DeLapp, and Linda Grace.

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.

NSCEDC Request for Financial Contribution.

Lucas stated that NSCEDC had submitted a letter requesting continued financial support for economic and community development activities in the North Santiam Canyon. He went on to state that the City had previously provided annual financial support to NSCEDC in the sum of \$500. He asked Mohr if there was anything she wished to add in addition to the submitted letter. Mohr commented that this was an annual request for local support so that when requests are made to other funding agencies such as Marion County and Linn County they can see that there is local support for community development efforts. Lucas asked how Lyons' funding compared with other communities in the canyon. Mohr said that the amount requested was based upon the size and population of each community so Lyons is comparable. Lucas read the following excerpt from the March 23, 2010 letter from NSCEDC as follows: "Beginning this year, we will implement a local individual Development Account (IDA) program. IDAs provide a one to one match of funds for low-moderate income entrepreneurs to invest in their business." Lucas said that up to now the request for funding had been to support the infrastructure which supports the entrepreneurs. He asked Mohr to explain what is involved in implementing this program and inquired as to how the funding is provided. Mohr responded that the funding comes from another federal program which provides tax write offs for donors. There is a set amount of money which is distributed to

organizations such as theirs. They do not actually receive the money, it is held in trust for them. NSCEDC assists local low to moderate income entrepreneurs having difficulty in getting funding from main stream sources. They assist the business person in establishing a business plan. There is also a requirement that the business person go through financial training to learn how to manage money in connection with their business. The entrepreneur must set up a monthly savings program with a local bank in Mill City to train them in money management through saving. They need to state in their application the purpose for the money and it must be specific, i.e. \$5,000 to purchase equipment for their business. Match money is set aside and when they have met the requirements (approximately 2-3 years) they can then take out the money they have invested (through their savings plan) and it is matched by the donated money which has been set aside for them. NSCEDC is facilitating and training business persons to manage their money wisely and get started on the right foot. The entrepreneurs do not just receive a check. NSCEDC receives the invoice and pays the vendor(s) directly. Conner asked how the job retention figures set forth in the letter are determined. Mohr said that they are working with businesses who are having difficulty in the management of their business and helping them resolve their issues and find a way such that they are conducting their business in a manner which enables them to retain an employee rather than lay that employee off. Branch made a motion to contribute the sum of \$500 to NSCEDC for economic and community development activities in the North Santiam Canyon. Conner seconded the motion. Voice vote. Motion carries.

Tim Kirsh, Chairman of the Board of NSCEDC, expressed his gratitude to the City of Lyons for the continued support of the City.

CONSENT AGENDA.

Lucas asked if there were any questions regarding the Consent Agenda which includes the Minutes of the March 30, 2010 City Council/Planning Commission Joint Meeting and the April 2010 Bills to Pay Report. There being no questions, Morgan made a motion to approve the Consent Agenda. Burroughs seconded the motion. Voice vote. Motion carries.

NEW BUSINESS.

- **Resolution #420 – Biennial Budget Authorization.** Lucas stated that the City had the option of preparing the City's budget every two years rather than every year. He read Resolution #420, a Resolution Authorizing the Transition from an Annual Budget to a Biennial Budget Period for the City of Lyons which sets forth policies and procedures. Mitchell stated that the City would save money in connection with publication costs and, since she would only have to prepare the budget every two years, staff time in the second year could be utilized for other matters. Mitchell went on to state that the downside to a biennial budget is that there will always be unforeseen expenditures which could not be anticipated. Fortunately there is the option of a Supplementary Budget which would require a onetime publication and could be paid for from the Contingency Fund if necessary. Mitchell said that she was seeking Council approval at this time in anticipation of doing the budget next year. Lucas asked Mitchell to explain the ability to transfer funds within a fund group without preparing a supplemental budget. Mitchell stated that within the same fund, such as the General Fund, there are different categories. Within the categories are line items. You can navigate between the line items so long as you don't exceed the category budget. You cannot transfer between categories without doing it formally. Mitchell then said that the City would

prepare the budget in the same manner as it does now, only it would be done every two years. There was discussion regarding the pros and cons of preparing the budget biennially. After the discussion Morgan made a motion to adopt Resolution #420, A Resolution Authorizing the Transition From an Annual Budget to a Biennial Budget Period for the City of Lyons. Conner seconded the motion. Voice vote. Conner, Lucas and Morgan voted Yes; Burroughs and Branch voted No. Motion carried by three votes to two.

- **Sign Installation Proposal & Artwork Review.** Lucas stated that there will be a fixed sign above the electronic portion of the reader board. Mitchell presented artwork prepared by Whitewater Signs and after discussion there was a consensus of Council authorizing the specific artwork to be utilized for that purpose.
- **Resolution # 421 and Resolution #422.** Mitchell stated that Resolution #421, A Resolution Transferring General Fund Monies to the Library Fund, Amount Being \$13,000 and Resolution #422, a Resolution Transferring SRS Fund Monies to the Library Fund, Amount Being \$7,000 were budgeted transfers determined by the Budget Committee last year. These transfers must be made prior to the end of the fiscal year. After discussion Conner made a motion to adopt Resolutions #421 and #422 transferring monies to the Library Fund. Branch seconded the motion. Voice vote. Motion carries.

CONTINUING BUSINESS.

- **Community Wide Survey – Discussion.** Lucas stated that the City's Comprehensive Plan requires that there be a survey conducted every 10 years to determine community attitudes and needs. The Planning Commission has had a meeting to discuss the preparation of the survey and have determined that it is important to have input from the School District, Fire District, Water District and the Library. To that end they will request each entity, if they are interested in participating, to prepare 5 questions each. A Planning Commission workshop will be scheduled at which each of the Planning Commissioners will propose 3 to 5 questions to be included in the survey regarding the following topics: (a) Parks & Recreation, (b) Safety & Law Enforcement, (c) Transportation, (d) Communication regarding Community Events and Activities and (e) Emergency Preparedness. Baldwin commented that he had invited Andy Gardner, who has been appointed as the next Superintendent of the North Santiam School District, to the April 20, 2010 Planning Commission meeting. Gardner agreed to the District's participation in the Survey with a focus on the Mari-Linn School. This participation will allow the District an avenue to reach out to the citizens of Lyons. There was discussion regarding the previous survey and Baldwin stated that the Planning Commission wants to be sure that the questions included in this survey are more specific to issues that can be addressed and more focused on determining what the expectations of the community are. Lucas suggested that Morgan, as the City's liaison to the Fire District and the Water District, bring this request for participation in the City Survey before each District Board. There was additional discussion regarding the type of questions to be included in the survey and the manner in which they should be presented.
- **Environmental Resource Survey.** Lucas referred to the Environmental Resource Survey submitted by Mike Holscher. There were two action items to be addressed. Both of them are set forth on page 7 and in the narrative under the last photograph in Appendix B and refer to relocating materials from their current location to contiguous locations further from the

marshland areas. Lucas stated that he had spoken with Don McDougall who will move this material to the recommended areas. He said that McDougal will also remove a portion of the material to another location. Lucas said that he would like to coordinate with Clastine Ritchie, the Parks Commissioner, in connection with this project. He also stated that there is an entire section of the Report (Appendix C) which contains recommendations for appropriate plantings for the area. He said that he felt that Ritchie was the best person to form a committee to work with her to enhance the area. Lucas commented that Mr. Holscher is a biologist who does this type of work for many different organizations. The City does not appear to have any significant violations in the area but plans to take steps to make improvements. The wet weather is currently hindering the use of a backhoe in the area in question. Lucas commented that this document is available for review upon request by the public. Lucas stated that this report will provide guidance for the City when performing future projects at Freres Park.

OTHER.

- **Councilor Availability for May 25th City Council & Budget Committee Meeting.** All Councilors present stated that they were available for that date.
- **Councilor and Commissioner Bios.** Lucas stated that Conner had submitted his bio. He said that Mitchell was in the process of preparing a template for the use of those who had not yet completed this project.
- **City Wide Cleanup.** Lucas stated that the 4th annual City Wide Cleanup is scheduled for May 15, 2010 and volunteers to assist with this project are needed. Branch and Burroughs are key volunteers in this effort since they are the ones who have run the heavy equipment in the past.
- **Resolution #418 and #419.** Mitchell stated that these resolutions are the Fair Housing Resolution and the Resolution Against Excessive Force which were adopted last month in conjunction with the Community Development Block Grant. Their finalization completes the grant package and NSCEDC can now do their first draw down of funds.
- **Website.** Mitchell reported that the company setting up the website has had a few setbacks and personnel changes but they are moving forward and should be able to provide a demonstration to Council in the near future.
- **Library Activities.** Conner reported that the ramp at the Library would be the first project to be worked on. After a meeting between Conner, Burroughs and Burns a determination of the orientation of the ramp was made. They also discussed the best materials to use in the construction of the ramp. Burns is conducting research and getting estimates as to the cost of various materials. He stated that he is waiting for a report from the City Engineer as to how the ramp will be engineered and structured. After he receives the report he will be able to estimate material costs. After the final determination as to which material will be used to construct the ramp is made, Conner said that they will start looking at funding sources. Burns stated that all the exterior doors are being rekeyed and new ADA handles installed. Conner also said that the parking lot issues will be the next priority after the ramp is taken care of.
- **Donation to Mehama Ball Park.** Lucas reported that the donation of \$500 toward the purchase of equipment for the Mehama Ball Park, which had been telephonically approved by all Councilors, had been distributed. Conner stated that he had spoken with Jeff Rook who voiced his appreciation of the City's support. Mitchell stated that banners which will be hung on the fence at the ball park are being prepared for donors.

- **25th Street Light.** Lucas stated that DeLapp has been discussing this issue with the Power Company. DeLapp asked if the City had contacted Linn County with regard to this matter. He was advised that it might be more effective if he contacted Linn County with this request, stressing the safety issues involved. Rollow stated that he had discussed this matter with the Linn County Road Master when Linn County paved Main Street and was advised that there is no power available to the pole near the corner of 25th Street. Burroughs said that there was power to that pole until the County put the ditch in. DeLapp asked who owned the 25 street lights along Main Street. He was advised that they were owned and maintained by Pacific Power but that the City pays for the electricity. There was discussion regarding the fact that the right of way on Main Street belongs to Linn County since it is a Linn County Road. DeLapp asked if a light could be installed on 25th Street which belongs to the City. He said that when the City annexed 25th Street the City took on the responsibility of putting a light at that intersection and probably on down 25th Street. DeLapp said that he thought the City should be responsible for the installation. There was discussion regarding the history of the light. Conner asked if 25th Street was within the City limits. He was advised that it was. Conner asked if the owner of the storage units would consider installing a light on his property. Mitchell said that the City cannot encroach on private property without a utility easement. Burroughs said that he could contact Dave Curran of the Linn County Road Department to arrange a meeting to determine what can be done with regard to this issue. There was discussion regarding possible locations for a light. Branch suggested getting someone from Pacific Power to attend the meeting with Curran. Burroughs stated that he would get a meeting scheduled among all appropriate parties to see what resolution could be reached. DeLapp said that he would hold off contacting anyone from Linn County until after that meeting.
- **Employee Review Compilation & Wage Rate Determination.** At the request of Mitchell and McNerney Council discussed this issue in Executive Session. Mitchell, McNerney & Burns were excused from Council Chambers. Council met in Executive Session. After the Executive Session was adjourned Conner made a motion to grant cost of living increases to all City Employees. Burroughs seconded the motion. Voice vote. Motion carries.

There being no further business to come before Council the meeting adjourned at 8:30 P.M.

Audrey McNerney Assistant City Manager