

**North Powder City Council Meeting
November 4, 2024
7PM City Hall**

Attendance: Mayor John Frieboes, Councilors Lindsey Thompson, Alan Brown, Midge Clause, Justin Wright, Don McClure, & Josh Guthrie, City Recorder Beth Wendt, Library Lisa Aichele.

Others in attendance: Tonya Dias, Mick Bastian, Marie Johnson, Steven Butcher, Nanci Klein, Linda Dixon, Barry Princevalle, Erin Winterton, Brian Bostenero.

Mayor John Frieboes called the meeting to order. The pledge of allegiance was said.

Public Comments: Steven Butcher asked if John would show David where to put a sewer tap on his property. John told Steven to bring his plans to the office, showing what he needs and what his preferred location would be so that we know what will be connected to the line and then we can determine what size will be needed. Then he will get with Rick and David.

Agenda: John asked for amendments or acceptance of the agenda. Don made a motion to accept the agenda. Lindsey seconded. All were in favor.

Minutes: John asked for amendments to the minutes from October 7th. Beth noted there were a couple of spelling errors on names of attendees. Justin made a motion to accept the minutes. Alan seconded. All were in favor.

Accounts Payables: There were two additions to the AP spreadsheets- Demco, for a total of \$198.40 and Dan Van Thiel for \$437.50. We still don't have a bill for the city webpage hosting. The total bills came to \$13,816.53. The Library grant bills came to \$25,921.61 and the Wastewater project bills were \$9,926.77. Midge made a motion to pay the bills. Don seconded. Motion carried unanimously.

Library Report: Lisa reported that she collected \$68.20 last month for late fees and copies. There were 135 people who came into in the library.

Lisa will be doing a "Book Vase" project at noon on Friday, November 8th. There are 13 people signed up for the class. She did the same class with residents of Settler's Park last week. It went over very well.

Lisa asked if the Council would accept the three Library policies provided. Beth noted there was a policy for the Hot-Spots, one for privacy and one for library use. Lindsey made a motion to pass all three policies. Don seconded. All were in favor.

Lisa asked about volunteers. Beth noted that Lisa wanted to have kids volunteer to work off their book fines. She emailed CIS Risk management. This is a little different than just volunteering because there is a certain amount of monetary value involved. Copies of the CIS Risk Management response and suggestions were provided to the Council as well as a copy of the City's Volunteer Resolution which says that volunteers must be at least 18 years old. Justin asked what type of work Lisa wanted them to do. Lisa said they would do things like sorting and putting books away, wiping things down, verifying that DVDs are in the proper cases, etc. It would all be done during Library hours. Lisa also wanted clarification of whether or not a parent has to be present. She has been fingerprinted. She would just like to make the kids responsible for their actions. Alan suggested we look into what other libraries do. Maybe we could have a similar policy. John agreed. Lisa will check with Union County.

Public Works Report: In Rick's absence Beth reported that David is still working on the lead/copper inventory survey for the water system.

There are a lot of reports coming up in the next few months that will require a lot of paperwork, such as a Bio Solids Report, a Recycled Water Use Report, and an Inflow/Infiltration Report. Next fall we will have to do a Lagoon Leak test. David has been trying to figure out what to do for that as well as what is required for the Bio Solids Management Report.

David has also been working on winterizing equipment and organizing and cleaning the shop. He had to replace a door handle and brake light on the GMC pickup and did some repairs to the backhoe. Rick had surgery on his foot on October 11th and a second surgery on October 18th. He will probably be out for another 3 to 6 weeks.

Tonya was concerned about missing the deadline for the lead/copper survey. She wondered if we were going to be fined. Beth didn't know, but so far we haven't heard anything about being fined. Tonya wondered why it wasn't completed. Again, Beth didn't know, but thought part of it was that it is unclear as to what the survey is actually asking for. But with Rick's surgery, they may have forgotten about it. David is working on it and trying to figure out how to answer the questions. Tonya agreed that it is a little concerning because the State is asking the City about water lines on personal property. She was concerned that the City doesn't get fined.

Recorder Report: Water overages in October were \$669.20. We used 2,336,640 gallons of water.

In regards to a question as to whether or not two people from the same household can legally serve on the City Council, the answer is yes. There is no State law prohibiting such and there is nothing in the City Charter that would prohibit it. However, it's possible that there could be scenarios that arise where it could be considered a conflict of interest and both councilors would have to recuse themselves from voting. If it happens that two people from the same household are elected to the council, we will have to be aware of the fact and be careful about conflicts.

Mayor's Report: John attended a number of meetings during the past month. He met with Anderson Perry and the dredger before they started dredging the lagoon. He had a meeting with ODOT about the ADA sidewalks and several meetings with the architects about the library building.

John set up a security camera in the City Hall office. He met with the Richland Mayor who had questions about how North Powder handles some different things. He was part of the interview committee for the new City Recorder. He talked with OTEC about street lights and got the Dead End sign put up at 5th and B. Next Monday is Veteran's Day so John will put up flags on the light poles before then.

New Business:

ODOT Handicap Ramps: Erin Winterton, from ODOT, & Brian Bostenero, from Consor Engineering, were in attendance to explain a little about the ADA ramp project and answer questions. Brian gave the Council copies of the draft plans for the project. He noted that the project is a result of a law suit filed in 2017. Litigation required that ODOT has to do remediation on curb ramps on all state highways across the state. This part of the project includes all curb ramps in North Powder along the state highway only. It will be done in conjunction with Richland and Halfway. It will be bid next spring and should go into construction some time next summer. The contractor will have two years to complete the project and it will be up to them to set a schedule of which town is done first. All ramps will be ADA compliant. The biggest difference will be there will be 2 curbs instead of one. There will be no cost to the City but the funding is limited so the project will include only the curb ramps and infrastructure directly affected by the project. ODOT will try to coordinate with the City and with their contractor so as to have the least amount of disruption to the project and any events that happen during the construction time. The contractor will try to contact affected property owners regarding work to be done in the right-of-ways.

Linda Dixon- Linda explained that the Fresh Alliance has been at the Grange for quite a while but they would like to be in a bigger area. She wondered if the council would consider letting them use the empty bay area next to City Hall. They are only there 3 hours a week, on Thursdays. They get the food in from La Grande. It would be nice if the truck could back into the building so they could unload out of the weather. They pay the Grange \$50 per month. They have 1 refrigerator, 1 freezer, and a small desk. Linda thought this could be a temporary, but the grange pretty crowded. Justin commented that we planned to park the snow plow there this winter. He was concerned about melting snow making the floor slick. John thought the plow could be moved during Fresh Alliance. Alan was concerned about parking space. Linda said the

volunteers could park at the church. The Fresh Alliance has people to set up tables and clean-up after. Beth said the City has tables they could use. John commented that there would be no access to a restroom. Midge was concerned about what happens when we start construction on the new library. Linda suggested they could move to the Church during construction. But it is as small as the grange. The Council wanted to think about the idea. It was tabled until the December meeting.

Resolution #2024-R12 (Budget Officer)- State budget law requires the City to pass a resolution every year to appoint a budget officer for the next budget year. Beth read proposed Resolution #2024-R12 to appoint Jason Bingham of the Bingham Accounting Group as the budget officer to prepare a budget for 2025-2026. Alan made a motion to accept Resolution #2024-R12. Midge seconded. All were in favor.

Barry Princevalle – Barry Princevalle had two concerns. One is the City Ordinances. They haven't been worked on for 50 years. John said each councilor is supposed to be going thru them to decide which ones they feel should be the top priorities. Barry commented that an ordinance officer needs to have something to put "teeth into".

Barry's second issued was the cost of water per household. It is a flat rate and he didn't feel it was fair for an individual to pay the same as a family of 5 because the family will use 5 times the amount of water as the individual. He didn't have a problem paying extra during the summer months because he uses more water because of his lawn and garden. He felt like he was being penalized the rest of the year. He suggested there should be some kind of formula so that everybody pays for just the water they use. John commented that the rates are set up based on what it costs to run the system. Tonya Dias interjected that it costs the same to provide service to an individual as it does to a household with 7 or more people. Barry still felt people should only be charged for the amount of water they use. John reiterated that we have to charge a base rate to be able to supply water to the whole town. Justin added that the rates have to pay for the cost of chemicals, wages, repairs, utilities, etc. Barry understood that but still thought the City could break even without him having to pay for or use the same amount to water as a house with 5 kids. Alan commented that everyone has to support the infrastructure. Charges are based on what has happened in the past and needs to continue to support the system. He didn't know of any town that charges by the gallon.

Don remarked that he would like to see a citizens group help with the ordinances. He wanted to know what is important to the community. Barry felt the council should go out and talk to people to find out what they think. Don reiterated that he would like to have citizen involvement with updating ordinances. Midge agreed it is important to stay in contact with the community.

City Recorder Position- Alan reported that the committee interviewed Emily Hart to fill the City Recorder position. Emily currently works for the VA. She is used to working alone and has a lot of computer skills. He was very impressed with her and made a motion to move ahead with hiring her and train her to take the City Recorder position. John noted that Emily has to give two weeks' notice from her current job. She has been working from home so John suggested she could work a few hours a week in November and start full-time December 1st. He thought her title could be "Recorder in Training" for the month of December then take over as City Recorder in January. Emily was the only applicant and there is a probationary period. Alan made a motion, again, to proceed with hiring Emily ASAP and give her time to give notice at her other job and make arrangements for working part-time and full-time with Beth with a wage of \$20 per hour. Don suggested \$18 during the training period. Alan and John disagreed. They wanted to give her an incentive to stay. He reiterated his motion was to include \$20 per hour. Don seconded. All were in favor. Beth concurred there is a review period specified in the Employee Handbook and the position was advertised in the newspaper. This was the only application received.

Old Business:

Library Update:

Professional Services Agreement- Beth read the Professional Services Agreement, Amendment #01 which would amend our agreement with Ducote Consulting to hire a subcontractor to perform thermal

calculations to comply with HUD rules regarding explosives and flammable materials. The contractor will be paid a lump sum of \$2500 for HUD Thermal Compliance Review services. Beth understood that the funds would come out of the Library Grant funds. The thermal calculations were for the diesel tank by the City shop. Don made a motion to accept the amendment. Alan seconded. All were in favor.

Storm Drain & Plan Change- John noted the original plans had the storm drain swells in front of the library. We can't put the storm water into the ditch behind City Hall. They are proposing to move the drain area to the side of the building off 3rd Street instead of next to E Street, where people will drive over them. He pointed out that the plan also adds sidewalks in front, along E Street, and changed the front door to open to the side with a roof cover. If everyone is okay with the changes, we can get the plans finalized before our next meeting with the architect on Dec. 5th. Beth asked if there were any objections to the plan change for the front door. There were none. Beth added that the storm drains were originally in front, next to the fire hydrant, which would be in the way of accessing the hydrant, and on the corner by the alley. With the tight parking next to the alley, it would be really inconvenient to have to maneuver around a storm drain. Having the storm drain on the side would actually put it into the city right-of-way. There were no objections to changing the storm drain to the back corner of the new library, on the 3rd Street side.

Thermal Blast Zone- The thermal blast zone relates to the diesel tank. If we are closer than 75' from the tank, we will have to build a concrete wall around the tank or move it. The tank belongs to the County. We have three options of how to deal with it. Option 1 is to remove the back patio area from the HUD project so that it is not a place for people to congregate. The back door would remain as proposed. Option 2 is to build a thermal load barrier wall that could cost as much as \$20,000 to \$35,000. The third option is to move or bury the tank, but that presents the problem of where to put it as well as triggering additional environmental reviews. The easiest option would be to remove the back patio from the plans. Lindsey wondered if the County would be willing to help with the cost of a wall. Josh thought enclosing the tank might be a good idea, regardless. Marie added that moving the tank to the north side of the shop would create issues with the pump house and children's playground. John reiterated that the tank belongs to the County. It was originally a rather complex 3-way agreement with the City, County, and School. John asked if the Council was okay with removing the back patio. He understood that it could be added at a later date. Alan wondered if we could table a decision until after we talk to the Library Board. John thought it would delay finalizing the plans and getting cost estimates. The council was okay with removing the back patio. John will talk to the County about the possibility of putting a wall around the tank.

Wastewater Project: Beth reported that the contractor is working on the dredge. They are finishing up on the big pond and will move on to the smaller pond. Once they finish with the small pond, they will move back to the big pond to do some clean-up work. They should be finished by the end of the week. We don't know yet what the volume of removal is, but they expect it to be less than they anticipated. However, the cost per pound will be more than estimated. But, in the end, it should still stay within the budgeted amount. The water level has dropped considerably in both ponds. John remarked that there were two small heaters stolen from the contractors. Justin suggested they put up a couple of trail cameras. John noted that we have 4 cameras with a hard drive and computer monitor for around City Hall. He would like to get something similar for the water treatment plant and burn pile.

Council Comments: None

Meeting adjourned at 8:34PM.

Respectfully submitted,

Attest:

Beth Wendt
City Recorder