

**City of North Powder City Council Meeting
September 13, 2021
7PM Wolf Creek Grange**

Attendance: Councilors Mike Morse, Vicki Townsend, Joyce Lawyer, Jeff Grende, Logan McCrae, & Justin Wright, City Recorder Beth Wendt, Public Works Director Rick Lawyer, Library Assistant Susie Wirkkala. Others: Lisa Hayes, Susan Ferguson, Steve Pelitt, Karlie Martin, Wynn & Jeff Nielsen, Carol Bouchard, Carolyn Flynn, George Marston, and Lindsey Thompson.

Council President Mike Morse called the meeting to order.

Public Comment: Karlie Martin noted that she was at the last Council meeting because she had an issue with the ordinance enforcement person, Don McClure. She had a list of complaints from the past month which she felt were harassment of her and her family. Mike asked if Don had come onto her private property. Karlie said no, then corrected that to say he had one time. Mike thought she should call the Sheriff if he is coming on her property. Karlie thought it shouldn't have to come to that. If he works for the City, how can that be allowed. Jeff tried to explain that he isn't an actual City employee because we contract services with him. Joyce commented that we have had other complaints. Karlie asked if we could get the B&K metal dumpster back. Jeff would like to have it back as well. As for Karlie's complaint, he thought the original complaint was about speeding. He added that he didn't think the City had jurisdiction on Second Street and that is policed by the Sheriff. Justin agreed that the City needs to do something about the ordinance enforcer.

Agenda: Mike asked if there were any corrections to the agenda. Jeff made a motion to accept the agenda. Joyce seconded. All were in agreement.

Minutes: Mike asked for corrections to the minutes from August 2, 2021. Joyce made a motion to accept the minutes of August 21, 2021 and Vicki seconded. Motion carried with 4 in favor. Logan abstained as he was absent.

Accounts Payable: As far as Beth knew, all bills were in so there was nothing to add. Beth pointed out payments to the Union County Public Works Department for street repairs, part of which will be paid by the SCA grant. The total came to \$69,219.27. Logan made a motion to pay the bills. Jeff seconded. All were in favor.

Library Report: Susie noted that September will be the last month to purchase raffle tickets. One of the prizes is 10 yards of gravel. Funds will go toward next year's reading program. The drawing will be held during the next Library Board meeting.

The Library is asking for public input for what items they would like to see the Library offer.

The Library has access to "Brainfuse", an online platform that helps individuals looking for jobs, putting together resumes, practice interviews, etc.

The Library is looking into ancestry.com to help expand searches.

This fall the Library will have access to "Beanstack", an online reading log program that encourages kids to read.

The Leo Adler Grant application has been submitted. Grants are awarded in December. Funds will be used to help the Library offer more resources and access to calculators, anatomy models, a telescope, and charging ports for patron's electronics.

Next items to work on are the Reading Program statistics and the State Library report.

Maggie will participate in a Children's Services Fundamental Training through the State Library. The State paid the \$200 fee and training will be 2 ½ hours per week during library hours thru October 11th.

Public Works Report: Rick reported that the sewer pipe at Daniels' is in but it still needs to be back-filled.

Rick needs to do more work on ground preparation for the park. More parts are supposed to be here this week.

DMRs are due this week.

There is still a lot of work to do with the VAC trailer.

Rick is working on a very extensive inspection of the lagoons for the new DEQ permit. It will take a lot of time to complete.

One of the aerators at the lagoons quit working. Rick hoped it would be a simple maintenance fix.

David has been working on spreadsheets for the lagoons.

Injections at the lagoons went well. We probably have 1 or 2 more this year. They seem to be working.

With the Powder River being so low, Rick will have to irrigate for the next couple of weeks.

The brush pile and recycle are taking up a lot of Rick's time. He suggested maybe we could move the recycle dumpsters to the well site and get a couple of nice cameras. Vicki interjected that we can get some really nice security cameras for \$30 to \$200 each. She thought we could get 4 of them, 2 for each location. Rick added that some of them are solar powered and connect to Wi-Fi so they are easier to check. The brush pile and the recycle are a convenience and help keep the town cleaned up but they do take up a lot of Rick's time.

Ordinance Enforcement Report: Beth reported that Don didn't have a lot to report. He talked to someone about trimming a tree and that was done. He also tagged some cars parked in right-of-ways.

Recorder Report: Overages in August were \$2579.27. We used almost 5 million gallons of water. Beth asked for permission to get new copier/printer. The current printer is old enough that it is getting hard to find parts. It should cost about the same as what we pay now. It would be a heavy duty printer and maintenance & supplies are included in the cost. The Council okayed the purchase.

We had one request for fall clean-up day. It costs the City about \$200-\$300. The Council would like to try again this fall if we can get one organized for October. Logan suggested asking David if he would be willing to take it on. Rick thought he might be able to work it in. Beth will see what can be done.

LOC has been working with the cities of Hillsboro and Beaverton to adopt an enhanced mask policy which would require employees to wear KN95 or N95 masks or double face covering, even employees who have been vaccinated. Logan was opposed to a mandate. The consensus was no.

Jeff backed up to the Public Works report and asked about a request for equipment purchase. Beth noted that Rick found a small dump truck with a blade for \$10,900 online but he couldn't do anything about it because he didn't have Council approval and the sale expired. Jeff verified that we had a line item for equipment purchases. Rick noted that he found another one for about the same cost. Jeff made a motion to approve up to \$15,000 for the purchase of a similar vehicle. Logan seconded. All were in favor.

Mayor's Message: Beth read a letter of resignation from Mayor Mike Wisdom, effective immediately upon reading. Joyce thought he was under a lot of pressure and the Council didn't have to accept his resignation. Carolyn Flynn thought the Council should honor his request. Beth noted that according to the Charter, if the Mayor is unable to perform the functions of his office, the Council President would act as Mayor. She will verify with the LOC how we go about filling the empty Council spot.

New Business-

ODOT Permanent Easement for Drainage- Lisa Hayes explained that when ODOT did the 2nd Street project in 2002, they purchased some drainage easements for the storm sewer. Normally, there is an agreement for such easements to be maintained and owned by the City upon completion of the project.

For some reason the easements across the Hudleson property were not relinquished. ODOT is now asking the City to accept the relinquishment agreement. This was brought to ODOT's attention when they were asked if the easement could be paved over. Lisa noted that ODOT would normally allow paving over, but only with the understanding that if they have to tear it out to get to the easement, they would not put it back. However, if the City owns the easement, we can do whatever we want. There is no cost to relinquish the easement. It is already the City's responsibility and belongs to ODOT in name only. Logan made a motion to accept the proposed relinquishment. Joyce seconded. All were in favor.

Public Rights-of-Ways (Marcia Maddox)- In Marcia's absence, the issue was tabled. Joyce noted there were cars parked in the right-of-way on E Street next to the old Stanford Building.

Complaints- Beth read a complaint from Kaleb Guthrie regarding the ordinance enforcement person. She also noted that some of the stickers left on cars had the wrong date. Karlie interjected that he has been marking things that are on private property. Jeff noted that the City contracts services with him so he is not an actual City employee. Joyce noted that we have had other complaints about him. Jeff noted that we still contract thru Shawn Woods and Don was recommended by Shawn to fill in while he was unable to fulfill his contract. Logan made a motion to write a letter to Don asking him to stop performing as the City enforcer effective as of September 13, 2021. He further moved to suspend our contract with Shawn Wood. Jeff seconded. All were in favor. Jeff added that we will have to start from the beginning and advertise for a new ordinance enforcer. Logan agreed it is a crappy position to be in and it is hard to find the right person to do it. We get complaints from people who want more stringent enforcement as well as those who complain every time something is done.

ARPA Resolution (#2021-R5)- Beth noted that in order to receive funds from the American Rescue Plan Act (ARPA) we need to pass a resolution to do so. We are scheduled to receive about \$102,000. They are still working on guidelines for how the funds can be spent and if we don't spend it all by the deadline, we can return it. Carolyn felt the City would be very sorry if we accept the funds. Jeff noted that County Commissioner Paul Anders had nothing but good things to say about it. He added that we have talked about using some of the money for remodeling the fire station for City Hall. Beth added that the Council doesn't have to decide immediately how to spend it, but if we want to receive the funds, we need to pass a resolution to accept the money. Beth read Resolution 2021-R5 to accept the ARPA funds. Logan made a motion to accept Resolution 2021-R5. Jeff seconded. All were in favor.

Carolyn had to leave and asked Beth read her note thanking the City for patching potholes on 3rd Street. Carolyn reiterated that the City is going to be sorry for accepting the ARPA funds.

Legal of Oregon Cities Legal Program (Resolution #2021-R7)- Beth noted that our agreement with the League of Oregon Cities for free legal advice has expired. We can renew the agreement by passing a resolution to do so. Jeff didn't think there were any changes from the past. Logan read Resolution 2021-R7 authorizing the city to participate in the LOC Legal Advice Program for limited free legal advice to Oregon cities in Eastern Oregon, effective as of July 1, 2021. Logan made a motion to accept Resolution 2021-R7. Joyce seconded. All were in favor.

Logan wondered if the Council should vote on the Mayor's resignation. Jeff thought so. Logan made a motion to accept Mike Wisdom's resignation as Mayor. Vicki seconded. Motion carried with 4 in favor. Joyce was opposed.

Old Business:

Playground- George reported that he and Beth met with Stu Spence from the La Grande Parks and Rec on August 6th for a pre-construction site inspection. The site needs to be leveled. George also noted that he found an error in the playground design but Rick came up with a solution to avoid expansion on right-of-ways. The GEO fabric cloth and ground cover should be here September 16. The site needs to

be leveled, the fabric spread and the location of the holes need to be marked so holes can be dug. We need to purchase some sono tubes for the holes, as well as plywood, 2x4s and screws to build a form box before next week. He estimated the supplies to be at least \$1000. Arrangements have been made with the Baker County Sheriff's office for a crew of inmates to be here the week of September 20th. They will bring their own lunches and a porta-potty. The MACS group will be here September 29th thru October 1st. We have to provide lodging and meals. Lodging arrangements have been made and George is working on meals. We received \$60 in donations during the City Social event. George suggested removing sod from the right-of-ways along D Street and using the dirt for fill in leveling the ground. The dirt could be replaced with gravel for a parking area. George asked if we should get a porta-potty for the workers on September 29th thru October 1st. The MACS group will bring their own tools and a trailer. Jeff asked where the money would come from for the sono tube and other supplies. Beth said it would come out of the playground donations and grants. Logan moved to approve expenditures up to \$1200 for miscellaneous supplies for the playground. Vicki seconded. All were in favor. George asked for permission to excavate the area around the park on D Street. The consensus was that as long as Rick thought it was okay, there were no objections.

Radar Speed Signs- Beth noted that if the Council wants to move forward with getting radar speed signs we can start talks with ODOT to determine who pays for what. Joyce asked what the \$500 annual maintenance fee was for. Beth explained that it is routine maintenance for changing batteries and bulbs, inspections, and repairs due to vandalism. Logan wondered if the City would have to pay the initial cost. Beth didn't know but she needed an answer from the Council as to whether or not to continue to pursue the issue. She thought the signs cost about \$5000 each. Justin thought we should pursue it. Logan would like to see 3 for each direction. Beth didn't know if ODOT would allow that many. Beth will get in touch with ODOT.

Logan asked if North Powder was going to get new ADA ramps. Beth said we will eventually get new ramps. ODOT is changing them out all over the state.

City Social Report- Beth reported that we served about 50 hot dogs. Attendance was not as good as we had hoped but people seemed to enjoy it anyway. We did a small survey asking people what they liked about the community. The answers were all about the same, they like the people. Beth read a note from County Commissioner Paul Anders thanking the City for hosting an open house. He was impressed with the projects we have going. The food was paid for by the Ford Family Foundation and a thank you has been sent. Vicki was a little discouraged by the lack of attendance at first, but after thinking about it, she thought it wasn't bad for a first time. Jeff added that there were other things going on but we got some information out to people who don't attend Council meetings. Vicki would like to try it again.

Baker City Resolution No. 3881 (Economic, mental health, and crime crisis)- Beth remarked that this was something that Mayor Mike Wisdom wanted to propose to the City. It declares an economic and health crisis due to COVID. The Council decided to scratch it.

Wastewater Project Update- Beth reported that the Intake Request to apply for a CDBG construction grant has been accepted. We have the final set of plans for the construction. We are waiting on signatures from the tribes to finalize the MOA with SHPO. The only other things missing for the construction application are the Resolution from the City regarding BOLI fees and final approval of the Environmental Review.

BOLI fee on Construction Grant (Resolution #2021-R6)-Beth explained that BOLI has a fee that CDBG will not pay so they want a resolution from the City stating that the City will pay that fee. Based on the size of the grant, it is estimated that the fee will be about \$1500. Beth read Resolution #2021-R6

agreeing that the City will contribute a maximum of \$1500 toward the Bureau of Labor and Industries (BOLI) public works fee for construction of the City's wastewater improvement project. Logan made a motion to accept Resolution #2021-R6. Joyce seconded. Motion carried unanimously.

City Hall & Library- Beth reported that the sale of the building has been finalized. She presented her idea for a floor plan for City Hall and a Council chambers. Vicki asked if we were ready for another committee meeting. Joyce thought we should start looking at grants so we can get the outside fixed before winter. Logan suggested we ask the Committee to reconvene. Beth noted that the appointed committee was Dan Willitts, Jeff Neilsen, and Tony Lasich from the community and Logan, Joyce and Jeff Grende from the Council. Beth will call Dan to see if he wants to continue on the committee. Jeff N. resigned from the committee. Logan suggested a special Council meeting to just focus on City Hall and the Library. Jeff thought it should be a committee meeting. A building committee meeting was set for September 16th at the Fire Station at 6:30PM.

Council Comments-

Joyce commented that we have put off dealing with people who are sharing a meter and are not paying for sewer. She knew of at least 4 places like that. Logan wondered if there was something prohibiting the City from charging separate water and sewer for accessory dwellings. He also wondered if they were on separate tax lots. Joyce wanted to have a special meeting to talk about it. She also thought we should charge more for the RV Park since they have people living there year round. Beth commented that we charge according to the meter size and the amount of water used. Logan suggested taking an average of what the RV Park pays and use that number for a comparison. Joyce was also concerned about people living in RV's and tents without notifying the City and parking on E Street by the Stanford building.

Joyce noted that the old fire truck was given to the food bank several years ago but the title was never transferred.

Joyce hoped the council could work together to get things done, like the Library and City Hall. Karlie thought some of her concerns should go back to ordinance enforcement. Jeff wondered if E Street was a County road all the way through town. Beth thought the County stops at the City limits.

Vicki felt the Council was hit with a blow, with the Mayor's resignation, but this is a well-rounded Council and we can go a lot of places.

The thing that really bothered Jeff about the Mayor's resignation was the comment about a "fractured council". He disagreed with the statement. The council has accomplished a lot this year. We got some street work done, we are getting a new playground, and we bought a building for a new City Hall and Library. Everyone is entitled to their opinions. Mike agreed.

Logan added that there has been a lot of disagreements but we have a new sewer system going in and Rick has been working really hard to keep the current system going. We have purchased some new equipment and are working on getting more. He appreciated the Council and thanked the employees for their hard work.

Meeting adjourned at 9:27PM.

Respectfully submitted,

Attest:

Beth Wendt
City Recorder