

North Powder City Council Special Meeting & Work Session
March 21, 2023
6PM City Hall

Attendance: Mayor John Frieboes, Councilors Cody Anderson, Jeff Grende, Vicki Townsend and Logan McCrae (came in just before the special meeting adjourned).

Others: Brian Carr, Tony Lasich, Rick Lawyer, Joyce Lawyer, Wynn & Jeff Neilsen, Barbara Weeks, Shorty Schwehr, Dick Mason, Barry Princevalle, Jeff & Nanci Klein, Jake Jones, Linda Dixon, Don McClure & Midge Mathis.

(Meeting was delayed waiting for council quorum)

Mayor Frieboes called the meeting to order at 6:20PM. The Pledge of Allegiance was said.

SPECIAL MEETING:

Old Business:

Resolution #2023-R2- Loan Acceptance: Beth noted that extra copies of the Resolution were available. Beth read Resolution #2020-R2 authorizing a loan from the Oregon Business Development Department (OBDD) water fund and granting authority to the mayor to execute the Financing Contract and other documents as required to obtain financial assistance, including a loan, on the condition that the loan does not exceed \$390,000 and an interest rate of 2.61% per annum. Proceeds of the loan will be applied solely to the costs of the wastewater system improvement project. Jeff wanted to clarify that the loan was above and beyond the amount of our CDBG grant and that it's possible that we may not use any of it. Beth said that is correct. Barry Princevalle asked what the \$390,000 loan was for. Beth reiterated that it's for the wastewater project in addition to the \$1.9million grant from CDBG. Barry was concerned that we bought property for this project in 2017 or 2018 and nothing has happened until now. He wondered if we still had the original amount of the grant. Beth said yes and in fact, we got a little bit more. Jeff noted that the original grant doesn't cover the cost of today's prices. Beth explained that we had to do the project in three stages. The first stage was for a facility plan. Then we purchased property and couldn't apply for the design stage until that was final. Step two was a grant for the design. Once the design was approved, we applied for a construction grant in the fall of 2021. We were awarded the grant in December of 2021 but we had to wait on paperwork so we couldn't put the project out for bid until almost May of 2022. Since that was so late in the year, we only got one bid that was really high, over \$3million. So the Council rejected the bid and decided to re-bid the project in the fall. This time we got 4 bids that were much more competitive. The project was bid with some deductible items that can be added back in if we have money to do so. Barry added that we have a well that appears to be completely dead and citizens are paying for it through their monthly bills and taxes. Brian Carr asked if any bids came in under \$1.9 million. John said no. Jake Jones remarked that there was a similar project done where some of the paperwork was not done correctly. He didn't know what happened or who did it, but somebody dropped the ball. He cautioned that we don't let that happen. John noted that Rick has been working with DEQ and Anderson Perry. We will do everything we can to be sure there are no hiccups. John asked if there were any more questions. Vicki made a motion to accept the resolution of the City of North Powder authorizing a loan from the water fund by entering into a financing contract with the Oregon Infrastructure Finance Authority. Jeff seconded. Barry wondered how the funds would be dispersed. John noted that it would be for the sewer project only. Barry wondered if it would affect the water and sewer rates. Beth said it would not affect the water rate and we don't know yet what it might do to the sewer rate. Part of the reason for the big jump of the sewer rates last year was so we can put money away for repairs. Hopefully, we will have put away enough money so the sewer rates won't be affected that much. Jeff Neilsen wanted to know what "that

much” was. John answered that we won’t know until the project is finished. Rick wondered if the loan was for this project or could it be used for other things. Beth reiterated that it’s for this project only. John asked for a vote of the motion on the table. Motion carried unanimously with 3 in favor (Vicki, Jeff & Cody). Jeff added that the deductible items are still on the table if there is money to pay for them. Rick commented that it wouldn’t apply to dredging.

Wastewater Construction Contract: Beth noted that our attorney has approved the construction contract. We just need a motion from the Council to accept it. Jeff moved to accept the wastewater construction contract. Vicki seconded. Motion carried unanimously with Jeff, Vicki, & Cody in favor.

New Business:

Walking Path: John asked for Council permission to look into building a walking path going out toward Wolf Creek. We would have to work with the County to apply for grants because it is not in the city limits. The Council was okay with that. Brain Carr asked if it would be for bicycles and walking only, or would horses be allowed. John didn’t know.

Barry wanted to talk about the City Hall remodel. John noted that it was not on the agenda. This is a special meeting and we will talk more about City Hall at the next regular Council meeting. Joyce wondered if money for the bike path would be taken from the city. John planned to look for grants. Joyce was concerned that we might need money for dredging the lagoons. Beth reminded that money for the lagoons has to come out of the sewer fund and a bike path would come out of the general fund. Joyce thought the City could transfer money between funds. Beth thought she was wrong. John reiterated that he just wanted to look into it and he planned to look for grants to do the entire project. It won’t take away from anything else.

Special meeting adjourned at 6:49PM and Work Session was opened.

WORK SESSION:

City Council Handbook: Jeff felt there was a lot included. Vicki noted that we took what we needed from the League of Oregon Cities Handbook, that we’ve been using as a guide, and shortened it to fit North Powder. Jeff thought it was going to be more about parliamentary procedure. This goes way over that. Without going over every policy that is in effect right now, he didn’t see the point. He asked if it would replace the Charter. Beth emphatically said no. The Charter is like the city’s bible. It sets certain rules for the city, such as the council must hold regular meetings. The handbook says how they will be done. It provides a guideline. It also explains the differences between ordinances, resolutions, policies and proclamations. Vicki thought having set policies would help employees with how to handle certain situations. Beth added that the handbook just puts policies in one place. She thought the ordinance enforcement policy should be included in the handbook. Vicki noted that the handbook could be changed. Logan clarified that the section about how meetings were held was basically the same as how we have been holding them. It was just outlined in an abbreviated version. Vicki felt it would protect the Council to have a policy. We can add things or take things out if we want. Logan wondered if there were any changes to the way we have been doing things or the expectations of the city employees. Beth said it should be same. She reiterated that we have used the League of Oregon Cities handbook as a guideline in the past. This handbook was done to fit North Powder and how we operate. By listing the policies, it makes it easier for everybody to know where the City stands on things and how they work. Jeff didn’t see anything out of the ordinary but didn’t know what we were comparing it to. Beth noted that we never had a handbook before. But CIS Risk Management would like us have one. The Charter is still the “bible” and everything in the handbook conforms to it. Jeff wondered if it would refer back to an ordinance. Beth said this would just be for policies.

Vicki would like to add a policy that says councilors shouldn't go onto private property to do city business. They have to do their part and we have to do ours. Jake commented that a lot of times a public works guy may have to address a problem on private property. Vicki felt that was different as it could be part of his job. She was talking about members of the council. Jeff added that part of that could be diagnosis and it may take going onto private property to figure out the problem. He hated the idea of taking away that personal touch. Vicki agreed, but times have changed. Maybe we should require that it be at least two people. Jake thought the policy should be that the municipality's responsibility stops at the center of the water meter and from there on it belongs to the property owner. However, it may be more efficient to go onto the property to help somebody, but the city representative should never touch the fixture. Logan agreed that it wouldn't be a bad idea to have a second set of eyes from the council. Vicki was not comfortable going onto private property. Linda interjected if it is a policy it restricts everybody. Jake thought the Cross Connection ordinance might help because as the City's Cross Connection representative it may be more efficient, or even required, to go onto the property to inspect a set up. Vicki said that was not where she was going with this. Logan thought it would make sense if it's required to conduct city business. He suggested it could be mandatory for the request to come before the council and everything would be documented. Jeff was concerned about public comment during meetings. He wondered if it would be more beneficial to add something in to allow public comment during discussions. Logan felt if it was structured rather than open dialogue. It could be added as part of the rules of order. Jeff was just afraid that people would get upset if they aren't allowed to talk. Beth asked when we ever stopped someone from making a comment during a council discussion except during a land use public hearing when the rules are more formal because it is a quasi-judicial procedure. There are separate rules for how those meetings are conducted and once the public comment period is closed, the public is not supposed to talk. Jeff agreed, and said that was his point. Logan thought we could make it more structured. Linda appreciated being able to respond to questions that come up during a meeting. Barbara commented that it would help to create unity between citizens and the council. Logan asked if the council needed to vote on the handbook. Beth thought once the Council is okay with it, we should send it to CIS Risk Management and the League of Oregon Cities to get their in-put and to be sure it covers everything they feel we should have and to be sure it is legal.

Work session adjourned at 7:15PM.

Respectfully submitted,

Attest:

Beth Wendt
City Recorder