

**North Powder City Council Meeting  
December 2, 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, Emily Hart

Others in attendance: Trask Ritter, Brandon Mahon, Nina McClure, Don & Kathy Clark.

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

**Public Comments:** None

**Agenda:** John asked for amendments or acceptance of the agenda. Beth asked to add a letter from Dan Garrick. Josh asked to add a proposed truck swap and donating sick leave. Justin made a motion to accept the agenda with the additions. Midge seconded. All were in favor.

**Minutes:** John asked for amendments to the minutes from November 4<sup>th</sup> and 14<sup>th</sup>. Don made a motion to accept the minutes. Justin seconded. All were in favor.

**Accounts Payables:** General bills for the month of November came to \$31,551.72. We don't have a bill for the January health insurance premiums or for some shelving units for the library that will be paid for with grant funds. Beth noted that the first payment of the wastewater loan, in the amount of \$14,544.15, was included. Library grant bills came to \$22,81.09. Wastewater grant/loan bills came to \$7558.60. Beth will transfer funds from the LGIP account to pay the bills. Don made a motion to pay the bills. Alan seconded. Motion carried unanimously.

**Library Report-** Lisa has a small desk set up in the meeting room but since she can't get internet access, she didn't set up her computer.

**Public Works Report:** Trask reported that the Biosolids removal project has been completed. Notices of substantial completion and final completion have been submitted for Council approval along with a certificate of acceptability. There was 180 dry tons of solids removed. The quantity was actually 2% as opposed to the estimated 6%, but the cost of removal was more than estimated. Provisions of the contract allow for editing the unit price. The proposed change order changes the unit price, but the total cost did not change. Based on approval of the change order, the contractor has submitted an application for payment. They estimated they removed a depth of 2' to 3'. Volume wise it was the same as the original estimate, but there was actually less solids. That may have been an effect of the BioGon treatments we have been doing. We should be good moving forward. We still have to figure out the issue with the Cla-Valve. Don made a motion to accept the change order for the contract. Alan seconded. All were in favor. Don made a motion to pay the contractor. Alan seconded. All were in favor.

Trask noted that DEQ had some requirements regarding continued use of recycled water for irrigation, one of which was to have an evaluation by a soil scientist. Soil moisture monitoring would also be required along with a hydro-geologic characterization and a ground water monitoring plan. There would also be a lot of annual testing of soil nitrate, recycled water crop yield, etc. Overall, based on the soil scientist's desktop review, there would be less than one acre of the ground currently under irrigation that would be suitable for further irrigation with the recycled water. Alan wondered if we still had a Plan B for the recycled water. Trask noted that the City still has both a WPCF and an NPDES permit so we can still discharge to the river if we need to. Now that the bio-solids have been removed from both ponds we should be able to install the fountains to help with evaporation and use the river as a backup. Brandon commented that the wetland was designed to accommodate all of the city's needs but we still have the option of going to the river if necessary. Beth clarified that if we want to pursue irrigation we need to have Anderson Perry finish a new Recycled Water Use Plan by April 2025. If the city doesn't pursue irrigation and Myron Miles wants to use the existing sprinklers to irrigate, he will have to have a separate system to

pump water through that is separate from the City's wastewater system. John thought the DEQ would require the sprinklers to be permanently disconnected from the City's wastewater system. Part of our agreement with Myron for helping us with the dredge was to help him to continue to irrigate, but that is a conversation for later. Brandon reiterated that if we want to pursue irrigation, we will probably only be allowed to irrigate on less than one acre. Lindsey made a motion to no longer pursue the Recycled Water Use Plan and look at other options. Midge seconded. All were in favor.

Beth noted that David got the Water Service Line Survey submitted. Because everything was marked as "unknown", we need to send a letter to every customer served and make the inventory publicly accessible. By October 2034 all service lines must be non-lead. Letters will need to be sent annually until every line has been verified at non-lead. Because this is a federal requirement, there could possibly be some grant funds available to property owners to assist in replacing pipes.

**Recorder Report:** Water overages in November came to \$209.44. Used 1,127,280 gallons of water. There were 74 SCA (Special City Allotment) grant applications submitted state wide for 2025. Total available funds were \$5,735,959. 24 projects were funded, 6 were from Region 5 but North Powder was not one of them.

The newest population estimate has North Powder at 497.

The City Christmas Celebration will be Sunday, Dec. 8. Parade starts at 5PM. It will be followed by Tree Lighting at City Hall and then a hayride & chili feed at the Rural Fire Station. The Home Ec class will make the chili.

OTEC has donated gift certificates for the Christmas Lighting Contest. Certificates will be given for 1<sup>st</sup>, 2<sup>nd</sup>, & 3<sup>rd</sup> place winners. Since we haven't been able to get a lot of community in-put to pick winners, Vicki Townsend asked if she could be in charge of selecting a committee to judge the contest. The council had no objections.

Election results will be verified and final results will be available tomorrow. All indications show the Mayor will John Frieboes.

**Mayor's Report:** John had conversations with the engineers working on the ADA Ramps for ODOT. Their diagrams show some things that need to be moved, but that will be up to ODOT contractors to take care of. The City shouldn't have to do anything.

John met with the La Grande building inspector to look at the old library. The inspector was going look into some safety issues regarding the building and get back to us.

Christmas wreaths have been put up on the light poles on 2<sup>nd</sup> Street.

Jered Kmetc should be able to start working on the wall for the temporary library within the next week. Beth mentioned that we received a \$5000 grant from the Buerkel/Zollener Foundation to purchase some new street light poles for 2<sup>nd</sup> Street.

Josh asked about the condition of the old library building. John clarified that the building inspector is looking into some safety and liability issues so the Council can make a legitimate and informed decision about what needs to be done with the building. Josh wondered if it would be condemned. John said we don't know that yet but that would be a decision of the Council. He has been looking into funding options for an asbestos survey. Regardless of what is done with the building we will have to have one. If we have to remove the asbestos, we may be able to get a grant to do so.

#### **New Business:**

**Sewer Line at 125 2<sup>nd</sup> Street:** Beth noted that the lady who lives at 125 2<sup>nd</sup> Street is concerned that her neighbor is building a fence on top of what she thinks may be a sewer main line. She also wants the City to get an easement for the main line. Beth suggested the City have a camera run through the line to see if we can determine what the line is and where it goes. Rick may know a little bit about the line, but Beth thought it wasn't on any of our maps and Rick discovered it while working on another line. John didn't think it was a mainline, but there used to be an RV Park there so it could be just a lateral line. He agreed that the best think would be to camera the line to find out where it goes.

Josh wondered when Rick would be back to work. Beth thought it would be at least 2 weeks before he gets a doctor's release.

**Signatures:** Normally appointing councilors for signatures would be done at the first meeting in January when the new Council is sworn in. However, since Justin will no longer be on the Council and Beth is retiring, it leaves only one person authorized to sign disbursement requests for the Library Grant and the Wastewater Grant/Loan. It also leaves only John and Don as signers on the bank account. Checks and grant disbursements require two signatures. Beth suggested updating the signatures as soon as possible so that bills can continue to be paid uninterrupted. Alan Brown, Don McClure, Lindsey Thompson, and Emily Hart will be the 4 signers on the Wastewater Grant/Loan. Alan, Don, Midge, and Emily will be the signers on the Library Grant. The Umpqua Bank account will be Mayor John Frieboes, Don McClure, Midge Clause, and Lindsey Thompson. Beth will be removed as having authorization to access information and Emily Hart should be added in her place.

**Audit:** A review from the Auditors was provided to the Council. Even with the budget resolution from last spring, we still overspent wages in the water department by \$252 so we have to do another resolution acknowledging the budget violation and verifying that it won't happen again. The reason for the over expenditure is overtime. We shouldn't receive a fine this time, but we need to be sure it doesn't happen again. Beth will prepare a resolution for the next council meeting. We have tried to budget a little extra for overtime, but we need to be more aware of overtime hours worked. Every department overspent last year but there was enough money in the contingency to cover everything but the water fund. Beth noted that we will have to pay a filing fee later in December, but she didn't know yet how much it would be.

**Railroad Easement:** We received an email from the Railroad regarding an application to Union County from Myron Miles to put in a house on his property across the railroad. It is not in city limits but it appears that the Railroad wants to discuss easements for the two crossings that access his property. One of those is the one the city uses to access the lagoons. Beth will look into this further.

**Dan Garrick:** Dan Garrick submitted a letter on behalf of Carol Voeller, who purchased the lot at 465 D Street. There used to be a single wide mobile home on the property. There is a drain ditch that runs across the entire lot and makes it hard to build on. Ms. Voeller is in the process of submitting a Variance Application, but in the meantime, she would like permission to "temporarily" store a single wide mobile home on the property. Justin thought that was a bad idea and would set precedence for others. If the variance is denied, it might be left on the property indefinitely. Beth reminded that the Variance Application was not a part of this request. Alan noted that City Ordinance doesn't allow singlewides and he didn't think the City should be responsible for a property owners mistake in not looking into the rules before purchasing either property or a mobile home. Josh commented that she wants to park it on her own property and wondered if the city could tell her no. John felt that because it is a single-wide the city could say no. The consensus of the Council was to deny the request.

**Sick Leave Donation:** Josh thought state law says that as long as all other avenues have been exhausted, a public employee should be able to donate up to 40 hours of sick leave to another public employee and up to 60 hours of vacation time. Beth remarked that it used to be in the City's Employee Handbook, but it is no longer included. Josh made a motion for the Council adopt the ORS regarding donating sick leave. Don seconded. All were in favor.

**Truck Swap:** Rick has been talking to Baker City about a VAC truck that is a little newer than ours. It has a jetter on the front and everything is in good working order. It will do everything that our jetter will do, and more. They would like to trade their truck for our jetter trailer. Alan wondered if we should have the truck inspected. John commented that we bought a used VAC truck 3 years ago and it hasn't moved. We bought the jetter trailer brand new for about \$60,000. He hated to see it go. Granted the VAC truck can do some things that the jetter trailer can't, but it is still a very useful tool and is virtually brand new. Alan thought it seemed like a lop-sided trade. Lindsey remarked that we have a good relationship with Baker City. John

agreed, but we have to look out for North Powder first. Josh reiterated that the VAC truck will do everything the jetter does and more. Alan wondered what the problems were with our VAC truck. John thought there were issues with some electrical switches and the boom. It also needs a new hose. We have the hose, it just needs to be replaced. We took it to Grumpy's Repair and didn't get much done. We need to find someone else who knows more about it. Josh suggested we table the issue and think about it some more.

**Old Business:**

**Library Update:** We have a meeting with Pinnacle Architects at 8AM on December 5<sup>th</sup> to finalize the plan and talk about costs. John asked if the Council was okay with the committee giving final approval as long as there are no drastic changes and everything fits within the budget. Josh wondered if a decision was made regarding the fuel tank. Beth thought the Council had decided to eliminate developing an outside area and table dealing with the fuel tank until after the new library is built. Josh noted that it isn't the first time it has come up. He was also concerned about where the Library could go if they have messy activities. Beth pointed out that they can still go outside, or if the weather is particularly bad, for a while they could use the room at the end of City Hall. Josh was still concerned that the fuel tank would continue to be an issue. Don thought it could be taken care of by simply building a wall.

**Council Comments:** Midge suggested the Council think about putting together a Planning and Zoning Committee. There is a lot of activity in town and we need to look at changing some of the laws that haven't been updated for years. Lindsey added that she would like to have a Main Street group who could work on grant opportunities. John felt those would be good things for a work session.

Midge was also concerned about all of the broken down and abandoned cars that are on City property. The city needs to be cleaned up. Alan thought that seems to be an on going thing. Don added that the only thing an ordinance officer can do is place a sticker on the offending vehicle. John suggested talking to other towns. For instance La Grande will fine someone then have the vehicle towed. We need to do something to put some bite into the ordinance to make people pay attention. He wanted to start holding work sessions after the first of the year. If something is on private property, we obviously, can't touch it. But the right-of-way is different. Midge was also concerned about places that could be considered a fire hazard because of weeds, junk, or just an abandoned house. Beth reminded that if it is a zoning issue, it will take some time to enact a change. Midge felt the Council should start thinking about ways to accommodate new people. John added that there are several buildable lots in town, but you can't force someone to sell or build if they don't want to. Beth added that we can't extend the urban growth boundaries until a certain percentage of the platted ground has been developed.

Josh has been doing the meter reads for Rick on the weekends. He commented that there is no running water at the lagoon. John said the Council was aware of that and as part of our agreement with Myron Miles for the dredge project, the City is looking into what it takes to get water back out there. We need to find out if we have an easement to run a water line under the railroad. Rick has been trying to find a 2" meter to put on the line so we can keep track of water used by Myron.

Meeting adjourned at 8:44PM.

Respectfully submitted,

Attest:

Beth Wendt  
City Recorder