

North Powder City Council Meeting
September 7, 2022
7 PM City Hall (340 E Street)

Attendance: Mayor John Frieboes, Councilors Vicki Townsend, Joyce Lawyer, Justin Wright, Jeff Grende, & Logan McCrae, City Recorder Beth Wendt, Rick Lawyer Public Works Director.

Others: Shorty Schwehr, Maryanne Ritches, Barbara Weeks, Lynne Martin, Jeff Nielsen, Wynn Nielsen, Susie Wirkkala, Mike Schoeningh, Peg Snaz-Alexis, Vicky Day, Lindsey Thompson, Larry Martin, Brook Combs, Norma Truscott

Councilor Mike Morse was absent.

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

Public Comment- Maryanne Ritches remarked that garbage at the recycle center is getting ridiculous. She suggested more cameras. There is a lot of stuff being left on the ground. One day when she was there, boxes from Jeff Grende's business and the North Powder Café were found on the ground outside of the dumpster. Justin commented that when the dumpsters get full, stuff will just fall out on the other side. Rick noted that he goes down there almost every day to check on things. Jeff G. asked if someone could let him know if anything like that happens again with his stuff. Maryanne added that, among other things, there was a microwave left on the ground. Rick agreed that it needs to be policed more and sometimes, because of the camera distance and angle, it is hard to tell who it is that leaves things. He didn't like the idea of having to fence it off, but it seems like there is always something.

Agenda- Joyce moved to accept the agenda. Logan seconded. All were in favor.

Minutes- Logan moved to accept the minutes from the regular meeting on August 1st and the special meeting on August 25th. Vicki seconded. All were in favor of the August 1st minutes but Jeff G. & Justin abstained regarding the August 25th meeting as they were not in attendance. Joyce made a motion to accept the minutes from the special meeting on August 10th. Logan seconded. Motion carried with Joyce, Logan, and Vicki in favor. Jeff G. and Justin abstained due to absence.

Accounts Payables- Beth reviewed the changes to the AP spreadsheet. Additions included a correction to Avista which brought the total to \$667, Byrnes Oil for \$358.30, Eagle Office Concepts for a total of \$67.17, Dan Van Thiel for \$225 and Elkhorn Hydraulics for \$42.54. The total AP came to \$22,687.97. The only Wastewater grant bill was \$250 to DuCote Consulting. Vicki made a motion to pay the bills. Justin 2nd and all were in favor.

Library- Susie reported that the Ready to Read grant application for \$1000 has been submitted. Maggie also submitted a grant application to Leo Adler for \$3000 to be used to refresh materials, such as new Encyclopedias. She has also requested funds from the La Grande Community Library Foundation to be used for story time materials.

Susie asked for clarification regarding use of the old City Hall office for storage for the Library. Permission was given.

Steve Jones from Hermiston has agreed to donate a pallet of watermelon to be sold at the Farmer's Market as a fund raiser.

Public Works- Rick reported there is still a lot of work needed at the lagoons, but we are gaining on the sludge depth from the injections we have been making. We are scheduled to do one more this year. There is a water leak at the RV Park that they will work on tomorrow.

The water line at Todd's, on 2nd Street, is done but hasn't been turned on yet.

Rick is scheduled for a phone conference at the well. We've been getting a low flow failure and low intake pressure. We also had a low voltage fault.

Rick hopes to start irrigating at the lagoons next week. Anderson Perry needs some more information but we need to get some answers from DEQ.

It looks like somebody took a 4 wheel drive up the hill behind the recycle center. Rick thought we might have to do something to block that off.

Huckleberry Report- Lindsey said they haven't had a meeting yet but she will report back when she has something.

Jeff G. asked about the Farmer's Market. Lindsey thought it was doing well. People seem to look forward to it and there have been some people from out of town stop by.

Ordinance Enforcement- Beth and Shawn are working together to come up with a better way to make contact with people since Beth has been falling behind with sending letters. Joyce wondered if we could have a generic letter for different situations. Beth thought it could work, but we still have to let people know what their violation is and what ordinance is being violated. Vicki volunteered to help sort through ordinances. Joyce wondered if John had talked to Shawn. John said we are still trying to set up a meeting.

Vicky Day commented that Joyce came to her house and said that she built a fence on City property. Vicky said she didn't know that because she worked with Rick. In the conversation she heard between Rick and her contractor, Rick said to put the fence where it was marked but if Mary (Jones) ever had a survey done and found her fence was off, then Vicky's fence would have to be moved. Rick interjected that was only one of 4 conversations. He told the contractor several times that the fence was off and he didn't think Mary's fence was not on the property line. The City owns 20' in the alley. In the last conversation Rick told them he didn't care where they put the fence as long as we have the 20' on alley and the alley cannot be moved to match a fence. Vicky admitted that she wasn't part of the last conversation but she thought it was marked out. Rick added that he walked it through with Brook and measured it out so Brook knew he was building on city property. Brook said they already took out a foot of Vicky's garden and part of a tree. Rick noted that he is not a surveyor, but there are survey markers on Center and 4th Streets. Logan wondered if the City could access meters with the way the fence is. Rick said we can, but he thought Mary Jones's fence was at least 5' onto her property. He reiterated that you can't move the alley to accommodate a fence. John commented that if Mary's fence is 5' over on her property, then the phone pedestal and the water boxes are on her property. Logan thought the City would need to do a survey. But in the meantime, if there was a 20' alley width and meters are accessible, he felt that the City could acknowledge the fence may be out in the alley and if a survey is done, Vicky may have to move her fence. Vicky agreed and added that she wanted the fence for safety and security reasons. Logan made a motion to allow Vicky to leave her fence where it because we still have a 20 foot access to the alley. However, if the neighbor ever has a survey done and it narrows the alley to less than 20 feet, Vicky would have to move her fence. Justin seconded. Beth wondered if Logan should amend his motion to say if "anyone" were to do a survey that narrows the alley, the fence would have to be moved. Joyce thought measurements could be taken. John noted that the survey pins are correct, but they look off center because the streets are not exactly in line. Vicky acknowledged that if a survey was ever done, she might even have to move her front fence. Logan amended his motion to say if "any survey" is ever done. Motion carried with Logan, Justin & Jeff in favor. Vicki and Joyce were opposed. John clarified that the fence could stay unless a survey was done and it shows it has to be moved.

Recorder Report- Water overages in August came to \$4587.02. We used 7,188,513 gallons of water. Water and sewer rate increases took effect on August 5th and they were reflected in the August billing cycle.

Beth reported that we had 2 people file for every City Council position on the November 8th ballot. The Ordinance to vote on the psilocybin ban has been filed and will also appear on the November ballot as Measure #31-113.

The County Clerk would like to move the ballot box so it is near City Hall. She would like to set it in front of the old fire station, next to the sidewalk. Rick asked if it could set close to the building so it is out of the way of the snow plow. Beth noted that they would like it to be somewhere where she can see it. Logan recommended it be set against the building. Beth will contact the County Clerk.

Beth noted that she has had some requests for a "Meet the Candidates" forum. She is looking into how that would work. It would be offered to all of the candidates, but they cannot be required to attend. The 2023 deadline for the "If I Were Mayor" contest is April 7, 2023. Beth asked if the City would like to sponsor a local contest again. This would be the seventh year. The first three years we had several entries but the last three years we only got one or two entries. The Council would like to sponsor the local contest again.

CIS is offering a Fall Supervisor Training. The cost is \$25 person and it is offered on Baker City on October 10th.

Beth noted that she has been opening City Hall on Friday mornings from 8:30 to 10AM. The Council was okay with continuing those Friday hours.

Mayor's Message- John attended several meetings this past month, with ODOT, the Library and Anderson Perry.

He is still working with the school regarding set-up for flowers downtown next summer. Steel brackets that look like wagon wheels are being made for the 9 poles on the main street. He plans to look for donations to help cover the cost. For a cost of \$100 somebody could have a name on the bracket. The school will donate the flower baskets next spring. John is also working on getting a small trailer with a pump to use to water the flowers. Hopefully, we can get volunteers to water the plants.

New Business-

Rusty Aldrich Sewer Charges- Rusty Aldrich was not in attendance. Beth noted that Rusty wanted to contest the adjusted sewer rates for the Powder Club building. The rates were based on an average of 5 years. Rusty thought it should be based on 3 years because the Powder Club hasn't been in operation for the past two years and water use has dropped considerably. Based on the past 3 years use, it would drop from 2 ½ ERUs to just over 1. Joyce wondered what would happen if a business goes back in to the building. Rick added that they have 2 RV spots and at least 3 apartments. Logan wondered if ERUs were based on 3 years or 5. Beth thought it could be either, but they are based on water use during winter months because they are typically the low use months. ERUs are "equivalent residential units". Jeff G. thought there were 4 apartments with full time residents. Logan wondered if we applied the ERUs to commercial uses. Beth pointed out that we don't have commercial rates but the rates for the school, café, motel and RV Park are all based on equivalent ERUs. Jeff N. added that the amount of water used correlates to the amount of water going into the sewer. Justin felt we should stick with 2 ½ ERUs. Logan & Joyce agreed. Jeff G. suggested we could re-evaluate again in a year. Beth will let the Aldrich's know what the Council decided.

Old Business-

City Hall & Library Update- Beth reported that the one bathroom at City Hall has been refinished. The total cost came to \$1,654.04.

Beth noted that Maggie provided information from a lady who is interested in helping the City with the new library. Mike Schoeningh commented that one of Sara's (from NEOEDD) goals was to help the City find a consultant. Penny Hummel has several years of experience, some with situations similar to ours. She would be paid through a grant from the Ford Foundation. He thought she could help us move

forward through the proper channels to get grants for engineers, etc. Mike also thought she wanted to get the City Council and public involved right away so we are all working as a team. It will could take as much as 6 to 8 weeks to get the grant to pay her. John asked if Penny would help with other grants. Mike thought that was Sara's department. Penny would be here to help Sara. Joyce thought they already started working on the grant to pay Penny but they can't finalize it without an okay from the City. Logan noted that there were 5 questions that need to be answered, one of which requires an architect. He wondered why pay a consultant when we have to have an architect answer the questions. Mike didn't know but he thought if we run into other problems, it might help to already have somebody on the team. He added that Sara and Penny would work together because they know how and where to get funding. Barbara thought it would be easier to have an architect to help with library standards. John wondered if this was the concept that the Ford Foundation wanted to see. Mike thought so. But they won't help with an engineer. Joyce interjected that Penny would be here for three days and would like to meet with the community. Mike added that the City needs to grant permission to obtain funding and hire Penny Hummel. He will try to get more clarification as to her scope of work. Barbara understood that she will help layout what is needed. Beth thought the City needed some help to get direction. Logan interjected that we need a list of needs and space that the architect would use to come up with a layout. John volunteered to talk to Scott Marshall with Straightline Architects to see what he would recommend. Joyce felt we should let the professional libraries build the library. Logan wondered if we could reach out to Anderson Perry. He thought the project would take longer than anybody wants it to, but it might not be a bad idea. Mike reiterated that at least it could help give us some direction. John asked if the Council would give permission to get Penny on board. She would be paid through grant funds. Joyce made a motion to accept the proposal to Penny have come in and help get started on the library. Jeff G. wanted to clarify the motion to say "if" funds are available through grants to pay her. Joyce so amended her motion. Jeff G. seconded and all were in favor.

SCA Grants Update- Beth noted that the new SCA grant has been submitted to pave 1st Street from E to A Streets, replace the culvert across 1st Street at D Street, pave about ½ a block on D & E Streets between 2nd & 1st, and pave the little bit of 1st street that goes across the bridge to the recycle center. We applied for the full amount of the grant, \$250,000, but the estimate came to over \$386,000. The grant application says we will start with paving 1st Street and replacing the culvert and will work through as far as grant funds will go.

The chip seal grant has closed and we have been reimbursed for money paid to the Union County Road Department.

In regards to the 5th Street SCA grant, Beth reminded that the bid from Knife River was to pave about 1000 feet. She thought that was short so she had them refigure their estimate, which jumped from about \$56,000 to \$90,875 for 1500 feet. We have a few options to complete the project this fall. One is to finish paving 5th Street and the city can pick up the balance, or we can have them stop as soon as they hit the \$75,000 grant amount. Another option would be to re-bid the project for next spring. Or we can reconsider the other bid we got from Hamptons. We budgeted for some street repairs that we could use. Rick noted that we need to replace some manholes. Joyce suggested paving from E Street to G Street. Logan wondered if Hampton's could do the whole thing. Beth said their bid was for 36,000 square feet for \$76,533. The bid is over 30 days old so we will have to see if they will still honor it. John wondered if they could get it done this fall. Beth will check. Logan made a motion to go with Hampton's Paving if they can get it done this fall at a bid price of \$76,533 or less. Vicki seconded. All were in favor.

Jeff N. wondered when the chip seal project would be swept. John said as soon as the County can get it done. Rick hoped to get it done before the end of following week.

Wastewater Project Update- Beth reported that the grant/loan application for additional funding from the Water/Wastewater program has been submitted to OBDD.

John, Beth and Rick met with representatives from Anderson Perry. The plan is to put the project back out for bid in October and award in November. It will be laid out in a way so that the whole project will be bid, but it will have some elements that can be deducted if we run out of funds. These will be things that can be taken out without compromising what really needs to be done, such as holding off on dredging and some of the lesser priorities to the collection system. Anderson Perry is working on getting the NPDES permit extended.

Council Comments- Joyce thought we should have a work session to discuss how to spend our ARPA funds. Beth reminded that the Council already decided to spend some of the funds on the heating and air conditioning at City Hall, but we should have about \$102,000 total. We should get the second payment before the end of the year. The next report is due in April 2023. Joyce wondered if there was something we could do before winter.

Justin asked when the heating and air would be done. Beth thought they were going to order parts this week and hoped to start installation by the end of the month.

Meeting adjourned at 8:35PM

Respectfully submitted,

Attest:

Beth Wendt
City Recorder