

**North Powder City Council Meeting**  
**August 7, 2023**  
**7 PM City Hall**

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

Others: Shorty Schwehr, Barbara Weeks, Susanne Watkins, Wynn Nielsen, Gloria Reid, Sarah Goodrich, Nanci & Jeff Klein, Diana Elledge.

Meeting was called to order by Mayor John Frieboes. The Pledge of Allegiance was said.

**Public Comment-** Barbara Weeks read a letter welcoming Jeff Nielsen to the council and expressing her hopes that there will be unity between the council and citizens.

Diana Elledge was curious about the Council's decision regarding the school's application to abandon an alley and wondered about public easements and rights-of-way for public utilities. John noted that most of the water and sewer lines are in public rights-of-way. Diana wondered why it wasn't filed with the County. John added that when everything is done, the easement would be. Diana wondered if the city would file for all easements. John clarified that right now, it is just this one. If there are other issues we will have to figure out what they are. Diana commented that there are 7 sewer lines and 5 water lines on her property. John reiterated that's a different issue than the school's application.

**Agenda-** Beth suggested adding employee reviews to the agenda. Logan made a motion to accept the agenda with the addition of employee reviews. Vicki seconded. All were in favor.

**Minutes-** John asked for amendments to the minutes from the July 10<sup>th</sup> Public Hearing and Council meeting. Vicki moved to accept the minutes of the regular meeting and public hearing on July 10<sup>th</sup>. Lindsey seconded. Motion carried with 2 in favor. Logan abstained as he was not at the public hearing. Logan made a motion to accept the minutes from the July 18<sup>th</sup> special meeting. Vicki seconded. All were in favor.

**Accounts Payables-** There were two remaining bills for 2022-2023 totaling \$3798.86. The July accounts payables came to \$96,885.56. Beth reviewed the changes and additions. The largest part of the amount owed was to Roger's Asphalt for the 5<sup>th</sup> Street paving project. \$75,000 will be reimbursed by an SCA grant and the City owes the balance of \$1533. We haven't received Anderson Perry's July bill for the wastewater project yet. The current grant bills came to \$225,267.50 which included The Saunders Company's 3<sup>rd</sup> payment request for \$221,107.50. A 4<sup>th</sup> request is coming that will be for more than \$300,000. Logan made a motion to pay the bills. Vicki seconded.

**Library Report-** Barbara noted that Library Board meetings will be moved back to the 1<sup>st</sup> Thursday of the month at 6PM.

About \$750 was raised from the yard sale during the Huckleberry Festival. Most of the water melons were sold to Badger Mart but Barbara didn't know how much that came to. The remaining yard sale items will be gone by the end of the month.

They are looking for a new library board member to replace Jeff Nielsen.

The Library Board will be supplying the Council with minutes of their board meetings. They wondered if there was another council member who might be able to attend board meetings when Lindsey is unable to. Barbara suggested Logan.

Beth asked about the applicant for the Librarian position. Barbara noted that the one applicant may be going to withdraw her application. She hoped that the position could be advertised until the end of September to give people a little more time to submit applications. Beth thought because there was only one applicant we need to get something in writing stating that she intends to withdraw her application

before we can move forward with another application process. Barbara noted that Lisa Aichele was the only applicant and she is qualified and the Library Board was going to ask the Council to accept her. Beth verified that Lisa was informed that the job was for 12 hours per week at \$13.45 per hour. She reiterated that we need something in writing from Lisa if she is going to retract her application before we can do anything more.

**Huckleberry Festival-** Lindsey reported that the Huckleberry Festival went well but wasn't as well turned out as other years. Another generator was stolen. This one belonged to a volunteer. Bills have been taken care of for the year. The next festival meeting will be the 3<sup>rd</sup> Wednesday of August at 6PM at the Grange to start making plans for next year. John commented that it was nice to have the parade in the morning.

**Public Works-** Rick reported that we got the VAC truck back. It is running but still needs new hoses to be fully functional.

Rick and David are still working on mowing and trying to keep up at the lagoons.

Saunders got the sewer line at the Café' parking lot "cameraed". They are looking at installing a manhole and fixing a broken pipe. They suggest running a new pipe inside the broken pipe instead of having to dig it up. It would strengthen the pipe and seal it. Anderson Perry is working on a change order.

There are two more loads of bentonite to be delivered for the evaporation pond. The dyke is almost done around the perimeter and is almost ready to start rocking the top of dyke. They are still working on the estimate for the repair of the water tank.

Logan asked if the VAC truck should be stored inside. Rick said it would probably be okay if it is drained thoroughly but inside would be best.

**Recorder Report-** Water overages in July came to \$3439.70 and we used 5,692,988 gallons of water. We received notice that Dan Van Thiel upped his rates to \$250 per hour as of July 1<sup>st</sup>.

We still need to commit ARPA funds.

Beth will be on vacation from August 16<sup>th</sup> thru 25<sup>th</sup>.

The Union Co. Chamber of Commerce Farm Crawl will be Saturday, August 12<sup>th</sup> from 10AM to 3PM.

Information was included in Council packets from the Secretary of State regarding Audit Laws.

Copies of the Adopted Budget for 2023-2024 are available at City Hall and on the city website.

Beth has been investigating right-of-way issues on A & B Streets. Apparently they have an 80 foot right-of-way instead of 70 feet. Center Street also has an 80 foot right-of-way, not 100 feet. Existing structures can be considered "non-conforming".

The first Monday in September is Labor Day. The next meeting will be Monday Sept. 11<sup>th</sup>.

**Mayor's Message-** John noted that the Rural Fire Department used some of their new equipment to help Rick dispose of the trees at the end of E Street. They have offered to help with a few other hazardous trees around town. John will work with them to make a plan and bring it back to the council.

5<sup>th</sup> Street has been paved. There is a drop off on the sides so we have been working on adding material to drive-ways to keep it from tearing up. John borrowed the school's tractor and moved some gravel. There is still more to do on both sides of the street.

John & Ruth threw bracelets at the Huckleberry Festival Parade that they personally paid for. Logan added that people should seek out facts before they say things. John's driveway was a prime example. He paid for that himself, not the City. John added that he was going to have Knife River pave it last summer when they were in the area, but they didn't get it done. Shorty added that was true for Ernie Dias, too.

**Ordinance Enforcement-** Shawn has been sending out a lot of letters. Most are dealing with right-of-ways.

#### **New Business:**

**Council Resignation-** Beth read a letter of resignation from Jeff Grende. Vicki made a motion to not accept the resignation. Logan seconded. Motion carried with 3 in favor. Lindsey abstained. Beth will check to see what we do now. Logan thought the absence clause would eventually kick in.

**Liquor License Renewals-** Beth noted that City Ordinance as well as new OLCC rulings require a public hearing before Liquor Licenses are renewed. Beth read a list of things that could and could not be used to deny the renewals. There were no comments. Logan made a motion to renew all liquor licenses in the City of North Powder. Lindsey seconded. All were in favor.

**Employee Review-** Logan felt all of the city employees were doing an excellent job with very few complaints and lots of praises. Therefore, he made a motion to give a 5% raise, beginning on July 1<sup>st</sup>, to Beth, Rick and David. The Library positions will remain where they are. Vickie seconded. All were in favor.

**Old Business:**

**Avista Franchise Agreement-** Beth noted this would be the second reading of Ordinance 2023-01. All Councilors had copies of the proposed ordinance and extra copies were available to the public. Logan proposed to read the ordinance by title only. All were in agreement. Logan read Ordinance 2023-01 by title. The ordinance grants Avista Corporation a nonexclusive right and franchise to locate, construct, repair, replace, etc., facilities in the franchise area for the purposes of the transmission, distributions and sale of gas. Logan made a motion to pass Ordinance #2023-01. Lindsey seconded. All were in favor. Beth noted that once the ordinance is signed, Avista will have 30 days to accept the terms. The ordinance will go into effect 30 days after they accept which will probably be October.

**Alley Vacation (Ordinance #2023-02)-** A public hearing was held last month regarding vacating an alley. The Council voted to approve the application. Beth read Ordinance #2023-02, in full, which vacates the alley right-of-way across lot #1400 of block #36, at the corner of G Street & 5<sup>th</sup> Street, in the City of North Powder, and requires that a 20' utility easement be retained and recorded for utility purposes. The second reading of the ordinance will be September 11, 2023.

**Alley Use (School District)-** At the last meeting, the School District asked if they could be allowed to fence off the alley between the elementary school and the playground. Beth talked to the City attorney, as instructed. He didn't think it would be a problem if they were to provide the city with a copy of insurance that lists the city as additionally insured. They would need to provide the proof of insurance annually. Logan liked option #2 that allowed the gates to be at G Street and the corner of the school. He didn't think the school would have an issue with providing additional insurance. He agreed the alley should not be vacated because of the existing utilities and the houses at the end of the alley. John noted that the school is insured thru CIS, the same as the city. Logan made a motion to accept option #2 to put a gate at G Street and at the end of the playground on the west side so long as the school reports that they have added the City of North Powder to their insurance for that section of the alley. Vicki seconded. All were in favor.

**Wastewater Update-** Rick noted that everything seemed to be going well. There is a little bit of bentonite left to spread and needs to be covered with dirt. Rick will be in contact with Vicky Day about the manhole and repairs at the Cafe parking lot as soon as the change order is accepted. Beth noted that Saunders is preparing their next pay request. Logan made a motion that when the change order comes in we allow Mayor John Frieboes to determine if it makes sense and is reasonably priced and to make a "go or no go" call. Vicki seconded. All were in favor.

**City Hall/Library Update-** Beth noted that because we won't quite be 60% done with the Wastewater grant by the first of September, we will have to wait until April to apply for the CDBG grant for the library. We should be completely done with the wastewater project before then.

Logan noted that the walls for the multipurpose/meeting room were taped off. There were a few minor changes to accommodate a shared restroom with the Library. We plan to have a double French door at the back between the library and meeting room and there will be a small shared lobby at the front. Only one bay door will be removed at this time. Logan asked that people not bother Jered while he is working as we are paying him by the hour.

**City Council Handbook-** Vicki thought we were ready to adopt the Council handbook, but we got a copy Keizer's policy for public comment and she would like to include it in North Powder's handbook. Beth will make the addition.

**Council Comments-** Vicki was heartbroken about Jeff Grende's resignation. If you know Jeff, he doesn't hold a grudge and he was a real asset to the city council. The Council will miss him and she felt the citizens would, too.

Logan would like the council to start thinking about a new maintenance facility. It wouldn't have to be fancy but it should be able to house the VAC truck and backhoe. It would be nice to have a heated facility where they can work on equipment.

Meeting adjourned at 8:04PM.

Respectfully submitted,

Beth Wendt  
City Recorder

Attest: