

North Powder City Council Meeting
May 1, 2023
7PM City Hall

Attendance: Mayor John Frieboes, Councilors Vicki Townsend, Jeff Grende & Justin Wright, City Recorder Beth Wendt. Councilors Logan McCrae and Lindsey Thompson were absent.

Others in attendance: Barbara Weeks, Susie Wirkkala, Shorty Schwehr, Barry Princevalle, Brandon Mahon, Steve Vincent, Tony Lasich, Jeff & Wynn Nielsen, Joyce Lawyer, Jeff & Nanci Klein, and Dave Hoene.

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

Public Comment: Barry Princevalle noted there is still a street light out on 2nd Street. It has been out for almost 4 months. Rick replaced the light but it doesn't work. John will take a look at it. Barry added that he saw a couple of teenagers fall because of ice on the sidewalk. He thought the city should post signs to watch for ice. He also seemed to think the Mayor and City Council should be doing more to help with plowing sidewalks instead of citizens. John noted that it was not his responsibility to do that but he has helped plow driveways with his personal vehicle. Barry added that the City and the residents need to work together but he didn't think there was enough coming from the city.

Joyce commented that the cemetery is looking good. While she was out driving around she noticed that the vacant lot behind the Grange was being watered. Unless "he" is paying for water, that is the same as taking it without permission. Jeff asked if the water was coming from the grange. If so, it would be a grange issue. Joyce argued that the City took care of the problem before so they should do it again. Jeff remarked that if it is coming from the grange, it is on private property, it is a property owner issue. Joyce added that there is one meter that goes to the grange and the Post Office. She didn't know how it was all connected. Beth noted there is a water meter to the property next to the Post Office but it hasn't been activated. Joyce thought the guy had been using city water and sewer all winter. John reiterated that the meter hasn't been activated. We will check into the situation. Barry thought the water was coming from a spigot next to the grange. Susie interjected that as Grange Master she would like to talk to the grange officers then meet with the Mayor or City Council members to try to figure out what is going on.

Agenda: John asked to amend or accept the agenda. Vicki made a motion to accept the agenda. Justin seconded. All were in favor.

Minutes: John asked for amendments or acceptance of the minutes from April 3, 2023. Vicki made a motion to accept the minutes from April 3, 2023. Justin seconded. All were in favor.

Accounts Payable: Beth reviewed changes to the accounts payables. The total accounts payables came to \$19,198.53. The wastewater grant bills came to \$22,878.98. Jeff moved to pay the bills. Vicki seconded. All were in favor.

Library Report: Susie reported that the Community Yard Sale will be June 3rd.

The Summer Reading Program begins June 12th and runs thru August 4th.

There was a good turnout for the Easter Breakfast. We received \$684.80 in donations to the library building fund. Pledge forms are available at the library, City Hall, and the Post Office.

The library is often asked why they aren't open more hours. Susie proposed to rearrange the number of hours open to be four 4 hours days instead of 2 six hour days and one 4 hour day. They would like to try being open on Tuesday and Wednesday from 2PM-6PM and Friday and Saturday from 10AM-2PM. The Council was okay with the change. Barbara added that many times holidays fall on Mondays so the library is closed. This schedule would eliminate that.

Huckleberry Festival: Nothing

Public Works: Nothing

City Recorder: Water overages in April came to \$180.53. No freeze credits applied. Used 1,039,388 gallons of water.

Beth reminded that we still need to figure out what we are going to do with ARPA Funds. The annual filing deadline was due April 30th. Beth filed as revenue replacement as advised in an instructional video and we spent \$4796 on the heating unit for City Hall.

Debit and credit card charges going well. Have received about 23 card payments since March 17, 2023. CIS Risk Management Review was included in the council packets. Beth has been working on a report to show how much has been completed.

We still need to decide what we want to do for security cameras as the CIS Risk Management Grant application is due by the end of May.

We have a contract agreement for GASB that needs to have council approval. GASB is a bi-annual review and audit of Health Insurance and retirement benefits. It is required by law and information must be provided to auditors at year end and included in annual audit. Cost estimate is \$1225. Jeff made a motion to approve the expense. Vicki seconded. Motion carried unanimously.

The gazebo area of the city park has been "reserved" for National Prayer Day on May 4th from noon to 1PM. Asked for permission to use power for microphone.

The Grange has reserved the park area for a BBQ on June 24th.

Happy Campers Market (190 E) would like permission to put tables and chairs on the sidewalk. Council permission is needed. Lindsey will need to bring plan and information to council. She has asked if the council would be willing to have a special meeting as it cannot be done during budget meeting. It could be done before or after the budget meeting but not during. Vicki preferred to wait for the next council meeting. Jeff and Justin agreed.

Barry asked about the sewer project. John noted that Brandon Mahon would report on it during old business. Barry just wanted to know how it was going. Jeff said it is going well.

Ordinance Enforcement: Beth said Gary Montgomery asked if it would be okay to leave the silver camp trailer that is parked on 2nd Street, near the Café, until he gets back from Arizona. He is leaving on Thursday and will be gone 2 to 3 weeks. Jeff asked if it was the same trailer that they were asked to move last summer. It is. Jeff thought it should be moved. The rest of the council agreed. Beth will let Gary know that the trailer needs to be moved.

Mayor's Message: John noted that the Clean-Up Day went really well. We got lots of tires and appliances. We filled 2 dumpsters and have a third that we are still working on filling up. The County will pay half the bill. We had lots of help from Jeff Nielsen, Rick, David, and Logan as well as John. John thanked everybody for their help. Beth commented that we took in \$158. Jeff thought we should try to coordinate better next year so that we don't conflict with other things that are going on.

John reported that we've had a few on-line meetings with the DEQ and have another meeting scheduled for later in the week to talk about the solids in the lagoons.

John has been looking at some security systems.

John has been working with Rick on the issues at Well #5. They fixed a copper line that was leaking and have talked to an electrician about the distribution panels that get hot and blow breakers. They are also working on how to secure the well head.

Several months ago John talked about getting some culverts to put in the ditch next to the playground. He estimated the cost of two 20' pipe sections to be around \$2500. He would like council permission to purchase the culverts. Jeff wondered if we could use ARPA funds. Beth didn't know. John thought it

might qualify as it is a safety issue. He added that the County has been bringing in some fill but we will need more. Vicki made a motion to approve the purchase of two culverts. Jeff seconded. All were in favor. Vicki wondered if tree roots would interfere with the culverts. John said no.

Jeff asked how things were coming with the flower baskets for 2nd Street. John reported that the baskets were done. We are just waiting for them to grow. We have applied to the Ford Family Foundation for a grant to purchase a trailer with a spray tank to use for watering. Watering will be done by volunteers. We should hear something from Ford Foundation within the next few weeks. We plan to put the baskets up about the 25th of May, so they will be up before Memorial Day. We will have flags on the light posts as well. Vicki thought some of the older cadets from the fire station would volunteer to help with watering.

New Business:

Councilor Resignation: Beth read a letter of resignation from Cody Anderson. Cody has moved outside of city limits so he no longer qualifies to be on council. Jeff made a motion to accept Cody's resignation. Justin seconded. All were in favor.

Beth explained the process for filling the vacancy. We will advertise the open position and anyone interested in filling it must submit a letter of interest to the council. If we receive any interest before the next council meeting, the council can consider a replacement at that time. Otherwise, the position will remain open until someone is appointed.

Beth noted that with the vacancy also comes a vacancy for someone to oversee the bank accounts. It can't be someone who is a signer on the account. That leaves Logan and Lindsey. The bank overseer is the person who opens and signs bank statements. Jeff nominated Logan. Vicki seconded. All were in favor.

Avista Franchise: Steve Vincent noted that the City has a 10 year franchise agreement with Avista Utilities which expires this year. State statutes allow for up to 20 years. There weren't any material changes from Avista's side of things. Things that tend to come up on the city's side generally concern utilities in the public right-of-way. The Franchise agreement gives Avista 90 days to respond to request, but they will generally respond much sooner. Avista pays North Powder a franchise fee of 3% of their gross income. In 2022 they paid the city approximately \$6500. The agreement also includes an "Act of God" clause. He proposed that most of the changes would be "word-smithing". Beth noted that we have a clause that allows for the existing contract to roll over for another 10 years if there are no objections from either party. Steve felt it was best to include the 10 year term instead of locking the city into a 20 year agreement. Jeff asked what would happen if we changed the franchise fee to 6%. Steve noted that the franchise fee payments have gone up 50% in the past 5 years. Cities in Union County are collecting 3%-5%. The law allows for up to 3% to be buried in operating expense that is spread to all users, including those outside city limits. However, anything over 3% is listed as city tax and only people living inside city limits would pay the added fee. If we decide to increase the percentage, there is a process that requires notifying customers of the added line item to their billing. Avista services 30 cities across the state. Most of them get more than 3%. Steve commented that the Council considered an increase 10 years ago but decided not to pass that on to customers. Beth noted that the agreement doesn't expire until August. John asked to table the discussion for now to give the Council time to think about what we want to do. Steve reiterated that the end user would end up paying for an increased percentage rate.

Budget: Budget schedules were included in Council packets. The first budget meeting will be Monday, May 22nd at 6PM at City Hall. The first advertisement will go out in the paper on May 6th. The meeting is open to the public. If we need additional meetings, the next one will be June 5th at 6PM. A special

City Council meeting is scheduled for Monday, June 19th. Notices will go out to budget committee members this week. There is still one opening on the committee.

Old Business:

Clean-Up Day: John noted that we talked about the Clean-Up day earlier in the meeting. Nobody had anything to add.

Building Update: Beth noted that since the City now owns the entire fire station we should consolidate the two lots that it sits on. She asked for permission from the Council to get it done. Permission was granted.

Library Update: We received only one proposal for someone to help work up a preliminary budget and plan for the Library construction for grant purposes. Pinnacle Architecture has proposed to do the work for \$2500 and we have a Technical Assistance Grant from the Ford Family Foundation to pay them. Beth reiterated that it is only to gather & prepare information for applying for a grant. Jeff made a motion to hire Pinnacle Architecture. Vicki seconded. Motion carried unanimously.

Wastewater Project Update: Brandon Mahon reported that we got the 1200C Permit and it has been transferred to the Saunders Company. They plan to start work tomorrow (Tuesday, May 2). Brandon proposed that the Council authorize the mayor to sign off on applications for payment. It allows the contractor to be paid quicker. The other option would be to present each request to the Council for review. The Saunders Company has already turned in their first application for the mobilization and demobilization stage. They can request up to 75%. Any change orders still have to be presented to the Council. Jeff moved to authorize the mayor to sign off on applications for payment. Vickie seconded. All were in favor. Brandon noted that the contractor has been asked to submit all requests by the 25th of each month to Anderson Perry & Associates (AP). AP will review the requests before submitting them to the City.

The contractor has submitted a change order request in regards to the 1200C Permit. When we put the bid out we didn't have the permit yet so we didn't know all of the requirements that would be required. The permit includes requirements from the MAO and the joint fill permit along with other requirements. The bids were based on the information we had at the time. There were some things that AP felt the contractor should have accounted for. They negotiated the change down from \$26,000 to \$15,160. Brandon felt it was not an unreasonable request and they anticipated there would be some change. DEQ has gotten really stringent on 1200C permits. Dave Hoene wondered what will happen if it rains a lot. Brandon commented that we can't control acts of God and have allowed for time extensions if needed. He furthered explained that in the initial bid information the contractor was supposed to get the 1200C permit and they generally hire someone like AP to do it for them. However, in order to expedite things the City got the permit and had it transferred. There was not a specific line item for sediment control. John asked if it would come out of the contingency. Justin wondered is \$15,161 was reasonable. Brandon thought it was. They initially asked for \$26,000. Jeff made a motion to approve the change order. Vicki seconded. All were in favor. Brandon or someone from AP will attend the next Council meeting to keep us updated.

Council Handbook: Beth asked if the Council was okay with the proposed Council Handbook. If so, we can send it to CIS and LOC to get their input. There were no objections. Beth will send copies to CIS and LOC to start reviewing.

Council Comments: Justin remarked that someone asked him if the City would consider putting up a Stop or Yield sign at the corner of 3rd and D streets next to the City Shop. John asked to table the conversation until we had more councilors present.

Joyce commented that the "Entering North Powder" sign at the northeast end of town was missing. John thought that was an ODOT issue. Beth will contact ODOT. Joyce reminded the Council that the grant for the building roof repair expires in August. John noted that we are aware of that and are working toward getting it done. Jeff commented that the meeting started with a lot of bashing of the maintenance crew. For the record he felt the accusations were untrue and they did a very good job of plowing streets this past winter and are doing very well with the time they have.

Meeting adjourned at 8:22PM.

Respectfully submitted,

Attest:

Beth Wendt
City Recorder