

North Powder City Council Meeting  
March 4, 2024  
City Hall 7PM

**Attendance:** Mayor John Frieboes, Councilors Logan McCrae, Don McClure, Jeff Nielsen, Vicki Townsend, Justin Wright and Lindsey Thompson, City Recorder Beth Wendt, Public Works Director Rick Lawyer. Others: Mick Bastian, Shane Rollins, Josh Ridley, Craig George, Casey George, Gloria Reid, Kathleen Cathey, Steven Butcher, Dave Hoene, Barbara Weeks, Wynn Nielsen, Mike Schoenigh, Colby Thompson, Tammy Simpson, Shiloe Weston, Alan Brown, Shorty Schwehr, Josh Guthrie, Donna Beverage.

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

**Public Comments:** Kathleen Cathey introduced herself as a candidate for County Commissioner, in Donna Beverage's position. She has worked with Senator Ron Wyden for the past 18 plus years. She is interested in supporting Union County. She is excited about North Powder's new Library.

Shane Rollins is running for Union County Sheriff. He has a lot of experience with criminal investigation, in military, federal, and civilian law. He has worked with all levels of law enforcement. He feels there are issues that need to be taken care of locally and has a lot to bring to the table.

Donna Beverage commented there is an 8 year term limit for Co. commissioner and she is on her 8<sup>th</sup> year. She commented that there are changes being made to Measure 110 to help people get off the streets. There have been some complaints about homelessness in the North Powder area. There was a fire in North Powder and one at Wolf Creek which Union Co. was in charge of. The Union Co. Sheriff is going to step up their patrol in the area.

There will be a Candidates Forum at the Catherine Creek Community Center in Union on Thursday, March 21<sup>st</sup> starting at 5PM. There is a QR code for submitting questions for the candidates.

The County Commissioners have approved the City's request for funds to help with the annual clean-up day. They will match up to \$2000.

Gloria Reid wanted to follow up from the last meeting regarding dogs. There was another dog bite reported on February 16<sup>th</sup>. Two dogs had a child cornered. She called 9-1-1 but there was no response. She thought in this situation, the dogs were left in such a way that they could get out. She hoped there might be a way to have an ordinance to identify property where animals need better containment, shelter and overall care. Dave suggested his number be given so he can respond to complaints. Barbara added that there are 3 dogs still running around on 1st Street.

Steven Butcher has been a contractor for about 25 years and now lives in North Powder. He has been asking for some things but hasn't had much of a response. At one time he asked for water services and after seven months he asked for his money back. He got all of the permits from the State of Oregon to put in a water well. He asked for an address and Beth told him he had to have a structure. He doesn't want to put in a structure if he can't get water and sewer. At his point, his business will be operated primarily with a tank. Maybe he will expand in the future, but he hasn't met with much success so there is no reason to invest in the community. There is a water leak above his property and his property has been under water for some time. He has asked that the water be shut off so that his property is no longer a swamp. John noted that the property owner has been advised of the leak problem on the property owner side. It wasn't until yesterday that Vicky Day called him. Rick is looking at possibly changing the meter to see if the problem is with the meter. John added that he has seen a lot of water in that area. It seems to have a high water table. Before the RV Park was put in, it was a complete swamp. They did a lot of work to build the area up. As for an address, John reiterate that he was told he has to have a structure to have an address. We can't give an address to a vacant lot. Steve interjected that it isn't a vacant lot because it has a well. John noted that he needs to get a building permit for a structure. Steve reiterated that he didn't want to put a structure on the property when he can't get sewer and water. John interjected that the last time he

came to a council meeting because he wasn't getting water, he was told it could be done within 2 weeks. Even though it was December, it could have been done. Steve claimed he tried to talk to the Mayor 7 times. John corrected that it was only a couple, but if he wants water and sewer on the property... Steve said that ship has sailed and he already has water. He just needs an address. John reiterated that he either needs a structure or a building permit. Steve was told that we can't apply an address to a vacant lot. Steve asked to clarify that he has to build a home to get an address. Beth corrected that it has to be structure such as a building. In the Industrial Zone, it requires a Conditional Use Permit to build a home. Steve said he was not going to build a home and he didn't need a building to operate his business. John commented that there was a building on the property but there was no building permit issued. Steve claimed he didn't need a building permit because it was under 200 square feet. Jeff agreed. He thought we needed a special session to straighten this out. Steve asked again for an address. He noted that 425 2<sup>nd</sup> Street is vacant but it has an address. It used to belong to the Cable Company. John didn't know whether there was a home there at one time or not. Beth said it was her understanding that an address is assigned to a structure and not the vacant lot. Steve said his business is to sell water and it is permitted by the State of Oregon. Beth noted that Steve never mentioned that he had that. If he will provide documentation of the business and the state certifications that show what he is doing is a legitimate operation in the Industrial Zone she will look into getting him an address. If it is all in line and is an acceptable use, she will see about assigning an address. However, if it requires a Conditional Use Permit, the Council will have to make the decision. Steve felt that Beth had a vendetta against him. Vicki interjected that there was no vendetta and she has been in the office when Steve has been there and he hasn't always been cordial.

**Agenda:** Beth proposed adding the inspection of the old City Hall and Library building to old business. Logan made a motion to accept the agenda with the addition. Don seconded. All were in favor.

**Minutes:** Logan made a motion to accept the minutes from February 5, 2024. Lindsey seconded. Motion carried with 5 in favor. Vicki abstained.

**Accounts Payables:** Library Grant bills came to \$2574.75 and the Wastewater Grant bills came to \$93,082.39. Beth noted that we will need to transfer funds from the LGIP account to pay the grant bills. There were two adjustments to the regular bills, an addition to Byrnes Oil, bringing their total to \$328.42 and another \$20 to Magic Valley for a total of \$444.00. The only missing bills were from Box R and Dan Van Thiel. The total Accounts Payable came to \$22,946.04. The two biggest bills were to Integrated Water Services and to Carpet One. Lindsey made a motion to pay the bills. Justin seconded. Motion carried unanimously.

**Ordinance Enforcement:** Dave hadn't had a chance to do much yet. He heard something about a fire at 5<sup>th</sup> Street Alley. We are working on the tire pile at the end of Center Street.

**Library Report:** Mike Schoeningh reported that the Library Board would like the Council to adopt the new proposed Library Policies. The board has also recommended Roger Townsend to fill the vacant position on the library board. The board suggested the council approve using approximately \$1000 of the money from Union County Library Grant to cover the 2023-2024 budget short fall for the Librarian's wages. They could extend the request for 2024-2025 if necessary. The board's priority is to keep the library open as many hours as possible. The short fall is due to having to pay PERS because of Lisa's previous employment. The library board would also like to advertise for the library assistant's position that was vacated by Susie Wirkkala, effective February 26<sup>th</sup>, so that the library can remain open for 16 hours per week. Logan made a motion to approve Roger Townsend for the Library Board. Justin seconded. All were in favor. Mike explained further that the library policies are taken from the Baker Library and are based on the Library Bill of Rights. Logan made a motion to adopt the Library Policies. Don seconded. All were in favor. Logan asked for clarification regarding the grant money. Mike noted that the Library has about \$9000 of grant money in a slush fund. Because of PERS, the city is running over budget on the library wages. At some point they would like to use some of the money for books. Rather than cut hours, they proposed to

use some of the grant funds for wages. The city gets \$3000 per year from the County and it hasn't been used. We expect to be about \$800-\$1000 over budget this year and possibly as much as \$2000 next year. Beth clarified that is just for PERS. We can't penalize an employee for having to pay that, but it was not something we budgeted. Mike was just proposing that some of the County money could be used to cover the shortage and we will have to take that into consideration for next year. Dave wondered if there were any rules as to where the funds come from. Could the library get donations for wages? Beth said Library operating expenses come out of the general fund. Grant funds state specifically how funds can be spent. They could do fund raisers for wages if it is made known that that is how the money will be spent. Jeff didn't think it should be too hard to find another \$2000 in order to not cut library hours. Donna clarified that the Union County money is not a grant. It can be used for anything as long as it is for the library. Logan made a motion to use about \$1000, up to \$1500 to fix this year's budget shortfall. Vickie seconded. All were in favor.

Beth remarked that Susie Wirkkala resigned as the Saturday librarian. She asked if the council would like to start advertising for the part time position. Shorty wanted to verify that Susie could still be paid to fill in. Beth noted that if she is a substitute, she would be paid. The council gave the okay to advertise the position.

**Huckleberry Report:** Shiloe Weston is the new chairperson for the Huckleberry Festival. The committee had their first meeting last month and are off to a good start. They would like to close the E Street on south side of 2<sup>nd</sup> Street to 1<sup>st</sup>, the same as in the past. On the north side, they would like extend the closure up to 4<sup>th</sup> Street on Saturday because the Community Church is going to take over the breakfast. The Car Show is anticipating twice as many cars as last year. E Street would be closed from 8AM to about 4PM, and closed again during the Street Dance. They would like to have the Street Dance in the same location and it will be set up in the same manner as last year with gates, etc. Everything will be torn down and cleaned up immediately following the dance or early the next morning. They would also like to have E Street closed in front of the Post Office for a short period on Sunday morning for Bed Races. The Council agreed to the street closures. Shiloe asked if it would be okay to move the beer garden to a location closer to the Street Dance, such as in the alley by the gazebo. Beth strongly advised not to allow it on City property because of insurance and liability. Shiloe will try to get permission to use the area next to Air B&B, or some other private property. It would only be open on Saturday. Lindsey noted that the beer garden carries its own insurance. Dave clarified that would leave the City free and clear of any liability. Shiloe invited everyone to attend committee meetings on the 1<sup>st</sup> Wednesday of each month at 6:30PM at the Grange. She requested the use of the City's handwashing stations again. There were no objections. The parade will be at 11:15AM. The parade coordinator will take care of putting out detour signs and road closures. As things stand right now, there will not be a Mud Volleyball Tournament as there is nobody to take it on and participation has been really low. Instead, they proposed to have a Horseshoe Tournament in the park along the ditch by the gazebo. The council didn't see any problem with that. There will be no Dunk-tank but the committee is exploring the idea of a Bounce House with a water slide. Vendors will be in the area around the gazebo. Shiloe asked if they could use the parking area in front of City Hall for vendor overflow. Again, there were no objections. The Huckleberry Festival received a Transit Grant that will be used to purchase 4 generators, garbage cans, chairs, water hoses, etc. The generators will be used for vendors. The only thing the grant hasn't covered is advertising. They also got \$1500 from Leo Adler to purchase more generators. They were given a trailer frame to mount the generators on. They will pull the tires and the trailer will be put on jack stands and will be locked up so that nobody can walk off with a generator. Dave noted that the lot used for the beer garden last year never got cleaned up. This was the first Shiloe heard about it but she will take care of it.

**Public Works:** Rick noted that we sent a flow meter off for repair and are still waiting for it to come back. We need it to go to the river.

Rick has been taking pictures for Saunders for their monthly reports on the evaporating pond.

The water tanks were cleaned. The company needs to come back to clean the bottom off the second tank. It is a bolted tank and their equipment wouldn't work around the bolts. John added that the tanks were surprisingly clean and there wasn't as much sediment as expected. Rick added that the older tank had more than the new tank. He hoped they would be back next fall to finish up.

Rick thought, the place with the big leak could be a meter problem so he wants to change the meter.

Rick is still working on repairing the brush hog and the back hoe.

The gate at the brush pile has been locked at night but is left open during the day.

Jeff wondered if it would be okay to let other towns use our VAC Truck. John noted that it's not ready to go yet.

Jeff asked what kind of shape the roof of the old water tank is in. Rick said it didn't appear to be as bad as he first thought but he hasn't seen the inspection results yet. He thought it was structurally okay, but some repairs are needed.

Logan was supportive of renting our equipment as long as they have their own liability insurance and it holds the city harmless. Jeff added that you can't let a piece of equipment just sit without using it.

Jeff made a motion to get the VAC Truck up and running. Don seconded. All were in favor.

**Recorder Report:** Water overages in February came to \$505.70. 15 freeze credits were issued for a total of \$64.72. 1,422,225 gallons of water were used.

CIS Best Practices Surveys were included in the Council packets. Beth has an appointment with CIS Risk Management Representative in April and hoped the Council would look over the survey before then.

The Statements of Economic Interest are due by April 15<sup>th</sup>. Email notices will be sent out about March 15<sup>th</sup>. Any penalties issued for not filing are issued directly to the filer, not the city.

It is nearing budget time so everyone should start thinking about any big changes or high dollar purchases that need to be included.

Steve Butcher wondered if the Council was asking for a water rate increase. Beth said not at this time.

**Mayor's Message:** John put the banners back up on the street light poles on 2<sup>nd</sup> Street.

He reiterated that he went to look at the water situation that was discussed earlier.

John went with Rick when they "camered" the water tanks.

John talked with Donna Beverage and she helped us get a \$2000 grant to help with the Clean-Up Day.

He has talked with the Sheriff about some different issues.

The Council has talked about some safety issues. There are no street lights on A Street at 4<sup>th</sup> & 5<sup>th</sup> because there is no power. That whole area is very dark. John noted that he can get a pole at no cost and can get a solar-powered street light for \$200-\$300. He asked for permission go ahead and install a light on 5<sup>th</sup> Street to see how it works. If it works well, we can put a light at 4<sup>th</sup> Street. The council granted permission and Don volunteered to help John put the light up.

Steve interjected that a lot of people drive fast through town. The speed sign has helped but he wondered if there was any way to get the Sheriff's Department here more. John noted that the Sheriff's Department has been out here more and so have the State Police. Lindsey added that the Sheriff talked about the possibility of getting some yellow lights.

#### **New Business:**

**Union Sanitation:** Casey George noted that the Baker Landfill and WastePro have raised their rates, so Union Sanitation would like to raise their rates as well. The County approved a total increase of 7% as of March 1<sup>st</sup>. Union Sanitation is asking for 4%. Logan made a motion to approve the 4% increase. Justin seconded. Motion carried with 5 in favor. Jeff abstained.

**City Clean-up Day:** As mentioned, we got a grant from Union County to help pay for Clean-Up Day. A date was set for Saturday, April 20<sup>th</sup>. John verified that the Fire Department would be available to help out. Jeff made a motion that every volunteer should have a wing man to help haul stuff. Don seconded. All were in favor.

**Law Enforcement:** Vickie felt that the council owed it to the city to look into grants to help with law enforcement. She would like permission from the council to check into this further. Don made a motion to grant permission. Jeff seconded. All were in favor.

**Old Business:**

**Old City Hall Building Inspection:** Shorty Schwehr passed out a supplement to go with the inspection report on the old City Hall Building. He was representing the Powder Valley Historical Foundation. They had permission to get an inspection of the old City Hall and Library to see what kind of shape it is in. They would like to restore it to its original condition for the purpose of what it was built in 1910 as a fire department. They would like to turn it into a museum so we have a place to store the original city fire truck and preserve some North Powder heritage and historical values. The Foundation felt the inspection was very favorable. There were 27 comments marked important, 15 were marginal, 11 should be monitored, 4 were safety issues, and 2 were urgent. They felt it was mostly cosmetic repairs and the structural things were doable. The city owns the building and the property. The foundation's next step is to see about getting the building on the National Historic Register. Nothing will be done right away as the library is still located in the building. Beth cautioned that there are zoning issues that will need to be addressed. Shorty said there are 3 scenarios that have been looked at. One is, the City maintains ownership of the building and the foundation would find the money to operate the museum. The second would be that the City could grant a long term lease. And the third option would be to outright buy the property. A committee will need to determine the best route. Donna suggested talking to Union and Elgin to see how they got their museums. Jeff added that a fire hall is a prime recipient for grants. John agreed that it would be a good idea to have some informal meetings to talk about what can or can't be done and what would be best for both parties. Shorty commented that if the City was to sell the property it would stay as tax exempt. John pointed out that the old water tower should stay belonging to the city. Shorty agreed there were things to hash out. He thought they wanted to add the water tower to the historic registry along with the building.

Jeff commented there is a false ceiling in the upper floor, over the library that needs to be secured. It can be done with about six 2x6's. John noted that the Council approved fixing that at the last meeting. Shorty added that anybody who would like a copy of the inspection report can request it at [pvhf2023@gmail.com](mailto:pvhf2023@gmail.com).

**Wastewater Project:** The grant amendment to transfer the remaining funds to the dredge was approved at last meeting and has been submitted to Business Oregon. Beth is working on getting the final application for the additional loan/grant funds for the dredge. She will also start working on a Resolution to raise sewer rates.

**Library Update:** The Request for Proposal for an Architect/Engineer is due by March 18<sup>th</sup>. A committee meeting has been scheduled for March 21<sup>st</sup>, at 6PM to review any received proposals. John, Jeff, Don, Lindsey and Mike Schoeningh were appointed to the committee.

**Meeting Room Update:** Doors and windows are here and the carpet should be here anytime. Logan thought the project should be wrapped up in about a month.

**Council Comments:** Jeff Nielsen commented that Josh Guthrie had issues with water to a trailer on his property. He was told he had to get a meter but was not given a cost. Josh thought the meter was going to be taken off of the house that burned down without his consent. Jeff thought this kind of stuff shouldn't be happening.

Jeff commented that other towns besides North Powder were experiencing problems with Anderson Perry's engineers and the system is not meeting performance requirements. The system is so full of bio-solids that we can't run a sprinkler system, which we paid \$3.5 million for, without it plugging up.

The contractors showed up to do repairs without up-to-date “as built”. And then the City doesn’t pay them as per contract. Jeff was impressed with their work and integrity. He wondered how much storm water was running into the sewer pond. The evaporation pond is full of water and it isn’t evaporating so we need to figure out how to get it to the river without being fined. Jeff has been going out with Rick every Tuesday for 2 years. Jeff felt the water tests at the well were not giving an accurate evaluation of tap water. Jeff thought the issue of getting an address shouldn’t be this complicated. Logan submitted his resignation from the Council effective immediately as he is moving to Haines.

Meeting adjourned at 8:46PM.

Respectfully submitted,

Attest:

Beth Wendt  
City Recorder