

***City of Lafayette***  
**City Council Meeting**  
April 10, 2014—6:30 p.m. held at the  
Lafayette City Council Chambers at 486 Third Street, Lafayette, Oregon

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**NOTE: The order of agenda items are listed as they appear on the official agenda.**

**INVOCATION**

Dax Garlinghouse of the Lafayette Community Church gave an Invocation prior to the Council meeting.

**CALL TO ORDER**

Mayor Heisler called the meeting to order at 6:30 p.m. on April 10, 2014.

**FLAG SALUTE**

Mayor Heisler led the flag salute.

**ROLL CALL**

City Administrator Polasek conducted the roll call of the Council:

Mayor Heisler, present; Councilor Cook, present; Councilor Pagella, present; Councilor Harper, present; Councilor Joy, present; Councilor Smith, present; Councilor Sproul, absent (excused).

City Staff Present: City Administrator Polasek, present; Jim Jacks, City Planner, present.

**AUDIENCE ATTENDANCE**

Angela Flood; Linda Lyon; Robin Mullin, and David Russ.

**PROCLAMATIONS**

**VOLUNTEER APPRECIATION WEEK, APRIL 6-12, 2014.**

Mayor Heisler read the proclamation, supporting the National Volunteer Week, stating that our volunteers provide vast improvement to our quality of life and increases community participation and ownership.

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**REPORT FROM YAMHILL COUNTY SHERIFF'S OFFICE**

Deputy Roake advised that she has been very busy lately primarily due to theft. She explained that they have set up surveillance to watch the prime suspect. She advised that the primary targets are unlocked vehicles and asked the citizens of Lafayette to lock their vehicles.

**APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Councilor Cook moved to accept the minutes of the February 13, 2014 meeting. Councilor Smith seconded. Motion carried (5-0). (Councilor Cook, aye; Councilor Pagella, aye; Councilor Harper, aye; Councilor Joy, aye; Councilor Smith, aye)

**ADDITIONS/DELETIONS TO THE AGENDA**

None.

**CITIZEN INPUT ON NON-AGENDA ITEMS**

ROBIN MULLIN-Sign Code

Ms. Mullin advised she had attending the Planning Commission meeting on March 20<sup>th</sup>. She explained that the Planning Commission was proposing to allow only one flag per business, and feels businesses should be able to have more than one flag.

Mayor Heisler stopped Ms. Mullin, explaining that this topic would be under the sign code public hearing, not the "Non-Agenda Items" portion.

LINDA LYON-Pig Roast and Annual Clean-Up Day

She wished to remind everyone of the "Pig Roast" at the Community Center on April 27<sup>th</sup> from 12:30 to 3:30; she extended an invitation to all. The event is sponsored by the Lafayette Citizens Fund, which raises money to benefit the children in Lafayette. In addition she advised that the annual Clean-Up day is May 17<sup>th</sup> and encouraged everyone to bring their trash, old appliances, etc., and if anyone such as elderly need assistance, to call her and volunteers will come and pick it up.

City Administrator Polasek explained that it's more than bringing in trash, old furniture, recycling, etc. WOW is partnering with us to make this year a bigger and better Clean-Up day.

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Donations will also be accepted with receipts distributed for tax purposes, if eligible. Watch the city's May newsletter for details.

**PUBLIC HEARINGS**

**ORDINANCE # 619, AMENDING THE ZONING AND DEVELOPMENT CODE  
RELATING TO SIGN REGULATIONS**

Mayor Heisler opened the public hearing.

City Planner Jim Jacks gave the staff report and recommendation from the Planning Commission. He also explained that in late 2012 and into 2013 the Planning Commission and City Council discussed potential sign regulations. On August 8, 2013, the Council sent Ordinance 619 back to the Planning Commission for more study. In 2014, the Planning Commission reviewed sign code regulations, conducted a public hearing, and on March 20, 2014 unanimously recommended that the proposed Ordinance 619 be adopted by the City Council.

**OPPONENTS:**

**ROBIN MULLIN**

Ms. Mullin advised she attended the Planning Commission meeting on March 20<sup>th</sup> and she understood that only one flag will be allowed per business. She proposed they be allowed 1 flag per 25-30 feet; that most businesses don't have that kind of footage to work with. She also advised that other cities allow more than one flag for each business. She also stated that Don Leard was also at that meeting and he brought up a fact about the sign code, stating that when he was Mayor in 1986 the Council made decisions on the sign code by what other cities did. There is an argument with the code that someone probably had a problem and that's why the code is written the way it is. She asked that the Council remember that when it comes to the sign code.

Mayor Heisler explained that they want to be "business friendly" as they can be, without it being over the top. He also advised there was some question about signs at her business such as the reader board.

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ANGELA FLOOD

Ms. Flood stated she had questions on the sign code regarding permits required for residences. She felt that the code could be misconstrued as people could apply for a permit for a sign, but there is not timeline for staff to respond to that, which has been an issue in other cities where staff has stalled and she felt it would be helpful if a timeline could be established that requires a time for staff to respond to someone's permit. In section 2.206 she advised that the code conflicts with itself regarding signs and election signs. In addition, she felt election signs pertaining to referendums or initiatives should not be restricted by a time frame.

Jim Jacks advised that if you are a single family dwelling, you are allowed one sign permitted per property, with the maximum sign area as 8 square feet. So the biggest sign you can have is 8 square feet. He also explained the election signs question. Ms. Flood also explained that proper Measure 56 notices for this meeting were not provided, so Council cannot take action. The City Administrator said he would look into it.

PROPOSERS:

There were no proponents.

There was Council deliberation.

Mayor Heisler closed public hearing.

Council directed staff to revise the proposed regulations to address the following: allow more swooper flags; allow up to four signs, but maintain the 8 square foot maximum for permanent residential signage; allow illumination for commercial signs.

Councilor Joy moved to conduct a first reading of Ordinance 619 and schedule the Ordinance for a second reading on May 22, 2014 during the City Council meeting, which begins at 6:30 p.m. Councilor Smith seconded. Motion carried (5-0). (Councilor Cook, aye; Councilor Pagella, aye; Councilor Harper, aye; Councilor Joy, aye; Councilor Smith, aye).

ORDINANCE 621, MEDICAL MARIJUANA FACILITIES MORATORIUM

City Administrator Polasek explained that recent statute allows cities to impose a moratorium on the siting of medical marijuana facilities. A city must act before May

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1, 2014, and the moratorium may last for up to one year. The moratorium will provide the time to review current zoning and business regulations and implement any changes before such businesses are approved to locate in the city. He also

explained that the Ordinance may be adopted in a single Council meeting with the emergency clause if there is Council consensus. In addition, a copy of the enabling legislation must be filed with the Oregon Health Authority by May 1, 2014.

Councilor Smith moved to adopt Ordinance # 621, Establishing a Medical Marijuana Facilities Moratorium and Declaring an Emergency. Councilor Pagella seconded. Motion carried (5-0). (Councilor Cook, aye; Councilor Pagella, aye; Councilor Harper, aye; Councilor Joy, aye; Councilor Smith, aye).

### **ACTION ITEMS**

#### **RESOLUTION 2014-05, ESTABLISHING ELECTRONIC PAYMENT ACCEPTANCE POLICIES**

City Administrator Polasek explained that adopting this Resolution would allow the City to accept more forms of electronic payments, which would improve customer service, reduce operational costs, and restore equity in fees. Annual electronic payment cost savings to the City are estimated to be at least \$3,000 and potentially higher if credit card use continues. The City currently pays the user fees to allow electronic payments. Under the proposed system, customers who use the convenience of electronic payments would be charged the bulk of the transactions fees, up to 2.75% of the transaction. The City would pay minimal fees for recurring ACH and Bank Bill Pay transactions. After considerable research, Payment Service Network (PSN) is the preferred agent for this service and is currently the provider in Amity and Dayton. Attached with the Resolution is a three-year agreement, but it can be terminated with 90 days written notice and a \$550 termination fee. The City Attorney has reviewed the contract and approved as to form. PSN will develop a brochure that explains the fees and options for customers. The brochure can be made available with our utility bills, at City Hall, and on our website.

Angela Flood asked about the credit card used for the Fire Chief's Run and who paid those transaction fees. Council was also interested, and City Administrator Polasek said he would find out.

There was Council deliberation, resulting with the decision that the City should pay for all fees, as a cost of doing business; fees should not be passed on to the customer. Council directed staff to return the Resolution to Council at the May meeting with all transaction fees subsidized by the City.

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**DISCUSSION ITEMS**

None.

**COUNCILOR'S REPORTS**

There was Council consensus to move the next Council meeting to May 22, 2014.

**ADJOURNMENT**

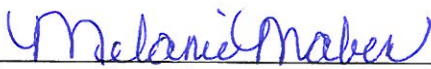
Councilor Smith moved to adjourn the meeting. Councilor Pagella seconded. Motion carried (5-0). (Councilor Cook, aye; Councilor Pagella, aye; Councilor Harper, aye; Councilor Joy, aye; Councilor Smith, aye).

Meeting adjourned at 8:25 p.m.

CERTIFIED:

  
\_\_\_\_\_  
Mayor Chris Heisler

ATTESTED:

  
\_\_\_\_\_  
Asst. to City Administrator Melanie Maben