

North Powder City Council Meeting
June 5, 2023
7PM City Hall

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

Others in attendance: Barbara Weeks, Dale & Debbie Baker, Jake Jones, Shorty Schwehr, Barry Princevalle, Brandon Mahon, Steve Vincent, Tony Lasich, Galen Green, Dave Hoene, Donna Beverage, Scott Newman, Mike Schoeningh, Jeff & Wynn Nielsen, and Joyce Lawyer

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

Public Comment: Barbara Weeks asked for permission to put some new benches on the sidewalk in front of the Wolf Creek Grange. They would be anchored to the sidewalk to deter theft and would be close enough to the building so there would still be 5 ½' of sidewalk from the bench to the curb. Beth suggested checking the zoning code. Barbara said they would replace the old benches. Lindsey made a motion to grant permission to anchor new benches to the sidewalk in front of the grange, pending zoning code clearance. Logan seconded. All were in favor. Jeff requested that it be inspected and noted that if the benches are moved, the bolts are not left sticking up or holes left in the sidewalk. Beth will check on zoning regulations.

Donna Beverage stated that Union County has money available for Tourism Grants. The application period is open June 1st thru July 15th. Grants are for projects that would enhance tourism. Some examples of approved projects were new bleachers at the Union County Fair Grounds and new lighting for the Stock Show rodeo grounds. There's no actual limit but \$10,000 is the most that has been requested. Some grants have matching funds but that's not required. However, it helps to show some kind of match. The match could be something as simple as in-kind volunteers. Grants are available to cities or non-profit organizations and they can work together or separately.

Donna changed hats from County Commissioner to Union Chamber President. The Union County Chamber and Union City Chamber are doing a 4th of July Fireworks in Union at Buffalo Peak. The cost of the fireworks is \$13,000. Since the fireworks display is done for the benefit of the entire county, this year the Chamber is asking other towns within the county to make a donation toward the cost. She asked North Powder for \$250. Banners will be displayed with the names of the donors. Lindsey made a motion to sponsor the fireworks for \$250. Jeff seconded and all were in favor.

Dave Hoene saw something on-line about a State Main Street Improvement Grant. He wondered if Donna knew anything about it. There are all kinds of grants available, including construction grants. Jeff wondered if it was for commercial business on Main Street. Donna noted that the Eastern Oregon Women's Coalition is coming to Union County for the first time ever, August 3rd & 4th, for an Economic Development Summit. The lady from Oregon Main Street will be here to talk about what is available thru the Main Street program. They will be touring different places around the County. The Chamber is putting on a big dinner. Donna will send out more information.

Galen Green has had some surveying done between B & C Streets. It doesn't make sense that B Street would have an 80' right of way. His surveyor was confused because they had information from the County tax assessor that says B Street has both 70' and 80' right-of-way. Beth noted that everything the City has says that A & B Streets have a 70' right-of-way. Center Street has 100' and everything else is 80'. Galen asked if he could get something in writing to that effect.

Dave commented that as repaving is done we should be digging out survey markers. It looks like some of them have been chip sealed over the top. John agreed that we should put a cap over them that can be removed.

Scott Newman from the Union County Chamber of Commerce introduced himself. He would like to start attending more council meetings around the County. He added that the City is going to receive a \$500 donation/grant for new banners for the Huckleberry Festival.

Jake Jones asked what the status of the VAC truck was. John said it is still at Grumpy's.

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

Minutes: John asked for amendments or acceptance of the minutes from May 1, 2023. Lindsey made a motion to accept the minutes from May 1st. Vicki seconded. Logan abstained as he was absent. Jeff reminded Lindsey that she was absent as well. Jeff re-made a motion to accept the minutes. Vicki seconded. Justin, Jeff & Vicki were in favor. Logan and Lindsey abstained.

Accounts Payable: There were three spreadsheets of accounts payables. The first was for April bills that were not here at the last Council meeting but they have already been paid. The total was \$3710.44. Beth reviewed changes to the accounts payables for the month of May. The total came to \$13,358.55. The wastewater grant bills came to \$123,023.67. In order to pay the grant bills Beth will transfer money from the LGIP account. We should be getting a reimbursement payment from CDBG any day. Logan moved to pay the bills. Justin seconded. All were in favor.

Library Report: Barbara reported that the Library got \$87 from the Yard Sale.

The Summer Reading Program starts June 13th.

The Library is still looking for donations for the Huckleberry Festival Yard Sale. They would also like permission to store some stuff in the far bay of the fire station until then. The council was okay with them storing stuff until the Huckleberry Festival.

Huckleberry Festival: Lindsey noted that she talked to Donna about banners. The Huckleberry Festival doesn't have any money to do a match. John pointed out that the Chamber of Commerce is going to give the city money for banners. Lindsey said they are still looking for and need sponsors. They are working on advertising. They have several vendors already signed up. They are almost out of debt from last year. As always they are looking for volunteers. The next meeting is Wednesday at 6PM at the Grange.

Public Works: Rick reported that we had another injection at the lagoons. It was the first one this year. The pond still needs more circulation. We are starting to see some separations in the solids.

We have a meeting with the contractors on the sewer project on Tuesday. They are about half way done with repairs around town. Some of it has been really good, other parts not so good.

We have stopped going to the river for the season. Tests have been good. Rick needs to get some parts so we can move on to irrigation.

We've had lots of locates with all the surveys for fences, shop buildings, etc., as well as for the wastewater project.

Baker City borrowed the diffuser. They should be done with it shortly so it will be sometime around the end of June or into July before we will flush hydrants. Water use has gone up about 6000 gallons a day. The Saunders Company has started to get water for the wastewater project.

Rick has had some calls about the tires at the end of Center Street. Vector Control is getting concerned about it as well.

Jeff said he talked to JR (Grumpy's) about the VAC truck. There are more issues than we originally thought. JR would like to talk to someone from the City about how far we want to go with repairs.

John will give him a call. Vicki was concerned that when things start to go wrong, where will it end?

Dave wondered where the tires were that Rick mentioned. They are at the end of Center Street. Beth commented that it is questionable as to who has jurisdiction, the City or the County. Rick thought the legal limit was 100 tires.

City Recorder Report: Water overages in May came to \$299.28. We used 1,649, 411 gallons of water. Beth reminded that the Council still needs to make a final decision to commit the ARPA funds. According to an Email received April 25, 2023 from LOC, the federal government is considering rescinding unobligated funds. Currently, unobligated funds are considered to be funds that have NOT left the federal coffers. Since we have received the funds, it is not expected to affect our ARPA funds. However, this could easily be changed by a slight tweak in verbiage by the Federal Government. Funds must be obligated by Dec. 31, 2024 and spent by Dec. 31, 2026.

July 4th is on Tuesday. Beth asked if the Council would prefer to wait until July 10th for the July Council meeting. The Council was in agreement to wait until the 10th. Beth noted that we will probably have a land use public hearing at 6PM prior to the Council meeting.

Beth signed up for a CIS Benefits Renewal Meeting on Monday, June 26th in La Grande. She will get a sub for the day.

Beth reminded that the Grange has reserved the gazebo area of the park for BBQ on June 24th.

Paperwork has been filed to consolidate the tax lots at City Hall.

We received a letter from Community Connections asking for a donation for Meals-On-Wheels. The Council was not interested at this time. All past donations have been made to the local Food Bank.

The Baker City Cycling Classic will be June 23-25th. Friday, June 23rd will be the Catherine Creek Road Race. Bikers will be traveling along HWY 30 to North Powder. They will take Hwy 237 to Union where they will turn onto Hwy 203 (toward Catherine Creek) and return to Baker. Saturday AM will go from Hughes Lane to Hwy 30. It will follow Hwy 30 to Davenport Road onto Chandler Lane, then turn onto the Old Oregon Trail Road. The Saturday afternoon race course will be downtown Baker City. Sunday, June 25th is the Dooley Mountain Road Race. It will take the Sumpter Stage Hwy to Tipton, then on to Austin Junction, Hereford, Bridgeport, and end at mile 101 near the Dooley Mountain Summit.

We haven't received any letters of interest for the open council position. It is on the agenda for June 19th, following the budget, if we get anything.

Ordinance Enforcement: Beth noted that Shawn is going to start sending letters. He will email copies to the City as well as to the City attorney. Beth explained that we send copies of letters to the City attorney so that he is aware of what is going on in case he has to do something. Vicki asked if we could get Shawn to attend a meeting. Beth will ask him. Jeff wondered if we could go back to putting out stickers instead of sending letters. Logan thought stickers were effective when we used them before. We should talk to Shawn about it.

Mayor's Message: John recognized the passing of Mike Morse, a citizen and past Council member.

John commented that the flower baskets donated by the North Powder FFA kids were hung up along 2nd Street on May 25th. He and Justin hung up the banners for the senior class the day before. We received a grant from the Ford Family Foundation to purchase a small trailer with a tool box and water tank for watering the baskets. D&B Supply helped by giving us a discount. The baskets are being watered daily by volunteers.

The Union County Chamber of Commerce is going to donate \$500 toward the purchase of some banners for the Huckleberry Festival.

Over the years, Dan Willitts has helped out by keeping the shrubs watered next to the "Welcome to North Powder" sign next to the café. Dan isn't able to take care of that anymore so Dave (Hoene) has volunteered to do it. John thanked Dan for his years of service.

We had an electrician work on the problem at the well where the panels were overheating. John is working with Rick to brace and anchor the well-head in place and to get the clay valve adjusted so we can get the well back on line.

John would like to start a committee for Main Street Beautification. The committee will look into grants for things that would help dress up the downtown area.

Joyce commented that the “Welcome” sign used to be painted in gold. John agreed that it needed to be re-done. He has volunteers lined out to re-paint it.

New Business:

Commissioner Donna Beverage- John noted that Donna already had her say and left.

Tony Lasich interjected that he talked with Beth about getting a Business License for a little shop. He thought there was a start-up fee of \$300 plus \$100 annually. Tony said Baker, Union, La Grande and Island City don't charge for a business license. He wondered why North Powder is so expensive. Beth corrected that the Business License is \$15 per year. The \$300 is for a Conditional Use Permit application. Because the proposed business is located in a residential zone, it requires a Conditional Use Permit. Tony commented that if he opened a business on the main street he wouldn't have to pay that. Beth clarified that it depends on where on 2nd Street, what zone, and what type of business he wants to open. The commercial zone runs on both sides of 2nd Street (Hwy 237) from the freeway, to D Street. From D to the north end of town on the east side of 2nd Street, between 1st & 2nd, is industrial and residential on the west side of 2nd.

Stop Sign (3rd & D)- Justin commented that people have asked why there's not a stop sign at 3rd & D by the City shop. Vicki thought expense had a lot to do with it. Beth noted that we just bought some Stop signs for about \$35-\$40 each. That didn't include posts. Dave thought putting stop signs at every intersection was an over kill. He suggested putting up yield signs instead. Jeff thought a stop sign at the corner of 4th & D next to the playground would be a better idea. Rick thought the total cost would be about \$100 per sign. Vicki made a motion to put a stop sign at the corner of 4th & D on the 4th Street side. Jeff seconded but added there should be 2 signs, one on each side of D Street (D Street will be the thru street). All were in favor.

Happy Campers Market (Sidewalk Use)- Lindsey would like to put 2 to 5 tables on the sidewalk next to her business on the corner of 2nd and E Streets. They wouldn't be bolted to the sidewalk unless there are issues of theft. They would be small tables. Beth recommended that they not be bolted. Vicki wondered if there would be an issue with ordinances and having something on the right-of-way. Lindsey said they wouldn't be there year round. Vicki didn't like the idea of them being bolted. She wondered how that was different than allowing the benches at the Grange to be bolted. Logan clarified that the Grange is replacing what has already been there and they are up against the building. He made a motion to allow a couple of tables and chairs for the summer to see how it goes before adding more. Jeff seconded. Motion carried with 4 in favor. Lindsey abstained.

Old EMT Support Truck- Joyce commented that the City gave the Food Bank the old support truck several years ago. It has been sitting on her property for a long time. They have someone who would like to work on it to get it running but the City hasn't ever signed over the title. Logan proposed that we transfer the title immediately.

Old Business:

Avista Franchise Agreement: Steve Vincent commented that according to the Census there are 266 housing units in North Powder and Avista services about 66% of them. In 2021, 43% of those customers had accounts that were 60 days past due. Even without a franchise rate increase, he noted that natural gas rate increases have gone up 18% in the past year. North Powder, Imbler and Summerville are the only towns in Union County that still have a 3% franchise fee. The rest all have 5% or higher. The choice to increase franchise fees is strictly up to the City Council. Section 2 of the current agreement allows that the agreement can automatically roll over for another 10 years if there are no objections from either the City or Avista. As far as Avista is concerned, Steve didn't have a recommendations for changes. Logan wondered if the rate increase would basically double, with or without the franchise fee increase. Steve explained that the franchise fee payments to the City have gone up about 50% in the

past 5 years due to their rate increases alone. Avista pays the city 3% of their gross revenues from inside North Powder. So, as costs go up and gas rates go up, the City's franchise payment will continue to go up. However, if something happens and gas prices go down, the franchise payment will go down. The first 3% of the franchise fee can legally be buried as part of an operating cost and will not show on a bill. If the franchise fee goes over 3%, the difference has to be listed on the customer billing as an added surcharge. Steve reminded that the franchise payment is a gross revenue tax and the payment goes directly to the City. Logan clarified that Avista rates increased 18% as of November 1, 2023. He felt the City should align with other cities as there are costs associated to working around the gas lines and our costs are not getting any cheaper. It wouldn't be a significant amount in comparison to rate increases. He recommended the City raise the franchise fee to 5%. Franchise fees go into the general fund. Steve will draft an ordinance to go with the franchise agreement and send it to Beth. As long as there are no additional terms and conditions to negotiate, it will just contain some "housekeeping" corrections regarding language, spelling, etc. It can be ready for the first reading at the July council meeting and the 2nd reading in August. Avista has 30 days after that to accept so, it wouldn't take effect until at least October 1st.

Wastewater Project Update- Brandon Mahon reported that the contractor has been working on stripping the top soil at the wetland (evaporation pond). It has been really wet so they have been working on "de-watering" methods. They have installed the conduit to the wastewater treatment facility for the fountains and have been working around town on spot repairs to the collection system. The livestock fence and erosion control around the wetland are up. He was pleased with how well things have been moving along. He reiterated that we have a construction meeting on Tuesday. Logan asked if ARPA funds could be spent on wastewater infrastructure. Beth said yes. Logan proposed allocating at least a portion of the ARPA funds to the wastewater facility while we have a contractor in the area. Rick should prioritize some of the deductible items and have a list at the next council meeting. Brandon clarified that meant we want to add things back into the contract. Beth noted that we would need a budget adjustment because we put the ARPA funds into the General Fund. She added that once we finish this project, we need to dredge at the lagoons. That is not part of the current project so we will need to come up with additional funding specifically for dredging. John noted that we are working with DEQ to try to get additional funding.

City Hall Library Update- Beth noted that we had a couple of floor plan proposals for the Library from Pinnacle Architecture. One was for the proposed option to make the addition on the end of the building. It did however, move the parking area against the end of the building. Beth will clarify if it has to be like that in order to qualify as "off-street". Another possibility would be to have all off-street parking spaces on the front side of the building. The next option would add a vestibule to the front entry to the meeting area and move the restrooms next to the vestibule. The third proposal puts the addition off the front of the building instead of at the end. The entrance to the Library would be in the corner next to the city hall door and the restrooms and vestibule would be in front of the meeting area in the Library addition. It would take away parking in front of the building and would put the Library back into an "L" shape. The Council needs to decide which floor plan to use so we can proceed with getting an estimate for the grant application. Barbara thought the Library Board should have a chance to see the proposed drawings before a decision is made. Logan agreed that a vestibule and having the restrooms up front made sense, but he didn't like having parking on the grassy area at the end of the building. He recommended we move forward with the original meeting room plan. He liked the idea of a vestibule because it provides a place for people to step out of the meeting room to continue side conversations without interrupting meetings. It could be framed in later. John was concerned that we weren't going to level the floor in the meeting room. Logan thought it could be ramped to be ADA compliant. Dave clarified that the main entrance to the Library would be on the E Street side. Logan thought we could easily change the location of a door or window on the divider wall. Mike interjected

that there has been mention of funding to help with ramping. Logan noted that this would not be a final plan, but it gives us a direction and a plan to get started. Vicki wondered if it would be a big issue to have restrooms at the back. Barbara objected to having the restrooms at the front instead of added on to the back because it takes up Library space. John wondered if we could get an estimate for the cost of the restrooms added on to the back vs. having them at the front. Logan didn't see a reason to put them at the back. It might be an option to use a corner of the meeting room for one of the restrooms. Barbara she didn't like having a door at the back of the meeting room because it takes up another corner. Logan felt this would meet the needs of the Library Board. Barbara reiterated that the Library Board hasn't had a chance to discuss the proposed plans. Jeff wondered if it would hurt to wait a month to make the decision. Beth reiterated that Pinnacle Architecture has only been hired to provide a basic plan so that we can get an idea the cost. Logan commented that we need to have one path forward that meets the needs and wants of the City, so if it takes another month, that was okay. Beth was concerned that if we wait until July to make a decision, we are really crowding the time line for the grant application process. John suggested we add this to the agenda for the special meeting on June 19th. Dave wondered if we were going to address the front of City Hall. John thought it would all be included in the block grant. Beth thought the grant would only do the Library part of the building.

SCA Grant- Beth noted that the grant application is open now thru July 31st. We can apply for up to \$250,000 but we can only have one open grant at a time. That means we need to get the 5th Street Project finished before the end of July. Otherwise, we can't even submit an application. We need to decide what we want to apply for and it should be more specific that what we applied for last year. John noted that last year we applied for 1st Street and asphalt on E and D streets between 1st and 2nd. If we still want to do the same thing, he will get a more accurate estimate than what we had last year. Beth added that last year we also included replacing the culvert on 1st Street, raising some manholes, and paving across the little bridge going to the Recycle Center. John will work on getting a cost estimate.

Council Handbook- The proposed Council Handbook has been reviewed by CIS and LOC. Beth noted that most of their comments were cosmetic. However, there were a few suggestions for changes. Logan suggested Beth and Vicki go ahead and clean it up to prepare for adoption. Vicki thought it had everything we need. Beth will incorporate the proposed changes and suggestions, and then have it ready for a vote at the July meeting.

Council Comments- Vicki commented on how nice the main street looks with the flowers and banners. She thanked everyone who donated money, time, and materials toward the project. She was proud of the result.

Logan thanked Beth for all the work she did on the budget. He also felt it was important to stand behind that water and sewer are the two most important things that we need to have in the City.

Meeting adjourned at 9PM.

Respectfully submitted,

Attest:

Beth Wendt
City Recorder