

**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON
7:00 PM, 13 June 2011**

NOTE: Where stated "Motion Carried" is considered unanimous, unless otherwise stated.

ATTENDEES:

**Mayor, Les Paustian
City Manager, David De Mayo
Cindi Doherty
Phillip Spicerkuhn, City Attorney
Judy Buschke
John Bowles
Brian Harmon, Public Works Director
Vi Wilgers, Planning Commission
David Sykes, Heppner Gazette**

Absent: Keith Lewis, Cody High, Rusty Estes

Members of the Public: Dan Mc Bride, Sally Mc Bride, Alvin Liu, Linda Liu, Morrow County Fair Ambassadors, Mr. and Mrs. Cody Rolin.

1. GENERAL BUSINESS.

A. Call to Order. The June 16, 2011 meeting of the City of Heppner City Council was called to order by Mayor Paustian at 7:00 PM.

B. Pledge of Allegiance

C. Announcements – Agenda Additions and deletions.

Mr. De Mayo identified the following additions to the agenda::

- 1) Animal request, Rod Wilson, - 2 4-H Pigs, 655 S. Chase.
- 2) Request for Support, Northeast Regional Housing fund, GEODC.
- 3) Memorandum – Margaret Flaherty, Re: Willow Creek Farmers Market

Announcement of Special Council Meeting to Approve 2011-2012 Budget to be held June 20, 2011, at 7:00 PM at City Hall.

D. Correspondence: E-Mail from Daye Stone, HHS Principal expressing appreciation for City's support for Mustang Mop-up.

E. Public Comment- Introduction of Morrow County Fair Ambassadors for 2011.

Wendy Mc Pherson introduced the 2011 Morrow County Fair Ambassadors. Mrs. Mc Pherson and Alita Nelson are serving as chaperones for the ambassadors. Ambassadors for 2011 are as follows:

Robert Mc Pherson, Irrigon; Sam Baumgartner, Irrigon; Morgan Mc Pherson, Irrigon; Tim Nelson, Hepper. Kelly Nelson, Heppner, was unable to attend.

F. Requests.

1) Request for Exception to Noise Ordinance (June 4, 2011)– Verbally approved by City Manager.

2) Request for Use of City Park on June 11, 2011, by Linda Corbin-Verbally approved by City Manager.

3) Request from David R. (Chip) Piper for permission to keep 3-5 pigs on his property at 580 Main Street.

Discussion: The property is located in the City Limits and Mr. Piper intends to raise pigs for sale as local 4-H Projects. This would be a permanent effort. Both Mrs. Doherty and Mrs. Burleson do not feel that this should be allowed since it would be setting a precedent.

Action: Motion by Mrs. Burleson to reject the Piper's request to allow pigs permanently at his residence in the City limits (580 S. Main) since this would be a long term operation. Seconded by Mrs. Buschke. Motion Carried.

4) Request from Rod Wilson, for a permit to keep two 4-H hogs within the City limits at his residence at 655 S. Chase Street. The hogs will be on the property for 90 days only.

Action: Motion by Mrs. Burleson to accept Mr. Wilson's request to allow Mr. Wilson to keep two 4-H hogs on his property, subject to no complaints from neighboring property owners. Seconded by Mr. Bowles. Motion Carried.

2. COMMUNICATIONS FROM THE PUBLIC.

1) Mr. and Mrs. Dan Mc Bride announced that they were in attendance in response to a Public Notice stating that their property on Kirk Street would be discussed at this Council meeting. According to Mr. De Mayo, the discussion was cancelled since Mr. Mc Bride had informed him earlier that he would not be able to attend the meeting, and the neighboring property owners did not receive the proper notification of the meeting in the mail. Additionally, City Attorney Kuhn has been unable to reach the Mc Bride's to discuss the issue. According to Mr. De Mayo, the Kirk Street right-of-way contains items that belong to the Mc Brides. There is an RV, construction materials, and a small shed which are all located in the right-of-way. Mr. Mc Bride stated that the materials and RV could easily be moved if required. Mr. Mc Bride stated that his property has been occupied since the 1930s. Mr. Paustian stated that the issue

will be discussed at the next council meeting. The Mc Bride's invited councilors to visit the property to voice their concerns.

2) Mr. and Mrs. Rolin are in attendance to discuss the property at 160 S. Court Street, and possible purchase. This will be discussed later in the meeting.

3. CONSENT AGENDA.

- A. Minutes of City Council Meeting, May 9, 2011.
- B. Monthly Financial Statement.

ACTION: Motion by Mrs. Burleson to approve the Consent Agenda. Seconded by Mrs. Doherty. Motion Carried.

4. REPORTS.

A. Fire Chief. In the absence of Fire Chief Estes, Mrs. Doherty presented the report. The following actions were reported for the month of May 2011:

- 3 Flood Watches
- 3 Secure Landing Zones
- 1 Structure fire
- 27 Chief Calls

Report on the new City Pumper: The pumper will be delivered on Friday, July 1, 2011 at 3:00 PM. Training and testing will be at 3:00 with a longer training session at a later date.

Report on the Tender: All of the reports have been submitted to FEMA; the tender is moving along at the Factory. The Rural Fire Board has agreed to assist with the \$8,000 in-kind match.

B. Morrow County Sheriff's Department.

Mr. Bowles reported that the total hours for the month were 320.25. Deputy Kyle Percy and Deputy Paul Wilson are on duty in Heppner. Their total hours were 276.5, and the remainder were for other members of the department. There is one position open at the department.

Briefly, there were six traffic stops which were given warnings and an MVA with minor property damage was reported at the high school.

The dog and cat issues are on-going. Traps are available at the Sheriff's office and the City Public Works shop. There is a problem with people not claiming ownership of their animals

Several thefts were reported. The department assisted with the flood issues and the "boil Water" event.

Mrs. Burleson asked if the deputies are still performing random visits at the school. According to Mr. Bowles, these were done before school was out for the year. Communication is the key to this.

C. Heppner Housing Authority.

Mrs. Buschke reported that they had some water in the basement and the City Public Works crew resolved the problem. There are two vacancies.

D. Public Works

Mr. Harmon reported that he was very busy with the flood and water contamination issues. There were sewer and water problems. Mayor Paustian stated that he has received numerous compliments from citizens on the Public Works response. There were no illnesses reported. Testing of the water is ongoing and the sampling has been escalated for the normal twice a month to five samples per month.

Mrs. Buschke and Mr. Stroeber stated that water was running from the Robinson property behind her house. Mr. Stroeber assisted the Buschkes in filling in the holes left from the run-off. Mr. Harmon stated that he will check with Mr. Stroeber and investigate the area. Mr. Robinson will also be contacted.

Mrs. Doherty asked about the hunter's water distribution point since the drinking fountain in the City park was not operational and had to be removed. The water for the hunters is located by Heritage Plaza.

E. City Manager's Report.

Mr. De Mayo noted that the Farmer's Market will begin on June 24 and run through October 7. This will be from 10:00 AM until 3:00 PM on Fridays.

A draft agreement with GEODC is included to form the Northeast Regional Housing Fund. This will be discussed later in the meeting.

Mr. De Mayo will meet with the Bank of Eastern Oregon to discuss the loan for the fire truck and needs permission from the Council to put down \$30,000.

Currently there is \$30,000 set aside from last year in the Debt Service fund which can be spent immediately. The \$93,000 is available in the fire department reserve for equipment. According to Mr. De Mayo, Mr. Wolff had recommended using the \$93,000 to put down on the truck loan and lower the payments. Mr. Harmon stated that there is not an itemized list for equipment, but Mr. Estes is working on this. The difference between \$93,000 and the \$30,000 will be carried forward into the next budget. The reserve is for equipment in the future.

Council members recommended that Mr. De Mayo follow Chief Estes' guidance on the disposition of the funds.

5. PUBLIC HEARINGS. None.

6. COUNCIL ACTION.

A. OLD BUSINESS.

1. HUD Property – 160 S. Court – Mr. De Mayo asked how the Council wants to handle this? The addendum included in the packet requires that the City show where any profits are used/spent from the sale of the property. The City is now the legal owner of the property. Mr. De Mayo's recommendation is that the City open the sale for bids through David Sykes, Real Estate Broker. A resolution was passed by the City in 2008 requiring the use of a local Real Estate agent.

Mr. Liu stated that he had proposed exchanging the house for the apartment property on Court Street. However, the City was not in possession of 160 Court Street. Mr. Sykes questioned the availability of appraisals on the house. Mr. Sykes has handled HUD sales in the past and is experienced in the process. Mr. De Mayo stated that he has all the records on the house.

Mrs. Buschke is concerned that this has been discussed with the Lius but no decision was made. The City did not own the property at that time. Mr. Spicerkuhn's opinion is to request proposals on the property. Mr. Sykes does not believe the property will qualify for a bank loan. Buyers would need to be qualified. Mr. Rolin asked why the property would not qualify. According to Mr. Sykes, there is a list of what needs to be done to bring the property up to bank standards. There is the possibility of a potential qualified buyer to obtain a construction loan to bring the property up to standard and then refinance with a housing loan.

Mr. De Mayo suggested making a final decision on the details of selling the property through Mr. Sykes at the Special Council Meeting on June 20.

Mr. Harmon asked who will maintain the yard now that the City has ownership. Council members recommended that Public Works knock down the weeds and spray the property to keep it clean during the summer.

B. NEW BUSINESS.

1) Resolution No. 788-11, A Resolution Increasing the Fee for the Disposal of Septage at the City of Heppner Wastewater Treatment Facility.

Discussion: According to Mr. De Mayo this is in conformance with the sewer and water rate increase which will be effective on 1 July 2011. Mr. Harmon stated that Boardman and Pendleton are the only cities in the area that allow disposal of septage and their rates are in the same range as Heppner's. The increase is one cent per gallon.

Action: Motion by Mrs. Doherty to approve Resolution No. 788-11, A Resolution Increasing the Fee for the Disposal of Septage at the City of Heppner Wastewater Treatment Facility. Seconded by Mrs. Burlison.

2) Affirm Planning Commission Decision, Mike Williams' Conditional Use Request.

Ms. Willger reported that at that June 6, 2011 Planning Commission meeting, the Commission approved Mr. Williams' request and has met all the required conditions. Mr. Williams has agreed to have the property inspected by the Fire Department to ensure that the property meets OSHA requirements.

Action: Motion by Mrs. Buschke to affirm the Planning Commission's decision to allow Mr. Williams' Conditional Use Request. Seconded by Mrs. Burlison. Motion Carried.

7. MINUTES OF COMMISSION MEETINGS. (Information items.)

8. REPORT FROM THE CITY ATTORNEY. No report.

9. REPORT FROM MAYOR/CITY COUNCILORS.

A. Mayor Paustian stated that during the budget hearing process, they were notified that the full amount of road funds would not be received from the County. The Mayors and City Managers met with the County Court at 11:00 AM on June 6, 2011 in Irrigon and notified them that the cities were not happy with the decision not to provide these funds. Discussions are continuing next week.

B. Mrs. Buschke stated that she has received a complaint about a property on West Street which has tall grass and weeds. According to Mr. De Mayo, this property and on at 280 Gilmore are being addressed by the Sheriff's Department.

10. ADJOURNMENT: Meeting adjourned at 8:15 PM.