



# CITY OF LYONS

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## CITY COUNCIL MEETING MINUTES

August 28, 2018

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

**Council Absent:** None

**Employees Present:** Richard Berkey – Public Works, Micki Valentine – City Recorder, Brenda Harris – Librarian (*arrives at 6:37*)

**Public Present:** Alain Rech, Tori Hansen, Carson Kuenzi & Sean Hyatt from Pacific Sanitation  
**Opened w/pledge @ 6:30 pm** by Mayor Troy Donohue

**Conflict of Interest/Ex-parte/Bias:** Lloyd declares a conflict of interest regarding Tab 9 – City Recorder Wage Increase – Troy says so noted.

### Consent Agenda

The report provided is bills paid July 25<sup>th</sup>, 2018 – August 22<sup>nd</sup>, 2018 and the minutes are from July 31<sup>st</sup>, 2018 the regular council meeting. Mark has questions about the BOLI posters. *Jessica motions to accept the consent agenda which includes the minutes and bills paid – Mark seconds – motion carried with all in favor – no nays.*

**Presentations:** None

**Public Comment:** None

**Liaison Report:** Jessica asks about a wreck – Troy says City shouldn't be responsible for power pole. Mark asks about increasing the contract hours with Linn County in the future. (*Brenda Harris arrives at 6:37*) Council discusses at length about police levy, response time, city codes, and priorities. Troy summarizes the police report. Jessica would like more emphasis on the bicycle situations.

### Correspondence

- None

### Public Hearing

- Alain Rech – Cemetery Curbing – Troy explains that the way the charter is written there is nothing the City can do. Alain says he paid to have the City employees install the curb and it was fine until the burial next to it. Alain said that since the City allowed a third party to dig the hole they are responsible. He would like it repaired. He will call Linn County Sheriff and report it as vandalism. Alain will have his personal attorney deal with it and holds the City responsible. Troy says he is not trying to downplay his concerns but the City Charter specifically has an area covering loss, damage, etc. Mark apologizes to Alain that this happened and there has to be a compromise. Troy thanks Alain. Micki has

contacted North Santiam Funeral Services, our insurance representative, and the attorney. The attorney agrees that the City should not be held responsible. Troy asks if plot purchaser gets a copy of the cemetery rules in their packet – Micki confirms they do. Council discusses options. Troy says the City does take pride in the cemetery and keeps it maintained very well. Troy says to provide Mr. Rech with the information on the company who did the burial. Also Jessica and Council agree that an empathetic letter or email should be sent along with the cemetery codes to Mr. Rech.

- Ordinance Hearing – Violation Definition Ordinance No. 05-11(4)\* – Troy reads the ordinance by title. Council discusses ordinance. Troy reads the title and asks if there is a motion to approve: *Mike motions to adopt Ordinance No. 05-11(4) – Lloyd seconds – motion carried with all in favor – no nays.*

### **New Business**

- Pacific Sanitation Rate Increase – Carson Kuenzi & Sean Hyatt are representatives in attendance at meeting. They explain it would be just under a \$5 increase for the average residential customer and be implemented Oct. 1<sup>st</sup> to allow time for notification. Jessica asks about not doing recycling to save money. Mike asks what can be put in the blue cart and they have a flyer. Mark thinks they do an awesome job and Jessica concurs. Discussion about dropping recycling to avoid rate increases. *Mark motions to accept the rate increase by Pacific Sanitation – Jessica seconds – motion carried with all in favor – no nays.* Letter and flyer should hopefully go out next week.
- Wave Broadband – Rate Adjustment Increase Notice – Council discusses.

### **Unfinished Business**

- Pacific Power Franchise Agreement – Micki asked about a 10 year contract versus a 20 year. Representative could attend next Council Meeting. Council talks about reviewing percentage every so many years with a 20 year contract. Troy asks Micki to approach Mr. Meyer that Council would like a 20 year agreement but would like every 7 years to review the percentage (Section 12). If representative agrees with Council’s proposal no need to attend next meeting.
- City Recorder Wage Increase – (Lloyd declared a conflict of interest – see above) There was a 2% rate increase budgeted for all employees for the year. “As a taxpayer, Mark says that if an employee is getting your insurance and PERS paid and it’s an increase that is part of a wage, and if anyone differs with that, ask the people paying the bills. He’s excluding Micki here. Mark believes that wages are deserved on merit not just because you’ve been there. So from what I’ve just heard, you say everybody got a 2% increase, and he knows he was involved in that vote, but he would just warn Council – people need to get rewarded by merit not just because they’ve spent another year here. We are spending other people’s money and he would like this to be in full what I’m talking about here; full – not shorthand – this to be completely in the minutes.” Mike asked if he could give a different perspective and Mark said yes he was open to anything. Mike’s perspective was that as someone who hires and tries to keep people, is that when minimum wage jumps \$0.50 and you don’t react to that, you don’t have people soon. Council discusses wages, benefits, merits, and PERS. All Council (excluding Lloyd – due to conflict) is in agreement for the 2% increase for Micki.

## Library Report

- Brenda reviews the library report. Summer reading program is over and she was disappointed in attendance this year. All cultural passes are ready to use and are being checked out. She and Micki have been working on ordering books. Troy asks about how many DVDs the library has – Brenda says about 2000. He asks why we keep purchasing more and more DVDs. Brenda replies that some are new releases that patrons request and they are budgeted for. The DVDs are checked out all the time. There are standards that libraries have to meet. Library gets money from checking out DVDs and music. They are also sent to other libraries. Council would like to see how much revenue next month.
- Library Copy Machine – Micki presents 3 quotes on table top models and Council discusses them. *Consensus to go with Copiers Northwest – purchase Canon tabletop with maintenance agreement.*

## Staff Report

- Troy asks about bids for painting City Hall. Council would like to get bids for painting and repairs before the rain hits.
- Public Works – Busy maintaining the city properties. There was vandalism to the benches and picnic tables at Freres Park.
- Cemetery – The concrete pad has been installed and the columbarium is being delivered Sept. 18<sup>th</sup>. Fence is scheduled for starting the 4<sup>th</sup>. Have already discussed the curbing earlier. Micki checked with the Kuri Gill, Historic Cemetery Association, and it's ok to place a columbarium in a historic cemetery but they prefer it to be on the newer side which is where it's being placed.
- Parks – Maintaining the parks – mowing, trimming, watering, trash, moles, etc. Micki confirmed that ODOT is not going to do anything about the drainage in the park. She checked in with Brian, Linn Co. Parks, and the only thing they are going to be putting in is a beaver deceiver – allows water to still flow with beaver dams – sometime this summer.
- Library – Brenda and Micki met with Alyssa for a personnel annual evaluation. Had a safety meeting at the library with library personnel.
- Streets – ODOT signs were placed today – now 25mph at corner and 35mph has been moved. The post is in place by bakery for 35mph sign but waiting on Linn Co. for sign.
- Office – No building permits were applied for and one mechanical/plumbing permit issued. Micki checked with Linn Co. about Accessory Dwelling Units (ADUs) being RVs – no they cannot be RVs. According to Linn Co. they are just small little houses. She got a response from Commission Lindsey regarding the Detroit Lake Fish Passage Project. Jessica asks about the CET (Construction Excise Tax) for new buildings. Two people have filed for the election open positions.
- Mayor's BBQ was cancelled
- Election is Nov. 6<sup>th</sup>
- Someone wants to put on a Blackberry Festival in Lyons in the lot next to the railroad tracks on Front Street.
- Micki has been approached from people about the flag pole that is lying in the cemetery. There is another flag at the cemetery. Council discusses and decides to donate the flag pole to the Mehama School Community Center.
- Complaints – List given to council members and reviewed. Lengthy discussion about property on 18<sup>th</sup> Street. Council discusses property on Main Street. Micki will ask

attorney what the process is with the new ordinance. Troy's recommendation, if Council is in agreement, is to send them a 30 day notice that they will be personally fined so many dollars a day providing attorney agrees. He says to also send letter to 18<sup>th</sup> Street property owner. He would also have letter sent to property owner and business owner on Main Street. Council agrees and discusses. Council is concerned with sanitation and checking again with Linn Co. Environmental about RVs.

- Jessica asks if there are some acceptable ADUs in Linn Co. The County has adopted some ADU standards. Council discusses ADUs and if the City should address them in the future. Council discusses septic systems and is interested in looking at Linn County's ADU standards.

### **Commissioners Report**

- Transportation & Parks – none
- Police – Mark talked with Sgt. Klein today. Radar sign should be placed by school. He was approached by someone wanting speed bumps put in.
- Library – none
- Building & Planning – Mike will see if he can have a guy give a bid on painting City Hall.
- Safety & Cemetery – Lloyd said that the sign was turned around and the rock pile leveled by AA Quality Concrete.

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

- Mark says that Council should give more guidance and detailed information to Micki for some of the projects they request.
- Mark is asking Council to consider making the ADA upgrades to the Library and to be put on the future agenda.
- Mari-Linn School sent a thank you card to City for their donation.

**Next Meeting** – Council meeting on Sept. 25<sup>th</sup>, 2018 at 6:30 pm

Adjourned 9:03 pm

Transcribed by Carol Hendricks, Assistant City Recorder

\* *Resolution #05-11(4) corrected to Res. 05-18*

*MV*