



# CITY OF LYONS

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## CITY COUNCIL MEETING MINUTES

January 24, 2023

**Council Present:** Councilors: Jessica Ritchie, Mike Wagner, Diane Hyde, & Mayor Lloyd Valentine

**Council Absent:**

**Employees Present:** Librarian Roxy Wilcox, PW Richard Berkey, Planner Dave Kinney, & CM Micki Valentine

**Public Present:** Chong Brenner, Angela Kostoutchenko, Mel Hanna, Robert & Louanne Boice, Sandy Keene, & Eric & Teresa Gjonnes

**Opened w/pledge:** @ 6:31

**Roll Call:** taken

**Announcements (Additions to Agenda/Conflict of Interest/Ex-Parte/Bias):** none

**Presentations:** none

**Public Comment:** none

**Sheriff's Report:** Report reviewed. Briefly discussed the vehicle vs pedestrian incident.

**Consent Agenda:** Council Meeting Minutes December 15, 2022 & January 3, 2023, and Bills Paid November 23, 2022 – January 24, 2023. *Councilor Hyde motioned to approve – Councilor Ritchie second – All in favor – none opposed – approved.*

**Public Hearings:** Mayor Valentine opened the public hearing for the Hafner property annexation at 6:36 pm. The public hearing to consider Land Use File #2022-10, a proposal from Dan Hafner to add 22.88+/- acres to the Lyons Urban Growth Boundary (UGB), amend the Lyons Comprehensive Plan Map to redesignate the property from Farm-Forest (FF) to Residential, to annex the property into the City of Lyons and to rezone the entire property as Single-Family Residential (SFR). The proposal includes an adjacent 5.24-acre parcel at 45047 E. Dogwood Street, south of the Hafner property and adjacent to a private roadway extending from the end of E. Dogwood Street. The City proposes to add the parcel to the Lyons UGB, designate the property for residential use and annex the site concurrently with the applicant's property. The property was sold at auction by Linn County on July 21, 2022 and acquired by Chong Brenner, an adjacent property owner. She concurs with the proposal and signed a petition requesting annexation of her parcel. The hearing agenda and information ORS 197.763(5) was printed and available to the public. Instructions provided to the public. There were no objections to the notices or jurisdiction. There were no Conflicts of Interest, Bias or Ex Parte Contact declared.

Applicant is not present to provide presentation. Kinney explains options. Council decides to continue without applicant's presence. Kinney provides staff report explaining the applicant's proposal. DLCDC required a UGB Study and Analysis be completed, which he details and explains the 7 different areas of consideration of expanding the UGB. The analysis supported the Hafner property as a reasonable addition to the Lyons UGB. Kinney responded to questions. Road development responsibility would lie with developers. Kostiuoutchenko stated that the road will not go through the Brenner property. There was some concern for increased traffic and only one outlet out of the neighborhood. The number of homes that may be built were discussed, which it is expected to be less than 20 but could be more. The lots will have to meet septic requirements; therefore no lot will be less than one-half acre. There were no comments from Proponents. There were no comments from Opponents. General public comments answered were in regard to increased traffic, how long would the development take – concerned about noise from construction and equipment. A question regarding fire hydrant and water service to the area, which will be addressed by the Water District at the time of development. Currently, the Water District is not able to serve the area, however when their current project is completed they will be able to. Septic system approvals and lot sizes will be determined by such things as type of soil on the lot. The subdivision process could start as early as December 2023. Councilor Wagner asked about the other areas in the UGB analysis. Kinney responds saying that UGB annexation would be a property owner request. The City could initiate annexation. Kinney provides a summary. Hearing Closed at 7:17 pm. *(Several public members left the meeting.)*

City Council deliberates and discusses. Wagner states he does not need to hear from the applicant – the other council members concur.

#### Motions:

- 1) Lyons UGB Adjustment: Wagner motioned to amend the Lyons Urban Growth Boundary as proposed in File 2022-01 and to adopt the staff report, including the updated exhibits, findings of fact and conclusions and to direct the City Manager to prepare an ordinance to amend the Lyons Comprehensive Plan Map to adjust the Lyons Urban Growth Boundary as shown on Map 1 and listed in Table 1 of the staff report – Hyde second – motion carried with all in favor – none opposed – passed.
- 2) Lyons Comprehensive Plan Map: Wagner motioned to designate the 28.12 acres added to the Lyons UGB as “Residential” on the Lyons Comprehensive Plan Map – Hyde second – motion carried with all in favor – none opposed – passed.
- 3) Linn County Comprehensive Plan Map and Rezoning: Wagner motioned to forward the City's Ordinance of approval of the Lyons UGB Amendment and Comprehensive Plan Map Amendment for File 2022-01 to Linn County with a request that Linn County concur with the City's decision and take appropriate action to modify the Lyons UGB, amend the Linn County Comprehensive Plan and Linn County Zoning Map for the affected parcels – Ritchie second – motion carried with all in favor – none opposed – passed.
- 4) City of Lyons Annexation and Rezoning: Wagner motioned that if Linn County concurs with the City decision and modifies the Lyons UGB and Lyons Comprehensive Plan, that the City Manager will present an ordinance to the City Council to annex 35.24 acres as listed in Table 1 and concurrently rezone the property annexed to the City as Single Family Residential (SFR) – Hyde second – motion carried with all in favor – none opposed – passed.

### **Unfinished Business:**

- American Rescue Plan – Discussed quotes received from vendors for the stairway lift. None chosen – will need to decide best solution and create a new request. Wilcox reports that there is a grant available for ADA modifications. Could be used for bathroom. ARP funds and City funds could also be used. Council recommended to pursue grant. Should look at the possibility of two ramps to access both the upstairs and downstairs. Council discussed quotes for the heating and air conditioning at City Hall. Ritchie motioned to approve the Best Heating quotes #2 & #3 and the additional costs that may be needed such as wiring – Wagner second – motion carried with all in favor – none opposed – passed.
- Safe Routes to School Update – Lyons was awarded the \$1.5 million grant to place a crosswalk and make sidewalk improvements in the block where the school is located. ODOT will cover the City’s cost share.
- ODOT Urban Design Verification Project – ODOT has begun a new project that will enhance our Safe Routes to School project. A meeting was held with Councilor Wagner and Dave Kinney attending. There will be a site visit tomorrow January 25<sup>th</sup> at 11:00am. We will be taking a look at the Hwy 226/6<sup>th</sup>/5<sup>th</sup> Streets to see what improvements could be done to improve walker/biker safety, such as where sidewalks are needed and alternative options.
- 2021-22 Audit Report – The report was provided. The auditor found no issues to report. There was a discrepancy of \$4.75 from the audited records in comparison to our records.
- Street Projects – Reviewed the items on the list of repairs needed. Juniper Street skin patch delayed until after the Water District completes their project. Ritchie motioned to approve the estimate from Salem Seal Coating to skin patch Elm street between 5<sup>th</sup> and 7<sup>th</sup> Street at a cost of \$6,750 – Wagner second – motion carried with all in favor – none opposed – passed.

### **New Business:**

- Scholarship – Council agrees to continue the scholarship program. No changes are needed.
- The merger of Columbia Bank with Umpqua bank will be completed in February and all accounts will switch to Umpqua Bank in March.
- Budget
  - Approve Budget Calendar – Noted the month/year on the first item needs to be corrected. No objection to holding the meetings one month earlier.
  - Ginger Griffith’s position on the budget committee has expired and she would like to be reappointed. Wagner motions to reappoint Ginger Griffith to the Budget Committee – Hyde second – carried with all in favor – none opposed – passed.
- TMDL Update – Clinton Cheney with Civil West is assisting with the TMDL updates. The mercury update to DEQ was not accepted. He is working on revising it. He is also working on the annual report. A new 5-year plan will be due in February, which he will be working on that as well. The plans will be provided to Council once they are completed most likely at next month’s meeting in February. Changes are mostly updates to our codes. TMDL stands for Total Maximum Daily Load.
- PacifiCorp Streetlight Estimate – The estimate to replace the current bulb to an LED bulb is \$3,030. This came about due to a complaint at the intersection of 10<sup>th</sup> and Main where there was a vehicle vs pedestrian accident. The complainant would like to see improved

lighting. Council asks that we send a letter to Pacific Power to prioritize this as a safety issue. It was recommended to check for a grant from Pacific Power to make the upgrade.

**Correspondence:**

- *(It was noted in the agenda that we received a thank you card from Lyons Firefighters Association for the Toy Drive donation.)*

**Librarian Report:** Librarian Wilcox provided the report. Wilcox explained they have begun a weeding project to identify and remove books that have not been checked out within the past ten years. She has assessed the supplies and will purchase items needed.

**City Manager Report:** CM Valentine gave report. PW Berkey maintaining properties. Surplus items at the library – electronics, recyclables and trash have been removed. Large items still there, working on getting someone to remove. The elevator license for the stair lift has been renewed. LGIP interest rate up to 3.35%. Holiday lighting contest winner was awarded to Jason & Shanna Hall. The Clerk has resigned, and the position will not be filled at this time. Mileage rate has increased to 65.5 cents/mile, a 3-cent increase over last year. Citywide Clean-up Day has been set for Saturday May 13, 9am-3pm. The vault toilet is expected to be installed in February. Civil West will survey to ensure the vault toilet is placed in the correct location by the end of January. Complaints reviewed.

**Planning Commission Report:** none

**Financial Reports:** No questions were asked.

**Commissioner Report/Councilor Questions/Comments:**

- Mayor Valentine - Cemetery: No comments to add.
- Councilor Hyde - Police/Safety: No comments to add.
- Councilor Ritchie - Library: No comments to add.
- Councilor Wagner - Building Improvements: No comments to add.
- Vacant – Transportation, Parks & Recreation:

**Executive Session:** none

**Requests – Councilor Requests/Future Agenda Items/Announcements:**

- Ritchie has been approached by a citizen in regard to the City decorating the poles for the holidays and adding flower baskets.
- Wagner asked about filling the vacancy. It is posted on our website. Has not been publicized elsewhere. Someone was interested – handed out a packet and application but has not submitted it yet.

**Next Meeting:** February 28, 2023 @ 6:30 pm Regular Council Meeting – Lyons City Hall

Adjourned @ 9:01 pm

Summarized by CM Valentine