

**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON
7:00 PM, August 10, 2009**

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

ATTENDEES:

Mayor, Les Paustian
City Manager, David De Mayo
Judy Buschke
Cindi Doherty (arrived at 8:15 PM)
Keith Lewis
John Bowles
Samarra Van Doorn
Joann Burleson

Sgt Pratt, MCSD
Fire Chief, Rusty Estes
Judy Eckman, City Treasurer
Anne Spicer, City Attorney
Chad Doherty, Public Works

Absent: Brian Harmon, Public Works Director
Sgt Randy Rayburn, MCSD

Members of the Public: David Sykes, Heppner Gazette
Nancy Gochnauer
Sheryll Bates, Heppner CofC

1. GENERAL BUSINESS.

- A. Call to Order. The August 10, 2009 meeting of the City of Heppner City Council was called to order at 7:00 PM by Mayor Paustian.
- B. Mayor Paustian led the attendees in the Pledge of Allegiance to the Flag.
- C. Announcements – Agenda additions and deletions. None.
- D. Correspondence. None.
- E. Public Comment. None.

2. COMMUNICATIONS FROM THE PUBLIC.

A. Request for use of City Park on Tuesday, August 25, 2009, 5:30 PM – 8:00 PM, Mother/Daughter Picnic and Games, Alaina Lemmon and Meredith Walters.

Action: Motion by Mrs. Buschke to approve the request from Mrs. Lemmon and Mrs. Walters to use the City Park on Tuesday, August 25, 2009, 5:50 PM to 8:00 PM. Seconded by Mrs. Buschke. Motion Carried.

3. CONSENT AGENDA.

- A. Minutes of City Council Meeting, July 13, 2009
- B. Resolution No. 753-09, A Resolution Approving Accounts Payable for Payment
- C. Monthly Financial Statement.

ACTION. Motion by Mrs. Burlison to approve the consent agenda items as presented. Seconded by Mrs. Burlison. Motion Carried.

4. REPORTS.

- A. Fire Chief.

Chief Estes reported the following incidents for the month of July 2009:

- 2 vehicle wrecks
- 2 vehicle fires (1 large motor home and one utility truck)
- 3 mutual aide (2 – Ione, 1 – Lexington)
- 1 large fire
- 2 large wildland fires (1 mutual aide called for by Heppner)
- 23 Chief Calls

- B. Morrow County Sheriff's Department

Sgt Pratt reported the following for July 2009:

- 474 hours for service inside Heppner City Limits
- Fair and Rodeo went smoothly
- Sgt Rayburn has approved the code violation log form

- C. Housing Authority

Mrs. Buschke reported the following:

The project construction loan will be closed out on August 14, 2009 and will be rolled over to a permanent loan.

WC has been paid the 10% retainage, even though it has not been received from Salem. In order to get the permanent loan started, all liens have to be cleared from the building. The permanent construction loan will be \$290,000. When the retainage is received from Salem, a

principal only payment will be made on the loan. This will lower the balance on the permanent loan. The interest on the permanent loan will be 2%.

Three apartments had water damage from an overflowing sink on the third floor. This started on the third floor and was not immediately reported. Two vacant apartments on the second floor and also the dining room floor were damaged. This occurred on a Saturday. Repairs have started today (August 10). The entire dining room floor will be replaced. Both apartments on the second floor received extensive damage to the ceilings and the floors in the kitchen areas. The floors will be replaced. Two deductibles of \$1,000 each need to be paid, one for the previous window damage and one for this incident. Total damage is estimated at \$15,000. The Housing Authority is going to discuss the possibility of requiring tenants to obtain renters insurance and liability insurance. This is the third such incident in the last two years. The two vacant apartments cannot be rented until the damage is repaired, although there are two potential tenants awaiting occupancy. One current tenant has given notice to vacate an apartment, so this will leave three vacancies. The repairs should be completed by early September.

WC has completed the repairs to the awning as required.

D. Public Works.

Mr. Paustian asked about the City of Spray septic. This is required since DEQ has ordered that Spray install a complete wastewater system and they have been disposing of their septic material in Heppner. The charge is \$250 per load and will net Heppner approximately \$9,000. According to Mr. Doherty, the digester is working well due to the recent repairs.

E. City Managers Report.

Mr. De Mayo reported the following:

Deferred Compensation. This is a savings program for government employees similar to a 401K. Mr. De Mayo would like a presentation to be given to the Council in the future. This would be employee contributions only.

The Planning Commission action was cancelled by the property owner.

Reservoir 4 has been completely cut off from the main system and has been pumped dry. Water for the Robinson property would have to be run up Willow Street. Reservoir 4 could be used in the future if there is development.

Court Street Project. As required by the City Code, the City Council is required to approve a noise waiver for construction projects starting before 7:00 AM and after 6:00 PM. Work on paving is scheduled to begin on August 11 and last approximately 22 days. This waiver action will be discussed under New Business.

Quarterly Newsletter. Mr. De Mayo has prepared a draft copy for review.

5. PUBLIC HEARINGS. None.

6. COUNCIL ACTION.

A. OLD BUSINESS. None.

B. NEW BUSINESS.

1) Resolution No. 754-09, A Resolution setting licensing charges for Social Gaming License Fees.

Discussion: Mrs. Buschke's opinion is that the \$100.00 initial fee should be lower. Mrs. Burleson suggested \$50.00. This would be for a license from the City. According to Mrs. Spicer, background checks, etc., would not be required unless ownership and management were changed. Mr. Lewis suggested estimating the City's cost for this and change the license fee accordingly. Mr. Paustian asked if this is an annual fee. According to Ms. Eckman, OLCC requires annual renewal. This fee is \$35.00. Each year, OLCC advises the Council of the renewal and Council approval is required. Ms. Van Doorn suggested \$35.00 for the gaming license fee.

Action: Motion by Mrs. Buschke to adopt Resolution No. 754-09, A Resolution setting Licensing charges for Social Gaming License Fees, with an annual fee of \$35.00. Seconded by Mr. Lewis. Motion Carried.

2) Noise Waiver, Court Street Project 5-1-4-E (Before 7:00 AM and after 6:00 PM)

Discussion: Mr. Estes lives on this street and would prefer that work not be started before 6:00 AM. Council members agreed to allow the waiver to permit work to start at 6:00 AM until 9:00 PM.

Action: Motion by Ms. Van Doorn to approve a noise waiver for the hours of 6:00 AM until 9:00 PM for the parameters of the Court Street Project. Seconded by Mr. Bowles. Motion Carried.

3) HB 2001 Projects, Discuss, Prioritize, and Approve.

Discussion: Mr. De Mayo reported that on May 11, 2009, after the legislative session had adjourned for the day, he received a call from Representative Smith requesting recommendations for projects. This was an urgent request which Mr. De Mayo completed in 2.5 hours. The funds are State monies given to Representative Smith by the State. House Bill 2001 is strictly State money and is not federal stimulus funds. Heppner had applied for federal stimulus funds but was denied. The Oregon Transportation Committee will review the HB 2001 requests on the first of October and either approve or disapprove them at that time. According to Mr. Paustian, there is a possibility that some of the funds may be withdrawn if the tax situation is lower than expected.

The City would receive the funds and be required to do the engineering, bidding, etc. Mr. De Mayo has asked ODOT to do the whole project for Barratt Blvd. Mr. Paustian stated that this

area is deteriorating very rapidly. This is a very poor street for access to the hospital. Mrs. Burleson asked what projects would be deleted if the funds are cut. According to Mr. De Mayo, this is why the projects are prioritized.

Mr. Doherty asked if the Barratt Blvd. project would include sewer and water. According to Mr. De Mayo, this will be requested.

Mrs. Buschke inquired about the foot traffic on Water and Morgan Streets. According to Mr. Paustian, there is a lot of foot traffic in these areas going to and from the high school. Mr. De Mayo has discussed this with Mr. Stone, High School Principal.

Mr. De Mayo stated that there is a certain amount of flexibility on these projects. Mr. Paustian asked if the money could be shifted to other projects. Mr. De Mayo stated that Morgan Street needs to be overlaid. This may be considered. According to Mr. Paustian, Heppner's request was accepted 100%.

Mr. De Mayo stated that the storm drains, curbs, and gutters were never installed on Riverside during the previous project several years ago.

Mrs. Buschke has a problem with the Hill Street alley. Mr. De Mayo will research the ownership of the alley. Responsibility of ownership of the area was discussed depth. This property was discussed two years ago because the property was sliding. According to Mrs. Spicer, this needs more research. Ms. Van Doorn recommended giving this a lower priority and be researched further.

Action: Motion by Mrs. Burleson to put Hill Street as the lowest priority and accept the proposals as listed. Seconded by Mr. Lewis. Motion Carried.

8. REPORT FROM THE CITY ATTORNEY. None.

9. REPORT FROM MAYOR/CITY COUNCILORS. None.

10. EXECUTIVE SESSION PER ORS 192.660(D)(b) TO CONSIDER PERSONNEL MATTERS.

Open Executive Session. Executive Session opened at 7:53 AM.

Close Executive Session. Executive Session closed at 8:42 PM.

An evaluation meeting was scheduled with Mr. De Mayo for August 31, 2009, at 7:00 PM

11. ADJOURNMENT. Meeting adjourned at 8:45 PM.