

**North Powder City Council Meeting
July 12, 2021
7PM Wolf Creek Grange**

Attendance: Councilors “Big Mike” Morse, Jeff Grende, Vicki Townsend, Joyce Lawyer, Logan McCrae, and Justin Wright, City Recorder Beth Wendt, Public Works Director Rick Lawyer.
Others: Lindsey Thompson, George Marston, Jeff & Wynn Nielsen, Don McClure
Mayor Mike Wisdom was absent.

Council President Mike Morse called the meeting to order and the Pledge of Allegiance was said.

Public Comment: None

Agenda: Big Mike asked for changes to the agenda. Beth noted that new agendas had been handed out with a correction on the date of minutes to be approved. Jeff made a motion to accept the agenda. Vicki seconded. All were in favor.

Minutes: Big Mike asked for changes to the minutes of June 7th. Jeff made a motion to accept the minutes from the June 7th Council meeting and the June 7th Special Budget meeting. Joyce seconded. Motion carried with 4 in favor. Logan abstained as he did not attend the meetings.

Accounts Payables: Beth reviewed the Accounts Payables. The first spread sheet was for bills that were already paid. It included \$2500 to the Food Bank and other purchases from the CARES Act grant which needed to be closed by June 30. It also included insurance premium to SAIF for the new WC policy and \$72 to One Call Concepts. The total came to \$9,013.20.

Changes to the regular bills included an added invoice from Byrnes Oil for a total of \$182.71 and Eastern Oregon Title for \$500 for Earnest Money payment on the Fire station. Beth noted that we also have to pay \$29,436.46 for the balance due on the playground equipment as soon as it is delivered. The total AP came to \$19,629.38 plus \$29,436.46 for the playground equipment.

The Wastewater grant bills came to \$6236.13.

Vicki made a motion to accept the accounts payables. Justin seconded. All were in favor.

Huckleberry Festival Committee Report: Lindsey Thompson commented that last month she asked for money for porta-potties for the Huckleberry Festival. It will cost about \$300 for 3 additional porta-potties. The Sheriff’s office has helped get crews here to clean streets. So far they have more than 35 vendors signed up. Lindsey asked if they could use the kid’s park for kid oriented events. Joyce asked about seating. Lindsey said they had permission to use the church lawn for a seating area. Joyce suggested borrowing the bleachers from the school. Jeff interjected that they’ll be used at the Mud Volleyball. Lindsey thought the Huckleberry Festival had some old tables from the school. Beth wasn’t aware of tables donated to the Huckleberry Festival, but the school donated 13 old tables to the City. They are stored at City Hall. Lindsey would like to reserve them for the Huckleberry Festival. George interjected there are plans to take out the old playground equipment on July 22. Lindsey thought that would work well as it would give them more open space to work around. They have everything else covered except the added porta-potties. Vicki wondered how much money the City had for that kind of thing and where the funds would come from. Beth noted that we didn’t budget for a lot of extra. We use everything in our Community Enhancement fund to pay for the porta-potty that is already in the park and to pay for dumpsters during clean-up day. Anything else would probably have to come from Capital Outlay. Lindsey thought regular porta-potties were about \$75 each. Jeff said if the City would sponsor one, he would match it and sponsor one through his business. Joyce made a motion to sponsor one porta-potty for the Huckleberry festival. Logan seconded and all were in agreement.

Public Works Report: Rick reported that he met with the DEQ regarding fines. He felt it was a good meeting. He had a list of 6 items that need to be done by July 20th. He thought we were good on 4 of

the 5 items regarding DMR's. Any fines that still may be issued could be off-set with the new improvements we are making to the system.

Rick met with a guy who specializes in bringing lagoons back to life. If it looks like the lagoons are not improving, he would like us to call before we dredge. Joseph may be getting rid of a grinder for the bar screen and we may have a chance to get hold of it. The grinder chews up junk that comes through the system and dumps it into the garbage. Rick is still working on getting a few aerators from Baker City. We are scheduled for another injection at the lagoons on Wednesday (July 14). They should do a sludge judge this time. The treatments seem to be working and the pond is coming back to life. Rick hopes we can get out of the MAO by the end of the year.

Rick noted that David has been very good help, especially on the computer. We had to get a new router for the shop.

When we had the power outage, the generator at the well didn't come on. It tested okay, but when the power actually went out it failed and Rick had to fire it up manually.

The new playground equipment is scheduled to be delivered on Monday, July 19th and as George mentioned, if the Council is okay with it, they will start removing the old stuff on July 22nd. Rick thought it could be done in one day. Vicki wondered if it would be a problem for the Huckleberry Festival to have the old playground equipment gone. Lindsey thought not.

Rick reported there is a lot going on with water and sewer services. There is a big hole by Daniels'. There was plug with a lot of gravel in the pipe and it appears like it is broken under the sidewalk. The best option to fix it would be to run another line next to the sidewalk to the manhole. The other option would be to rent a VAC trailer and try to punch a hole under the sidewalk. Rick would like to rent a VAC trailer anyway as he has several other jobs that he could use it for. Among them is the School drain. We have an issue with a place in the 5th street Alley between E and D where an individual was digging and broke communication lines. Rick stopped him from digging more but there is no alley so it has been a nightmare for a long time. The Catholic Church's water meter is in the neighboring yard and there is a locked gate with a sign that says do not enter without contacting owner. The alley has been abandoned by the City but we are supposed to have access. Since we have access rights, Logan wondered why we couldn't cut the chain. Joyce noted that when the alley was first abandoned, the owner kept it open. It wasn't until new owners took over that it was fenced off. Rick added that there are 3 meters on that property, the one to the house, the Catholic Church, and the meter to the Water District. The guy that was doing the digging told Rick that since there are 3 meters on his property he wanted water to the back part of the property. Rick was told that he dug in 2 places and connected to the water line. The catch now is how to check it out. He has received permission to check out one area, but we need to know our legal rights to access the property. Logan thought we had a right to access the utility easement. He suggested a letter from the City Council letting the owner know what we are going to do and give him 30 days to respond. Jeff thought if the new connection was tied to the frost free on the property, that's between the owner and the renter. Rick reiterated that it is a touchy area so he wanted to approach it carefully.

Big Mike asked about the hole by his house. Rick said that's the sewer line that has to be rerouted because of a broken line. He is waiting to get a VAC trailer. He may also be able to use it for the School storm drain. Joyce asked who would pay for the repairs on City property. Logan thought if Daniels broke the line, he should pay for the repairs. He wondered if locates had been called in. Rick didn't think so but Daniels knew where the line was.

Library Report: Movie night will be July 24th at the school at 9PM. The movie will be "The Sandlot" and will be shown in the field by the cafeteria doors. Concessions will be available. Vector control will assess the town and may spray if needed.

Maggie is working on silent auction items for a fundraiser to be held during the Huckleberry Festival. They will raffle 10 yards of scalp from Harney Rock. Tickets are available now through the 31st for \$5

each or 5 for \$20. They will also have a book sale in the park next to the Library and the reading program will participate in the parade.

Maggie was invited by Beth Longwell, from EOU, to join the cataloging committee group for the Sage System. She will have access to their meeting minutes and will start learning more about how to catalog material into the library system.

The Leo Adler Grant report is due August 31st and the State Statistical report is due October 31st. The Ready to Read Grant is open now thru August 31st.

The Library will be receiving toy donations from Tawny's Toy Box and passes to Wahooz and Roaring Springs.

City Recorder Report: Water overages in June were \$3239.35. Last year June overages were \$1164. Beth reminded that the Fire Department contract expired June 30th.

There will be an in person Small Cities Meeting on Wednesday, July 21st at 11AM in Heppner. Anyone interested in attending should let Beth know.

The Oregon Department of Energy (ODOE) has asked the City to amend our intergovernmental agreement. The only change to the agreement is the termination date, June 30, 2023. Basically, the agreement states that expenses incurred by the City related to the Boardman to Hemingway power line project can be re-cooped by ODOE. Vicki made a motion to renew the Intergovernmental Agreement with ODOE. Joyce seconded. All were in favor.

Beth reported that according to LOC, there is no State statute or rule that requires letters to be shared during a council meeting. However, they are a public record and public records law requires the city to maintain them according to the retention schedule and to disclose them if a request is filed. The City can adopt our own policy regarding handling letters during a public meeting.

CIS has paid out \$1696.66 in Worker's Compensation to Galen. As of July 1st our WC coverage changed to SAIF. Last report was that Galen hadn't been released for light duty work.

Beth noted that we will have a Public Hearing during the next Council meeting regarding liquor license renewals for Badger Mart, CJ's and the North Powder Café.

Logan proposed we take the old contract with the Rural Fire Department (RFD) and adjust for a rate of inflation. Beth suggested asking for a 5 year contract. Logan thought the RFD would be agreeable to 5 years and we could use an average of the inflation rate of the last 5 years. We could either have a stagnant amount each year averaged on the year 2023 inflation or it could be adjusted each year. Vicki wondered if we needed a motion. Beth thought so because if the RFD accepts the proposal without question, we have to be ready to sign. Joyce wondered where we stand on annexation. When we first started contracting services, they agreed to work on annexing. Logan said they weren't talking about it at this time but they need a pitch from the City. It needs to be approved by the City. Joyce asked how we would make a pitch. Logan thought it would require a petition from city residents because their taxes would go up. Joyce thought there was a way the City could give citizens a break on taxes. Beth explained that the City could lower taxes, on a temporary basis if necessary, as an incentive to get people to agree to annexation. She thought the RFD needed to invite the City to annex before it goes to a vote and it should be done during a general election year to avoid filing fees. Joyce reiterated that the Rural Fire District did agree to work on annexation. Vicki wondered what the advantage would be to annex. Beth said there would no longer be a line item on the City budget for fire. Logan thought that ultimately the RFD would like to get to annexation because it would simplify things. They aren't there yet but they're still open to the idea. Vicki clarified that right now we need to renew our contract.

Logan noted that there are other options. We could go without a fire department or to try to operate with a skeleton fire department within the City. The biggest problem with these options is insurance. Rick asked about insurance on the building. Beth noted that the RFD has been covering it but she will check on it. Joyce still wanted to work on annexation. Logan agreed that it was the right long term fix. In the meantime, he made a motion to renew the Fire Department contract and adjust it based on the

CPI. Beth asked if the contract would be for 5 years. Logan added to his motion that it be for 5 years. Vicki seconded. Motion carried with all in favor. Beth will amend the contract and have it ready for Logan to present to the RFD on Wednesday.

Mayor's Message: None

New Business:

Carolyn Flynn: Logan noted that Carolyn Flynn dropped some budget stuff off but didn't want to wait for the Council meeting. Jeff G. wondered what she wanted to talk about. Beth thought she wanted to talk about how important it is for the City to look after and spend money on our streets and other infrastructure. In the meantime, the City has already committed to resurface a portion of 5th Street and fill potholes on the rest of it while we work on getting funding, whether it be in the form of a grant or otherwise, to finish resurfacing it. Jeff N. wondered when we will begin working on F Street. Beth didn't have an exact date but it should be sometime in August. The Union Co. Public Works will be doing the work. They will patch holes on F and D Streets and 3rd and 4th Streets between Center and G. Then they will come back next summer to re-patch and chip seal those streets. While they are here in August they will strip 5th Street between B and Center Streets and resurface it.

Baker City Resolution No 3881: Beth noted that the Council should all have copies of the resolution. The Mayor wanted to talk about it, but in his absence the issue was tabled.

Employee Reviews: Jeff made a motion to give a 4% increase to Beth, Rick, and Maggie as discussed during in the executive session. Logan seconded. All were in favor.

Old Business:

Playground: George noted that he and Rick met with the Public Relations Manager for the Wildhorse Resort and Casino to take pictures and discuss future plans for the playground. The Community Partners delivered a \$10,000 check to City Hall from Wildhorse. George and Rick would like to start demolition of the old playground equipment on July 22.

The new equipment is supposed to be delivered July 16th. Beth interjected that it was changed to July 19th. George noted the final payment of \$29,436.46 is due immediately after delivery.

George would like to set up a stand during the Huckleberry Festival to show that the new equipment has arrived and to see if he can interest people in donating time to work on the playground construction. Beth suggested he have a donation can, too. George reported that MACs should let us know soon, if they will be helping with installation. The only cost should be motel and meals for the workers. George will call Stu Spence, from La Grande, to see if he can provide a supervisor.

City Social: Vicki proposed August 28th for the Community "Get-together/ice cream social" with music in the park. Beth read an email from Nick Ducote regarding a possible grant from the Ford Family Foundation to help pay for hot dogs and ice cream. Vicki wanted to keep the gathering simple but fun. She suggested asking the High School band and other local musicians to play. Jeff G. agreed the school and community should be involved. Beth verified the date was August 28th. She'll let Nick know so he can work on possible funding. Vicki will talk to Molly Smith about school involvement.

Wastewater Project Update: Beth reported we are finally coming to an end of the design stage. We have copies of the proposed MAOs from DEQ and from SHPO. Once everyone has had a chance to review them, Beth will send copies to the City attorney for his review. It looks like \$5000 may be acceptable as the donation to the Elders in Residence program. That is not definite, but we have a tentative okay. The amount of the contribution will be agreed upon separate from the MAO. We need to choose 5 plants from a provided plant list to plant in the playground park as part of the SHPO/Tribes MAO. Beth narrowed the choices to 7 that she would recommend based on size, whether or not berries were poisonous, and how fast they might spread. She and Rick talked about where they could be planted. For instance, if we plant Oregon Grape next to the well house by the meter, the

prickly leaves might help to deter kids from climbing on top of the building. We need to let Anderson Perry know as soon as possible which plants we want. Jeff suggested letting Beth and Rick pick something hardy. There were no objections.

Business Oregon and our CDBG rep have reviewed the draft of the Environmental Assessment and provided comments. They won't sign off on it until the MAOs are complete.

We should still be on track to apply for a construction grant in September.

Joyce thought Brad Phillips might like to volunteer to help plant. Beth explained the reason for having the City do the planting was because it eliminates the need for another cultural study in the park because we will be disturbing soil. The grant will pay for the plants and the information packets, but not planting and maintaining.

City Hall & Library: Beth commented that she had a check for the Escrow Payment and Sales Agreement. She needed to get Jim Wright's signature. The reason for going through Escrow is it gives a better paper trail for audit since we didn't get a current appraisal. We will pay everything thru the title company. If we can get the signed sales/earnest money agreement to the title company by July 15th we should be able to close by the 30th. Logan will take a copy of the agreement to the Rural Fire Department meeting to get a signature.

CARES Act Grant: Beth reported that in addition to the \$2500 the City donated to the Food Bank, we also bought sanitation supplies, such as paper towels, rubber gloves, hand sanitizer, antibacterial soap, and 4 hand wash stations. 2 of the hand wash stations go to the lagoons and the well. Beth thought the other two could be put in the park. We spent a total of \$16,631.65 of the \$25,000 grant. That left an unused balance of \$8368.35.

Ordinance Enforcement Report: Beth introduced Don McClure who is filling in for Shawn Wood. Don reported that he has been talking to a lot of people and has gotten a lot of cars and stuff removed from 2nd Street. He talked to the Sheriff about speeders on 2nd Street and got a speed radar trailer. It helped some, but there is still a big problem with speeders. Don felt part of the problem is that the speed signs aren't seen. He suggested the City think about signs with flashing lights. He volunteered to sit and issue speeding tickets. The biggest offenders seem to be locals. It would be to the betterment of the City and the safety of our children to do something.

Don reiterated that he has been talking to people. He even volunteered to help move a boat off 2nd Street. If he can't talk to people directly, he has been leaving a card. For the most part he has been getting a lot of results. Don didn't know how long Shawn would be laid up, but he is willing to help as long as we need him. He will bill the City for 4 hours per week. He felt his 50 years of customer service was an asset to the job. Logan suggested moving the Ordinance Enforcement report up on the agenda with other department reports. Don reiterated that he will help as long as he is needed.

Council Comments: Big Mike commented that as Council President when he has to fill in for the Mayor, he has no idea of what was going on. He felt he should be part of the process of the meetings so he doesn't come in blank. He needs to be briefed so he knows what is happening.

Meeting adjourned at 8:45PM.

Respectfully submitted,

Attest:

Beth Wendt
City Recorder