

North Powder City Council Meeting
Minutes
February 3, 2025
City Hall (340 E Street)
7PM

Call to Order/Pledge of Allegiance: Mayor John Frieboes called the meeting to order. The pledge of allegiance was said.

Council Members present were Don McClure, Alan Brown, Tonya Dias, Lindsey Thompson, Midge Clause and Josh Guthrie. City recorder, Emily Hart. Rick Lawyer, Public works Director.

Others in attendance: Brandon Mahon

Public Comment: None

Amend/Accept Agenda: Councilor Dias requested to add the possibility of work sessions and attending the League of Oregon Cities training. Added to agenda under Council Comments for further discussion. Huckleberry Festival was added to New Business. Councilor Clause made a motion to accept the agenda. Councilor McClure seconded, the motion was approved by unanimous consent.

Amend/Accept Minutes: Councilor Clause made a motion to accept the Meeting Minutes from 1-6-2025. Councilor Brown seconded, the motion was approved by unanimous consent.

Accounts Payable: General bills for the month of January came to \$13,738.15. Library grant bills came to \$7,216.80. Wastewater grant/loan bills came to \$612.89. Councilor McClure made a motion to pay the bills, Councilor Thompson seconded, motion approved by unanimous consent.

Library Report: North Powder City Library Volunteer Policy. The request before the council is for approval of the revised library volunteer policy. It was clarified that the city handbook already contains a volunteer policy, but this new policy, sourced from the La Grande Library, includes different guidelines to address age restrictions, as the existing policy primarily focused on parents with children who wanted to volunteer. The updated policy provides greater flexibility in volunteer eligibility. Councilor Dias made a motion to approve the Volunteer policy. Councilor Thompson seconded, the motion passed with 3 in favor and 1 opposed.

Public Works Report:

Public Works Director Rick Layer provided updates on:

Sewer Crossings: Two sewer crossings are underway—one on a County Road (E Street) and another on Second Street, a state highway. Contractors are being consulted for bids since the city is not equipped to work on state highways.

Second Street Sewer: Mayor Frieboes inquired whether the work on Second Street was related to a new house. Rick explained that property ownership had changed, necessitating a sewer separation. The property owner wants sewer access for a shed on the street. The city is working to separate shared sewer connections where necessary.

Lagoon Monitoring & Compliance: Efforts are being made to ensure compliance with discharge limits at the lagoon, as prior standards are no longer applicable. Floating material is being noticed.

Well Sensor Repair: A well monitor sensor, previously replaced four times in 15 years without success, has finally been fixed by Rick and David.

Sewer Line Inquiry: Rick spoke with Steve Butcher regarding a sewer line request. Steve suggested waiting a few weeks before proceeding as he is currently working on other projects.

Year-End Reporting: Working on the year-end reports.

Road Work: patched several potholes, though more remain.

Burn Pile: The burn pile is growing significantly. The city may need assistance from the fire department for controlled burning.

Discussion on Sewer Connection for Mr. Butcher's Property:

Councilor McClure asked if Mr. Butcher was building a home on the site and about the status of his sewer line. Rick explained that it is a new sewer line. In the past, Mr. Butcher had inquired about water and sewer access but never finalized the location for connection. The city is waiting for Mr. Butcher to stake out where he wants the sewer line to tie in, considering the necessary slope for proper drainage.

Councilor Dias asked if Mr. Butcher currently lives on the property. Mayor Frieboes confirmed that he does.

Councilor Dias expressed concern over wastewater disposal, as gray water cannot legally be dumped on the ground. Mayor Frieboes mentioned that a portable toilet has been seen on-site, but other wastewater disposal methods remain unknown.

Councilor Guthrie suggested Mr. Butcher might have a composting or incinerator system, but concerns remain about handling shower, laundry, and dishwater.

Councilor Dias inquired if further action is needed from a regulatory or environmental standpoint.

Councilor Clause recommended referring the issue to the city attorney for guidance, as he has been helpful in similar situations before. Mayor Frieboes agreed but suggested first checking with the building department for any existing regulations.

Councilor Guthrie reminded the council that Mr. Butcher has been attempting to resolve the issue for several years.

Councilor Guthrie inquired about the status of the VAC truck. Attempt was made to have a mechanic come out to look at it and those attempts were unsuccessful. Councilor Dias revisited previous discussions about selling the VAC truck. While the council had initially considered listing it as surplus, she noted after further reflection and discussions with Rick that selling may not be the best course of action.

Councilor McClure states the truck was started and initially ran well at idle. However, after about 30 seconds, white foam began leaking from multiple points, indicating a serious internal issue. Suspected cracked sleeves, likely caused by freezing temperatures last winter. This has led to water mixing with the oil, making the truck inoperable. Given the severity of the issue, repair costs would be substantial, estimated at a minimum of \$10,000. The truck is now considered a salvage situation, with limited resale value beyond scrap. It cannot be driven and would require transport by trailer. Given the new information, the council remains in a holding pattern until a mechanic can fully assess the damage. Rick emphasized that the truck is no longer a viable asset for the city and that repairs would not be cost-effective. Council members expressed interest in the possibility of acquiring a replacement VAC truck, particularly considering an opportunity to trade with Baker City. The council acknowledged the importance of making Rick's job more efficient and agreed that the discussion should continue with all perspectives considered. Further discussion on exploring potential trade with Baker City will continue.

Work Session scheduled for VAC Truck on Monday, February 10, 2025.

Recorder Report:

Water Overages **\$169.31**. Freeze credits issued \$49.14. Total gallons of water used **1,180,880**.

Credit Card & Charge Account Updates: The city is in the process of updating credit card users. Former employees will be removed from accounts, and new employees will be issued credit cards.

Charge accounts with local businesses also need updating. A list of all businesses where the city holds accounts is needed for review and updates.

Meeting Recording Equipment: Meeting recording equipment options were included in council packets for review. Two examples were provided, both including microphones. One option includes four microphones and is priced at \$299. This equipment is the same brand as the city's current recorder. The council approved new recording equipment and transcription software to be purchased with a \$500.00 dollar budget.

Remote Deposit: The cost of remote deposit is \$55 per month and 90 cents per deposit. The city has the check scanner that is needed. Councilor Guthrie made a motion to approve remote deposit. Councilor McClure seconded; motion passed by unanimous consent.

Mayor's Report: In the past few weeks, we have taken care of several important matters. Various meetings and other responsibilities have been addressed. One item that still needs clarification is the role of Beth in assisting Emily as needed. Beth has expressed her willingness to help answer questions and provide support on an as-needed basis. She has requested to continue receiving the same pay rate as when she was previously employed, which seems fair given her experience and familiarity with the work. Without her assistance, we may end up spending additional time and resources troubleshooting issues. Councilor Thompson made a motion to approve Beth's pay, Councilor McClure Seconded, motion passed by unanimous consent.

New Business:

Firewise: Anna Lindquist, the Firewise Community and CREP Coordinator with the Union Soil & Water Conservation District, provided an overview of the Firewise program and its potential benefits for North Powder. Firewise is a national program designed to help communities prepare for and mitigate wildfire risks through a structured, community-based approach.

Anna explained that after initial discussions with local residents, including Teri Brown and city officials, there was interest in exploring Firewise for North Powder. She outlined the steps required to become a Firewise community, which include conducting a community wildfire risk assessment, forming a working group, developing an action plan, and hosting an annual Firewise event.

Key benefits of the program include improved wildfire resilience, enhanced emergency coordination, potential access to grant funding, and stronger community ties. Firewise communities that have implemented mitigation efforts have seen reduced wildfire damage, with some communities in Grant County successfully protecting homes during past wildfires.

Anna encouraged community members to get involved and expressed her willingness to assist with the process moving forward.

Spring Clean-up: Council agreed on April 26, 2025. City will reach out to Union County as they have awarded a grant of up to \$2,000 in matching funds to support cleanup efforts. The funds can be used for dumpsters, overtime, mileage, and related expenses.

Union Sanitation 2.7% rate increase for Union Sanitation garbage service, effective March 1, 2025, due to rising disposal fees. The Baker Landfill and Waste Pro have increased their fees, leading to the adjustment. Updated rates for North Powder residents include:

42-Gallon Roll Cart (Weekly Pickup): \$29.04

68-Gallon Roll Cart (Weekly Pickup): \$34.09

96-Gallon Roll Cart (Weekly Pickup): \$39.15

42-Gallon Can (Once-a-Month Pickup): \$14.25

Drop Box Services:

20-Yard Box: \$112.55 + mileage, \$81.25 per ton

Demurrage Fee: \$6.50/day after six days

Additional mileage charges may apply in rural areas. Prices exclude fuel surcharges.

Councilor McClure made a motion to approve the rate increase. Councilor Thompson seconded, motion passed by unanimous consent.

Huckleberry Festival: Festival planning has begun, with Shiloe Weston leading efforts for her final year. Lacey Wisdom has been appointed as vice chair. The festival's continuation depends on securing at least 10 committed

volunteers. A vendor coordinator and additional volunteers are needed. The first planning meeting is Wednesday February 5, 2025 at 6:30 PM at the Grange.

The budget stands at \$2,673, with a goal to raise \$5,000. Vendor and band arrangements are underway, and efforts are being made to revive the volleyball event. The festival layout will remain similar to past years, though uncertainties remain regarding the beer garden and potential ODOT construction on Second Street.

A major challenge is a lack of volunteers, affecting events like kids' activities and logistics. Without more community support, the festival may not happen. The committee is also requesting handwashing stations from the city for vendor use.

Old Business:

VAC Truck: The dump truck and VAC truck need to be listed on GovDeals. Emily can handle the listings with assistance to ensure she has all the necessary information from Rick.

Councilor McClure made a motion to accept Resolution 2025-R01 VAC Truck and set a minimum bid price of \$7,500.00. Councilor Guthrie seconded, motion passed by unanimous consent.

Library Update: Grant & Budget Update: A federal funding freeze could impact future payments. The New Library project remains within budget, and reductions have helped keep costs down. Some additional features, such as ADA buttons for the front door and additional sidewalks, may be included if funds allow.

Fuel Tank Discussion: Concerns were raised about the county-owned diesel fuel tank located on city property near public spaces, including the library and park. Safety and environmental risks were discussed, and it was suggested that a protective barrier or relocation should be considered.

Councilor McClure made a motion for John to continue working with the county to explore options for securing or relocating the fuel tank, including requesting county assistance with funding for eco blocks or other safety measures. Councilor Clause seconded, motion passed by unanimous consent.

Wastewater Project Update: Brandon Mahon from Anderson Perry

Contractor Update: A contractor has been engaged for site work, and despite weather-related delays, they are committed to completing the project as soon as conditions improve. Communication is ongoing, with weekly updates.

Change Order & Payment Adjustments: Instead of issuing a change order, the council will proceed with a letter to the contractor citing defective work under Article 15 of the contract. This ensures the contractor completes necessary work at no additional cost. A revised payment application will be issued, covering only 25% of the contract amount until work is completed.

Sludge Removal & Project Closeout: The council emphasized the need to include a sludge removal assessment (Sludge Judge) as part of project completion. This will be officially noted in the contract closure process.

Wastewater Project & DEQ Compliance: The city has met the requirements of the Mutual Agreement Order (MAO) with the Department of Environmental Quality (DEQ). No compliance issues remain, and any necessary maintenance work will be addressed under the existing permit conditions.

Next Steps: The city will proceed with the contractor's letter and revised payment application while continuing to monitor project progress and regulatory compliance.

Councilor McClure made a motion to move forward with the drafted "Defective Work Clause" letter to the contractor, incorporating the sludge removal assessment and adjusting the payment application accordingly.

Relevant demobilization and 25% of the sludge removal cost, totals \$184,156 as discussed. Councilor Dias seconded, motion passed 4 in favor-2 opposed.

Employee Update: Contact has been made with League of Oregon Cities and CIS Pre Loss regarding employee-related issue. A meeting is being arranged with the City Attorney to ensure all actions are handled correctly. Update at next council meeting.

Council Comments: Councilor Dias requested to add the possibility of work sessions and attending the League of Oregon Cities training. Councilor Dias was able to attend the Elected Essentials Workshop In-person training on city governance, public meetings, record retention, liability, and ethics. A virtual session is scheduled for Wednesday, the 5th, from 8:15 AM to 5:00 PM, with space available for up to five additional participants. A Zoom session can be set up at City Hall for those interested.

Charter & Policy Manual Review: The city's charter and policy manual are outdated and need revision. Proposed work sessions before city council meetings to review and update ordinances, policies, and Public Works priorities.

Community Involvement: Suggested forming three-person teams (two council members and a community member) to review and update sections of the ordinance book. A sign-up sheet at City Hall will allow community members to participate.

DEQ Work Session: A session with DEQ representatives was proposed to provide an overview of past and future regulatory requirements.

Council to consider scheduling work sessions and structuring ordinance review teams for an efficient update process.

Councilor Clause emphasized the importance of liaisons actively reaching out to their assigned organizations (e.g., school, fire department) to maintain communication, offer support, and stay informed. Clarification of Liaison Role: Per Section 3015 of the council handbook, liaisons serve as communication facilitators but do not have administrative authority—ultimate decision-making rests with the full council.

Meeting adjourned: 9:00 PM