

ADAIR VILLAGE CITY COUNCIL AGENDA-Final

City Hall - 6030 Wm. R Carr Av.

****Tuesday, June 4, 2013 - 6:00 PM****

1. ROLL CALL – Flag Salute

2. CONSENT CALENDAR: - *The following items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be discussed before the Consent Calendar is considered. If any item involves a potential conflict of interest, Council members should so note before adoption of the Consent Calendar.*

- a) Minutes – City Council Meeting-May 7, 2013 (Attachment A-1)
- b) Minutes – Budget Committee-May 23, 2013 (Attachment A-2)
- c) Minutes – City Council Executive Session-May 23, 2013 (Attachment A-3)
- d) Bills List for May 15, 2013 (Attachment B-1) - \$ 21,241.70
- e) Bills List through June 3, 2013 (Attachment B-2) – \$ 16,012.19

3. PUBLIC COMMENT (Please limit comments to 5 minutes)

4. OLD BUSINESS:

- a) Public Hearing for 2013-14 Budget And State Revenue Sharing (Attachment C) Drew Foster
Action: Decision

5. NEW BUSINESS:

- a) Financial Report through Third Quarter ending March 30 (Attachment D) Drew Foster
Action: Discussion
- b) Updates to Land Use Development Code (Attachments E 1-7) Drew Foster
Action: Discussion/Decision

6. ORDINANCES, RESOLUTIONS, AND PROCLAMATIONS:

- a) Resolution 2013-#3-Approving State Revenue Sharing for 2013-14 (Attachment F) Drew Foster
Action: Decision
- b) Resolution 2013-#4-Approving 2013-14 Budget (Attachment G) Drew Foster
Action: Decision

7. STAFF REPORTS:

- a) Public Safety (Attachment H) Chief Dave Francis
- b) Public Works (Attachment I)
- c) City Administrator (Attachment J) Drew Foster

8. COUNCIL and MAYOR COMMENTS:

9. ADJOURNMENT:

Next meetings -

City Council –Tuesday, July 2, 2013 6:00 PM
Planning Commission- Tuesday, June 18, 2013 7:00 PM

The Community Center is accessible to person with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting by calling City Offices at 541-745-5507 or e-mail

"kathy.edmaiston@adairvillage.org," or Oregon Relay Services by dialing 7-1-1. The City of Adair Village is an Equal Opportunity Employer.

The order in which items on the Agenda are addressed by the City Council may vary from the order shown on the Agenda.

**ADAIR VILLAGE
CITY COUNCIL MINUTES-Approved
6030 William R. Carr Avenue
Wednesday, June 4, 2013 – 6:00 PM***

Agenda Item	Action
<p>1. Roll Call: Members present: Councilors Real, King, and Hubele and Mayor Currier were present. Councilor Mercer was absent and excused. CA Foster recorded the meeting.</p>	<p>Mayor Currier called the meeting to order at 6:05 PM and led the Flag Salute.</p>
<p>2. Consent Calendar (Agenda Item 2). Minutes of May 7, 2013 City Council Meeting Minutes of May 23, 2013 Budget Committee Meeting Billings through May 15, 2013 (\$ 21,241.⁷⁰) Billings through June 3, 2013 (\$ 16,012.¹⁹).</p>	<p>Councilor King moved to approve the Consent Calendar as presented, Councilor real seconded. Unanimous Approval (4-0).</p>
<p>3. Public Comment (Agenda Item 3) Faye Abraham, 3122 NE Willamette Av., asked if there was Public Comment before the Council went into Executive Session on May 23, 2013. CA Foster said no, the Council met in a short Executive Session before the scheduled Budget Committee meeting. She also asked if there is still a position open on the Planning Commission. CA said that there are two positions open. She then recommended that Councilor Hubele be made an actual member of the Planning Commission and not simply be the Board liaison.</p>	<p>Council received comments.</p>
<p>4. Public Hearing on 2014 Budget and Use of State Revenue Sharing Funds (Agenda Item 4a) Mayor Currier opened the Public Hearing at 6:15 PM. CA Foster presented the reporting forms used for the Budget-</p> <ul style="list-style-type: none"> • LB-1 is the summary of the whole budget. This year the actual budget is \$1,723,813. Last year it was \$1,601,362. • LB-2 lists the six funds that do not require property tax-Reserve, Systems Development, Storm Drain, Streets, Wastewater, and Water. • LB-3 is the complete General Fund budget which does require that property tax be levied. • LB-4 is the five sub-funds that are part of the General Fund-Administration/Planning, Building Permits, Non-Departmental, Parks, and Public Safety. <p>All of these report forms break the overall expenses into the primary budget categories-Personal Services, Materials and Services, Capital Outlay, Debt Service, Transfers, Contingency, and Unappropriated Ending Fund Balance. CA Foster then presented the discussion of the State Revenue Sharing (SRS) funds discussion from the May 27th Budget Committee meeting. By State statute, the SRS funds must be committed to a line item that supports the whole City. The Budget Committee recommended that the funds this year be used in support of the anticipated contract with BCSO (Benton County Sheriff's Office) for directed patrol services.</p> <p>PUBLIC HEARING INPUT: Gene Abraham, 3122 Willamette, stated that he feels that continuing the Police Department is more important to the City than Transit services or</p>	<p>Council received comment during the Public Hearing.</p>

<p>other line items. He said that there had been three recent incidents in the City since the information concerning the suspension of our Police Department (PD) had been reported in the paper. He fears that these three incidents might be the start of an ongoing problem.</p> <p>Mayor Currier asked if he saw a way to address this issue or is he was just hoping the Council would reconsider the suspension of the PD.</p> <p>Mr. Abraham said that he was pointing out his concern.</p>	
<p>5. Resolution 2013-#3 Declaring the Election to Receive State Revenue Sharing Funds (Agenda Item 6a) Councilor King said that use of the SRS was the unanimous recommendation of the full Budget Committee.</p>	<p>Councilor King moved to approve the Resolution 2013-#3. Councilor Hubele seconded. Unanimous approval (4-0)</p>
<p>6. . Resolution 2013-#4 Adopting the Budget, Making Appropriations, and Levying Taxes for the 2014 Fiscal Year (Agenda Item 6b) Councilor King said that she agrees that it is preferable to have our own PD. When the PD was started, we expected development and growth of the City to move forward in the newly UGB (Urban Growth Boundary) area of 128 acres. We completed the annexation at the request of the developer with the support of the land owners, but the national economy stopped the development plans. Putting the PD in suspension does not mean that it is over, it simply means that we do not have the revenue to continue it at this time.</p> <p>Councilor Hubele said that Mr. Abraham made good points. He suggested that once we establish the new contract with the BCSO, the City do a press release and get a picture in the paper of a Deputy Sheriff with their car at City Hall. Councilor Hubele asked if we have a contract. Mayor Currier said that we want to wait for the new Sheriff to take office and then, negotiate the contract with him.</p> <p>Mayor Currier also stated that his original reason for becoming involved in the City's government was because of the public safety issue and a desire to bring a police department to Adair Village. But, he does support suspending the PD in the short term.</p> <p>Mr. Abraham returned to say that previously the BCSO only responded to emergencies. Councilor Real said that the BCSO is more committed to providing a higher level of service. She also feels that the officer safety issue is extremely important.</p> <p>Mayor Currier asked Joel Imamura if he wanted to speak. Joel had come to the City in 2008 to serve in the Code Compliance position and had remained active in the City as a Reserve Officer after the PD was started. Joel said that he had enjoyed working in the City since 2008 and that the PD is different than most City departments because they are trying to "reduce business" by having less crime. He feels that the PD accomplished this end and that there are fewer incidents in town and that accidents have been reduced on Highway 99.</p>	<p>Councilor King moved to approve the Resolution 2013-#4. Councilor Real seconded. Unanimous approval (4-0)</p>
<p>7. Financial Report for through Third Quarter (Agenda Item 5a) CA Foster presented the Financial Report. He said that the report runs from the start of the fiscal year on July 1, 2012 through April 5, 2013. The reason it goes through the 5th is to pick up the salaries for the previous month without picking up extra utility payments. Any major discrepancies from the estimated budget amounts are covered in the written report.</p>	<p>Council received report.</p>

8. Amendments to the Land Use Development Code (LUDC)

(Agenda Item 5b) City Planner Don Driscoll presented the recommendation of the Planning Commission to prepare notice to the State's Department of Land Conservation and Development (DLCD). This update of the LUDC was initiated after the City accepted the Local Wetlands Inventory (LWI) that was defined and developed through our project with Lane Council of Governments. Once the LWI was accepted we needed to update the section of our LUDC to outline protection measures for wetlands and riparian areas.

Since updating any part of the LUDC is a large undertaking, the Planning Commission decided to review other sections that needed an update. This led to two other major rewrites-R-3 zone and Planned Development process-which lead to a number of smaller changes needed for editing, consistency and grammar. The R-3 zone rewrite provides a simpler definition of allowable actions in that zone. We anticipate that this will be the zone for most of the 128 acre annexed area to the south. The Planned Development rewrite provides flexibility for development within all zones, but will be applied primarily to the R-3 zone, since the R-1 and R-2 zones are largely developed.

After working through a number of meetings over six months, the Planning Commission is recommending that these sections are ready to be forwarded to DLCD. This will initiate a 35 day review by State agencies, after which both the Planning Commission and the City Council need to hold Public Hearings. Staff would recommend a Joint Public Hearing on August 6, which would be immediately followed by a Planning Commission meeting to recommend action to the City Council, and then, our regular City Council meeting to respond to the PC's recommendation. Throughout this process there is still the ability to fine tune and edit language and formatting. Any major changes in context in any section might require that the process be repeated for the section, but we do not anticipate that this will happen.

Councilor King clarified that a positive action on the PC's recommendation only initiates the full review and public hearing process. She then made the first motion shown under Action.

Councilor Hubele said that he would recommend two changes to the documents before they go to DLCD.

1-paragraph 2) d) 5) of the residential zones-R-1, R-2, and R-3-contains the same language concerning parking RVs (recreational vehicles), boats, campers etc. and whether they can be used for habitation. The present language says they may be used for habitation up to 30 days and this does not match similar language in the City's Parking Code, which is 4 days. He thinks that the language in the LUDC should also say 4 days (extended periods beyond 4 days would require a permit from the City). Also, it should say that such vehicles can only be parked on improved surfaces (basically driveways).

2-In the Wetlands and Riparian Areas sections, there are three types of activities-Allowed, Exempted, and Prohibited-in that order. He thinks the section would work better if their order is Allowed, Prohibited, and Exempted.

He first put this forward as a friendly amendment, but then it was decided to use a separate amendment to deal with the changes.

The Mayor opened the discussion up to the public.

Peggy Lynch, 922 NW Circle Blvd, Ste 160-291, Corvallis,

Councilor King moved to proceed as recommended by the Planning Commission. Councilor Real seconded. **Unanimous approval (4-0).**

Councilor King moved to make changes to the Section 7.100 and paragraphs 2-d-5 of the R-1, R-2, and R-3 paragraphs as discussed. Councilor King seconded. **Unanimous approval (4-0).**

Oregon, said that whatever is sent to the state for their review should also be sent to the public. If any “major” changes are brought in, the City might need to send it to the State again. Faye Abraham stated that she was not allowed to speak during the PC’s discussion and that items were not available until just before the meeting. Councilor Hubele said that Faye had been allowed input on a number of occasions, but had been cutoff once during the Council’s discussion on a motion.

Gene Abraham asked if there will be a charge for the 4+ day permit for someone to stay in a RV. CA said there would be no charge. Mr. Abraham also said that he thought the City was becoming more family unfriendly as it continued adding regulation. Councilor Real stated that she thinks the opposite is true. Recently there was a large semi parked on Box Elder and our updated regulations allowed the City to deal with the problem quickly. Peggy Lynch said that there are septic/sewage issues connected with people staying in RVs. She also stated that she thinks the four day limitation makes sense.

Councilor Hubele made the second motion shown under Action.

CA Foster presented a short background on the issue of getting Santiam Christian School to take action to get their new baseball field zoned and permitted. The City has tried to work with them and their response is that they are not ready to proceed at this time and furthermore, they don’t know if they want any residential development on their portion of the 128 newly annexed acres. Peggy Lynch said that the UGB agreement will direct this discussion.

9. Staff Reports (Agenda Item 7a) CA Foster presented the Code Compliance, Public Works, and City Administrator’s reports for May.

Code Compliance-

- 16 cases in April and 14 in May, primarily “Noxious Weeds and Vegetation” (14 in April and 13 in May). All the April cases are closed and seven of the May cases are closed and seven await follow-up.

Public Works-

- Work has begun on the radio-read meter project; newer Sensus meters have had the radio-read component added to the meter
- Pressure washing at City Hall, de-limbing trees at the Kiddie Park, and spraying and removing weeds on the streets have all been completed
- Upgrade at the Kiddie Park and completion of the outside work on the storage buildings will be completed shortly
- Water production in May was 5.12 mg (million gallons); last year it was 9.02 mg.

City Administrator-

- Finance policies and procedures will be completed for the August meeting
- The new lessee-MAM LLC owned by Birphal Johal-will take over

<p>the market beginning June 16th</p> <ul style="list-style-type: none"> • The City has completed negotiations with Restorical Research for their work on and initiation of our contract with Boise Cascade and Georgia Pacific for completing the Environmental Site Assessment at the AVIS (Adair Village Industrial Site). We will pay Restorical \$35,000 over three years, in place of their receiving 10 percent of any and all revenues coming into the project. • AVIS-GeoEngineers will begin the next phase of soil sampling this month. Boise Cascade and Georgia Pacific are each responsible for 40% of the project costs. The City's 20% commitment has already been met through grants that the City received from Business Oregon. • Water Rights-Our final response was sent last Friday. We asked Water Watch to respond by the middle of June. • Water Plant-Koontz Engineering will be brought back to complete their work at the end of summer, when the plant is running less. • EE Wilson water lines-PW staff will work throughout the summer to replace all the valves and metal connections on the major water transmission lines. • Wastewater Facility Plan-CivilWest should complete the 60% point by August, and at that time, the City will receive the next payment of \$50,000 from Republic Services. • American Disabilities Act Sidewalk Upgrades will be started next month. 	
<p>11. Council and Mayor Comments (Agenda Item 8): Councilor King-None. Councilor Real-None. Councilor Hubele-Announced that July will be his final meeting, as he has purchased a new home near Good Samaritan Hospital and will be moving. Mayor Currier-None.</p>	
<p>17. Adjournment: Next meeting- Council meeting on Tuesday, July 2, 2013 at 6:00 PM.</p>	<p>Councilor King moved to adjourn. Councilor Real seconded. Unanimous approval (4-0) Mayor adjourned the meeting at 8:22 PM.</p>

William E Currier

7-2-2013

Mayor's Approval

Date