

**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON
7:00 PM OCTOBER 10, 2016**

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

ATTENDEES:

**Skip Matthews
Joann Burleson
Corey Sweeney
Adam Doherty
Teresa Bedortha
John Bowles
Dale Bates
Kim Cutsforth
Rusty Estes
Chad Doherty
Bill Kuhn, City Attorney**

Absent: None

Members of the Public: Judy Healy, Deanna Koerner, Jay Keithley, Cody High, and Dave Sykes.

1. GENERAL BUSINESS.

A. Call to Order. The October 10, 2016 meeting of the City of Heppner City Council was called to order by Skip Matthews at 7:00 PM.

B. Pledge of Allegiance. Skip Matthews led attendees in the Pledge of Allegiance to the Flag.

C. Announcements – None

D. Correspondence – None

E. Requests

1. Animal Permit, John and Kathy Marick for 20 chickens

Discussion: The Maricks received 4 chickens from the Antonucci's on Gale Street. They are planning to get 16 more, for a total of 20 chickens. The Council decided that it would be best if the Marick's would get written approval from the adjacent neighbors to show to the Council at the October meeting. The Maricks have

gotten written permission from Alvin and Linda Liu and Josh and Marcie Miller and submitted it for council approval.

Motion to approve an Animal Permit for John and Kathy Marick for 20 chickens by: John Bowles. Seconded by Dale Bates. Motion carried 5 to 1, as Joanne Burleson was opposed.

2. Animal Permit, Sheryll MacCarlie and Chris Puckett for 1 pony, at 160 Rock Street.

Discussion: Rusty asked if this was the property just across from the Helipad. He said that the other night when a helicopter was coming in, he saw a horse there inside of a dog kennel and it seemed to be very upset. Skip said that they had gotten permission from two of the neighbors. Kim said that they are applying for the permit because she discovered that they had the horse and sent them a letter informing them that they need to get one. The council discussed their concern that a horse was being kept in such a small area and the issues that the helipad may cause. They have said that they are moving to another location in town soon and Kim said that she will tell them they can reapply if the new location can provide better conditions for the horse.

Motion to deny an Animal Permit for Sheryll MacCarlie and Chris Puckett for 1 pony, at 160 Rock Street by Corey Sweeney. Seconded by Joann Burleson. Motion Carried 5 to 1, as Dale Bates abstained.

3. Animal Permit, Kelsey Greenup-Fennern for 2 horses and 1 pony, at 785 N Shobe.

Discussion: The horses will be located in a large lot behind the house. Horses have been permitted there in the past. Chad said that his only concern since he lives in the neighborhood is the issue of flies and smell in the summertime. He said he is not totally opposed, but was not approached to ask if he was ok with it. Judy Healy said that the Greenups always take good care of their horses and the permit can be revoked at any time if there is a problem. The letter states that the pens will be cleaned at least once a week.

Motion to approve an Animal Permit for Kelsey Greenup-Fennern for 2 horses and one pony, at 785 N Shobe by: Corey Sweeney. Seconded by Teresa Bedortha. Motion carried 4 to 2 as Joann Burleson and Adam Doherty were opposed.

F. Presentations – None

2. COMMUNICATIONS FROM THE PUBLIC - None

3. CONSENT AGENDA.

- A. September 12, 2016 City Council meeting minutes.
- B. Monthly Financial Statement
- C. Approval of Monthly Bills

Joanne Burleson asked why the Bank of Eastern Oregon Visa bill was higher this month. Judy Healy said it was because of the new furniture for the Fire Hall.

Action: Motion to approve the consent agenda by: Joanne Burleson. Seconded by: Corey Sweeney. Motion carried.

4. REPORTS.

- A. Fire Chief Report – Rusty Estes read the Fire Chief report.
 - 5 Landing Zone
 - 5 Lift Assist
 - 1 MVA
 - 1 Lone Mutual Aid Fire
 - 1 Wildland Fire
 - 24 Chief calls

Rusty said that they have been moving into the New Fire Hall.

- B. Morrow County Sheriff's Department – John Bowles read the hours report. The calls report was unavailable, he said that they are working on having it available for next month's council meeting.

Corey Sweeney asked if the deputy that was out sick for 40 hours had a replacement for or if there was no coverage in Heppner during that time. John said that he was assigned to Heppner and was sick but there was someone available to take calls if needed. Cody High asked how that affects the contract. The contract is for 320 hours a month and there were only 291 hours this month. John said that usually the hours come in at higher than 320 hours but there is nothing that can be done about sick time or training that is included in the contract. John said that there were people including himself that were out for training and one officer that was sick.

- C. Public Works. Chad Doherty read the Public Works report.

Water Dept. – Installed a water sample station on Riverside near the new Fire Hall. Lexington Pump sealed Well 4 and removed the motor from the well. Isolated Well 4 from the city mainline. Well 4 is now offline. The roof on Well 4 was also repaired as it was damaged when the pump was removed. Raised the water meter boxes and concreted around them at the Fire Hall. Replaced 4 broken water meters. Had Liquivision technology come and inspect all of the reservoirs and clean the sediment off of the floor.

Sewer Dept. – Cleaned the contact basins twice. Did 15 Septic dumps. Hauled 21 biosolid loads to site #6. The sludge truck broke down and it was taken to Northwest Equipment in Hermiston. Installed a temperature monitoring device for the outfall effluent water.

Streets Dept. – Filled in various pot holes around town. Took down the Rodeo banners. Repaired the handicapped parking sign in front of the museum.

Parks Dept. – Repaired a leaky water valve at City Park. Had one employee working steadily in parks.

Other – Hauled off spoils from the yard. Changed the oil in the Dodge 1500 and the Ford F-150.

Skip asked about the broken water meters and what caused them to break. Chad said that they just wear out sometimes and need to be replaced. Skip said that he was just wondering as it is coming up on water meter insulation time.

Jay Keithley asked how often the biosolids are hauled away. Chad said that they do it once a year and it takes about 40 truckloads. The storage tank is about 170,000 gallons and the trucks hold about 3,500 gallons for each trip. They usually don't empty it completely in order to keep the "bugs" in there that break it down.

D. City Manager. Kim Cutsforth read the City Managers report:

1. We received the occupancy permit for the Fire Hall. Kim has been working with Apollo on some last items to be repaired. Kim met with CK3's architect and engineer for a final inspection. Both of them were very pleased with the end result. Rusty and Kim reviewed the landscaping needs and Silver Creek is grooming the swales and edges of the building. They will be meeting with Granite Construction to plan for additional asphalt.
2. Chad and Kim met with an ODOT representative to review the process to update our Transportation System Plan. She recommended a complete update instead of just a project list. Her reasoning is based on all of the changes to pathways and updates in our community, all of our planning mapping is outdated and remapping could be a part of this update. She has advised us that the grant amount can be increased to meet this additional cost.
3. After reviewing Terra Firma's proposal to repair the sidewalks, Chad, Skip and Kim have decided that the solution may complicate the problem. Chad is working on a plan to work with property owners and use our resources to work on a solution, weather permitting this fall. This will be discussed at the next Utility Meeting.
4. Kim has put together a rough draft for our engineering study for effluent storage. Susan Christianson, a past DEQ person is reviewing it and we should be publishing it in early November.

5. Kim has been working on the plans for a Community Foundation established by Howard Bryant for our town. This foundation will give our community the ability to pursue beneficial projects.
6. Kim attended the Oregon Community Foundation conference. It was a great experience.
7. Kim continues to work on nuisance abatement issues.

Jay Keithley asked if it could be put a reminder the paper that it is illegal to burn household waste. Kim said that it is stated in the burn permit that it is illegal to burn garbage in Oregon. Skip asked if people are having problems with neighbors burning garbage if they could call Rusty. Rusty said that they have in the past and he will go out and put a stop to it.

Cody asked about the Landlord Ordinance passed at the last meeting and how it was progressing and if it was well received. Kim said that the paperwork has been mailed out to landlords and that there have been no complaints so far.

6. OLD BUSINESS - None

7. NEW BUSINESS

A. Collaboration on a Park Project

Discussion: Kim is asking permission to work on a park project that would involve Morrow County, Morrow County School District, Ag Museum and Willow Creek Park District. This project is just in the very beginning stage. The park would be located near the basketball court. It would include an outdoor station training area, a pickle ball court, a picnic area and a large grass area that could be used for many different activities. There is a shortage of sports training areas. There would not be enough room for baseball or softball games. There would be enough room for T-ball, baseball softball, soccer or football practice. The Park District will be asking the County for a lot line adjustment and for the land for the sports court and training area to be deeded to Willow Creek Park District. There would be an agreement for the remaining property with Morrow County if they wanted some of the area back for the Museum they would have it available. Kim said that there are also plans to put in a public restroom. She said that this project will involve some assistance from her that would take up some of her time at work with council approval. Skip Matthews and Greg Grant are involved and they will be assisting with the project. Dale Bates asked who will be maintaining the area. Kim said that it would be Willow Creek Park District with funding assistance for water and maintenance from the Howard Bryant Foundation. Skip that the end result would be a collaboration to get the area developed without being a burden on the City. Teresa asked if there would be enough parking for this. Kim said that this has been reviewed by an engineer and there is the existing street parking that could be changed to angle parking as this is what it was originally designed for so there is enough room on the street to do this. This would double the parking area. Cody High said that it sounds very nice but why would there be City involvement, and what

would be the City's role in this project. Kim said that the City was originally approached about doing this and even with the outside funding from the Howard Bryant Foundation, it would look like the City was spending money on something that they shouldn't. It is a better fit to have the Park District do it and they will need her assistance with it. Cody asked why the Park District can't do it on their own. Skip said that there isn't the personnel for it. Cody asked if there was no paid employee available to do it. Skip said no. Kim said that with all projects it takes a little from everyone to make it work. The City, Morrow County, Morrow County Grain Growers, the Port of Morrow and others were all involved in the Fire Hall project and it took a lot of effort. She said that it wouldn't get done if there was no one to help with it. Cody asked how much of Kim's time would it take. She said she didn't really know, but didn't think it would be much as it is not as big of a project as the Fire Hall, which took a lot of time. Skip asked if Greg Grant had contacted Kim for this project. She said yes, he did, he wanted the City to spearhead the project. Kim thought that due to the long term effects of this it would be a better project for the Park District. She said that the council does not have to agree with her helping on the project, but she thinks it is a good thing for Heppner and would really like to help get the project started. Dale Bates asked how many hours a week would she need to work on this. Kim said that less than 4 hours a week would probably be enough and maybe as little as 10 hours a month. Most of the work is done by the engineers, she would just need to review it. John Bowles said that it is a big improvement to what is in that area now, at a very minimal price to the City. Cody asked who the Foundation is. Kim said that when Howard Bryant passed away he left his estate to a community foundation. Cody asked about the board, is it volunteer and who is on it. Kim said that she and her mother Sharon Lewis are the board. Kim said that Greg Grant had a plan and she thought it would be good to get something done instead of just writing checks. Teresa Bedortha asked if Kim is a paid employee by the Park District. Kim said yes she is. She said that the City does not have to support it, she just thought it would be a good improvement for Heppner. Cody asked if she would just be setting up the project and someone else would oversee it. Kim said that an engineer will be managing the project and Skip and Greg Grant will be helping also. Cody asked why Skip can't oversee this. Skip said with Kim's administration skills, grant writing, and a relationship with the engineers, she is a good choice to get this going. He said that the City can receive the money and do the project but that would probably not be well received. Dale asked if 4 hours a week is sufficient enough to get this going. Kim said yes and probably a total of 30-40 hours. Dale asked if Kim would be able to keep all of her other work done. She said yes, she got all of her work done through the Fire Hall project which was huge. Teresa asked how the Sewer project was going. Kim said that the Request for Proposals will probably go out in late October or early November. Bill Kuhn has been working on the finalization. It's all basically done except for one thing with DEQ. The Transportations Systems Plan will not start up again until next fall. Everything is on target except for Reservoir 3 which is still undecided. Dale said he would be for it if Kim would log her hours worked on the project. Kim said that she confident that once she gets the project going she can just turn it over to the engineer. Joann Burleson asked if the Park district is responsible for the maintenance.

Kim said that once the park is complete, the only impact on the City is that there will be a beautiful park in town. It will have no financial impact on the City.

Motion to allow collaboration on a park project for four hours a week by Dale Bates. Seconded by Joann Burlison. Motion carried 5 to 1 as Teresa Bedortha abstained.

8. MINUTES OF COMMISSION MEETINGS. For information only

9. REPORT FROM CITY ATTORNEY. – Bill Kuhn has been working on the RFP agreement with DEQ. He has also been working on nuisance abatement and the possibilities of imposing a lien on a property without cleaning it up. The Lien would help to put pressure on the landowner for unpaid fines from Justice Court, for people that don't follow the city ordinance for clean-up. The lien would come with the ability to foreclose and sell the property to recover the fees that are owed to the city. If there is a problem with a property, the property owner would be cited as it is ultimately their responsibility. There is a process where Justice Court judgements can be recorded with the County Clerk as a lien against the property. The city could leave the lien there or they would have the ability to foreclose if the amount owed was high enough. He said the city should get an agreement with the Justice Court to be the City Municipal Court. The City would then be able to keep the fines and fees. The enforcement structure would stay the same but the city could foreclose if it came down to that. Dale asked about prior liens or delinquent taxes and how it would affect this. Bill said that if the city is on the bottom of that list then maybe it isn't a great enforcement mechanism, but it is another arrow in the quiver. With the 2 chronic nuisance properties that there are now, there are probably not any liens against them currently, so this could be effective in those cases. Kim said that this idea came from a joint meeting with the City, Sheriff's office, the District Attorney, City Attorney, and the Justice Court Judge. Teresa said that in her experience at the bank she has seen this done. As it has to be dealt with if a property is sole or refinanced. She said that Pendleton and Hermiston used to do this, she wasn't sure if they still do currently. Kim said this feels like it would help the city have some leverage on the properties that have been difficult to get results with. Bill said that economically this is a far more affordable option than taking the individuals to court. The council gave permission to pursue this.

10. REPORT FROM MAYOR, CITY COUNCILORS. – None

11. ADJOURNMENT. Meeting adjourned at 8:09 PM.