

## ADAIR VILLAGE CITY COUNCIL MINUTES-Approved

6030 William R. Carr Avenue

\*\*\*Tuesday, April 1, 2008 – 7:00 PM\*\*\*

<b>Agenda Item</b>	<b>Action</b>
<p><b>1. Roll Call:</b> Members present: Councilors Steve Bittner, Charline King, Alice Tucker, and Jeff Kubler and Mayor Bill Currier present. City Administrator (CA) Drew Foster present. The Mayor and City Administrator were involved in a meeting concerning the UGB expansion, which took place after the Planning Commission meeting and before the City Council meeting.</p>	<p>Mayor Currier called the meeting to order at 7:20 p.m. and provided an explanation of the late start.</p>
<p><b>2. Public Comment:</b> Susan Canfield, 185 NE Azalea, said that it was good to see that the City had made progress in ordinance enforcement, but that there were still problems with many properties and the City needed to have a stronger enforcement effort.</p> <p>Dale Villarta, 5156 NE Willamette, also asked for a stronger enforcement effort. She said that there has been a car on the street on jacks for a month; there are open abandoned houses that are gathering places; garbage cans are left in the street after pickup day.</p> <p>Dustin Burgess, 8477 Barberry, sent in a letter, which was read into the record and raised concerns on three issues:</p> <ol style="list-style-type: none"> <li>1. Putting in a “park” at the corner of Barberry and Hibiscus</li> <li>2. Spending City funds to bring in “free” dumpsters for City Cleanup day. He takes his own refuse to the dump when he cleans up and feels that others should do the same.</li> <li>3. Police services-He feels that the City would be better served through a contract with the Sheriff’s Office, rather than starting our own police department.</li> </ol> <p>Eugene Abraham, 3122 NE Willamette, said that at the south entrance to the Kiddie Park, there is a 2” offset in the sidewalk and the wooden planks are deteriorating.</p>	<p>Council received Public Comment.  <b>CA will check on sidewalk issue at the Kiddie Park and contact OMI for any necessary improvements.</b></p>
<p><b>3. Consent Agenda:</b> Approval of Minutes from City Council (CC) meeting of March 18, 2008 and of City’s Bills through March 28, 2008.</p>	<p>Motion to approve the Consent Agenda by Councilor King, second by Councilor Tucker. <b>Council approved unanimously.</b></p>
<p><b>4. Systems Development Charges Ordinance Public Hearing</b> (4a on the Agenda) and <b>SDC Fees Resolutions:</b> (4b on the Agenda) Garrett Pallo, City Engineer, delivered the staff report concerning the development of the methodology. The methodology develops charges in five areas-water, wastewater, stormwater, parks, and transportation-and took a conservative approach, focusing on developing a defensible methodology to establishing new rates.</p> <p>Debra Huntsman, chair of the AV Planning Commission, spoke in favor of the Ordinance. She said that the Planning Commission unanimously supported the methodology.</p>	<p>Mayor Currier opened the hearing at 7:30 PM. Hearing was closed at 7:50 PM.</p> <p>Council King moved, seconded by Councilor Bittner to move forward with the adoption of the Ordinance to establish new SDCs.</p> <p>Council King moved, seconded by Councilor Kubler to proceed with the first reading.</p>

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<p>No one spoke in opposition nor were there general comments. CA Foster said that the Ordinance will have its second reading at the next Council meeting and that Resolutions to set the fees in each of the five system areas will be before the Council at that time. The Resolutions in this packet were for information only and the final Resolutions will go out with the next packet.</p>	
<p><b>5. Firehouse #5 Lease Committee:</b> (5a on the Agenda)          Councilor Bittner presented the report from the Lease Committee. Councilor Bittner had taken Councilor Kubler’s place on the Committee, when Councilor Kubler was not available. The LC met twice with the two potential lessees. Both offered strong proposals and both received positive credit checks. The LC recommends the Dasteur’s proposal, which will include both a market and a restaurant. Councilor King read the tenant improvements that the City will agree to undertake.</p>	<p>Councilor Kubler moved to accept the Lease Committees recommendation, with Councilor Tucker seconding. <b>Council approved unanimously. CA will contact both parties offering proposals and give them the results. CA will work with Candice Dinnis to negotiate specifics of the lease.</b></p>
<p><b>6. Barberry/Hibiscus Right-of-Way Site:</b> (5c on the Agenda)          CA reported that the City had withdrawn a Conditional Use application at the Planning Commission meeting, after hearing testimony against approval of the CU, without specifics on what type of park would be put in place. City Planner Driscoll reported that jurisdiction over the site is a primary issue and that the City is responsible for right-of-ways within the City and can provide landscaping and the bus stop within that authority. He said that the testimony at the PC focused on bad things that might happen. Mayor Currier said that he doesn’t think that those who spoke against the park at the PC necessarily represent the feelings of the neighborhood. Those against said that the park would devalue the area, while it is proven that parks increase value. The City should simply proceed with landscaping to make sure the site doesn’t become a weed problem for neighbors. Councilor Kubler said that the City could use a Parks Commission. Faye Abraham from the audience clarified some points of testimony from the PC. Councilor King summed up the discussion-The City will landscape the property using a low upkeep approach, but will add no benches, fence, or any type of recreation facilities.</p>	<p><b>CA will work with Planning Commissioner Randy Johnson to move forward on landscaping.</b></p>
<p><b>7. Budget Committee Appointments:</b> (5b on the Agenda)          Mayor Currier presented background information. Mike Packard was reappointed at the last meeting. Nichole Real and Jeff Snyder will continue to serve. Matt Webb cannot continue to serve, because he is a member of the PC.          The Mayor said that R.C. Widony will be reappointed and Dina Nasvik will be appointed, both for two years. Ms. Nasvik has been involved before the CC, speaking on water issues. Mayor Currier said that he had contacted a number of community members and thanked Gene Abraham for volunteering, but said</p>	<p>Councilor Kubler moved that Mr. Widony and Ms. Nasvik be accepted by acclamation, Councilor King seconded. <b>The Ayes were unanimous.</b></p>

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<p>that he had heard back from Ms. Nasvik first and consequently, she became the appointee.</p>	
<p><b>8. Oregon Government Ethics Committee Reporting:</b> (5d on the Agenda) CA provided background on reporting requirements which include providing names of relatives and their spouses and also all household members; these names becoming part of the public record and available via internet. Discussion amongst the Council with input from the two PC members still present focused on the privacy issues and the need to report on relatives and the consensus feeling is that this law goes beyond the bonds of controlling conflicts of interest.</p>	<p>Council Kubler moved, seconded by Mayor Currier to protest these reporting requirements. <b>Council approved unanimously.</b> Council Kubler moved, seconded by Councilor King to prepare a press release protesting these requirements and asking the League of Oregon Cities to take the lead in protesting on a state-wide basis. <b>Council approved unanimously.</b></p>
<p><b>9. Benton County-Adair Village Memorandum of Cooperation for Water Policy Planning:</b> (5e on the Agenda) Benton County Commissioner Modrell had come to the previous CC meeting to discuss this information. CA Foster presented background on this issue; it is non-binding and does not and cannot force the City to take any action. CA Foster had made some of the changes suggested by the Council at the previous meeting, but had not added a clause on receiving approval from Adair Village before using this MoC for fund-raising or policy development. CA Foster suggested language that was acceptable to the Council. *Councilor Tucker and Mayor Currier both stated that they felt that not moving forward would send the wrong message to Benton County.</p>	<p>Councilor Kubler moved with second from Councilor King to table the MoC until the County documented support for the City’s planning to become a regional water resource. Councilor Kubler and Councilor King agreed to withdraw the motion after discussion (see*)  Councilor King moved with Councilor Tucker’s second to approve the MoC after the addition of the suggested language and that, Mayor Currier concurring, Mayor Currier is named the representative to this Task Force. Mayor Currier concurred. Councilors King and Tucker and Mayor Currier voted in favor. Councilor Kubler voted against. <b>Motion Passed.</b></p>
<p><b>10. Reconsideration of Benton County Water Bill:</b> (6b on the Agenda) CA Foster presented a letter from Benton County Parks asking for a reconsideration of their water bill from January 2008. The CA presented background information. The City had unusually high water use over the first two weeks of January, needing to produce over 2.5 million more gallons than expected over those two weeks. Ultimately, a leak was found in the County park and repaired, but the bill to the County, using the normal billing rates was \$5,000. The actual cost of production of that water was in the range of \$1800-2000. The funds that the County would use to pay this bill would come from a Trails Fund that would focus on connecting north Adair Village to Adair Park. CA recommended that the City charge the County for costs of extra water production.</p>	<p>Councilor King moved with Councilor Tucker’s second to charge only \$2000 for the January 2008 bill. Mayor Currier offered a friendly amendment that Benton County be given a \$3000 credit, rather than a refund. The friendly amendment was accepted by Councilors King and Tucker. <b>Council approved unanimously.</b></p>

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<p><b>11. Santiam Christian Barracks:</b> CA presented background. The buildings are 25’X125’ and the present plan would be to move one or both buildings into the park area north of City Hall. A new foundation would cost \$9500 and bringing the buildings to a standard equivalent to the work completed on Firehouse #5 would cost in the range of \$225-250,000. CA had not received an estimate on moving the buildings (CA note-The cost would be \$20,000 for one building and \$35-38,000 for two). The cost of building a new building of the same size would be \$450,000.</p>	<p><b>Council directed CA to find the date by which Santiam Christian needs the buildings moved and to research any limitations caused by the quitclaim deed, which grants the City the park lands.</b> Councilor Tucker wants to know if the County land across the street has the same restrictions.</p>
<p><b>12. City Administrator’s Report:</b> CA Foster reported on four issues:</p> <ol style="list-style-type: none"> <li>1. Suggested that the Planning Commission be designated as a Design Guidelines and Downtown Development Committee to be the initial body to review options in these areas.</li> <li>2. Clean-up day went well, just minor glitches. Code Enforcement Officer Matt McLin did a good job organizing it.</li> <li>3. Transit issue- Transit- Linn Benton Loop just changed their route and will not be changing again soon. But, the 2009-10 budget cycle of the MPO (local Transportation Planning body) includes a study on transit options that will include Adair Village.</li> <li>4. ODOT Landscaping &amp; Frontage Rd closure. Randy Johnson received a highway landscaping permit from ODOT and the CA will move forward on that. To close the Adair Frontage Road, ODOT needs assurance that the City will support the closure. There would need to be a public meeting to be certain that there is community support for the closure, and then ODOT is ready to proceed. The Mayor and the CA met with Vivian Payne-Area Mgr and Bob Doran-Dist Mgr of ODOT to discuss these issues.</li> </ol>	<p>Council received report.</p>
<p><b>11. Mayor and Councilor Comments:</b> None.</p>	
<p><b>12. Adjournment:</b> 11:15 PM Next meeting is Tuesday, April 15, 2008.</p>	