

North Powder City Council Meeting
June 13 2024
7PM City Hall

Attendance: Mayor John Frieboes, Councilors Lindsey Thompson, Alan Brown, Jeff Nielsen, and Don McClure, City Recorder Beth Wendt, Public Works Director Rick Lawyer, Librarian Lisa Aichele. Councilor Justin Wright was excused.

Others: Midge Clause, Wynn Nielsen, Steven Butcher, Dave Hoene.

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

Public Comment: Steven Butcher said he was told to get his registration done for an address. There was already an address on file and he took it to Beth to get it registered and she started rehearsing ordinances and said there wasn't a structure. There is a structure on the property so he wondered why it shouldn't have an address. John asked which ordinance. Steve said he was caught off guard so he couldn't say. John commented that the City didn't authorize the address or the structure. Steve said he has been asking for an address for some time. John reiterated that there isn't a living structure with electricity and plumbing. Steve interjected that he doesn't plan to live there for the rest of his life. He wants to run a business there and he hasn't been able to get water and sewer. John noted that Rick was scheduled to start a tap but Steve asked for his money back. Steve said it was the middle of December and it only took him 30 seconds to turn it on. John added that the city was not aware there was water to the property. There was supposed to be a meter. Steve claimed he had been after the City for a year and a half to get water and he finally got tired of waiting. He also claimed to have called the Mayor at least 6 times. John said he received two calls and he talked to Steve twice. Steve noted that his taxes are paid and he has asked for services and an address so he can operate a business on his property. He felt the City was road blocking him at every opportunity. John noted that property taxes had nothing to do with an address. Steve asked what it did have to do with. Lindsey thought he needed to have a water meter, electricity, and be up to code. Steve asked how she would know he needed power when she doesn't know what he is doing for a business. He doesn't need power for his business. John asked if he was living in the dwelling. Steve said he has been there over a year. John wondered how he did that without power and water and sewer. Steve interjected that he didn't need anything from the city except an address. He wondered why the city was trying to stop him from doing something productive with his property. John backed up to the water issue. Steve paid the deposit for water and he was on the list to get a meter as soon as Rick finished with some other services. It was December but the weather was still decent. Steve decided he didn't want it any more. Steve interjected that it was freezing. John continued to explain that Steve asked for his money back so he was no longer on the schedule. If he wants water service he just needs to pay the deposit again and we will get him on the schedule and get it done. Steve said he put in a State permitted well so he doesn't need water. He just wants an address. He wanted to put in an RV Park but that is no longer an option. He is going to do something with his property so he is asking for an address for an industrial lot. There are lots all over town that have addresses that don't have anything on them. He only wants an address so he can get emergency services and he can operate a business. Steve left. Jeff didn't understand why it should be a problem and felt the city should just give him an address. John asked if the Council wanted to make a decision. Dave Hoene interjected that there are multiple lots on the property so they should coordinate with lots on 2nd Street. John noted that Beth has been referring to ordinances and working with the County Planning Department. She has tried to do as instructed by law. Beth interjected that she has been told that an address is assigned to a structure and not a lot. She has tried on numerous occasions to explain that to Mr. Butcher. An empty lot is identified by tax lot and legal descriptions. As for asking for an address, he has never produced anything to show what the address is for. The only thing he has

produced was a ballot with a physical address. Beth didn't know where the address came from and if there is one on file somewhere, she has not been able to find it. Jeff asked if there was some lost paperwork. Beth said Steve claimed to have turned in an application but she has never seen it. John agreed that there was no proof of him ever turning anything in. Dave thought the zoning on the property was a mixed Commercial/Industrial. Beth corrected that it is strictly industrial. Residential use is with a Conditional Use Permit. Alan thought the most confusing thing is that the needs seem to continually change and we haven't had anything on paper showing a plan. Now he just wants an address. He thought if there was going to be a business, it would need power. John asked again if the council wanted to make a decision. Jeff thought we should look at the ordinances and see if they need to be modified. Dave wondered how he got a permit for a well. John had no idea. Jeff said it is legal and he has seen the paperwork. Rick questioned the comment about taking 3 seconds to turn a valve on. If that is the case, doesn't that water belong to the city?

Amend/Accept Agenda: Donna Beverage was at the June 3rd meeting but couldn't be here so she asked Beth to present a request for a 4th of July sponsor. Beth asked to have it added to the agenda under new business. Lindsey made a motion to accept the agenda. Alan seconded. All were in favor.

Amend/Accept Minutes: Lindsey made a motion to accept the minutes from both the May 6th Council meeting and Public Hearing. Don seconded. Motion carried with 3 in favor. Jeff abstained as he was absent.

Accounts Payable: Beth reviewed the accounts payables. Because the meeting was so late in the month, the bills were already paid. The total came to \$20,259.51. The total for the wastewater grant came to \$12,992.15 and the Library grant bills came to \$4,468.75. Jeff asked about the bill from Anderson Perry. It was for work on the Bio Solids Management Plan. Don made a motion to pay the bills. Alan seconded. All were in favor.

Library Report: Lisa reported that for the third month in a row, visitors to the library were in the triple digit numbers, 139.

Emily Hart has applied for the vacant position on the Library Board. The Board has recommended the Council approve her for the position. Lindsey made a motion to approve Emily Hart for Library Board. Don seconded. All were in favor.

Lisa commented that Joezette is working out very well.

The Library Board asked for permission to use the city meeting room for board meetings. The Council had no objections. Just check with Beth to get access.

Lisa noted that the Library is not accepting book donations at this time. John suggested it be noted in the newsletter.

The Library received \$60 in donations from citizens in May.

Don asked if the Library still needs to have some wasp nests taken down. Lisa said yes and hoped it could be done before the Summer Reading Program starts on June 21st.

Huckleberry Report: The Huckleberry Festival has received all of the generators that were purchased with grant funds. Everything is on track. They've received some good donations and have good vendor sign-up. The next meeting is July 3rd. They are still looking for volunteers.

Public Works Report: Rick noted that grass is growing like crazy so they have been mowing and pulling weeds. There has been a lot of extra activity, such as a broken Stop sign by the playground. The last dumpster from the Clean-Up Day should be picked up any time.

Rick hopes to flush water lines either next week or the week after. There have been a lot of trucks filling with water and he has tried to get them to move around to the corners of town.

Ordinance Enforcement Report: Beth reported that Dave has resigned as an Ordinance Enforcement person. Dave thought the Ordinances didn't have any sticking power and he didn't feel the City wanted to fight the battle with going to court because there is nothing to re-coop. He thought the Council needed to revise a lot of ordinances. Rick commented that there is a lot of semi-truck activity, particularly on Center Street. John asked him to get addresses to Beth so we can send out letters. A work session was scheduled for June 24th after the Special Meeting to look at some ordinances.

Recorder Report: Water overages in May came to \$405.06. We used 1,838,094 gallons of water. The next meeting for the budget is a special Council Meeting on Monday, June 24th at 6PM at City Hall. Beth reminded that she will be attending a CIS Benefits Renewal training on Monday June 17th in La Grande. She also registered for an Infrastructure Workshop being put on by Business Oregon on June 27th. Also in La Grande.

We received a check for \$243.50 from B&K for scrap metal from the Clean-Up Day. We haven't received a bill from Union Sanitation yet as they are waiting until they pick up the last dumpster. The Rural Fire Department picked up the bill for the tires.

The Baker City Cycling Classic bike races will be June 21st thru the 23rd. They will come thru North Powder on both Friday, June 21st and Sunday, June 23rd.

Beth and the Mayor had a virtual meeting with ODOT regarding ADA ramps. The design team will be coming thru in July for a walk thru of the project and will coordinate with the City so their ADA ramp project will not interfere with the City's street lights, both existing and future. They expect construction to begin next year.

Beth and the Mayor, along with representatives from the Library and other organizations in town, attended a luncheon hosted by the Ford Family Foundation. The purpose of the meeting was to discuss upcoming events and projects and possible funding opportunities.

Jeff commented that there is a broken storm drain in front of his house. He mentioned it to ODOT when they were here surveying. Beth will check with ODOT to see who is responsible for fixing that.

Mayor's Report: John took the senior class banners down and put the City and Huckleberry Festival banners up. The flower baskets have been up for a few weeks and they are being watered. John has been trying to work with OTEC to get some street lights fixed and replaced with LED lights if possible.

New Business:

Council Qualifications: In response to a letter submitted to the Council at the last meeting regarding changing the wording in the City Charter for qualifications of city council members to say that they have to be a US citizen; Beth noted that it's in the State Constitution that you have to be a US citizen to register to vote and the City Charter states that you must be a qualified voter according to the State constitution. In order to change anything in the City Charter, it has to be put to a vote of the citizens. The Council cannot change the Charter. The council agreed that being a US citizen was already covered by requiring that a councilor must be a registered voter.

Council Applications/Jobs: Two letters of interest were submitted for Vicki Townsend's vacated Council position. They were from Midge Clause and Tonya Dias. Midge was present, but Tonya was not able to attend due to prior engagements. However, she was present on June 3rd. The Council decided to add this to agenda for the June 24th meeting so that Tonya can be present to answer questions.

Beth noted that when Vicki resigned it left the City Recorder without a Council supervisor. We also need somebody to open and sign off on bank accounts. Lindsey will do that. Alan will be the new City Recorder Supervisor.

Budget Resolutions: There were 5 proposed resolutions to transfer money from contingency to payroll to cover payroll shortages in the general, library, water, sewer, and street funds in 2023-2024. A big part of the shortage came from an unexpected jump in the PERS rate, but part came from overtime and extra hours. Beth read each resolution.

Resolution #2024-R2 transfers \$2975 from the General Fund contingency to General Fund Payroll. Alan made a motion to accept Resolution 2024-R2. Don seconded. Motion carried with 3 in favor. Jeff was opposed.

Resolution #2024-R3 transferred \$1965 from the Library contingency to payroll. Alan made a motion to accept Resolution #2024-R3. Don seconded. All were in favor.

Resolution #2024-R4 transferred \$2876 from the Water contingency to payroll. Lindsey made a motion to accept Resolution #2024-R4. Alan seconded. All were in favor.

Resolution #2024-R5 transferred \$5101 from the Sewer contingency to payroll. Don made a motion to transfer the funds and Alan seconded. All were in favor.

Resolution #2024-R6 transferred \$2651 from the Street contingency to payroll. Don made a motion to transfer funds as noted in Resolution #2024-R6 and Alan seconded. All were in favor.

Donna Beverage/Fireworks Display: The Union County Chamber of Commerce is putting on a 4th of July Fireworks Celebration at the Thunder Peak Golf Course. Last year the City gave them \$250. Alan made a motion to be a Bronze Sponsor again for \$250. Don seconded. All were in favor.

Old Business:

Truancy Ordinance/Resolution: John noted there were some changes to the Truancy Ordinance and suggested it be tabled until a representative of the School District or the DA could be present to answer questions. The Council agreed to table the issue.

Wastewater Update: The City received the okay from DEQ to dredge the lagoons provided the test results from the land application site are positive. We should know next week. If they are good, we can start advertising for a contractor immediately and should be able to start dredging in August if it works around Myron's schedule. We could still be done by the September 15th deadline. If tests are positive we don't have to till after application. If something happens and we can't meet the deadlines, we can apply to DEQ for an extension on both the MAO and the WCPF Permit. The results of the tests will be shared with Myron Miles. Rick added that Scott from ByoGon suggested that we don't allow the contractor to do any required sampling. If the tests come back negative or we have to till, we may have to go back to square one to figure out how to dispose of the sludge.

We still need to work on planting 5 native plants in the park area as part of our tribal negotiations. We will eventually have to put in some sort of kiosk or sign relating to tribal history of the area, but we are waiting on them to tell us what it should say.

Jeff interjected that we need to get a water line to the sewer treatment center. John agreed. He has talked to Myron, but nothing has been settled. We will need to put a meter on it.

Library Update: We finally got an approved contract for Pinnacle Architecture. We just need to work out a couple of design issues regarding seismic upgrades before signing the contract.

Project notifications have been sent to area tribes and we got no response from any of them. It should make the environmental review easier.

We need to assign a Point of Contact for the Library Project since a lot of the design work will be done virtually. This person will be the City's contact to basically oversee the entire project. Beth thought the Mayor would be a good person to act as the Point of Contact because of his experience with this type of project and grants. John did a lot of projects like this when he worked for the school district. John noted that it is a voluntary position so there will not be any money coming out of the city budget or the

grant. The person will only be working with the contractors and architects to make sure the city gets everything we have agreed to. No decisions will be made without consulting the Council and Library Board first. Alan made a motion to appoint the Mayor as the point of contact for the project. Don seconded. All were in favor.

Alan asked about the time line for the meeting room. Beth hoped it would be done by July 1st. John added that lighting and heat will be done by the City.

Council Comments: None

Meeting adjourned at 8:27PM

Respectfully Submitted,

Attest:

Beth Wendt
City Recorder