



# CITY OF LYONS

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## CITY COUNCIL MEETING MINUTES

February 27, 2018

**Council Present:** Mayor Troy Donohue, Councilor Jessica Ritchie, Councilor Mark Orr, Councilor Mike Wagner

**Council Absent:** Councilor Lloyd Valentine

**Employees Present:** Micki Valentine – City Recorder, Brenda Harris – Librarian, Richard Berkey – Public Works

**Public Present:** Michelle Gates, Tori Hansen, Erin Rodenbaugh, Denny Hoop, Willis Owen, Brad Phelps, Alisha Oliver, Tod Nau, City Attorney – Steve Tabor

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

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

### Consent Agenda

The report provided is the bills paid January 18<sup>th</sup>, 2018 – February 21<sup>st</sup>, 2018, and the minutes are from January 23<sup>rd</sup>, 2018, the regular council meeting. Jessica questions if the grant writing was a class and Micki confirms. *Jessica motions to accept the consent agenda which includes the minutes and bills paid – Mark seconds – motion carried with all in favor – none opposed.*

### Presentations/Public Comments

Tod Nau from the North Santiam School District (NSSD) school board provides a presentation from the school district. He shares how many students and employees are in the school district. Brad Phelps, a student, attends the school board meetings. Brad talks about graduation rates being above the state average, a grant they received, students are building a home, and sports programs. Alisha Oliver, board member, talks about the community engagement committee, the PTA, and the upcoming play this weekend at the high school auditorium. Tod thanks Council. Troy thanks them for their presentation – they leave the meeting.

Michelle Gates from the North Santiam Chamber of Commerce invites everyone to attend a town hall meeting with Marion County Commissioners on March 15<sup>th</sup> at the Gates Fire Hall. She also invites everyone to the 2018 Santiam Awards night on April 25<sup>th</sup>. They are seeking nominations for awards right now and they can be left at Lyons City Hall. The Chamber is working on a Pro Business Scavenger hunt for the middle of August to get people out into the businesses. It will involve Lyons, Mill City, and Gates and will involve a \$250 cash prize. They are in the grant stage and are looking for letters of support. The Tourism grant application is due on Monday and she would appreciate any help we can give. Troy thanks her for her presentation.

### Public Hearing

Troy explains it (*RV stored without a primary residence*) is a City code violation and involves the property on Juniper. A letter was received today Feb. 27, 2018 and Steve Tabor, the city attorney, tried to call him before the meeting and it went to his voice mail. Mark asks how many

times we have tried to contact owner – several letters have been sent. The first time the city attorney sent a letter was in December 2016 notifying him of violation of city code. Council is seeking information on how to resolve this situation. Mr. Tabor says Council should instruct staff to take the next step of enforcement. He refers to the zoning code and options available. Council asks if the property owner says he will remove the trailer by a certain date they could accept that. If he doesn't comply and fines incur, Troy recommends to Council to lien his property. Mr. Tabor would have to review the code to see if legally the trailer could be removed by the City. Mark recommends that we send a certified letter declaring trailer must be removed by May 15<sup>th</sup> and if not, by 8 am on May 16<sup>th</sup>, we will take legal action. Question of what legal action would be and attorney says typically it is a citation by the court. Attorney explains he would be cited for violation of the ordinance and he needs to talk with Micki and go through the code to see about the financial penalties. He says that technically each day could be considered a separate violation and an amount per day charged. Troy says that Council recommends Micki move forward by sending another letter stating the trailer must be removed by May 15<sup>th</sup> or at that point in time we will take legal action against him and add what that legal action will be. A neighbor is concerned with water runoff since property has been backfilled about 2 feet. Troy says that will need to be checked with Linn County. Jessica says a notice was posted on bulletin and reader board about the hearing. Mike says to send letter both certified and regular. Troy asks for any more public comment – none. Public hearing closed. Steve Tabor leaves the meeting.

### **Liaison Report**

- Sheriff's report is reviewed.

### **Correspondence:**

- Letter from Wave Broadband transferring control of Wave to Radiate Holdings, L.P. They've added another rate increase. Michelle Gates talks about a Community Based Internet.

### **Unfinished Business**

- Appoint Planning Commission & Budget Positions – *Mark motions to accept Jerry Tabler for the Planning Commission position and Ginger Griffith and Cindy Wagner for the Budget Committee positions – Jessica seconds- motion carried with Donohue, Orr, & Ritchie in favor – none opposed – Mike abstained due to conflict of interest.*
- Budget Calendar – The budget calendar is presented. May 29<sup>th</sup> will be a budget committee meeting and the first state revenue sharing hearing. At the June 26<sup>th</sup> City Council meeting/hearing/adopt budget and state revenue sharing.
- Cemetery Ordinance G1-2017 – Discussion about columbarium and rates for the cemetery. Council would like to redo the ordinance to raise the rates to \$1000 to full size plot and a resolution to not allow double stacking. This will be on future gravesite purchases. Tori Hansen questions why there can't be more than 3 cremains to a plot – Troy says that Council doesn't want to change the rules of the cemetery to increase from 3 cremains. The rules were set in 1997 according to Tori and Troy says that Council does not want to change them at this time. Jessica feels that the columbarium will give order to cemetery and records will be kept correctly.

### **New Business**

- CIS – GASB 75 Actuarial Services Agreement – Health insurance is required to be evaluated by an actuary for auditing purposes. CIS will perform this service for free to

cities that participate with them. They may charge us a fee for the employee that isn't enrolled. If CIS doesn't provide the actuary we will need to find one. Council discusses agreement. *Troy asks for a motion - Mike motions to accept the GASB 75 Actuarial Services Agreement subject to confirmation by Micki from League of Oregon Cities that this is indeed the best value for City – Mark seconds – motion carried with all in favor – none opposed.* Micki may ask to have a representative come to explain so we can understand about an actuary.

- OR Government Ethics Commission (OGEC) – Statement of Economic Interest (SEI) reminder for Council – should be in Councilor's emails soon.
- Student Scholarships – Council discusses to put in budget for next year a scholarship (\$500) and after it is budgeted to have a list of criteria. Must be a resident of Lyons. It will be for next year. Micki will check with the Department of Education.

### **Library Report**

- Report is reviewed by Brenda. The library survey has gone out. She talks about mailing a postcard to verify mailing address of patrons to ensure the address is correct. The library can now also do texts.

### **Staff Report**

- Public Works – Maintaining city properties and the trees at the cemetery.
- Cemetery – Updates to the map have been sent to Linn County. Richard needs to provide list of unknowns for updates. Already discussed columbarium.
- Parks – Maintaining, mowing, and removing trash. Discuss dry well in City Park to reduce the flooding. Mark suggests ODOT fix the sidewalks and the pipe at the same time. Troy mentions having the city engineer to come take a look. Mike suggests having attorney write a letter and Council agrees. Include in letter: contamination, major erosion, park is unsafe because saturation of the trees, possibility of trees falling on highway or City Hall and send to appropriate party. Replaced the broken port-a-pot.
- Library – Has had some closures.
- Streets – Clearing the catch basins and monitoring the flooding.
- Office – Two building permits were issued. One mechanical/plumbing permit issued. All the original ordinances have been scanned into computer. Completed and posted OSHA form. PERS – if part-time employees leave and get another PERS job we could possibly owe. There was a late adjustment for 4<sup>th</sup> quarter state employment taxes due to QuickBooks. Insurance reps were here with questionnaire and they have an agility disaster recovery trailer in event of disaster. Troy asks about firewalls and the insurance rep. checked our system while they were here. Troy asks if there is some kind of parental safety on the library computers. City wide cleanup is scheduled for May 12<sup>th</sup>. Council discusses charging for cleanup and decided to leave it as is and not charge. Council decides not to have their excavator for \$500 unless we cannot use one from other sources. Udell has been out again for cemetery. Micki has upcoming training. City has been awarded a 35 year award for being with CIS.
- Complaints – Complaints are reviewed and discussed.
- Working on the budget process.

### **Commissioners Report**

- Transportation & Parks – none
- Police – none

- Safety & Cemetery – none
- Library – none
- Building & Planning – none

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

- Jessica asks to check with Brian Carroll about the County Park to see how he is planning on responding so we could see the progress. She asks if trapper has been contacted since it has been a month. Next month is the agreed time for him to check back.
- Michelle Gates discusses about Detroit Lake being drained and the huge impact it will have on the water system. Other cities are looking at drilling wells to get off the river completely. She would recommend contacting the water district. City of Salem will be fighting the issue. It will probably be a huge topic at the town hall meeting in Gates on March 15<sup>th</sup>.
- Troy proposes making a Purple Heart spot in parking space next to the handicapped spot. He would like to paint it purple and have a Purple Heart parking sign. Mike asks about a plaque that says we honor Purple Hearts instead of designating one space.

**Next Meeting** – Council meeting on March 27<sup>th</sup>, 2018 at 6:30 pm

Adjourned 9:20 pm

Transcribed by Carol Hendricks, Assistant City Recorder

*MV*