

**North Powder City Council Meeting
November 2, 2020
7PM Wolf Creek Grange**

Attendance: Mayor Mike Wisdom, City Councilors Mike Morse, Joyce Lawyer, Dennis Lefever, Logan McCrae, Jeff Grende, & David (Shorty) Schwehr, City Recorder Beth Wendt, Public Works Director Rick Lawyer.

Others: Mick Bastian, Dick Alexis, Carolyn Flynn, Sue DeHaas, Vicki Townsend, George Marston, Jeff & Wynn Neilson, Jeff Crews.

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

Public Comment- Carolyn Flynn felt the City should use some funds to purchase the Oddfellows building. It is a part of our history and will stand for hundreds of years. She felt it was important for the children who grow up in the community to know some of the history of the town. We have some beautiful buildings that are not being used or rejuvenated. She has donated some historic paperwork and documents to the City but they are being kept in a cupboard. How are the children of the community going to have any pride in the city if they are not aware of the history & ingenuity that went into building those buildings? Carolyn would love to see a museum. It would give a legacy to our kids and grandkids. That big corner could become a beautiful park with restrooms and tables, etc. She volunteered to help with landscaping. Restoring the buildings would attract tourism & business. She felt there was a lot of talent in North Powder such as carpenters, plumbers, electricians, who could volunteer to help with the restoration. We could restore the building one room at a time as the City could afford it. She would like to see people take pride in the town.

Mick Bastian thought it wasn't practical to ask people to volunteer their time as they all work for a living and it's hard to get people to show up for a work day. History is a wonderful thing but he didn't think the City was too concerned with promoting it. There is nothing along the freeway to mark that North Powder is on the Oregon Trail. Mick commented that the surveys did a good job of listing pros and cons of the fire station, but there wasn't very many negatives about the Oddfellows building. He didn't see a big advantage to the City owning one side of the block along E Street between 1st & 2nd Streets. He questioned the cost of seismic repairs. He wondered what would be entailed with cleaning up the property. The City can declare any building as historical without owning it and that would preserve options on the use. It would keep the building from getting lost. There is little to no industry here. We are a bedroom community for Baker and La Grande. There is nothing here to draw industry to North Powder. We can't count on grants for everything that needs to be done. If we bought the Oddfellows building, we would just have a 130 year old problem. He wondered how old the heating, plumbing and electrical are. Mick felt the City didn't need additional park. As for expansion, he felt the existing City Hall and Library, though they may not be sound, were severely lacking in maintenance, so how can the City maintain 8800 square feet. The Library would like to have more computers for adults. That isn't a major expense. If we ever want to use the upstairs of the Oddfellows, we would have to make it handicap accessible. The City already owns about 2000 square feet of the fire station. If we bought the other half of the fire station we would have more than twice the square footage that we have now. He didn't see the town growing. There would be added work for the public works. Modifications to the fire station wouldn't be a huge expense. He thought the cost of the Oddfellows building might be reasonable and we might be able to sell part of the lots but he questioned whether anybody would ever be interested in buying them. He didn't feel comfortable with the idea of the City getting into property management by renting the apartment. The street in front of the Oddfellows building looks bad and the sidewalk is torn up. If it is such a gold mine, we should let somebody else front the money and collect the gold. He felt it would be a millstone around the neck of the tax payers. He concluded that he

appreciated the history but he thought the current building was more than adequate for the needs of the City.

Dick Alexis agreed with what Mick said. He hasn't seen much maintenance done on the City Hall building in the years he has been in North Powder. There hasn't been very many people donating their time for anything, either. He didn't think we would get any free labor or free materials for either property. He thought the Oddfellows building was a fine thing for a private enterprise, but it is not for North Powder. As for grants, considering the affairs of the country, we are going to see a lot of grant money disappear. He thought if we want to make a move, the fire station is the best option at this time. It would be quicker and presentable to the public and to the people who work in it.

Agenda- Mayor Mike asked for corrections or amendments to the agenda. Big Mike made a motion to accept the agenda for November 2, 2020. Joyce seconded. Motion carried unanimously.

Minutes- Mayor Mike asked for amendments or corrections to the meeting of October 5, 2020. Big Mike made a motion to accept the minutes of the meeting on October 5, 2020. Joyce seconded. All were in favor.

Accounts Payable- Beth went over additions to the payables. OTEC was \$1720.53. We didn't have a bill from Magic Valley, Eagle Office Concepts, and DuBois Chemicals. The Century Link bill was \$306.89. Additional invoices for Thatcher's Ace Hardware for safety glasses, a tape measurer and a drain unclogger brought that total to \$137.17. Add Byo Gon Northwest, for the injection treatment at the lagoons was \$3160. The total AP came to \$13,597.09. Beth noted that, in addition, the only bill we have yet for the Wastewater Grant is \$500 from Ducote Consulting. Mayor Mike asked how much the Eagle Office bill is normally. Beth thought around \$50. Jeff asked if it would be possible to get an income statement for some of the projects that the city is getting reimbursement for. Beth will make copies for the Council as they are done. Jeff would like to also see some of the other miscellaneous income. Big Mike made a motion to pay the bills. Joyce seconded. All were in favor.

Library- In Maggie's absence, Beth reported that the Library CARES Act Grant has been approved. Funds will be used to purchase hotspots that can be checked out by patrons. Maggie doesn't know yet how many hotspots she will be able to purchase.

The Pilcrow Grant was approved. The Library will use it to purchase \$1200 worth of hardcover children's books.

The Oregon State Library report has been completed.

The Ready to Read Grant report is due December 1st. The grant supports the reading program.

The Library will be closed the Friday following Thanksgiving.

There have been a lot of books and movies checked out this past month. Maggie & Susie should have time during November to catalog books that were purchased or donated during the summer.

The Library plans to go forward with the Snowman contest again this year. Information posters should be out the beginning of December.

Public Works- Rick is still working on the water to the Fire Department. There is water to the fire hydrant but he is waiting for them to finish up their side so it can be tied in and finished.

The directional bore at Second & C Streets is just about finished. There was a lot of rock so they had to do a lot of hand digging but the connection is made. Rick still needs to put in a tee and do some grouting.

Rick is still working on getting ready to go to river at the lagoons.

Rick said they weren't able to drill at Second Street for the school storm water because of depth issues of electrical conduits and gas lines.

There is a crushed sewer line at the end of 2nd that still needs to be repaired.

Rick felt the numbers at the lagoons should be much better because of the injection treatment. The representative thought we should get rid of at least 1' of solids within a year. Rick thought it was working. He needs to send off 9 tests.

Rick worked with the County to get some potholes filled on 3rd Street. They have a new mix that Rick would like to check out and maybe see about getting some.

Jeff wondered if Rick was able to get the equipment the Council approved. Rick said he hasn't had time. He needs to do some minor repairs on the dump truck. The hat valve is not working so the truck won't run unless it is plugged in. Beth clarified that Jeff was asking about the stuff from Elgin. Rick did get it but had to pay an additional \$100 to get it loaded. He didn't want to haul the City backhoe to Elgin just to load it. He thought the manhole would work where he needs it. He has an option to purchase more supplies at a discount price from a contractor who went out of business. He thought there were 2 hydrants as well as other parts that we could use.

Beth pointed out that we were fined \$975 by the DEQ because of over limit violations at the lagoons. Rick noted that February and March were really bad months. He was fairly sure that it wouldn't happen again next year.

Recorder Report- Water overages for October were \$411.13. Total water use was 1,698,252 gallons. Beth noted that the LGIP Interest rate has been steadily dropping. As of October 21st, it dropped to .75%. We are paying .88% on our DEQ loan. The next payment is due March 1, 2021 in the amount of \$21,567. We budgeted to make that payment, but if we want to pay more, we will have to do a budget amendment.

Shelly Burgess will be at the December meeting to answer questions and talk about the Grande Ronde Enterprise Zone. She will have a resolution prepared before then.

The deadline for State level entries for the 2021 "If I Were Mayor" Contest is May 7, 2021. This year State prizes will be \$500 for 1st place, \$300 for 2nd, and \$100 for 3rd in each age division. Beth asked if the Council wanted to offer a local contest. If so, would we still offer the same prizes as before; \$100 for HS, \$50 for MS, and \$25 for grade school. In the past the local deadline has been about 1 month before the state so we have time to review entries and pick winners and get their entries submitted before May 7th. The Council wanted to do the contest with the same prizes. The deadline will be April 7th. Beth will notify the school.

Beth asked if the Council wanted to do the Christmas Lighting Contest again. The Council agreed. Beth will contact OTEC.

Mayor's Message- Mayor Mike decided to wait until the December meeting.

New Business-

Priority One Franchise Request- Jeff Crews noted that Priority One Telecommunications is a wholly owned subsidiary company of EONI and they have no employees. They are asking the City to enter into a franchise agreement to construct a fiber optic in the public right-of-way. They want to upgrade the internet access to North Powder. Fiber optic would provide a better, faster and more reliable service. He shared the franchise agreement document used in Elgin. Imbler and Summerville have also adopted the agreement. It wouldn't cost the City anything and it would not be subject to franchise fees. They are proposing aerial lines instead of underground so they wouldn't tear up any streets. The agreement includes language regarding Council notification before anything is done. Sue DeHaas wondered if it would take care of areas that currently don't get EONI service. Mr. Crews said fiber optic doesn't have a line of site requirement. They have a joint use agreement with OTEC for power poles but they have to stay 40 inches below the lowest neutral line. They are in the process of working on Summerville and Imbler is next. North Powder would follow. Jeff G. asked if they would get rid of the connection on the water tower. Mr. Crews didn't think there was a plan to at this time. Jeff G. asked if fiber optics would

be more expensive. Mr. Crews thought it would be about \$59, which is fairly comparable to the cost of wireless. Beth wondered if it would change anything as far as City Hall and the Library are concerned, particularly in offering public access. Mr. Crews didn't think it would change anything and City Hall and the Library would continue to get free service. Mayor Mike asked what kind of time line he was looking at for a decision from the City. Mr. Crews thought the sooner the better, but he was here to answer questions. Logan asked if there is a reason why you can't get faster wireless internet. Mr. Crews said there are physical limits and interference. Fiber optic is more reliable, costs less, and delivers better performance. Joyce wondered if there would be downtime. Mr. Crews felt the fiber offers superior reliability. There is no limit to the speed. Joyce was concerned about what would happen to people who are not with EONI. Mr. Crews noted they don't have to use EONI. They can stay with what they have. He asked if the Council was interested. Mayor Mike liked the fact that Rick could keep an eye on what is going on during construction. Mr. Crews will work with Beth to draw up an Ordinance for the December meeting. Beth thought we should send it to our attorney for review.

Bingham, Bingham & Watt Employment Agreement- Beth explained that we haven't done an agreement with Bingham's for several years. The agreement lays out the services that BB&W will provide and what is expected from the City. If the Council approves the agreement, Beth will have a resolution at the next meeting to appoint Jason as our budget officer for 2021-2022. Mayor Mike asked if the monthly fee noted in the agreement was pretty average. Beth thought so. The only time it changes is during the budget and audit, but we budget separately for those. The consensus was to accept the agreement.

Old Business-

Playground- George noted that we sent a letter to the Blue Mountain Masonic Lodge asking for an extension of time. The Oregon Community Foundation and Oregon State Parks grant cycles will open January 1, 2021. Sue DeHaas presented the City with checks from the Avista Foundation for \$1500 and \$20,000 from the Sunderland Foundation (Ashgrove Cement) for the playground project. As they were awarded to a 501(c)(3) the grants came through the North Powder Community Partners. George noted that we haven't got a response yet from the Masons, but Kurt Wiskoff thought it shouldn't be a problem. Currently we have 3 outstanding grant applications; EDP Renewables, the Buerkel Foundation, and Leo Adler. Joyce thought we should hear from them within the next month or so. George will write thank you letters to Avista and Sunderland. Sue noted there are some requirements for the grants. She gave copies to Beth. The total project is estimated to be about \$80,000, depending on the number of signs we decide to put up. George thought we could start doing stuff if we want. He will submit an application to the Oregon Parks Foundation after January 1st for \$40,000.

CARES Act Grant- Jeff reported that we sent an email to sign-up but didn't hear back from them until recently. They sent a survey and want to know what the City Council wants to use the funds for. There are different rounds to request funds. We will miss Round 6 which is due November 9th thru 20th. The next round is due December 14th- 24th. The last round for reimbursement request is January 19th thru February 5, 2021. We can use the funds for something that is related to COVID-19, such as distancing. We talked about video equipment so people can call in. Beth suggested we could buy masks or face shields that we could share with the community. The City has been allotted up to \$25,000 and they would like to know how much we expect to spend so that any unused funds can be allocated to someone else. In addition to video equipment other suggestions might be to purchase masks that could be distributed to businesses or a piece of plexiglass for City Hall. Jeff would like to see the City purchase some equipment for communications such as a laptop and speaker system, etc. so that we can offer "Zoom" type meetings to the public. He also liked the idea of purchasing masks. Logan will get some estimates for virtual equipment. Beth noted that the funds may only be used to cover costs related to

public safety incurred due to COVID-19. Joyce wondered if we could use some of the money to help transport seniors to a doctor appointment. Jeff thought it was only allowed if there wasn't another option and the Community Connections already applied for that. The Council agreed to let Jeff and Beth come up with a plan and submit it.

City Hall & Library- Mayor Mike met with Logan Jones when he came to do the building inspection on the Stanford building(s). Mr. Jones' initial comment was that the buildings looked good structurally but he will have a full report later this week. Mayor Mike contacted a contractor to start getting estimates for fixing up the buildings but was told we should wait for the inspection report. He wasn't sure how long after the inspection we had to follow up on the offer. We have an extension to November 17th. As well as the inspection report, we are waiting on the title report. Once we receive those we will need a special meeting. The inspection report will be emailed to each Councilor once we receive it. Beth noted that she forgot to add the \$1525 to the Accounts payable that was approved to pay J.L. Inspections. Jeff asked if we had paid the earnest money yet. Beth said no. Candace submitted an addendum that it will be paid with the acceptance of the inspection. Logan wondered what metric we would use to weigh the decision once we get the inspection report. He thought some of the Council members were going to vote in support of the Stanford building regardless of what the inspection report says. Mayor Mike said that was not the case as far as he was concerned but he didn't know where to draw the line until he saw the inspection. Logan wondered if we had a number of how much we are willing to put into repairs, etc. He thought the Council members in favor of the Stanford property were under the assumption that grants would pay for everything. Mayor Mike said that was wrong. People are getting a misconception that we will get grants to pay for everything. Jeff thought it was portrayed that way. Mayor Mike reiterated that was not the case. He thought the Oddfellows part could and should be paid for with grants. However, once the historical district is in place it's possible the hardware side could qualify for grants as well. He was aware that some remodeling will need to be done in stages and out of pocket in order to get into that side of the building but we don't know yet what that will be. Based on the surveys returned to City Hall, there are more than just a few Councilors who would like to see something happen with the Stanford property. Mick noted that the survey stated that all work on the Oddfellows building would come from grants. Mayor Mike clarified that is only the Oddfellows side. Mick asked if historic grants are available to anybody or are they only available to a municipality. Mayor Mike said they are available to anyone who owns a historic building. Mick felt the building should be left to someone besides the City to take advantage of the grants. Mayor Mike stressed that he wanted people to look at the options with an open mind. He didn't feel everybody was looking at it objectively. Logan said in his experiences, he felt the bigger and older the buildings are the more expensive they are to maintain. He felt there were cheaper ways to go to manage the City's money and the Stanford property would be a bad investment. Mayor Mike asked why Logan thought the purchase of the other half of the Fire Station was a better option. Logan said it already has sewer, water, two bathrooms, natural gas heat, and the electrical already meets code so it is ready to go. Mayor Mike felt that without an inspection on the Fire Station we don't know for a fact that it meets code. All he has asked of the Council was to be objective. He agreed we don't want to invest in a money pit but we are going to have to do work wherever we go. Mick wondered why all of the preliminary was done on the Stanford building but not on the fire station. Mayor Mike noted that we made an offer on the Stanford Building and we are on a time schedule. Logan noted that we've had structural inspections on both buildings and they both came back good. So far the council voted to put in an offer to tie it up. Jeff added that the city will have to foot the bill for maintenance and up-keep because grants won't pay for utilities after they are installed. Joyce thought there were grants that would cover some to that. Mayor Mike reiterated that the inspection report will be sent to the Council members as soon as possible.

Wastewater Project- Beth noted that Anderson Perry submitted the application for a permit from the US Army Corps of Engineers for construction of an evaporation wetland and transmission pipeline has been submitted but they are asking for more information. Anderson Perry is working on it. They have asked for things like a list of required authorizations from federal, state & local agencies, a cultural resources inventory, etc.

We need to make some budget adjustments to our existing grant due to an error with the way the disbursement was set up by Business Oregon. \$10,000 put in the environmental review line that should have been applied to permitting and land partition. This is just a bookkeeping change so it doesn't require Council action. However, eventually we may have to do some adjustments to the Engineering line for Anderson Perry that will require Council approval.

We are still hoping to get all of the environmental stuff done in time to apply for the construction grant in February (which awards in April), but it is not looking very promising. Brett Moore is supposed to get in touch with DEQ to see what we have to do to extend our construction deadline to 2022 so we are not in violation of our MAO. There isn't much we can do until we get all of the cultural and environmental stuff done. They still haven't found anything of real consequence as far as Indian artifacts but once they finish the report we have to do some mitigation and will probably have to have someone on site during construction.

Ordinance Enforcement Report- Beth reported that Shawn contacted Ernie Grende and neighbors regarding a complaint from Donn Wells. Ernie agreed to move his burn pile back a little. Shawn thought there might be people living in RVs in Wells' backyard. He also thought he should have a business license to do repairs in his back yard. Beth noted that even though the property is in a Commercial Zone, the primary use is a residence which means a Conditional Use Permit would be required to operate a business. Joyce suggested writing a letter. Beth agreed the Council needed to decide how they wanted to handle it. She also noted there were some RVs parked on City rights-of-way. She will call Shawn and ask him to talk to them. Mayor Mike asked if Shawn was going to get a citation book. Beth will check. Mayor Mike asked if Shawn had to have any specific certifications to act as an ordinance enforcer. Beth checked with the League of Oregon Cities and was told that there are no legal qualifications but we probably want someone who is personable and not confrontational. Beth thought we should update the enforcement contract with Shawn. We contracted with him at \$12.50 per hour and Shawn was okay with that but Beth wondered if we should give him a raise. Joyce wondered if we needed a written complaint to contact Shawn. Mayor Mike thought that was the idea. We aren't out trolling the streets looking for violations. Jeff interjected, unless it is on public property. Joyce added that Beth and Rick might see or hear things. Logan was hesitant to ask City personnel to do that. He felt it would put Rick in a bad spot and it was a better idea to have Shawn as an independent third party come in to take care of things. Shorty commented that Rick may notice things when he is out. Jeff felt if Rick sees something, he could let Beth know and she could contact Shawn. Mayor Mike agreed that it should be taken out of the City employee's hands. Joyce wondered if Shawn could go up and down the streets. Shorty thought it should be a part of the job description in the contract. Beth noted that the agreement we had before said that Peace Makers Security will respond to a notice of violation but didn't require them to look for violations. Dennis interjected that he could spend hours driving around looking for violations and find nothing. Then we have paid for nothing. It would be better to contact Shawn to make contact to respond to a violation. Mayor Mike noted that in the course of his work, if Rick notices a blatant violation it would go through the channels. Logan agreed that a complaint wouldn't have to come from a citizen. He felt it was important to have an enforcer and was glad Shawn was willing to do it. If Shawn wants to ask for \$16- \$18, it was well worth it. He felt Shawn interacted well with the public. Beth will update an agreement and present it to Shawn and the city council for approval. Since minimum wage has gone up since we signed the original agreement, which

expired in 2018, she felt the Council should consider increasing Shawn's wage, but should be cautious to not over spend the budget. Shorty noted that our budget put a \$2500 cap on ordinance enforcement. Beth noted that the Council just approved \$175 for 14 hours but that goes clear back to when we first contracted with him. This was the first bill we received. Logan made a motion to talk to Shawn and ask what he feels is fair, up to \$18 per hour. Jeff seconded. Motion carried with 5 in favor. Joyce abstained. Big Mike commented that in his experience, he's found that if you pay somebody what they are worth, you get more back.

Council Comments- Jeff wondered if there were two separate addresses for the Stanford building(s). He thought if the two buildings had separate addresses, even if they were identified as suites, it would be less confusing. Beth said she has only seen one address. She thought they could be separated but since it is on a single lot it might have to be suites. Jeff asked if there were separate utility services. Beth said there is only one water and sewer service but she didn't know about the electrical. Jeff reiterated that separate address would help identify that there are two separate buildings. Beth noted that it's all listed on the tax lot as 175 E Street. The City assigns addresses but they are generally done at the owner's request. Jeff added that if the buildings were ever sold separately they would need separate addresses. Beth added that since they are on the same tax lot, the lot might have to be divided.

Just a point of interest, Beth noted that Stephanie Carter bought the A&A RV Park and has changed the name to Wagon Tracks Campground and RV Storage. The Conditional Use Permit has been transferred.

Big Mike made a motion to adjourn. Logan seconded. Meeting adjourned at 9:30PM.

Respectfully submitted,

Attest:

Beth Wendt
City Recorder