



# CITY OF LYONS

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LYONS, OREGON 97358

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## CITY COUNCIL MEETING MINUTES

February 28, 2017

**Council Present:** Mayor Troy Donohue, Pro-Tem Jessica Ritchie, Councilor Lloyd Valentine, Councilor Mike Wagner, Councilor Mark Orr

**Council Absent:** none

**Employees Present:** Richard Berkey – Public Works, Micki Valentine – City Recorder, Carol Hendricks – Assistant City Recorder

**Public Present:** Tori Hansen, Mason Wilkins, Dick Voltin, Sgt. Greg Klein, Barbara Orr, Brian Ritchie

**Opened w/pledge @ 6:30pm** by Mayor Troy Donohue

**Conflict of Interest/Ex-parte/Bias:** none

### Consent Agenda

The report provided is bills paid December 14<sup>th</sup>, 2016 – February 22<sup>nd</sup>, 2017 and the minutes are from December 20<sup>th</sup>, 2016 – the regular council meeting and the January 9<sup>th</sup>, 2017 council special meeting. *Mike motions to accept the consent agenda which includes the minutes and bills – Jessica seconds – motion carried with all in favor.*

**Presentations:** none

**Public Comment:** Tori asked to have her written concerns included with the minutes of the meeting – see Exhibit A. She would like the concerns addressed when council gets done with everything else. Mark asks about the 2 gravesites – Tori said they didn't know they owned them and purchased another 2 for a total of 4. Troy asks for other questions or comments. Discussed the columbarium and plots still available. The columbarium will be in a small area and there will still be space in the ground for cremains. The full plots will be reserved for full casket burials. Mark clarifies that it has already been voted on. Troy says we will note the concerns and give Tori a copy of the resolution.

### Liaison Report

- **Sheriff's Report** is reviewed and discussed with council by Sgt. Klein. An average of about 28 calls for the last 4 months with about 15 dedicated traffic hours for Lyons. He discusses gas thefts and connection with other crimes occurring in Marion County. He gave a statistical chart from 2015 to 2016 that shows both years are about consistent with each other. Mark asks about the 2 vehicles that were stolen. Jessica asks about solar eclipse plans. Sgt. Klein explains that the department has a contract providing law enforcement, for a music festival in Brownsville, that weekend. He anticipates between 100,000 and 400,000 people will come to Linn County for the eclipse. The on-duty officers will be available that weekend. Sgt. Klein will contact us about future eclipse meetings. Troy thanks him for the added patrols.

## Unfinished Business

- **Step Pay System** – Council discuss annual reviews with merit increases and also minimum wage. *Jessica motions to have Micki, upon yearly evaluation of non-minimum wage employees, determine up to a 2% merit increase – Lloyd seconds – motion carried with all in favor.*
- **PERS Addition to Employee Handbook** – PERS eligibility requirements, adds verbiage: ‘Some positions may qualify for PERS retirement, which is determined by PERS eligibility requirements’. The PERS retirement benefit is provided to qualifying employees according to PERS rules. Generally employees working 600 hours or more annually are eligible. If they are in a qualifying position and work over 6 months they qualify for PERS or if they work over 600 hours in a year. Mark verifies that there are 3 employees on PERS currently. *Mike motions to accept the PERS addition to the employee’s handbook – Lloyd seconds – motion carried with all in favor.*
- **Columbarium** – Location and Purchase – Council discusses placement of columbarium. Mark asks about grant for anything. Micki says grant may work for radar and donation of property or fencing may qualify. Remaining plots to be used for full casket. There are remains plots left. Tori asked about hauling rocks off, having dirt hauled in, and double stacking gravesites. Tori suggests offering people the option to double stack when they come in to purchase 2 plots. Jessica thinks that is a great option for people that want to do that. Tori asked what the plan is for the city when the cemetery is full. Troy says we will just maintain it and are not planning on buying more property at this time. The cemetery is a huge financial expense for the City of Lyons for maintenance. Council is looking at the best interests of the city for the cemetery. Tori suggests, contacting owners of unused plots to resell them. Council has come up with the columbarium as the best solution and some interest has been shown in purchasing them. Our responsibility is to take care of vandalism and maintenance of the cemetery. *Lloyd motions to approve the location and to move on with the purchase – Mike seconds – motion carried with all in favor.*

## New Business

- **Supplemental Budget Hearing** – Resolution 528 – Micki explains the supplemental budget. The equipment reserve fund was created for future equipment purchases. Richard has been tagging current equipment. Reserve fund doesn’t have any money in it. It was presented previously but no action taken. Troy talks about the city surplus and the specific procedure to dispose of it legally. Troy wants to get rid of old lawnmower and Mark confirms that the money would go back into the general fund. Troy reads – supplemental budget Resolution 528 A Resolution Adopting a Supplemental Budget for Fiscal Year 2016-17, Making Appropriation Changes for Specific Funds. Whereas the funds are for personnel services, cemetery transfer, equipment reserve fund, CET school district, building permit fund to Linn Co., operating contingency, and transfers in from general fund. Troy asks for public comment on Resolution 528 – no comments provided. *Mark motions to accept the Resolution 528 as written – Jessica seconds – motion carried with all in favor.*
- **Resolution 530** – Troy reads Resolution 530 Resolution to Enter into Intergovernmental Agreement Managing Oregon’s Resources Efficiently (MORE). Jessica asks who transports equipment and council is concerned. Micki explains this would be their person who brings equipment and they operate it. This is a sharing of resources such as borrowing equipment or utilizing their equipment and driver. We may have to pay



personnel cost if necessary. Mark asks if this is to just enter into an agreement to be eligible for this and not tied into anything. Jessica confirms that it doesn't cost us or require us to do anything until we use the service. *Mike motions to adopt Resolution 530 – Lloyd seconds – motion passes with 4 ayes and Troy nays.*

- **Solar Eclipse** – Mike has been asked by Marion County to be fully staffed at his business for that weekend. Troy says we will need to watch the city park on 13<sup>th</sup>. Council discussed moving the rocks to block the entrance during that time. Maybe put up concrete barriers where the brush is put and the possibility of renting barriers from Siegmunds. Homeowners may want to put up private property signs on side yards to avoid RV's parking in them. Mike asks if there is any regulations against having RV's parked at private citizen's residences. City's ordinance is for 14 days in the city as long as a self contained RV. Mark is concerned about the trash and the financial burden to the city. Jessica says we need to check with fire dept. and the police for the citizen's safety. Mike recommends using bulletin board and readerboard to inform people of the eclipse. There is a concern of parking along Hwy. 22 and in town. Library has eclipse glasses. Troy wants to put it on future agendas to come up with a game plan for the city.

### **Library Report**

- Troy reads the library board position recommendations by the Lyons Library Board for Laurie Toepfer and Meg Hebing. Jessica says they would be great. *Mark motions to accept both applicants to fill the position at the library – Jessica seconds – motion carried with all in favor.* Micki believes there is another position to fill. Brenda had surgery and should be back next week.

### **Staff Report**

- Public Works – Richard has been identifying the catch basins and culverts that need to be cleaned out. C-More is coming tomorrow to clean out pipes that aren't draining. He has been working on the asset tag list and updating the task list/job description. Lloyd said they will be cleaning up the brush pile on Saturday around 9 am. Lloyd got approval to have all the wood and limbs from now on to be put at Freres on the chipper pad. The pile should just be grass, leaves, and blackberry brush that will deteriorate over time. Troy has seen two different tree services dumping there. Putting up concrete barriers to block access was discussed. Richard replaced the downspout at city hall that was torn down by vandals on Feb. 20<sup>th</sup>.
- Cemetery – New maps from Linn Co. have been installed on the kiosks. GPR will try to get the radar done in the next few weeks depending on weather conditions.
- Library – The ramp is deteriorating on the surface. Need to look at possibility of resurfacing – maybe have a contractor come in to take a look at it. The ramp is needed for wheelchairs and emergency exit. Mr. Voltin questioned ramp being ADA compliant and getting someone to fix it. Mark says to check to see if it would need to be compliant but since it is an existing ramp, it may be pioneered in but we need to check before repairing. Troy says the library is not listed as an ADA compliant, at this time.
- Office – We haven't issued any permits in January. We are waiting on an application for a lot line adjustment. Mason Wilkins has been working on trying to get his shop building permitted. Linn County has denied it several times and we thought all the requirements were met but the county is hesitating because of fixtures for a bathroom upstairs and downstairs. Linn County wants City's approval on 2 bathrooms. Mason said it is not a multi dwelling property. Mason explains this is a temporary living situation while building his house and no one will be living in the shop after the house is constructed.



Council discusses what Linn County Planning has said to do. Our code only allows for one residence and after checking with Dave Kinney this would have to change our zoning code to multi dwelling to allow a second residence on a lot. Linn County is okay with it as long as there is only one bathroom. Council is reluctant to make an exception to code or ordinance. Troy asks for a motion to allow 2 bathrooms – none offered. City of Lyons follows Linn County’s guidelines. Council general consensus to go with whatever Linn Co. requires – if they allow 1 bathroom – we agree and if they allow 2 bathrooms – we agree. Linn Co. has been our guidelines for a very long time.

- Annual CIS insurance review – met with Carol and they said everything was fine.
- Safety meetings – had 2 safety meetings and minutes are included.
- Building Planning/Goal Setting – Micki asks council if they want Dave Kinney come in to do budget planning again this year. Goals accomplished this year – library feasibility study is completed, wastewater feasibility is completed, the library had AC unit installed, the kiosks and maps of cemetery were updated, cemetery radar contract is still in progress, columbarium project is in progress, and increased the hours of the Sheriff’s contract. This year’s goals – address the issues with the library ramp; finish the columbarium project, and the cemetery land donation. In future years – make library ADA compliant or build a new building, complete the cemetery land donation and make improvements, and review the sheriff’s contract. Ongoing projects/maintenance – parks, streets, and buildings. Micki is getting ready to do the budget and getting ideas from council on what they would like. Jessica says we have talked about scholarships and a barbecue for the community. Mark says the eclipse may be an opportunity to generate revenue for a scholarship. Troy discusses essays for the scholarship for kids from Lyons, Mill City and Mehama. Jessica would choose scholarship over barbecue.
- Budget Calendar – May 30<sup>th</sup> for the budget committee meeting and the first state revenue sharing hearing. June 28<sup>th</sup> at the city council meeting to adopt the budget and the state revenue sharing. Micki will be attending the budget workshop in Albany on March 13<sup>th</sup>. Troy asks about city wide clean up being the same time as Mill City – Micki told them that ours was already scheduled for May 13<sup>th</sup> and has reserved the date with Pacific Sanitation.
- Complaints – List given to council and reviewed. Complaint on 13<sup>th</sup> street – the person complaining has moved out-of-state. The renters have moved out. The property is being cleaned up. Complaint on 5<sup>th</sup> street about neighbor leaving tracks and throwing mud into complainant’s yard. Complaint on Hickory Ct. about noise on 5<sup>th</sup> St. and has requested speed limit reduced, street paving, and speed trailer. Micki has requested focused patrol from the sheriff and to have the radar trailer placed near the post office. Micki shows council the speed zone request form from ODOT. They could decide to increase the speed limit. Jessica requests Micki to verify the cost of the speed zone study.
- Quarterly maintenance on heat pump at city hall was done yesterday. Heat doesn’t reach the back room and he gave a quote on a system like the one at the library. Price is \$4,190 or \$3,990 with a cash discount.
- TMDL – Micki attended the meeting on the 22<sup>nd</sup> and that counted as the annual review but she had already submitted the paperwork. The matrix is always required and some things were added. They would like us to pre-warn citizens not to dump grass clippings in the drainage ditch. DEQ and Craft 3 have joined together to provide low cost loans or grants to homeowners and small businesses to repair or update their septic systems – Micki has added the link to our website. Troy mentions sending out a blanket letter and putting on the readerboard about not dumping grass clippings in the ditch.

- Troy would like Micki to speak with city attorney to find out how to enforce our codes legally.
- Mr. Dick Voltin asks about the Water Board obtaining information about the wastewater feasibility study. Troy comments that Idanha and Detroit are the worst and first on the list. Lyons would have the biggest system. Dick says we need to work together as far as the city, sewer, and water district. Troy says that Mill City's treatment plant is too small already. It is inevitable that a wastewater treatment system will happen eventually.

### **Commissioners Report**

- Transportation & Parks – Troy has nothing to add.
- Police – Mark plans on spending time with Sgt. Klein about eclipse
- Safety & Cemetery – Lloyd says it has already been covered
- Library – Jessica has nothing for the Library.
- Building & Planning – Mike plans on going to the meeting.

### **Correspondence**

- none

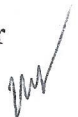
### **Councilor Requests/Future Agenda Requests/Announcements**

- Mark apologized for missing council meetings and has made it a priority to be here.
- Lloyd asks about the city's donation to the Mehama Ball Park – yearly donation check is here and signed.
- Mike has been out to the cemetery to look at the old sign and will have his employees work on it.
- Mike plans on trying to go to March 11 or March 18 sewer feasibility meeting – Mark says he may be able to attend if Mike can't.
- Parks & Recreation – Discussion about hiring a second person for the season – keep under 600 hours.
- Mr. Voltin asks a question about the Beaver Trail in the park – Linn County owns the land. They have contacted us and requested that we do nothing with the trail. There are liability issues. They will assess and make plans for improvement in the coming months. They may close the trail, if necessary.

**Next Meeting** – Council Meeting on March 28<sup>th</sup> at 6:30 pm

Adjourned 9:30 pm

Transcribed by Carol Hendricks, Assistant City Recorder





was any of these considered in the decision making regarding the cemetery

this is an historical cemetery does that not matter

there is a cremain plot already holds 24 spaces and cost less than 700 ea space cost 350  
i think in 14 years only 5 has sold how can you justify  
spending 12,000 on 60 of them

how many plots have only cremains? of these how many are for family?  
my dad bought 2 graves when grandpa died, the city didn't tell us that we already  
owned 2 graves, at the time I'm not sure if grandma knew what she wanted, 20 years  
later she was cremated

so how is that kind of situation going to be handled? you are forcing people to do inurnment  
in a place that they may not want to be so would you have told us she can't be buried  
by her husband the grave was paid for why would you want to force people to be  
inurnment in a columbium is it to justify buying it buy it and force people to use it

what other cemeteries force people to do inurnment in a columbarium?

did anyone ask other historical cemeteries if they have a columbarium?  
stayton had negative reviews

if they city says they are running out of space  
these are cremains  
dont sell people plots if they already own some  
why not stack two per grave there is already one in the cemetery no cost to cemetery  
and double availability  
why not get ahold of the families of unused graves maybe they would donated  
back to the city there is about 100 unused graves

how much is ea niche? is it a one time fee? how much is maintenance?

who pays for vandalism? what would cost be?

who is responsible for the cremains if they were vandalized?

how long will it take to fill?

did council address any of this before making costly decisions take more care this is an  
historical cemetery keep the integrity of that

John L. Linn