



CITY OF LYONS

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CITY COUNCIL MEETING MINUTES

November 24, 2020

Due to COVID-19 restrictions meetings are being held electronically according to the Governor's Executive Order #20-16. This meeting was held In-Person and via Zoom.

Council Present In-Person & Zoom: Mayor Lloyd Valentine,

Council Present In-Person: Councilors Troy Donohue, Mike Wagner, Jessica Ritchie

Council Present via Zoom: Councilor Mark Orr

Council Absent:

Employees Present in-person: Richard Berkey-PW, City Recorder Micki Valentine in-person & Zoom,

Public Present via Zoom: Diane Hyde

Opened w/pledge: @ 6:30 pm by Mayor Lloyd Valentine

Roll Call taken

Additions to Agenda/Conflict of Interest/Ex-Parte/Bias:

Election Certification added to agenda;

Donohue declares potential conflict of interest for the cemetery bench request (*He is related to requesting family.*)

Presentations: None

Consent Agenda: Minutes October 27, 2020 and bills paid October 27 – November 24, 2020. Councilor Wagner motioned to approve consent agenda for the minutes and bills paid and addition of the elections results to the agenda – Councilor Donohue seconds – motion carried with all in favor – none opposed.

Public Comment: None

Sheriff's Report: Mayor Valentine reviews the sheriff's report. Sgt Klein not able to attend, will try to attend next month. He is retiring at the end of the year and wants to introduce his replacement.

Correspondence: WAVE notice of increase, League of OR Cities upcoming training announcement, Linn County wildfire recovery report

New Business

- Mayor’s Order 2-2020 Rescission – the emergency for smoke damage has passed and has been cleaned up. It is no longer an issue. *Wagner motions to approve Mayor’s Order 2-2020 to rescind – Ritchie seconds – motion passed with all in favor. None opposed.*
- Election Proclamation – Reviewed results of the election. Receiving the majority of votes are Valentine for Mayor, Wagner and Hyde for the two council positions. The charter amendment passed with 473 Yes votes and 356 No votes. The charter requires that the mayor make a proclamation declaring the majority of those who voted on the measure to be in favor of it. The proclamation was presented and all councilors recognized its passage. It will go into effect January 1, 2021.

Unfinished Business

- Cooke/Mosso Lawsuit – Notice letters were reviewed. The letters were forwarded to our insurance company. The insurance company has sent a denial of the claim. The letter was also forwarded to our attorney.
- Emergency Operations Plan – The link to the plan on our website was forwarded to both the water district and fire district – no response back from either. The link was also sent to councilors. There is a separate list of agencies and their contact information that will be reviewed and updated as the next step in this review. The City can make donations to other agencies for community development by resolution – funds must come from the General Fund. Tax value was pointed out. Reminder of priorities from the joint meeting minutes, being the water district projects.
- Nuisance Ordinance Review – Council reviewed the recommended changes by our attorney. Consensus is to make the recommended changes – moving hazardous vegetation to the nuisance code, employees may prepare citations and serve warrants, clear up wording for better understanding. City is not required to enforce nuisance codes.
- Cemetery Reimbursement – Apology from City Recorder for delivering the check prior to last council meeting, didn’t think it would be an issue and she was asked to hold check until after the meeting. Councilor Ritchie didn’t realize everyone had to weigh in on it when she signed the check. She would have voted in favor of the refund. Councilor Wagner would have voted in favor of the refund. Councilors Donohue & Orr would have voted against the refund because it may be difficult to resell the plot. The urn was placed in the headstone portion of the plot, didn’t affect the whole plot.
- Cemetery Columbarium – OMCB says that the number of interments in each plot/niche/crypt is our decision. Any limitations should be made clear in the cemetery rules. Discussion of removing line 6 of the cemetery rules and fees. *Wagner motion to strike Line 6 from the Fox Valley Rules and Regulations, adjust wording for open/close fee – Donohue seconds – motion approved with all in favor – none opposed.*
- Cemetery Bench Request – Donohue declares potential conflict of interest due to family relationship. Consensus is to take each request individually. Employees may make that decision.

Librarian Report – Harris is not present. The report is made available to council.

City Recorder Report

- Public Works
 - Darrell is finished for season, however he did work today.
 - Richard cleaning up storm debris.
- Cemetery

- One plot purchased, one casket burial
- Richard placed & removed flags for Veteran's Day.
- Storm debris clean-up, downed branches removed.
- Parks
 - Update on the dead tree in the City park, Pacific Power was consulted and they will not be taking down – it is up to us to take it down – notified Tori Hansen. We will have an arborist come take a look at it.
- Library
 - The printing issues have been resolved with the return of the computer.
- Streets
 - Richard continues to monitor the storm drains.
 - He inspected the tree on Juniper and its' too big for him to take down. They have issue with the leaves. It is within the right-of-way, pushing into drainage ditch. Likely to cost a few thousand to cut down because of the three trunks. Not causing damage to the street. Council feels it should be a joint effort with the property owner. Get an estimate to take it down. Ok to let them to remove it. If they don't want that offer to share the cost with them. *Wagner motion to allow the property owner to remove the tree – Ritchie seconds – motion carried with all in favor – none opposed.*
- Office
 - Two building permits were issued for a bedroom addition and a RV shelter. Two mechanical permits were issued.
 - The subject of our safety meeting was COVID. The meeting was held via email. Required posters were provided and posted at City Hall, Library, and Shop.
 - Seth Philippi called to say he has received approval from the BSA to do the Welcome Sign project and he would like to do that on Friday. Permit expiration date has passed but waiting on request for extension.
 - We were not successful on the sidewalk grant however they have planning grant that prepares for the sidewalk project grant. It has been submitted.
 - We have already discussed the election results.
 - The concrete installer has been notified that we are ready to start the flag pole project, just waiting for him to respond back.
 - Council reminded of January 5, 2021 Special Meeting for swearing-in of mayor and councilors.

Complaints: Tree on Juniper – already discussed.

Holiday Lighting Contest – will do a gift card rather than movie tickets.

Financial reports – No questions on financial reports or bank accounts. Auditor recommends a council member sign off on the bank statement/reconciliations. Ritchie signs.

Commissioner Report/Councilor Questions/Comments

- Cemetery: Valentine nothing to add.
- Transportation/Parks: Donohue reports that the ponds are filling up, the kiosk signs look very nice.
- Police/Safety: Orr talked to Klein today not able to make it tonight – the Captain will try for next month's meeting.
- Building Improvements: Wagner says they're all still standing.

Requests for Future Agenda – Orr asks what the policy is concerning a complaint letter. Council requests that he contact the City Recorder for clarification and, if necessary, we can discuss it at next month’s meeting. Donohue says we need to have all the information before we can talk about this. Ritchie recommends that he provide a copy to the city to get an answer. Orr asks if there would be a charge. Donohue explained that there is a charge in the ordinances. It was setup for the time to search and collect the information. There is a charge for each document. Ritchie asks that he provide a copy of the letter ahead of time so that we have the information. Orr requests that this be on the agenda for next meeting. Ritchie recommends that he talk to Micki and she can explain it then it may not need to go to council. Donohue reminds Orr that when he comes as a public member that it would come under public comments and he has a three-minute time limit. Orr said he started out as a councilor and asked what the ordinance was. Orr requests to be on agenda for next month. Micki asks that he provide the letter that he’s talking about. Ritchie asks if he needs council or does he just need information from the city. He wants to know what the ordinance is. He wants a verification on behalf of the city. He agrees that it does not need to be on the agenda, he just wants it addressed. Ritchie says if he has a complaint afterwards then it would be appropriate to bring it to council.

Next Meeting – The next city council meeting scheduled for December 22nd @ 6:30 pm. January 5th is the Swearing-in meeting; January 26th is the Regular council meeting.

Adjourned @ 8:23 pm

Reconvene @ approximately 8:28 pm for Lyons Rural Fire District Toy Drive donation request.

Wagner motions to approve toy drive donation in the amount of \$500 – Donohue seconds – motion carried with Wagner, Ritchie, Donohue, & Valentine in favor – none opposed. (Orr & Hyde had already left the Zoom meeting.)

Today’s date is November 24, 2020. It is noted that Councilor Orr has already left the Zoom meeting.

Adjourn at 8:30 pm

Transcribed by Micki Valentine

MV