

City of Lowell, Oregon
Minutes of the City Council Meeting
June 21, 2011

The meeting was called to order at 7:03 p.m. by Mayor George.

Members Present: P. Bryant, G. Reese, J. Burford, M. Alvarez, B. George

Members Absent: None

Public Comments, General:

Dave Rommel, 375 Marina Vista Drive, questioned information in the Council Update Report pertaining to the amount of the Oregon State Parks payment for construction of the North Shore water and sewer line and pertaining to a future reimbursement district to assess properties on the north side of the project a share of the costs. City Administrator Spies explained that OPRD paid all that was required by the IGA, but did not have to pay the maximum not to exceed amount because the project came in under the initial cost estimate. Regarding the reimbursement district, he explained that he was formulating a proposal for future Council action to assess the costs fairly to north side properties and briefly reviewed some of the things he was considering for that proposal.

Rich Peters, 403 Carol Street, stated that he had received no response or hear any Council discussion regarding his letter to the Council expressing concern about conduct of Council members and the City Administrator. He also questioned if perhaps the Council was afraid to have the Oakridge Patrol enforce state law related to illegal fireworks. Finally he commented on the recent code enforcement efforts and identified properties he hoped had been identified as being in violation. The City Administrator confirmed that properties he mentioned had been sent letters.

Tamra Tourville, 551 N. Moss Street, asked that there be increased Lowell patrol emphasis on Moss Street. She stated that there was a lot a vehicles speeding in this area now that Fall Creek Reservoir was getting more use.

Robert Burr, 466 E. 1st Street, commented on concerns he had with a flyer mailed to him earlier in the month which raised unsubstantiated allegations of illegal meetings and questions regarding adequacy of sewer rates.

Approval of Minutes: City Council Meeting, June 7, 2011

M. Alvarez moved and J. Burford seconded a motion to approve the minutes dated June 7, 2011 as presented. During discussion, Councilor Bryant identified one typographical error and requested additional language and/or language changes two other places in the minutes. No action was taken by the maker or seconder of the motion to amend their motion to make the requested changes. A vote was taken on the motion to approve the minutes as presented.

Motion Carried. Ayes: J. Burford, M. Alvarez, B. George
Nays: P. Bryant, G. Reese.

Approval of Expenditures: June 21, 2011

City Administrator Spies reviewed the Rural Development Project Monitoring Reports which were attached to the expense report to explain construction contract payments. He also answered Council questions regarding other expense items. M. Alvarez moved and B. George seconded a motion to approve the expense report dated June 21, 2011 as presented.

Motion Carried: Unanimously.

Old Business:

1. Review/Discussion, Revised Citizen Survey Form

The Council entered a work session type discussion of the proposed citizen survey form led by Councilor Bryant. The Council reviewed all twenty questions, both the original questions and the proposed changes based on earlier an earlier Council discussion. Additional possible changes and/or actual deletions were discussed for many of the questions. All Council members and the City Administrator participated in the discussion. Following discussion of all the questions, Mayor George stated that he felt that the survey would not provide information which the Council could act upon. He moved that the survey not be further pursued. His motion died for lack of a second. Councilor Bryant would take the inputs from the discussion and complete a second revision of the survey form and bring it back to the Council at a future meeting for further action.

There was also a significant discussion of the information provided by staff regarding costs to distribute the surveys and available methods of distribution; however no decision was made regarding these matters.

New Business:

1. Action, Approval of City/County Insurance Quotation next Policy Year

City Administrator Spies presented a Staff Report and the insurance quotes City/County Insurance Services (CCIS) for all insurance needs for the fiscal year beginning July 1, 2011. He also presented a list of options for increased insurance coverage provided in the quotation. He explained that the quoted cost of \$20,437 was within the approved budget after considering an announced rebate of \$3,376 which would have to be applied as a credit to keep the cost within the budgeted amount. He reviewed the optional coverage items with the Council and recommended against all options except the option to increase excess crime coverage from \$250,000 to \$500,000. He stated that such an increase might be appropriate given the fact that the City may have cash assets approximating \$500,000 for much of the year. He stated that the added cost of \$304 for this increased coverage could be found in the budget. The Council discussed the needs and cost for the various options. Following this discussion, P. Bryant moved and G. Reese seconded a motion to accept the CCIS quote for insurance services for the next fiscal year with the option of increasing excess crime coverage to \$500,000.

Motion Carried: Unanimously.

2 Actions to Adopt Annual Budget for the Fiscal Year Beginning July 1, 2011

- a. Adopt Resolution 555, Electing to Receive State Revenues
- b. Adopt Resolution 556, Certifying Services
- c. Adopt Resolution 557, Adopting the Budget for FY 2011-2012 and Imposing and Categorizing Tax

City Administrator Spies presented a Staff Report and proposed Resolution 555, Electing to Receive State Revenues; Resolution 556, Certifying Services; and Resolution 557, Adopting the Budget for FY 2011-2012 and Imposing and Categorizing Tax. He briefly explained the purpose of each required resolution. Without discussion, J. Burford moved and M. Alvarez seconded a motion to adopt Resolutions 555, 556 and 557 as proposed.

Motion Carried: Ayes: G. Reese, J. Burford, M. Alvarez, B. George

Nays: P. Bryant.

3. Discussion of Drainage Problem Between Carol Street and D Street Properties

Rich Peters, 403 Carol Street, stated that even though he lived on Carol Street adjoining the drainage problem area, he did not feel it was appropriate to use City funds to pay to fix drainage problems on private property which were caused by others.

Mayor George briefly explained the concern regarding this drainage issue between Carol Street and D Street properties. There was a general discussion regarding the history of the issue; ownership issues regarding the 16 foot of privately owned land which intended for drainage of the area; solutions provided as conditions of approval of phase two of the Stone Ridge Subdivision; timing for that required work; responsibilities of the owner of the 16 foot strip; encroachment into the area by neighboring property owners; responsibilities of those property owners; legal rights of the various parties associated with the problem; and costs associated with City action to solve the problem. In the end, the discussion centered on trying to get the owner of the strip of land to do something to force property owners who were encroaching on the area to at least stop their encroachment so that stormwater flows could be improved by someone. Following this discussion, P. Bryant moved and G. Reese seconded a motion to direct the City Administrator to write a letter to owner Sharon Carroll asking her to formally notify owners of property along the strip of land to stop encroaching on the area and to remove impediments to stormwater drainage.

Motion Carried. Ayes: P. Bryant, G. Reese, B. George

Nays: J. Burford, M. Alvarez

There was no other Council action taken or direction based on this discussion

Reports:

1. Council Update Report

City Administrator Spies presented the Council Update Report and briefly reviewed each topic. Regarding the City-wide Code enforcement effort, he went into some detail on the possibility that the City may have to actually abate the problems at some foreclosed properties and provided the Council with a flow chart showing how long that process took.

On the subject of Summer Council meeting, the Council without objection, decided to cancel the July 5th regularly scheduled meeting.

Adjournment to Executive Session:

After a discussion between the Council and with the City Attorney regarding the method which should be used for adjournment to Executive Session and the ORS citation which should be used in order to discuss issues related to the conduct of the City Administrator, at 9:35 p.m. Mayor George adjourned the Council to Executive Session pursuant to ORS 129.660(2)(i) to discuss performance of the City Administrator and ORS 129.660(2)(h) for consultation with the City Attorney over the same matter.

(Note: The Council took a 15 minute break following adjournment before entering Executive Session)

The Executive Session was closed and the Council meeting reopened at 10:42 p.m.

Other Business: There was no Other Business.

Adjourn: The meeting adjourned at 10:44 p.m.

Approved:  _____
Bill George, Mayor