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## **MINUTES LYONS CITY COUNCIL MEETING January 28, 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, Dan Burroughs and Doug Morgan. Councilor Branch was excused but joined the meeting by telephone during the discussion regarding the Reader Board Proposal. City Staff in attendance were City Manager Mary Mitchell, Assistant City Manager Audrey McNerney and Randy Kinzer, Public Works/Maintenance.

**GUESTS.** Bernice Cornforth, Gene Cornforth, Glenda Kinzer, Leann Kent, Roy Kent, Jeff Peters, Linda Grace, Skip Boice, Darlene Walker, Cheri Doran, Steve Baldwin, DC Hendrix, Carol Hendrix, Marian Holder, Hal Holder, Clastine Ritchie, Sheri Olson, Clifford Olson, Kelly Lulay, Gerald Lulay, Tammie Campbell, Lindsey Campbell, Anthony Clark, Sasha Clark, Terry Sears, Kathy Sears, Doug Masterson, Newell Robison, Wayne Eggiman, Bob Newham, Gary Rychard, Linn County Sheriff's Deputy Brian Barker and Robert Schreiber.

Mayor Lucas 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.

**Mayor Pro Tem Appointment.** Mayor Lucas nominated Lon Conner to act as Mayor Pro Tem in his absence. Burroughs made a motion to appoint Lon Conner as Mayor Pro Tem. Morgan seconded the motion. Voice vote. Motion carries.

**Linda Grace – Request to Conduct Local Dog Training Classes.** Linda Grace introduced herself and gave a brief history of her training and experience. She said that her training is based upon the personality of the dog and its relationship to the owner. She conducts group classes for between 4 to 6 dogs. She will also teach private classes either at the home or about town. She has checked with the county and found that she can take dogs to the county park. She has safety rules which she enforces such as that all dogs must be on a leash when out and about. Only in a controlled setting such as a home or fenced yard can the dog(s) be off leash. She provides classes in puppy handling, socialization and manners for puppies up to 4 months of age. After the dogs reach 4 months of age she offers obedience classes. She advised that the name of her business is "Social Graces – Dog Training With Linda Grace." She would like Council to

consider a location where she can hold group classes with no more than 6 dogs in a controlled safe, environment that has the appropriate accommodations for dogs. She felt that it would be best to hold the classes in an indoor setting so that the classes can be held year round. She said that Librarian Harris had shown her the lower level of the new library building and felt that it could be utilized for the classes that she is contemplating. She went on to say that at the least it would be best for the first week of the six week session which is when she holds the orientation for the dog owners. If she is allowed to use the area for the orientation session she would like to have permission to bring her two dogs so that she can show what can be accomplished with her training.

Lucas thanked her for her presentation and assured her that Council understood her request. He stated that the City will try to find something that will accommodate her needs and work with her toward that goal.

**Diane Harvey – Meals on Wheels Presentation.** Lucas asked Harvey to tell Council about the Meals on Wheels program. She said that she was present on behalf of Oregon Cascades West, Senior Disability Services Office, and Council of Governments in Albany with the Meals on Wheels Program. She wanted to give Council a brief overview of the program and advised that the program has a full time supervisor, a part time clerical person and eleven part time meal site managers. They serve Linn, Benton and Lincoln Counties. She stated that they had sites in several cities including Mill City. They currently have 450 volunteers in all 3 counties, without whom they would not have a program. She said that the site in Mill City is open Tuesday and Thursday. Those enrolled in the program get hot meals on Tuesday and Thursday and are provided with frozen meals for the remaining 5 days of the week. At the end of October six boxes of shelf-stable meals are provided to each participant in case bad weather or other emergency prevents meals from being delivered. She went on to state that there are two central kitchens, one in Newport and one in Salem, which services the valley area. There are specialized trucks which deliver the food to the various meal sites including Mill City. Their goal is to keep seniors and younger people with disabilities independent and in their own homes and that something as simple as providing a meal each day can help accomplish that goal. The volunteers are the people that the participants rely on to look in on them and make sure that they are safe and well. They feel that they are a safety net for the community. There have been many occasions where volunteer drivers find that they have to call 911. Ruth Higgs is the manager of the Mill City site which serves Mill City, Gates, and Lyons. Harvey estimated that at this time they are only servicing about 13 people and that about half of those people were from the Lyons area. She said that there is a fairly large dining room because in addition to the Meals on Wheels people can come in and eat at the meal site on Tuesdays and Thursdays. She said that on a typical day about 25 people are served. From the Mill City site last year they served 32 Meals on Wheels clients and 51 dining room clients for a total of 83 people. They are counted once during a year long period.

Lucas stated that the reason the Council had invited her to come to the meeting was to explain where the \$500 donated by the City to the Council of Governments for Meals was allocated. He said that statistics from 2008 indicated that there were only 10 people from Lyons who were served Meals on Wheels. He indicated that the City would like the money that is being donated to go to benefit Lyons residents and asked if more than 10 people from Lyons were being served at the present time. A member of the audience stated that she was a driver for Meals on Wheels and that at this time only 4 people from Lyons are being served. He then asked if anyone from Lyons took advantage of the “dine-in” meals. Harvey stated that she did not believe they did. If the entire \$500 isn’t needed to support the 4 people in Lyons Lucas asked if the rest of the funds were then allocated to support Mill City and Gates. Harvey responded

that meal sites such as Mill City also serve outlying communities. In response to a question from the audience Harvey explained that the criteria for participation in the program was that a participant had to be 60 years of age or older and homebound or having difficulty with shopping for or preparing meals or disabled persons under 60 years of age who meet certain strict criteria. She said that there was no cost to participants. The entire program is on a donation basis. There is a suggested donation of \$3.50 per meal which is not tracked. Lucas stated that based on statistics two years ago the average donation contributed per meal was 90¢. Harvey stated that that number was probably lower today. Lucas commented that the number of Lyons' participants was down from 10 to 4. He asked if the need was down. Harvey responded that the most difficult problem was outreach. Someone has to let them know of a need at which time they will interview the potential participant, make an assessment and sign them up to receive the meals. Conner commented that because of today's economy it would seem that there would be more people in need of this service. He asked how they get the information regarding the availability of the program out into the various communities. Harvey responded that they take recommendations from family members, there is some advertising but even though there are many more people who would qualify for the program it is difficult to make them aware of the availability.

Lucas stated that the question for Council was whether or not the City wanted to continue its support of the Meals on Wheels program and to what extent. He stated that the \$500 per year previously donated seemed to more than cover the costs for the citizens of Lyons who take advantage of the program. Harvey made the suggestion that the City take a portion of its donation and dedicate it to various advertising media such as sending out flyers to raise awareness of the program in the community. After discussion Conner made a motion that the City continue to contribute the sum of \$500 per year to the Meals on Wheels program. Burroughs seconded the motion. Voice vote. Motion carries.

**Clastine Ritchie – Community Garden Project.** Ritchie stated that it had been brought to her attention that there was a possibility of getting a community garden going for the City. She posted some flyers requesting that any one interested contact her. There are a few possibilities as to land that could be used for the project and there are a number of people who have volunteered to help put the project together. However, what is needed are volunteers to physically do some gardening. She said that she would appreciate suggestions and will take any help she can get. She said that she is open to any plan that will get the community working together. She also said that it might be a good project to keep some of the kids in the community occupied. She commented that a fundraising effort will be necessary. Lucas stated that at this point they would like to set up an organizational committee to get the project started.

**Roy Kent – Speed Humps on 13<sup>th</sup> Street.** Lucas gave a short history of how the speed humps got to 13<sup>th</sup> Street and explained that the matter came before City Council as the result of a citizen complaint from J. D. Burns regarding the speeding which occurs on that street and a request that speed bumps be installed to control it. Burns said that his sons had “almost been killed” on several occasions by drivers speeding down the street. City Council considered a number of options to control the speeding and made a determination to consider “speed humps.” Letters were sent to all property owners on 13<sup>th</sup> Street to advise them of upcoming improvements on 13<sup>th</sup> Street among which was the possible installation of “speed humps.” These improvements were to be discussed at the July 23<sup>rd</sup> City Council meeting. Many property owners attended the meeting. He went on to say that the City coordinated with the fire department, ambulance and with others who needed to transit 13<sup>th</sup> Street. He said that what came out at the Council meeting was that no one liked speed humps, bumps or tables, but all agreed that they slow down traffic. Slowing traffic increases the safety of the people on that street. After consideration of the various traffic

calming devices the Council determined that the safest, most economic measure was to install the speed humps. Lucas stated that he didn't know how many people were for or against the speed humps but he wanted to make it clear that he wanted everyone present that wanted to have a say regarding the matter. He commented that the point of the matter is that the speed humps are installed and they have slowed the traffic.

At this point he called upon Roy Kent who stated that he was a homeowner on 14<sup>th</sup> Street. Kent said that wanted to know why the people who lived on 14<sup>th</sup> Street and Dogwood were not involved in the decision making process since they needed to travel 13<sup>th</sup> Street to get to their homes. Lucas commented that while there was no requirement to do so, the City probably should have included property owners on Dogwood and 14<sup>th</sup> Street in the notification. However, the properties most affected by the problem were the properties located on 13<sup>th</sup> Street. Kent then read the August 6, 2009 letter from the Lyons Rural Fire Protection District forwarded to the City Council which set forth their concern that the installation of speed tables, speed humps, bumps, etc. on 13<sup>th</sup> Street would hamper or delay a response to the residents and property in that area and it was their desire to keep the street free of any obstruction or diversion. They acknowledged that speed is an issue on 13<sup>th</sup> Street and requested that the Council take their thoughts into consideration as the Council makes its decision. A copy of this letter is available at City Hall upon request. Kent asked if this letter was taken into consideration and, if so, how could Council make a decision which might slow down the response time of the Fire District in an emergency.

Lucas responded that this letter was taken into consideration; however Council felt that the safety of the people transiting 13<sup>th</sup> Street was more important. He said that after the speed humps were installed a fire truck from Mehama had traveled 13<sup>th</sup> Street and the driver stated that there would be no negligible difference in his response time to get down the street to get to a fire. Kent questioned the utilization of a fire truck from Mehama rather than one from the Lyons Fire District. Lucas stated that a fire truck from the Lyons District could also make this run. Lucas then stated that yesterday he, the driver and a medic from the Lyons Ambulance Service drove an ambulance down 13<sup>th</sup> Street twice. After the two runs the medic (the EMS coordinator) stated "The variables of each individual incident are so complex it is impossible to quantify a specific answer regarding the possible impact of the speed bumps." In her estimation there was no accountable, significant time difference. Lucas then stated that he would take comments from the audience and requested that if anyone would like to comment he would call on each person, one at a time and requested that they state their name and address when called upon.

There were a number of comments from the audience to the effect that it was necessary to go less than 25 mph over the humps to avoid damage to their vehicles. The question was raised as to why there were three humps installed. Some said there were too many and some said there should be more. Lucas stated that the regulations for the installation of speed bumps was researched and it was determined from that research that they have to be placed a certain distance apart to make them most effective. Lucas called on the property owner who had stated that there should be more speed humps on 13<sup>th</sup> Street and she stated that unless the speed of the vehicles coming off of Main Street either east or west was controlled there was a good possibility of a collision with a vehicle coming out of the driveways in that area.

A discussion then took place regarding the speed of various vehicles, including the school bus, traveling 13<sup>th</sup> Street. The comment was made that if the school bus went over one of the speed humps at 15 mph it would cause a student to bounce up about a foot out of the seat. Lucas asked the property owner if, in her estimation, she had noticed the vehicles traveling 13<sup>th</sup> Street going slower because of the speed humps.

She responded that they were, at times, but a resident stated that coming out of her driveway in the morning, in the dark, was still very dangerous because when the vehicles hit the last hump they “gun it” up the hill.

Lucas asked Mr. Gary Rychard to specifically address the school bus issue. Rychard, the Safety Director from the North Santiam School District, introduced himself and stated that he would talk about safe routes for students and also about the school buses. He stated that there is a project going on, primarily in Marion County but also in Linn County, called “Safe Routes to School.” This is a state and federal grant identifying ways to improve student safety; primarily walking; bicycling etc. Not necessarily car traffic. From a school perspective the school district appreciates that the City is doing something to increase the safety of the children and pedestrians. He said that he drove 13<sup>th</sup> Street a couple of times and agreed that you do have to slow down to below 25 mph as has been stated, but that is the intent. However, if a pedestrian or a child were killed on the street there would not be enough room in City Hall to hold all of the people who would come in to complain. He went on to state that 13<sup>th</sup> Street is a fast and dangerous street as everyone present is aware. He said that from a school perspective he would applaud the efforts of the City to improve safety because while it is not always the most pleasing thing to do, it is the right thing to do. The school district appreciates the fact that the City has done something to improve safety on this street.

Many of the citizens present expressed concern that the speed humps would cause damage to their cars. The question was raised as to why no speed humps were placed past Dogwood to John Neal Park. Lucas explained that that portion of 13<sup>th</sup> Street belonged to Linn County and the City had no jurisdiction there. Another concern that was raised was that the Linn County Sheriff’s Office does not adequately police the City, not only insofar as traffic is concerned but also with regard to other crimes taking place in the City. Deputy Barker responded that if people have a concern regarding a strange vehicle or any other problem they should contact the Sheriff’s Department immediately. They do not have to have an emergency to call the police. There was a comment that part of the problem is that the City does not have a full time residential police person. There was comment that if there were a full time police presence in town there would be no speed bumps because there would be someone who could be called to take care of speeders or other issues.

There were several people who live on 13<sup>th</sup> Street who stated that they failed to receive the notification regarding street improvements. Lucas referred to a copy of the mailing list and determined that the name of each of those persons was on the list of persons to whom the notification was provided.

In response to a question as to why the street between Dogwood and John Neal Park was overlaid, Lucas explained that the City had received a grant to cover the cost of the overlay and had partnered with Linn County to overlay the entire street, including the section of county road which ceases to be 13<sup>th</sup> Street and becomes Neal Park Road.

There was a comment made that even if people had to slow to less than 25 mph to go over the humps, they were losing less than a minute of time. The concern was raised that there was a possibility of running into the rear of a vehicle which slowed or stopped to go over the hump. Baldwin stated that he had been at several of the Council meetings where the installation of speed bumps were discussed and that Council had promised that citizens would be able to go over the speed humps without damaging cars. The

question was raised as to whether anyone had contacted a specialist to determine exactly whether a speed bump would actually cause front end damage to a car.

There was a comment that some of the people driving on 13<sup>th</sup> Street were going around the speed bumps. Councilor Burroughs stated that this issue would be addressed and taken care of.

The question was raised as to how much money was spent to have the speed humps installed. Lucas responded that this was done at no cost to the City. The funds came out of a grant to resurface the street and because the speed humps are safety devices the City negotiated the cost of their installation as part of the grant.

The issue of the lack of law enforcement was again raised. Lucas asked Barker to speak to the fact that we do not have a deputy here all of the time taking care of all of the crime and catching the speeders. Barker stated that the City is paying for 75% of the time of one deputy and the burden of policing the area is shared between Lyons, Mill City and Scio. At this time the area is fully staffed so there are two deputies for all three towns and all of the area in between. To actually have a full time police force the staffing would have to be multiplied several times. Barker went on to state that he works a 12 hour shift. 75% of that time is 9 hours. To have 24 hour coverage you would have to pay for 4 people and that does not include vacation or sick time. The way the Sheriff's office operates is to send the deputies to where the problems are. When asked how many trips he makes down 13<sup>th</sup> Street on an average 9 hour shift Barker responded "not that many." During the summer there are more.

Lucas stated that in looking at the issue of police coverage it appears that the deputies are limited by their dispatcher who sends the deputies to wherever they are needed throughout the entire county. Barker said that there are two deputies per shift assigned to the North County area which is from Scio all the way to Idanha. Lucas stated that the Sheriff's Office provides a monthly report to the City which sets forth the number of hours spent in Lyons and a breakdown as to traffic citations, violations, arrests and complaints/incidents investigated. Barker also stated that because he is a resident of Lyons he is in town quite often. He further stated that there are times when there might be two deputies on two separate calls in Lyons. They go where there are issues. If there is a major incident there might be 10 deputies coming to Lyons out of Albany to assist.

Rychard stated that within their school district at different sites with larger parking lots they have speed bumps. These are the actual asphalt speed bumps which are more intrusive than the speed humps. He said that you won't find anyone who drives through the 5 - 10 mph parking lots that can go over those speed bumps at 5 or 10 mph. Burroughs commented that the literature actually said that they could be driven over at 20 - 25 mph. Rychard went on to state that 13<sup>th</sup> Street is a dimly lit street which could present a problem when students are coming to the bus stops early morning while it is still dark. He said that he is the Police Commissioner for the City of Sublimity which has 24 hour patrols. If any one thinks that having a police presence here 24 hours per day is going to slow people down on 13<sup>th</sup> Street they are wrong. You could have a deputy handling something on one street and have someone speeding on another street. Even though they have a full time police department people still speed. They have a few streets on which Rychard said he wishes there were speed humps.

In response to a query from Kent, Rychard stated that he was a Certified Safety Inspector for the School District and a former police officer.

The question was raised as to whether there was a possibility of contacting the company which supplied the speed humps to let them know that these aren't working at 25 mph and going to 6 foot ramps similar to those installed in the City of Phoenix which slows traffic by 7 – 10 mph. This would allow people to travel at the posted speed and eliminate some of the problems raised with regard to vehicle damage. There was another comment made that in Salem there were speed humps that were more like a speed table that were easier on the car but still required that the car slow down for them.

Kent commented that it was his understanding that the voice of the people on 14<sup>th</sup> Street, Dogwood and in the county didn't have any meaning and that the information received from the fire district was superseded by someone else. Lucas responded that the information was considered and the Council felt that the safety of the people and the other individuals who travel 13<sup>th</sup> Street was most important. Kent expressed concern that the City could face liability in the event that someone died because an emergency vehicle was slowed by seconds by the speed humps.

Lucas said that what we have heard tonight were two different issues. On the one side is the fact that they are an inconvenience and there was a possibility of damage to vehicles. On the other side is the purpose for which they were installed, which is to slow down traffic. He stated that what he has also heard here tonight is that people often speed down 13<sup>th</sup> Street. No one likes speed bumps or speed humps however they reduce the speed that people are traveling. Therefore, a logical conclusion can be drawn that reduced speed reduces the possibility of someone having an accident which could involve pedestrians, children or other vehicles. Which weighs more, inconvenience or safety?

Kent asked if speed humps were to be installed on every street because that there were children walking on every street. He said that he felt that the City was "picking on" 13<sup>th</sup> Street. Lucas explained that there was a complaint; when a complaint is received it is the City's responsibility to investigate and to respond to that complaint and that is what the Council has done here. Kent said that no one had ever been killed on 13<sup>th</sup> Street. There was a fatality on 13<sup>th</sup> and Main about 25 years ago but it was not on 13<sup>th</sup> Street itself. Lucas said that the point of the matter is whether the life of one child or anyone else being put at risk is more important than the inconvenience of the speed humps.

Rychard said that he would agree with Lucas. He said that in his part time job he is a Certified Emergency Vehicle Operations Instructor. He would challenge the assessment that the fire trucks or the ambulances would be impeded when responding to a call. Kent argued that he felt that the speed humps were more important to Council than the people on 14<sup>th</sup> Street or Dogwood. Lucas said that Kent must have misunderstood what he (Lucas) had said; that it was not his intention to convey the impression that the opinions of the residents of 14<sup>th</sup> Street and Dogwood were unimportant. There was also a comment in support of Lucas from the audience to the effect that Kent had misunderstood what Lucas had said.

At this point Roy and Leann Kent left the meeting.

There was comment from a person residing on 13<sup>th</sup> Street to the effect that there had been a questionnaire sent out about 10 years ago by the City and one of the issues covered in that questionnaire was how to slow the speed down on 13<sup>th</sup> Street. It has taken this long for someone to ask what could be done about

this problem. It was also commented that it takes only a minimal amount of extra time to slow down for the speed humps.

Lucas was asked what the difference was between the cost of the speed humps and the speed tables. Lucas responded that the cost of the speed tables was more than double what initially had been quoted.

Cornforth asked why the City didn't just enforce the law. Lucas referred the question to Deputy Barker who responded that there were approximately two hundred miles of roads and there is a dedicated traffic team of 4 deputies to cover the entire county. Speeding is a violation, not a crime. When asked about installing cameras to detect speeders Barker responded that it would be very costly.

Lucas stated that he would like to hear some comments from the other Council members all of whom have traveled 13<sup>th</sup> Street. Conner stated that he had previously lived in a gated community with approximately 1,000 feet of road on which they had installed speed bumps. The reason for this was that the people who lived there didn't slow down and the invited guests also failed to slow down. There had to be a way to slow traffic and to the best of his knowledge those speed bumps are still in place. He went on to say that he wanted to see exactly what the time difference was going down 13<sup>th</sup> Street at various speeds. He wanted to determine how many seconds it would take to get from Dogwood to the top of the street. At 25 mph slowing to 20 mph it is 58.69 seconds. At 35 mph with no slowing down it is 49.97 seconds. There is less than a 9 second time difference from Dogwood to Main Street. It is his opinion that if those 9 seconds twice a day is going to inconvenience someone they may have to leave a little bit earlier to get where they are going. There is also a safety issue to consider. Conner stated that the City is not going to stop people from speeding with three speed humps but if it saves a life, even though we may not like it, it is necessary.

There was further discussion regarding possible vehicle damage and speeders on 13<sup>th</sup> Street. Rychard stated that with regard to the speed at which the school bus was being driven, if any driver is driving a bus at a speed which is not reasonable and prudent they are driving too fast. If they have to slow down to almost a dead stop to get over them then he or she must do what is reasonable and prudent. If a driver is going over the hump fast enough to cause the children to come up out of their seats he is going over it too fast. He said that he was not debating as to what speed the bus should be going, he is just stating what the statute says.

Morgan said that he was new to the debate but there were a few things that stood out to him. When he looked at both sides of the issue it highlights a larger issue that may need to be discussed at a future meeting. That is what level of law enforcement do we have, what level do we want for our community and what do we want to pay for it. One of the things that a government is supposed to do is provide safety.

Burroughs stated that in order to provide safety the speed on the street had to be reduced. It seems as though the speed humps are slowing the traffic and improving the safety of the street.

There was additional discussion regarding whether or not the speed humps accommodated a speed of 25 mph and whether or not the speed humps were causing or could cause damage to vehicles. One comment that was made was that perhaps the speed limit on the street should be lowered to 10 or 15 mph.



There was a question as to whether or not it would be prudent for the City to develop a policy or a process to administer the installation of future speed humps in the community. Lucas stated that this process exists at the present time. Any person can come in to City Hall and register a complaint by completing a concern form. He went on to say that safety is a concern that is paramount to everything else. This can't end up as a popular vote. Decisions have to be made so that people's opinions are taken into consideration yet safety has to rule. He said that it is an unknown factor whether or not if the people from 14<sup>th</sup> Street and Dogwood had been aware of the issue Council's decision might have been different, but there certainly would have been a vigorous debate before the fact instead of after.

### **CONSENT AGENDA.**

Lucas asked if there were any questions regarding the Consent Agenda which includes the Minutes of the December 15, 2009 City Council Meeting, the January 2010 Bills to Pay Report and Resolution #415 which authorizes a transfer of funds to the Library Fund. There being no questions Morgan made a motion to approve the Consent Agenda. Burroughs seconded the motion. Voice vote. Motion carries.

### **CONTINUING BUSINESS.**

- **WAVE Broadband Franchise Agreement Update.** Lucas said that there is now competition between WAVE Broadband and People's Telephone for the telephone services. Since WAVE Broadband is going to offer telephone services the City wanted to determine whether they should pay a franchise fee to the City for their telephone services as well as the cable services. According to legal counsel the City will need to have a separate agreement with WAVE if the City wants to collect franchise fees for those telephone services. The City wants to explore the possibility of getting up to a 4% franchise fee from WAVE telephone service. The City will work with WAVE to determine what is most beneficial to the City and its citizens. Mitchell stated that the City has the option of charging anywhere from 1% to 4% as a franchise fee. The City charges a 3% franchise fee to franchisees operating within the City's rights of way. The reason for this charge is to recoup expenses associated with those operations. If there is no franchise agreement there is no vehicle with which to determine the relationship between the City and the franchisee. At renewal the City has the opportunity to reduce or increase the fee charged. The City has left the fee at 3%. Morgan stated that it seemed logical that if we are charging People's Telephone a franchise fee for the telephone services they offer we should also charge WAVE Broadband a franchise fee as well.
- **Reader Board Proposal.** Lucas stated that many of the issues raised have to do with inadequate communication between City Hall and the community. The City has utilized many methods to communicate such as letters, flyers, publication in the local newspaper, etc. None of those methods has been completely effective. Council is considering purchasing an electronic reader board made by Daktronics similar to the one in front of Stayton High School. The reader board comes in different sizes, is electronically run and can be remotely programmed. Progress is being made to develop a City website which will connect to other websites. This should be a very effective tool on which to post city minutes, calendars, etc. However, not everyone has access to a computer. Lucas went on to say that there is a need for communication to the community for official business such as meeting notification, emergency event notification, road closures, elections and other matters many of which he enumerated. He said that there is also a need to communicate community events such as the City Wide Cleanup, the City Wide Garage Sale, and the Library Book Sale as well as many other programs and events. To that goal the Council had

Daktronics provide a demonstration of the reader board and its capabilities. The Council also had staff contact the cities of Pilot Rock, Seaside and Philomath (who are utilizing reader boards to communicate with their communities) to get their opinions as to their effectiveness. They all provided glowing reports as to how the use of the reader board had increased community awareness and participation. Lucas said that he had contacted the principal of Sublimity Elementary School and the principal said that it was hard for him to quantify its effect. He said that nothing compares with the reader board to have connectivity between the school, the parents and the community. Council requested bids from Daktronics which ranged from an inexpensive model up to the very expensive multi-colored two sided model. The next question was where to locate such a sign. It has to be on City owned property, there has to be "line of sight" to control it from a dedicated computer and, ideally, for it to be placed a little higher than on the ground to prevent vandalism (of the small LED lights). Lucas said that Council needed to determine what kind of sign the City wants and where to put it. The City has sufficient funds in the Equipment Fund to enable to City to purchase the sign without any additional charge to the citizens of Lyons. The City might seek volunteer help to defray some of the installation costs. There was some discussion regarding a partnership with Mari-Linn School but there were operational and cost issues which would conflict. Lucas said that it had tentatively been decided to put the reader board in the City owned park next to City Hall. However, unless they are going to travel Highway 226 to Albany or are going to a local business on Main Street there is a possibility the citizens who reside north of City Hall would not have the opportunity to see it. The ideal place would be at the end of the bridge, but there is no place to install it and no convenient way to program it at that location. After discussion it appeared that the best place for the reader board would be in the City Park facing north on 5<sup>th</sup> Street. At that location the board can be read from about 125 yards. AT THIS POINT IN THE DISCUSSION COUNCILOR JEFF BRANCH WAS CONTACTED AND HE JOINED THE DISCUSSION TELEPHONICALLY. Lucas stated that Council had to reach a decision as to whether they want to purchase a reader board and, if so, what kind of a reader board they wanted. Lucas referred to the proposals submitted by Daktronics which ranged from about nearly \$30,000 for a large two-sided multicolored sign down to about \$12,000 for a sign of about the same size but only one sided and monochromatic. Conner stated that he felt that the reader board was an excellent idea and a good way to get information out to the community. In response to a question from the audience Lucas described the proposed location for the reader board and there was discussion regarding its placement. Lucas told Branch that the City had received the proposals from Daktronics only yesterday and, since Branch had not had the opportunity to review them, he asked Branch for his input generally. Branch stated that he felt the City had better things to spend its money on. There was discussion regarding some of the features of the reader board. Lucas then commented that the City has the money for the reader board and there is definitely a need for better communication with the community. Morgan stated that part of what went on at this meeting tonight was due to a lack of communication and the City needs better tools to better communicate with the community. Conner said that it was worthwhile use of funds if it accomplished the goal of better communication. Burroughs said that he felt the City could get one like the reader board at the Fire Hall and it would accomplish the same thing. Lucas said that he had spoken with Micki Valentine, the Office Administrator at the Lyons Fire District, about their reader board and she told him that there was nothing that she hated more than going out in the rain to change the letters. She also said that she doesn't change it often enough and waits until the last minute to do it. Lucas commented that that type of board is labor intensive, limited in what it can say and is subject to vandalism. Morgan commented that he gets most of his information

regarding his children's activities at their school from the reader board at the Stayton High School. There was a question as to the type of warranty that was offered on this equipment. Mitchell said that it comes with an initial 5 year warranty which can be extended. Lucas said that coverage for the reader board can be added to the City's insurance policy. McNerney commented that when she spoke with the cities that had a reader board which had been installed by Daktronics that vandalism had not been an issue and that they had few problems once the reader board was installed. They also commented that the signs were very low maintenance and that the support from Daktronics was excellent Lucas asked Branch if he had any further comment. Branch responded that he was just listening to the discussion. Mitchell commented on the fact that it was an excellent tool for communication and that it is easily accessed and be updated quickly. There was discussion regarding the features of the reader board that had been utilized for the demonstration. Lucas advised Branch that the cheapest board was \$8,200 which was a smaller board, monochromatic and that after Council had participated in the demonstration they preferred the \$12,512 board which was a little larger, single sided and monochromatic. Lucas asked if Council felt that the City needed a reader board. Conner and Morgan stated that they felt that it does. Burroughs commented that he was concerned about the cost. Branch commented that he felt that a sign similar to the one in Sublimity would be sufficient. There was discussion regarding the advantages and features of the larger sign which has larger fonts, more capability and is monochromatic. Conner made a motion to have the City purchase the Daktronics Galaxy 20mm Monochrome Outdoor LED Matrix Display-3500 Series reader board at a cost of \$12,500 which includes shipping to site. Morgan seconded the motion. Lucas called for a vote. Conner voted yes. Morgan voted yes. Lucas voted yes. Branch voted no. Burroughs voted no. Motion carries with a vote of 3-2.

- **Lulay Complaint re Burning at Sand Shed Property.** Lulay said that she had a problem with the contents of the City burn pile at the Freres Park Sand Shed property. Mitchell suggested that the matter be placed on the agenda for the next meeting since it is not yet burn season and Kinzer is not present at this time. After discussion it was agreed that Burroughs would meet with Lulay to investigate her complaint and that the matter would be placed on the agenda for the February 23, 2010 City Council Meeting.

#### **NEW BUSINESS.**

- **Planning Commission Applicants.** Lucas stated that there were two vacancies on the Lyons Planning Commission. The City has received letters from Cheri Doran and from Kimberly Hunn stating that they would like to serve on the Planning Commission. Cheri Doran was present at the meeting and Lucas read her letter to the Council. After discussion Burroughs made a motion to appoint Cheri Doran to the Lyons Planning Commission. Morgan seconded the motion. Voice vote. Motion carries. He then read the letter from Kimberly Hunn and after discussion Burroughs made a motion to appoint Kimberly Hunn to the Lyons Planning Commission. Conner seconded the motion. Voice vote. Motion carries. Cheri Doran was sworn in by Mitchell as a member of the Lyons Planning Commission. Hunn will be sworn in at the next Planning Commission meeting.

#### **OTHER.**

- **Update on School Board Meetings.** Baldwin stated that he had attended two School Board meetings since the last City Council meeting. He told Council that he had informed the School Board that the Council was unhappy with the fact that the School District had misinformed the City regarding Linn County's participation in the levying of the Construction Excise Tax (CET). The District asked Baldwin to extend their apologies and requested that he inform Council that in the event Linn County does not want to collect the CET any person applying for a building permit in the county would have to pay the CET tax directly to the School District prior to Linn County's issuance of a building permit. Baldwin then stated that the School District Superintendent had suggested that Baldwin be more than just the City's liaison to the School District and would like him to be available to act as liaison for other organizations such as a senior citizen's organization or the churches in the area. Baldwin asked Council if that would be a problem. Mitchell said that the suggestion would be reflected in the School Board's Minutes and it would be up to the other organizations to make that decision. Lucas thanked Baldwin for his participation at the School Board meetings as the City's representative. Baldwin informed Council that the School Board had expressed their appreciation for Baldwin's attendance at every meeting since the City of Lyons was the only city representative to do so.
- **Linda Grace Insurance Coverage.** Linda Grace informed Council that her liability insurance company had agreed to provide liability insurance coverage for the City in the event she does training on City property.
- **Councilor Availability for February 23rd Meeting.** All Councilors present stated that they would be available on that date.

There being no further business to come before the meeting the meeting adjourned at 8:50 P.M.

Audrey McNerney Assistant City Manager