

**Public Hearing/Special Meeting/Work Session
November 17, 2021
6:30PM Wolf Creek Grange**

Attendance: Mayor John Frieboes, Councilors Joyce Lawyer, Mike Morse, Vicki Townsend, Logan McCrae, Jeff Grende, and City Recorder Beth Wendt. Councilor Justin Wright was excused.

Mayor John Frieboes called the meeting to order and the Pledge of Allegiance was said.

John asked for old business that needed to be addressed before the Public Hearing. There was none.

Public Hearing-

John opened the Public Hearing and asked for any ex-parte contact by the Council members. Beth noted that Justin was the only Council member who would have received a land owner notification.

Beth gave the Staff Report. An application was submitted on behalf of the City for a Conditional Use Permit to have the City Hall moved to the old Fire Station which is in the Public Zone. Outright Uses and Conditional Uses in the Public Zone are identified in the City's Zoning Ordinance #1983-3 Sections 7.02 and 7.03. Section 10 identifies criteria regarding the Conditional Use Process, and Sections 8.07 and 8.08 identify criteria for parking requirements for all zones. Basic findings noted that the use is allowed with a Conditional Use Permit, the use is compatible with adjacent properties, utilities are already provided to the property, and the area in front of the building is already paved providing adequate parking. Fire & QRT services are provided by the North Powder Rural Fire Protection District. Logan wondered if a second application would have to be filed for the Library. Beth noted that a Conditional Use Permit is issued to a specific person(s) for a specific use, so yes, a separate Conditional Use Application will have to be filed for the Library. We will also have to apply for another or amended permit for the back side of City Hall once the Council decides what that area will be used for.

Beth further presented the Application to the Council. The subject property is located at 340 E Street on tax lot 1401, in the Public Zone. Government office buildings are permitted by Conditional Use approval. A minimum of 3 office street parking spaces must be provide. There is room for 5 spaces.

John asked if there were any questions regarding the application. There were no comments, written or oral, either in favor of or opposed to, the application. As there was no public comment, the Hearing was closed to Public Comment and the Council was given opportunity to deliberate. Beth reminded that a motion to accept or deny the application needed to be very specific as to what criteria has or has not been met. Logan moved to approve the Conditional Use Application based on the following: the applicant submitted the required application for a Conditional Use Permit for a City Hall office in the Public Zone; has shown that all criteria for such are to be met; and the use is compatible with the Land Use Plan and adjacent land use practices. The following conditions will apply: The permit is approved for a City Hall office area as noted on the provided site plan and a minimum of 3 off-street parking spaces shall be provided in front of the building. Vicki seconded the motion. All were in favor. Public Hearing was closed.

Special Meeting-

John opened the special meeting to review bids for remodeling the Fire Station. Beth noted that the advertisement to request competitive quotes for labor to remodel was published in the Observer twice. We only received two bids which were handed to the Mayor to open. Both bids were itemized. Logan met with both contractors to go over the plans prior to the bids being submitted. Vicki commented that she wanted to request a decent bathroom. It should have a new toilet, sink, flooring and shiplap on the

walls. Logan thought that would require another sub and we might have to go ADA with the whole project. He agreed that it should look new, but it will require another \$4000 for materials alone. Jeff added that the Building Committee also talked about having some of the work done "in house". Vicki just didn't want the bathrooms to be a forgotten issue. JBK Construction was the lower bid. Vicki remarked that JBK does really good work but she didn't know how timely he was. Logan added that he hasn't heard anything negative and agreed that his work looks good. Jeff asked about change orders. Logan noted that change orders are over and above the quoted price but they have to be agreed on by the Council ahead of time. Logan made a motion to accept the bid from JBK Construction for \$15,675 contingent upon a meeting with Jared Kmetec to discuss the task sheet to be sure everything is understood and all parties are in agreement with the work to be done. Mike seconded. Joyce wondered if there was a time deadline to complete the job. Logan noted it was to be complete by February 1st, but there will probably have to be an extension because we may not be able to get all of the materials, particularly the windows, by that time. All were in favor of the motion. Logan will contact JBK Construction. He and John will meet with them. Beth reminded that we will need a contract. Logan suggested we get the task list signed then we can worry about a contract. John asked how we would deal with materials. Logan said the City will order specialized things like doors, windows, carpet and paint. Then we would set up an account with Miller's. The roll-up doors will go to the contractor. The idea was that they might lower their cost if they had the doors that they could use or resell themselves. Beth noted that we still have 3 doors from the other side of the building that we can reuse if we want them. John asked about permits. Logan thought the City would get the necessary permits for the structural and change of use once we get a proposed drawing. The electrician will get his own permit. He thought the electrical was a small enough job that we can just hire somebody. He thought it would easily be less than \$10,000. John clarified that the plan was to complete City Hall first before we worry about "Split units". Jeff agreed that would be the best way to handle it. Special meeting was closed.

Work Session-

John opened the work session for Ordinance Enforcement. Beth read a complaint submitted to City Hall from Ted Dart and Mary Hill about an RV at 560 C Street. She noted that we were supposed to be discussing Ordinance Enforcement and how to go about it. The City policy used to be that the first step was to send a letter notifying a resident of a violation. There were objections to that so the policy was changed and we had someone knock on doors as the first step. There have been pros and cons with both methods. Vicki remarked that she called a lot of small towns in the area to see how they handle ordinance enforcement. If they have money, they contract enforcement officers. She felt we don't pay enough for somebody to want to be here. Mike suggested we see what other enforcement officers are getting paid. Vicki thought Cove was the only other town that had their own enforcement officer. Everyone else contracts with the police and the Council takes over. When the Council takes over it's usually the Mayor and the Public Works Director. We have a good ordinance but we need to follow it. Beth added that we paid Shawn Wood \$14 per hour, but money wasn't the issue for him. Vicki was concerned that we might be limiting the number of hours too much. Jeff added that we budgeted for more hours to begin with hoping that as time went on it would be less and less. Vicki reiterated that the Council could do the enforcement because we are the law makers. Logan agreed that it would be a good investment to spend more to get a good enforcement person. Vicki just wanted to be sure that we have somebody on board to take care of enforcement. She noted that the Sheriff wanted nothing to do with City Ordinances. Logan commented that the old policy started with a notification letter of an ordinance violation. That was changed so that the initial reaction would be directed at the ordinance enforcer because he is better prepared for it than the City Recorder. Beth felt it was questionable as to which way is better. However, if we have an enforcement officer who makes rounds, he will spot a lot

of things that we might otherwise be unaware of. Vicki wanted to check with other towns to see how they handle enforcement. If we go back to having the Council handle it, there needs to be at least 2 people when we talk to someone. Joyce felt it was taking too many steps and it was taking too long to accomplish anything. Vicki remarked that we could shorten the process, but we still need a process. Mike agreed that there should be a witness. Joyce asked if we were going to make the initial contact with a letter or in person. Logan commented that we had several meetings before we came the current policy. It's legal and we haven't really given it a chance. He thought if Shawn was willing and able to come back, he might be the right guy. Beth will talk to Shawn. Logan thought we shouldn't be shy about using hours. Vicki added that we can't micro-manage an enforcement officer but he has to know our ordinances. Joyce was concerned whether or not the ordinance officer could act on a violation when he sees one. John thought it shouldn't be a problem because if he can't, it defeats the purpose of having an officer. Logan agreed. He recommended that we give our current policy a shot and talk to Shawn. If we find there are holes in the policy, we can talk about them. The Council was in agreement that we would stick with the policy we have and talk to Shawn. Beth will contact Shawn and the Council can make a final decision at the next meeting on December 6th.

Meeting adjourned at 7:30 PM.

Respectfully Submitted,

Attest:

Beth Wendt
City Recorder