

**ADAIR VILLAGE CITY COUNCIL MINUTES-FINAL**

**6030 William R. Carr Avenue**

\*\*\*Tuesday, September 1, 2009 – 7:00 PM\*\*\*

Agenda Item	Action
<p><b>1. Roll Call:</b> Members present: Councilors King and Tucker and Mayor Bill Currier were present. Councilors Bittner and Kubler were excused and arrived late. Councilor Kubler at 7:30 and Councilor Bittner at 7:35. City Administrator Drew Foster recorded meeting.</p>	<p>Mayor Currier called the meeting to order at 7:07 PM and led the Flag Salute.</p>
<p><b>2. Consent Calendar:</b>            a) Minutes – City Council Meeting-August 18, 2009            b) Bills-through September 1, 2009. CA Foster noted that the statement from the City’s credit card was included in the billing information.</p>	<p>Councilor King moved to approve the consent calendar, second by Councilor Tucker. <b>Passed Unanimously.</b></p>
<p><b>3. Public Comment:</b> None</p>	
<p><b>4. Summer Program-Year End Report:</b> (5a on Agenda) CA Foster introduced Julie O’Neil, Summer Program Coordinator, who provided a year end program report (see Attachment F). Over 70 kids took part in the program throughout the summer with an average of 15-25 for individual activity days. Program served an average of 40 lunches. Teen program provided a number of activities, including a dance that had 22 participants. Generally, the teen programs had 8-12 participants. Continuing the Teen Program through the school year would really help grow the program. Julie presented 40 Developmental Assets for Teens, which covered eight major areas and she felt that our program supported development in all eight of the major areas. Mayor Currier presented Julie with a plaque in thanks for her work.</p>	<p>Council received report.</p>
<p><b>5. Oath of Office-Reserve Aaron Mollahan:</b> (Not on Agenda) Chief Jones presented Aaron Mollahan as the first reserve candidate to complete all background and other qualifying criteria. He will begin his local reserve training in September and take part in the Oregon Police Academy training in November with an expected graduation in May; training consists of approximately 20 hours per week. After his swearing in tonight, he will be able to operate as an officer when accompanied by a training officer (Chief Jones initially). Aaron has already completed his LEADS (Law Enforcement Data System) training.</p>	<p>Mayor Currier delivered the Oath of Office to Reserve Officer Mollahan.</p>
<p><b>6. Ordinance 2009-08-City Gas Tax-First Reading:</b> (4a on Agenda) CA Foster presented a final and updated version of the ordinance, which had been introduced at the previous meeting. The new language establishes the tax without setting an amount. The City Council will pass a resolution defining the amount at the time the City wishes to put the tax into effect. Mayor Currier provided the first reading. Council discussed the need for establishing an ordinance at this time, otherwise the City would be pre-empted by the Legislature from enacting such a tax for four years and after four years establishing the tax would require a vote of the citizens.</p>	<p>Councilor King moved to accept the first reading of the ordinance, second by Councilor Tucker. <b>Four ayes and one nay, Councilor Kubler voting against.</b></p>

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<p><b>7. Community Forum Update:</b> (4b on the Agenda) CA Foster presented background on the outreach efforts for bringing participants to the Community Forum on September 12<sup>th</sup>. Councilor members volunteered to take flyers door to door. CA also reported that we had received responses from 40 professional volunteers who would like to take part in the Charette.</p>	<p>Council received report.</p>
<p><b>8. Planning Decision Authority:</b> (4c on the Agenda) CA Foster presented the attachment (E) showing decision-making authority as designated in the Adair Village Land Use Code. After review by the City Planner, Don Driscoll, and the CA, they recommend that Partition authority, except for zero lot line partitions, move from the CA to the PC (Planning Commission). The second area that the CA and the City Planner felt needed discussion was Subdivision approval. Presently, the PC has that authority. Other cities vary between subdivision approval being made by PCs or by City Councils. CA stated that there is no “right way” to do it, it simply depends on whom the CC thinks should have final responsibility for the decision. CA stated that splitting up to three lots is a Partition; splitting into more than three lots is a Subdivision, when the applicant follows all existing design standards in the Land Use Code. Finally, there are Planned Developments (which come under CC decision authority), which will take in the same area as a Subdivision, but will negotiate changes for a whole development. CC engaged in a lengthy discussion of appropriate decision-making authority.</p>	<p><b>Council directed CA to prepare an ordinance to change the Land Use Development Code language to leave Zero Lot Line Partitions under the CA’s authority; move other Partitions to PC authority; move Subdivision authority to the CC.</b></p>
<p><b>9. Ordinance 2009-09-Trailer Parking within City:</b> (5b on the Agenda) Chief Jones presented the background on this issue. Our present ordinance provides specific authority for semi-trailers and boat trailers, but does not allow a Public Safety Officer to question the parking of recreational vehicles or trailers on the streets and whether they are being used as housing. This amendment to the ordinance will allow officers to determine the placement and use of such vehicles and limit the amount of time that they are parked in one spot. The ordinance provides discretion for the officers to allow visiting family to occupy a trailer for a limited amount of time.</p>	<p>Councilor King moved to accept the first reading of the ordinance, second by Councilor Kubler. <b>Passed Unanimously.</b></p>
<p><b>10. Resolution #09-08 Supporting a Zip Code:</b> (5c on the Agenda) CA Foster presented a Resolution in support of the letter to the US Postal Service that the CC reviewed at the previous meeting. The Resolution, when passed, will be included in the letter requesting a zip code for Adair Village.</p>	<p>Councilor Kubler moved to approve the resolution, second by Councilor King. <b>Passed Unanimously. CC directed CA to contact local newspapers to see if they would develop supporting editorials.</b></p>
<p><b>11. Manhole Upgrades for I/I Improvements:</b> (5d on the Agenda) CA Foster presented information on repairs to 8 manholes to be undertaken as the first step-“low hanging fruit”-in dealing with our I/I (inflow and infiltration) issues. Cost will be</p>	<p>Council received report. <b>CA is directed to research how this problem came about and if the City has any recourse to charge</b></p>

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<p>approximately \$4,000. Councilor Tucker asked how this had happened, since most of the problem manholes are in the new development. She wondered why the developer wasn't responsible for the repairs. CA said that he assumed that there had been an inspection and that the manholes had passed, so without litigation, there is probably no recourse.</p>	<p><b>the developer for the repairs.</b></p>
<p><b>12. Police Chief's Report:</b> (6a on the Agenda) Report is included with documents. Chief provided updates on these topics:</p> <ol style="list-style-type: none"><li>1. Chief applied for an ODOT Safety Grant-seatbelts, car seats-that closes on September 18<sup>th</sup>, generally all who apply will get it.</li><li>2. He is looking at a Federal RD (Rural Development) grant that will pay 75 percent of the costs of a facility.</li><li>3. First reserve received oath tonight, two more are near the end of the background process.</li><li>4. Arnold St.-Roger Irwin, Benton County Public Works Director, will sit with the Chief after school starts and look at the crosswalk and speeds on Arnold. The issue of speed limit on Arnold will have to go through ODOT.</li><li>5. Citizens will be able to check out the radar gun to be able to check on areas where they think that cars are speeding. The Chief thinks that it will show people that cars are not going as fast as they think.</li><li>6. Annexing Hwy 99. He has contacted ODOT to see what is needed for the annexation.</li><li>7. Coverage. Aaron will be working 40 hours per week. Chief will look at scheduling that helps cover SCS home football games, though the school is focused more on mornings during the start of school.</li><li>8. Nixell Emergency Phone System-There is a grant through the International Chiefs of Police Association that could cover all costs for this system.</li><li>9. Dispatch. The Chief will follow-up with the attorney that we contacted earlier, but we will probably find another attorney, since we haven't been contacted since our initial meeting.</li></ol> <p>Aaron made the first transfer of a 911 call and the Chief was able to respond before the transfer was complete.</p>	<p>Council received report.</p>
<p><b>13. City Administrator's Report:</b> (6b on the Agenda) CA Foster reported on a number of issues:</p> <ol style="list-style-type: none"><li>1. Water rights. Adam Sussman, GSI Solutions, who has been acting as a consultant on our water rights issue will begin to take a more active role in developing meetings with other jurisdictions.</li><li>2. Blue commercial signs. Village Food Market has already contacted ODOT about an Off-Interstate Logo sign and their application is in process. <b>CA will contact Jamocha Joe's</b></li></ol>	<p>Council received report.</p>

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<p><b>about a TOD (Tourist Oriented Directional) sign, which is a smaller-sized blue sign.</b></p> <p>3. Water pressure at the market. Market/Café has an issue with loss of water pressure when more than one tap is turned on. Plumber is looking into the problem</p> <p>4. Building permits. There are four building permits going forward, including one for a residential remodel. This is the most activity in more than six months.</p> <p>5. LOC October meeting. Mayor and CA are registered for the October 1-3 Annual meeting. CA applied for scholarships and will most likely be awarded either \$300 or \$150 dollars for each registration.</p>	
<p><b>14. Councilor and Mayor's Comments:</b> (7 on the Agenda)</p> <ul style="list-style-type: none"><li>• Councilor Kubler said that while walking in McDonald Forest, he had taken part in a survey asking if he would be willing to pay for the use of the area.</li><li>• Councilor King asked about progress in moving the barracks. CA said that he is waiting for responses on providing foundations, but that the Council needed to make a decision on where they wanted them to be placed. She also said that a neighbor had experienced a homeless man coming to her door to ask for a cup of coffee. She feels that this may begin to happen more often.</li><li>• Councilor Bittner asked about the air-conditioners (a/c) on the Qwest property. CA apologized for not including it in his report. He had contacted Qwest and they had recalibrated the two a/c; the second comes on only in the hottest weather and they thought that the problem was primarily from both running. CA said that he also asked Qwest to look into any possibilities to muffle the units. CA is waiting for a call back from the engineer that is working on that issue.</li></ul>	
<p><b>15. Adjournment:</b> 9:50 PM Next meeting September 1, 2009, at 7:00 PM.</p>	<p>Councilor Kubler moved to adjourn, second by Councilor King. <b>Mayor Currier adjourned the meeting at 9:50 PM.</b></p>