

**North Powder City Council Meeting  
December 5, 2022  
7PM City Hall (340 E Street)**

**Attendance:** Mayor John Frieboes, Councilors Vicki Townsend, Joyce Lawyer, Jeff Grende, Justin Wright, Logan McCrae & Mike Morse, City Recorder Beth Wendt, Public Works Director Rick Lawyer, Barbara Weeks, Mike Schoeningh, Jeff & Wynn Nielsen, Adelynn Klumdy, Lindsey Thompson, Joy Macdiarmid, Steve Butcher (arrived late).

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

**Public Comment:** Lindsey commented that a good job was done on the street decorations.

**Agenda:** Logan made a motion to accept the agenda. Vicki seconded. All were in favor.

**Minutes:** John asked for amendments to the minutes from November 7<sup>th</sup>. Mike made a motion to accept the minutes of the November 5<sup>th</sup> Council meeting. Logan seconded. All were in favor.

**Accounts Payable:** Beth reviewed additions to the payables which included Byrnes Oil for a total of \$797.21, \$6000 to Solutions CPAs, Shawn Wood for a total of \$256, & H.D. Fowler for a total of \$1979.26. Invoices for CIS for the January premiums, Eagle Office Concepts, and City of Union had not been received. The total bills came to \$19,464.47 plus approximately \$2400 for the 3 outstanding invoices. Jeff asked if there was an over payment on water and sewer, was it applied to the account as a credit. Beth said yes and when the account is closed, if there is a credit, we refund the credit amount. The Wastewater Grant bills were \$500 to Ducote Consulting and \$8579.74 to Anderson Perry for a total of \$9079.74. Jeff moved to pay the bills. Mike seconded. All were in favor.

**Library Report:** Barbara Weeks gave the Library report.

The Library has two Family Movie Nights scheduled, for Dec. 17<sup>th</sup> and 21<sup>st</sup> at the Grange. Concessions will be sold as a fund raiser for the library building fund.

The Library will have a "Snow Sculpting" Contest. There will be 2 categories and prizes will be awarded for 1<sup>st</sup> thru 3<sup>rd</sup> place. People can submit more than one entry per category.

Steve Jones with Walchli Farms will provide more fruit for some Library fund raisers.

Joyce Lawyer submitted a letter of interest to fill Sherry Hart's place on the Library Board. The board voted to recommend her to the Council. Barbara asked the Council to accept Joyce to the board.

The library got \$52 in donations at the Holiday Bazaar.

Justin moved to nominate Joyce for the Library Board. Vicki seconded the motion. All were in favor.

Jeff wanted to clarify that it would not be effective until after January 1<sup>st</sup>.

**Public Works Report:** Rick reported that they have been doing snow removal as needed.

Rick found someone who can do maintenance on the clay valve at Well #5. He is waiting for a call back. In the meantime, the well is off line. Once it's back on line we'll have to do some extra tests.

We had another non-compliance hit for high e-coli at the lagoons. Rick thought it might have something to do with the cold. It was off-line due to some problems with a hose on the chlorine pump. He has notified DEQ of the problem. Once the hose is fixed we'll have to pass 5 tests before we can go back to the river.

Rick is still working on a water service on 1<sup>st</sup> Street.

The burn pile needs to be burned, but it's a low priority.

The backhoe and the dump truck need some maintenance. Logan wondered if it would help to take the backhoe to somebody to get it fixed. Rick thought he could do it but the problem was time. He needs it to do one more water tap.

**Huckleberry Report:** Lindsey commented that the Huckleberry Committee is no longer in debt for the stolen generator. They plan to start doing some fund raisers for next year.

Lindsey is taking applications for next year's farmers market.

John wondered if EO Rentals was okay with the Huckleberry Committee now that the generator has been paid for. Lindsey thought so. But they will work on getting theft insurance for next year.

**Ordinance Enforcement Report:** Beth reported that Shawn has still been making rounds on the weekends. John noted that he talked to Shawn about checking on some things.

**Recorder Report:** Water overages in November was \$183.60 and \$63.09 was applied in freeze credits. We used 1,147,895 gallons of water.

We finally got the general election certification. John Frieboes will be Mayor, Cody Anderson will fill Council Position #2, Jeff Grende will fill Position #3 and Lindsey Thompson will fill Position #5. Measure #31-113 to prohibit psilocybin related businesses passed by about 62%.

Beth reminded the Council of the Elected Essentials training on January 19<sup>th</sup> in Island City. It's an all-day training at no cost and would be worthwhile for any of the Council to attend. The Mayor's training is January 18<sup>th</sup> from 6-8PM. Anybody interested in attending should let Beth know as soon as possible.

Information regarding the Ethics filing was included in Council Packets.

We received notice of awards for the 2023 SCA Grant. Unfortunately, we were not among the recipients of a grant. There were 8 towns in region 5 who did get awards. We can apply again next summer, but Beth thought we should try to refine our application.

The newest population estimate from Portland State University estimates North Powder's population at 500.

**Mayor's Comments:** John commented that he and Jeff G. put the wreaths and candy canes up on 2<sup>nd</sup> Street. Rick, Dave and Beth worked on putting the lights on the wreaths. The candy canes and zip-ties used to hang them were donated by Jeff Grende. A wreath was hung outside City Hall and candy canes attached to the sign.

Snow removal has been a big issue with some people. John noted that we are doing the best we can and reminded that there are priorities as to what is done first. He thanked those who have used their own vehicles to help plow sidewalks and driveways.

John asked what the Council thought about getting a credit card machine at City Hall. Beth was asked to look into it before the next meeting.

John thanked the City employees and volunteers for all they have done.

#### **New Business:**

**Giving Tree:** Addy Klundy is in charge of the Giving Tree at the school. They are doing a Coin Drive to raise money to buy Christmas presents for some of the students who can't afford them. The Fire Department usually delivers the gifts. Addy wondered if the City would be willing to help show appreciation to the members of the fire department by donating cookies or drinks to those passing out gifts. She thought they would deliver gifts on Dec. 17<sup>th</sup> and they do it at the school cafeteria. Vicki volunteered to donate cookies and Jeff G. will provide some bottled water and sodas. Addy thought there would be about 10 volunteers plus some cadets.

**Verizon Wireless:** Beth reported that Verizon would like to put a receiver on top of the old water tower. She thought we should check to see if we have any kind of agreement that might interfere with EONI. Logan thought it might be a good deal. We should ask Verizon for a standard rate sheet. This sight would be a simple site for them with easy access as opposed to many that are very remote and can be hard to get to. He thought it would be a great revenue source for the City. Beth will check with EONI/Zippy to see if there is anything in our agreements that would not allow us to work with Verizon.

**Old Business:**

**Meeting Room/Library:** Logan noted that he didn't get the scope of work done for the meeting room but would have it for the next meeting. John talked to Scott Marshall from Straightline Architecture about what it might cost for the engineering and architectural design for the Library. Scott thought it would be safe to figure about \$15,000. That wasn't an exact number but it gives a number to get started. Mike Schoeningh wondered if we still wanted Ralph Edwards to go ahead and draft a basic plan for the additional 24' x41' extension. John asked if that was for the approved \$300 or the \$400 that was on the proposal. Logan thought it was a reasonable cost to get started. Vicki wondered if \$400 would be solid. Mike S. commented that it was in a written agreement. Logan made a motion to approve spending \$400 to get drawings. Justin seconded. All were in favor.

Jeff G. asked if we would just get a floor plan with that or would it include walls, roof, etc. Mike S. thought it would just show the building addition. Jeff G. thought we could talk to Miller's Lumber to get a plan with a supply list for everything. Mike S. thought we'd need something from a professional for grants. John agreed that we need to allocate money for an architect and engineer first. They will include an estimate for materials and pricing to put out to bid. We are just having Ralph Edwards give us an idea of what it would look like. Barbara added that we would submit that to Sara (with NEOEDD). Logan thought Miller's generally does a truss plan for pole barns or stick-built shops rather than something like this with the building addition.

Joyce had a letter from the Buerkel-Zoellner Foundation. They agreed to extend the grant deadline for work on the roof of the building to August 1, 2023. She thought the Library could get more grants to work on other things that need to be fixed on the building.

**Christmas Celebration Update:** Vicki reported that everything was coming together nicely for the Celebration on Sunday. The parade and Chili Feed were all lined out and the Christmas tree will be delivered Tuesday morning. Parade line up is at 5PM at the School and there is no sign up, people just show up. The parade will end at City Hall and there will be a hayride to take people to the fire station for the Chili Feed then bring them back to City Hall. Addy will lead some Christmas Carols. Beth added that the Ford Family Foundation paid for the food and supplies for the Chili Feed. We have the parade permit. Vicki noted that volunteers will meet at 1PM on Saturday to decorate the tree. Ashely (Wright) has arranged for cookies to be donated and the fire department will have a Santa Claus. If anybody would like to put a special decoration on the tree, they are encouraged and welcome to do so. John reiterated that parade line-up will be at the School at 5PM and the parade will start at 5:30PM and will end at City Hall for the tree lighting and singing, then go to the Fire Station for the Chili Feed.

**Wastewater Project Update:** Beth said Anderson Perry is still trying to get the project put out for bid. There has been a hold up getting approval from Business Oregon (OBDD) and we can't put it out for bid without their approval. We have really been pushing OBDD to get that approval so we can get the contract awarded before February 1<sup>st</sup>. She thought we might get approved for a low interest loan of up to \$300,000 but that hasn't been finalized yet. Just because we get approved for the loan, it doesn't mean we have to use it. Logan wondered what would happen if we don't receive an acceptable bid. Beth remarked that the project was being bid with deductible parts. At the very least, we'll hopefully get a reasonable bid for the evaporation pond. We are at a place with DEQ where we need to get that done, if nothing else. With any luck, we'll be able to do some of the work on the collection lines, and other upgrades, too. And, worst case scenario, we still have almost \$100,000 in ARPA funds that we could use. Joyce was concerned that water wouldn't evaporate in the winter. Beth said it probably wouldn't but the pond should be big enough to accommodate the wastewater during the winter so we don't have to dump to the river. Jeff wondered if we had looked into greenhouse concept for evaporation. Rick noted there are a lot of other upgrades besides the evaporation pond. Right now winter is the biggest concern. Sludge on the bottom of the lagoons is really concentrated but it seems

to be breaking up. He thought the high Ecoli numbers were due to the fact that the pond froze over and we had trouble with the chlorine line. But there are so many solids compared to the amount of oxygen. We were supposed to have a fountain put in. Jeff G. wondered if we got some fountains from Baker. Rick corrected that we got two aerators from Baker. They were put in the main pond. He hoped to get two more for the finishing pond. He thought he would have to start pumping from the finishing pond back into the main pond because the finishing pond is gaining more than the main pond. Circulation is necessary and fountains are good during the summer but they'll freeze in the winter. The DEQ has been very cooperative and understanding up to now, but they are starting to lose patience and may start fining us for violations.

**Council Comments:** Joyce was concerned about the council decision regarding Vicky Day's fence. She thought it didn't give the City enough room on the right-of-way. The City maintenance man looked it over multiple time and suggested that if Vicky didn't like where he thought the fence should go, she should get the property surveyed. Vicki noted that Vicky Day said if the area was ever surveyed and it was discovered that her fence was on city right-of-way, she would move the fence. Joyce thought it was setting a bad precedence that could get the City in trouble.

Joyce thought since we have a mayor's office in the new City Hall, the Mayor should think about having some office hours when he would be available for people to come in to see him. John commented that he goes into City Hall frequently and if anyone needs him, they can make an appointment through Beth. He does a lot of his phone calls from home but would be happy to make an appointment if someone wants one. He didn't feel it was beneficial to just sit at City Hall and wait for someone to come see him.

Mike M. noted that this would be his last Council meeting due to medical conditions. But he will continue to be involved as a citizen. John thanked him for his time spent on the Council.

Steve Butcher interjected that he bought a piece of property in 2020 and has talked to Beth and Rick numerous times about getting water and sewer at the property. He was told he had to pay the bill up front and has paid \$700 but still has to no water or sewer service. He has been talking to Beth about putting in a trailer park but that has not worked out. He wondered how to address it to move forward. John noted that Rick has been trying to get the water line in. He asked if the fees had all been paid. Beth noted that he paid for the meter and parts for the water service. Rick noted that the sewer was going to be more complicated and he needed more information. Steve said he is getting ready to go to Florida for several months but we should let him know what we need. He thought it was disturbing that there was a possibility that people could be fined for camping on their property in unpermitted houses. Logan asked if there was an application for the RV Park. Steve claimed he submitted it months ago along with a check. Beth noted that she never received an application and Steve, himself, admitted that his check has never cleared the bank. Steve felt that fining a person in a bad financial situation was like punishing them for being in that situation. He didn't think anybody who was living in an RV wouldn't have proper water and sewer hookups. Rick said he was trying to get to the water this week, weather permitting. Steve interjected that he was leaving town. He reiterated that he didn't think fining people for living in an RV was legitimate. John wondered if he wanted the water hookup now or wait until spring. Steve didn't understand what would be the point in the middle of December. Joyce asked him about the problem with the sewer. Steve said to put it where ever we want. He didn't understand why the depth would be an issue as long as it is suitable to drain. Rick commented that he needs to know the number of hookups he plans to use because it makes a difference on the size of the connection. Steve said it was all on the plans. Joyce noted that an RV Park requires permission from the City. Steve agreed and said he submitted the paperwork to Beth. Logan asked when the paperwork was submitted. Steve said he turned it in just before we moved to the new office. Beth acknowledged that she had some conversations with him and expected to see an application, but she never saw it. She reiterated

that the check he claimed to have submitted has never cleared his bank. Steve added that his check for the water service cleared but he doesn't have that either. Beth allowed that part. Steve said he would re-submit the application. John asked if he was okay to wait until spring for the water. Steve said yes. John reiterated that Steve needs to submit his application. Beth explained that once the application is submitted, she has a certain amount of time to process it before it comes before the Council. Once it does, he must be present during the hearing. Steve said he would fly back whenever he needs to. He had planned to open his RV Park by the end of October 2022. He asked if people were really being fined for living in RVs on their property. Logan explained that we have an ordinance that requires you to have a permit to live long term in an RV outside of an RV Park. North Powder is not the only town that doesn't allow people to stay long term in RVs outside of an RV Park. We were having problems with people doing that so we tried to come up with a way to incentivize people to stay in an RV Park. The water/sewer rate is included in the permit fee. Steve asked who was responsible if somebody gets hurt on the property. Logan noted that permits are only available to the property owner. The ultimate goal is to not have somebody living in an RV outside of an RV Park and to help protect the city from having the cheapest places to live which leads to economic distress. John interjected that the City does the best we can to make services available to the citizens and reiterated that Steve should submit his application to Beth so we can move on.

Meeting adjourned at 8:21PM.

Respectfully submitted,

Attest:

Beth Wendt  
City Recorder