

**North Powder City Council Meeting
July 6, 2020
7PM Wolf Creek Grange**

Attendance: Mayor Mike Wisdom, Councilors Jeff Grende, Mike (Big Mike) Morse, David “Shorty” Schwehr, Joyce Lawyer, Logan McCrae, and Dennis Lefever. City Recorder Beth Wendt, Public Works Director Rick Lawyer, Librarian Maggie Guthrie.

Community Members: Jeff & Wynn Nielsen, George Marston (arrived late & left early), Rich McConnell (arrived late). (Cindy Wright & Joy Seybold did not stay for meeting).

Mayor Mike called the meeting to order. The Pledge of Allegiance was said.

Public Comment: None

Agenda: Jeff asked to add the employee reviews that were discussed in Executive Session to the agenda. It was added to New Business. Beth corrected that the letter of interest for Council was a mistake and therefore should be removed. Joyce made a motion to accept the amended agenda. Big Mike seconded. All were in favor.

Minutes: Mayor Mike asked for amendments to the minutes from the June 1st Public Hearing. Logan made a motion to approve the minutes from the Public Hearing on June 1st. Dennis seconded. All were in favor.

Mayor Mike asked for amendments to the minutes from the regular Council meeting on June 1st. Logan made a motion to approve the minutes from the regular Council meeting on June 1st. Jeff seconded. All were in favor.

Mayor Mike asked for amendments to the minutes from the RV Ordinance Work Session on June 11th. Logan made a motion to approve the minutes from the June 11th RV Ordinance Work Session. Big Mike seconded. All were in favor.

Mayor Mike asked for amendments to the minutes from the special Council/Budget meeting on June 22nd. Logan made a motion to approve the minutes from the Budget/Special Meeting on June 22nd. Dennis seconded. All were in favor.

Mayor Mike asked for amendments to the minutes from the RV Ordinance Work Session on June 26th. Big Mike made a motion to approve the minutes from the RV Ordinance Work Session on June 26th. Jeff seconded. All were in favor.

Accounts Payables: As there were a lot of additions to the AP, Beth had new spreadsheets for the June bills. She reviewed the additions. The total Accounts Payables for June came to \$15,772.37. We had a second spreadsheet for bills to come out of the new 2020-2021 budget. These included insurance premiums, membership dues, and the RFD contract payment for a total of \$24,392.76. Beth noted that we could pay the liability & worker’s comp insurance in quarterly payments if the Council would rather do that. It was agreed to pay it all in one payment. Jeff asked about USA Bluebook. Rick explained that the company sells things like parts for pumps and safety equipment. Jeff made a motion to pay the bills. Dennis seconded. All were in favor.

The 3rd AP spreadsheet was for the wastewater grant (\$60,404.35). We will get reimbursed for these. Shorty made a motion to pay the grant bills to Ducote Consulting and Anderson Perry. Joyce seconded. All were in favor.

Library Report: Maggie noted that the Summer Reading Program has reached the half-way point. There are 21 kids enrolled. She has received a lot of pictures from the kids via emails.

Maggie submitted an application to the La Grande Community Library Foundation for a \$2000 grant to buy some books for teenage kids. If she gets the full amount she should be able to purchase 75 to 100 books.

Suzie is starting Saturday hours from 10AM to 2PM. Computers will be available by appointment only. Maggie had a sample of the Library bags with a logo. They will sell them for \$5.95 as a fund raiser. Maggie clarified that the Library is still open by appointment only for computer use. People are still not able to check out books because there isn't a way to sanitize them. The books she just ordered are for kids to take home.

Public Works Report: Rick reported that a tree in the park is cracking and a limb is leaning on the gazebo. He thought he and Galen could remove the tree. It needs to be done soon as the crack starts at the root and goes up the tree.

Rick has talked to Baker about the possibility of purchasing some used Pond Doctors. We don't have a one in the second pond. If nothing else, we might be able to salvage parts. Some of them are solar and some are power but they are on floats. Rick explained that the Pond Doctors aerate the ponds and that helps to break up the solids. The more the water moves, the more it helps to break stuff up. We are still waiting to hear back from Anderson Perry regarding the sludge survey.

Rick noted that we have gained about 8" of water at the lagoons so he has been working on getting set up to irrigate.

The mainline to the RFD has been tied in and the "T" and valves are in. We need to put the meter in and then we can start excavation for the water line.

Rick is still waiting to hear from the boring contractor to set up a time to do the sewer line at C and 2nd and the storm drain for the school. Logan wondered if that was holding them up from building at C & 2nd. Rick said no. Beth noted that the boring and parts have already been paid for and the balance for labor must be paid before the final connection is made. We have given an estimate of the total cost. Rick added that the waterline will have to wait.

Rick reported that the fire hydrant at 5th and Center needs to be rebuilt or replaced. He thought it would cost about \$3000 to replace it. He replaced some gaskets on some hydrants and needs to get more, but he felt the one should be replaced. Logan made a motion to let Rick replace the hydrant at 5th & Center and cap the cost at \$4000. Big Mike seconded. All were in favor. Rick will see if it can be rebuilt before he replaces it.

Rick would like to replace the big snowplow with something smaller, such as a 1 ton dump truck with a plow. He thought this was the time of year to look for snowplows. A smaller truck would be a lot easier to maneuver in town. He wanted to look at an on-line suction site. Beth thought he needed to get some bids first. Logan thought 3 examples to compare so we have an idea of what to approve. He suggested Rick look into it and bring the information to the Council.

Rick hoped to start digging the waterline to the Fire Department this week.

Shorty remarked that Galen has been taking videos on the job and posting them on U-Tube. He didn't feel that should be done without City authorization. It is public record and makes Galen's personal computer and phone susceptible to public record laws. Rick would prefer he not do it. It was decided that it would be left to Rick and the Public Works Supervisor to deal with the issue.

Logan noted that there was wide spread support for the work Rick has been doing. Jeff asked Rick how the public works assistant was working out. Rick thought for most part he was working out well, but there were a few issues that need to be worked out.

Recorder Report: Water overages for the month of June were \$1164.01.

Beth asked if anyone had an LOC Ballot to turn in. There was no response.

Beth noted there was a copy of changes made to the CIS Coverage Agreement in the Council packets. It mainly concerned communicable disease liability coverage.

Logan remarked that there was also wide spread support for the job Beth has been doing.

Mayor's Message: Mayor Mike had no comments at this time.

New Business:

Employee Reviews: Mayor Mike asked if there was a motion based on the discussion in executive session. Jeff made a motion to approve wage increases based on the discussions in executive session. Beth thought the amounts needed to be stated for the record. Mayor Mike reviewed that Rick Lawyer will receive a 2% increase, Beth Wendt will be raised to \$19 per hour, Gahlen will remain the same, Maggie Guthrie will get 50 cents per hour plus 2%, Susan Wirkala will get the minimum wage increase to \$11.50, Jim Hebert is under contract and will remain the same, and the Mayor will get the minimum wage increase to \$11.50. Shorty seconded the motion and all were in favor.

RV Permit (Larry Martin, Sr.): Copies of the RV Permit application were in Council packets. Beth noted that Mr. Martin couldn't be in attendance. He lives at the corner of 2nd and F Streets and is in the process of cleaning out the old house so it can be torn down. They hope to replace it with a doublewide sometime next year. In the meantime they are living in their RV until they go south for the winter. Jeff wondered why the application was brought to the Council. Mayor Mike noted that we are operating under an existing ordinance and it requires Council approval. Jeff made a motion to approve the RV Permit and allow Beth to renew it for up to 6 months. Shorty seconded. Joyce asked how much is the permit fee. Beth said it is \$10 for 30 days. Mayor Mike reiterated that there was a motion with a second. All were in favor.

Exhaust Brakes In City Limits: Mayor Mike noted that the Truck Ordinance disallows the use of exhaust brakes inside City limits. It is becoming a problem on 2nd and E Streets. He wondered if the Council would like to consider enforcement. Shorty thought we would need to post at least 7 signs. Mayor Mike thought it might already be posted on freeway exits so maybe we could get help from the Sheriff's office. Beth will check with ODOT to see if we can enforce it on 2nd Street.

Tall Grass/Vegetation: Mayor Mike talked with Sharon Stanford about the lot across from the Post Office. Sharon wondered what the City would charge to mow it and the lots below her building. Rick noted the lot along 2nd Street had already been mowed. He added that somebody complained about a lot in the 5th Street alley. It is private property so he didn't think the City could do anything with it. Jeff would rather we don't have a City employee on private property. Beth commented that in the past we have sent letters to property owners and the problems have been taken care of. Mayor Mike agreed that they can become fire hazards. He agreed we should find out who owns the property and send a letter. He wondered if the City was getting our right-of-ways done. Rick said they were falling behind, but he got the lagoons mowed and they are working on right-of-ways as they can.

Old Business:

Playground: George reported that the Oregon Community Fund has moved all of their funds to COVID 19 recovery. They thought there might be some donors that might contribute, but they are also using their funds for COVID relief. They hope to be done with COVID 19 by November and will be able to start with their grant program again. If that happens, they still won't fund until May 2021. It may cause a problem with the funding from the Mason's. The Wildhorse Foundation suspended all of their grants because they have no money because of the COVID shutdown. The good news is that the North Powder Charter School wrote a nice letter in support of the City Playground. Their structures are on school property so they are technically only accessible to students during school hours. We received a commitment for \$1000 from Bingham, Bingham, & Watt. We have applied for a KABOOM, Community "Let's Play" Construction Grant, and have been accepted to apply for the final step. If we are approved, it's a \$15,000 grant and awards

August 1st. If we should get the KABOOM grant, it would almost be enough to get the 1st piece of equipment going. Joyce has been talking to the Windmills. Their grant cycle ends the first of August so she intends to get the application in this week. The Burkle Foundation doesn't award until November. Joyce hopes to get \$10,000-\$15,000 from the Windmills. Jeff wondered if anyone had talked to Kurt and explained the problems regarding the COVID issue. George wanted to wait to see if we can get enough money first. Joyce added that we can use part of the money from the Mason's for groundwork. George added there are other people who have showed interest in donating, but we haven't received commitments yet because we don't have a construction start date. Beth asked what will happen to the old equipment. CIS doesn't recommend trying to sell it because we are tearing it down because it isn't safe. Union Sanitation has offered to bring a dumpster and they will haul it all off free of charge. If we decide to try to sell something, CIS recommends they sign a waiver to accept it as is. Rick wondered how long it will take to get a piece of equipment here once it is ordered. Beth noted that we can't spend grant money until we actually have it. Jeff wondered if having a piece of equipment here by the end of the year would be enough progress for the Mason's. Beth didn't know as they wanted something installed. George reiterated that we can't buy something with the hope of paying for it. Part of the cost includes the removal of the old equipment, installation of new equipment, and ground preparation and resurfacing. Mayor Mike wondered if we should remove some of the old equipment now. George thought we could remove the most hazardous pieces. There is no point in trying to spend time and money to fix it if we are just going to take it out in the next couple of months. Beth wondered if there was a way to put in one of the smaller pieces in this fall and fence it off until we can get the ground cover finished. Mayor Mike thought if we started to remove something people would see things start to happen and would maybe be more inclined to offer donations. George thought we should move ahead with the project as much as possible. There are other grants. We just have to find them and apply. He thought to try to put in a single piece would require re-engineering it to meet insurance standards. He agreed a construction start date would help get donation commitments. Joyce added that we had a good response to the petitions of support.

Clean Up Day: Mayor Mike reported that considering the weather we had a good turnout for the Clean-Up Day. Both dumpsters were filled and we received a lot of electronics and old tires. We had a lot of after-hours donations. Ricks said the guy from Union Sanitation suggested setting the dumpsters by the burn pile because we can lock the gate. Mayor Mike wondered if we should try again this fall. Beth interjected that we took in \$95. She also pointed out that Union Sanitation has a franchise for garbage service in North Powder so having them bring a dumpster for metal was a good idea. They already have an issue with the Recycle Center but Union County paid for the dumpsters and pays for the dumping. Mayor Mike thought we should send a Thank You note to the North Powder FFA for their help in picking up stuff around town. Trinity Nesser was in charge the project. He thought the FFA might be willing to do it again. Rick noted that we took about 180 tires to Les Schwab in La Grande. Mayor Mike thought we should see if we could take more than one load.

Wastewater Project Update: Beth noted that we are starting to work on close out for the design grant. One of the closing requirements is to hold a Public Hearing to explain what the grant funds were used for. She suggested it be at 6PM on August 3rd. We also have to have a Public Hearing to let people know we are going to apply for a construction grant. It can be the same day, but has to be a different time. Beth suggested that could be at 7PM on August 3rd. Other close-out monitoring includes the completion of the plans and specs which have to be approved by DEQ. Anderson Perry hopes to have those done within the next few weeks. Next is sub-surface testing, reports, and permit that have to have SHPO approval and the Wetland Delineation which requires DAL approval. The Wetland Delineation is done and was submitted to DLS nearly a month ago. We have asked if there was a way to speed up the process so we can have everything done by September 1st, but it doesn't look like we'll have all of the approvals in time

to apply for the next grant cycle in September. If that is the case, we will have to wait until February to apply for a construction grant and it won't award until April. If that happens, we will be a few months behind in our schedule. Since everyone is aware of the delay, hopefully it won't be a big problem. Another part of the grant closure requires the City to do something for Fair Housing. It has to be different than what we did before. We are supposed to get a list of suggestions.

Mayor Mike wondered how we stand with Indian artifacts and the mustard weed. Beth said the artifacts are part of what we were waiting for approval from SHPO and there was no sign of the mustard weed.

RV/Mobile Home Ordinance: Mayor Mike hoped everyone had reviewed the latest draft that included Council questions and responses from Patty at LOC. Patty felt we should leave in the references to Mobile and Manufactured Homes because the ordinance doesn't exactly meet all state codes without them. Beth clarified that the enforcement clause in the current ordinance ties to mobile and manufactured homes and RVS. Since we are changing some of the enforcement language, if we remove reference to manufactured and mobile homes in the new ordinance, it would also remove the enforcement clause from the existing ordinance. Mayor Mike noted that Patty was okay with combining references to Conventions and events with City Sponsored programs. There were no objections to leaving those as is. Patty suggested modifying paragraph I of Section 1.18 to say if the permittee fails to utilize the full amount of allotted days during which the permit is valid, those days are forfeited. Patty also suggested we keep the 10 day appeal requirement as it give the permit holder time to secure legal counsel if they chose to do so. Adding the words "has been found guilty" was okay. Wrecked, inoperable, or unlicensed vehicles can be on private property but not on public property. A severability clause and an enactment clause were added. Rich McConnell wondered if the permit was to be assigned to a specific person. Mayor Mike clarified that permits would be assigned to a property owner and resident and would not be transferable. Mayor Mike noted that if the Council was okay with the revisions, Beth could make the changes and start the public hearing process. He reminded that this was not passing the ordinance, only approving the ordinance to present for passage. Joyce made a motion to accept the revised ordinance. Dennis seconded. Motion carried unanimously. Beth will schedule a public hearing and send out required notices to property owners.

Ordinance Enforcement: Mayor Mike noted that we need to start advertising for an enforcement person. Shorty stressed it should be contracted services. Big Mike asked if there were qualifications that need to be met. Mayor Mike suggested he and Beth could come up with some. There were no objections. Jeff suggested talking to Doug at the City of Union.

City Hall/Fire Department- Option 5: Mayor Mike handed out plat maps of the property owned by the School District. Option 5 for City Hall and Library involves acquiring the old school building. He had a dual purpose in proposing this. In addition to a new City Hall and Library, it would save the old school building from demolition. He did some research to see if it could be put on the National Registry of Historic Buildings and if there are grants available to help with restoration. There are ways to accommodate ADA access without going to extremes. Mayor Mike felt there was no reason to go to the School Board unless there is support of the Council to do so. He looked at options of what the building could be used for besides City Hall and Library. The school put out a survey, on-line, to test the waters of what to do with the building. He thought the school didn't have the funds to demolish it or to repair it. He felt over time, the School District could save money by donating the building. He was concerned that the RFD had few options for what could be done with their portion of the fire station. This is another option to add to the other 4 previously provided. Joyce wondered how we could separate it from the school campus. Mayor Mike said it would have to be fenced off so it would no longer be part of the school property. He felt parking wouldn't be a problem during City Hall hours. Jeff thought it would cost too much to heat and maintain a building that size and the City would have no need for that much space.

Mayor Mike said we could go after grants to do a structural study and get a study task force to look at the results but there are a lot of grants available. Especially for a building that age. Jeff reiterated that it wasn't about whether or not the building would be torn down. Mayor Mike thought there could be other uses, like BMCC classrooms, a community theater, museum, etc. He thought this could be a win/win situation.

Council Comments:

Joyce didn't want to see the school building torn down but wasn't sure about bringing the City offices up to the school. Mayor Mike understood her concerns, but disagreed. Logan wondered if there were thoughts about the 4 options he proposed last month. Joyce wanted to have a contractor look at the fire station building.

Logan didn't want to see the old school torn down either. He would like to see it used. He thought it was out of reach for a City Hall and Library. The bills, especially heating and cooling, would be totally unattainable. The fire department building would be much better option. He personally felt that purchasing the RFD portion of the building would be the best and most reasonable way to go. It is big enough to host events. It would be a very small part of the work and cost to make it usable, compared to the school. He disagreed with Mayor Mike on the uses that fire station could be used for. It shouldn't be a bargaining chip. Mayor Mike didn't want the City is as if we were being held hostage to bank roll their activities. We should have a current appraisal and a fair price. He didn't understand why there was such animosity between the city and rural fire department. He would regret if the City acted because of an accelerated feeling to act now. The Council is spending other people's money and we need to work from as strong and as fair of a position as possible. Logan felt the fire station was a real opportunity to get out of the building we are in. He reiterated that he would love to see the old school stay and if some day we could work into it, we would have an asset in the fire station that we could sell. Doing nothing is not an option. It shouldn't be a surprise if the RFD puts their portion of the building up for auction in the next 2 to 3 months. Mayor Mike wanted a concrete proposal. We have guidelines that have to be followed. Logan agreed that any option has to start with scoping. We are trying to build a relationship with the RFD but that doesn't mean we will over pay for the building. Rick suggested both sides getting together to get an appraisal. Logan said they have an appraisal from a few years ago that they are willing to share. It would provide a starting spot. Any appraisal will be affected by zoning and the fact that it is attached to another building. Beth suggested a work session with the RFD. Dennis agreed that history should stay in the past. We should be able to discuss the issue and find out what each party wants. Jeff felt that regardless of the fact that the City sold the property for \$10, there is a building on it now that makes it worth a lot more. If buying their portion of the building is the route we want to go, we need to act on it. If they sell their part to someone else, it could deplete the value of the City's part. If the City doesn't want it, they will sell to someone else. Joyce made a motion to table the discussion for another time. Beth felt the Council should seriously consider options because we can't keep kicking this down the road. Rick added that we still need to know what the building is worth. Dennis agreed. Joyce restated her motion to table the discussion until another time. Shorty seconded. Motion carried with 5 in favor. Logan was opposed.

Meeting adjourned at 9:45PM.

Respectfully submitted,

Attest:

Beth Wendt
City recorder