

**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING  
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON  
7:00 PM, February 9, 2009**

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

**ATTENDEES:**

**Mayor, Les Paustian  
Cindi Doherty  
Judy Buschke  
Keith Lewis  
JoAnn Burleson  
John Bowles**

**Dave De Mayo, City Manager  
Brian Harmon, Public Works Director  
Rusty Estes, Fire Chief  
Sgt Randy Rayburn, Morrow County Sheriff’s Department  
Chad Doherty, Public Works  
Judy Eckman, City Treasurer**

**Absent: Samarra Van Doorn, Council Member  
Ann Spicer, City Attorney**

**Members of the Public in Attendance**

**David Sykes, Heppner Gazette  
Nancy Gochnauer**

**1. GENERAL BUSINESS.**

A. Call to Order. The February 9, 2009 meeting of the Heppner City Council was called to order at 7:00 PM by Mayor Paustian.

B. Pledge of Allegiance. Mayor Paustian led the Council members and attendees in the Pledge of Allegiance.

C. Announcements – Agenda additions and deletions. Mr. De Mayo commented that under New Business, he has added: 5) Bid for Restroom to be Built – Hager Park, and under Action: E) Award of Restroom Bid.

D. Correspondence. None.

E. Public Comment. None.

## **2. COMMUNICATIONS FROM THE PUBLIC.**

A. Mrs. Nancy Gochnauer announced that she is in attendance to discuss the social gambling issue for Bucknum's that was introduced at the January 12, 2009 Council Meeting. Since the City Attorney was not in attendance, the issue was not discussed at this time. According to Mr. De Mayo, the current ordinance needs to be updated and Ms. Spicer is working on this.

## **3. CONSENT AGENDA.**

A. Minutes of City Council Meeting, January 12, 2009, and Special Council Meeting, January 21, 2009.

B. Resolution No. 733-09, A Resolution Approving Accounts Payable for Payment.

C. Monthly Financial Statement.

Discussion: Mr. De Mayo discussed the following with regard to the Current Bills.

1. Ferguson Enterprises (Court Street Project) \$17,939.72. This is money that was received from ODOT and the City is repaying Ferguson. These funds are funneled through the City.

2. ODOT (Court Street Project) \$10,000. According to Mr. De Mayo, this was promised to ODOT in 2004 and is part of the agreement that the City pay this as a contribution to the project.

3. RJM Co \$19,201.00. Mr. De Mayo reported that this is for the sewer camera. Part of this is from the Tippage Fee funds. Mr. Harmon reported that the camera has not been received to date.

4. Mr. Paustian questioned the bill from D&L Auto Parts and Repairs \$1,280.67. Mr. Harmon reported that this was for the motor for the street sander.

5. Oregon Department of Justice (employee) \$990.56. According to Ms. Eckman this is for employee Child Support.

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

## **4. REPORTS.**

A. Fire Chief. Chief Estes reported the following actions.

- 1 Structure Fire
- 1 Mutual Aid to Lexington (cancelled)
- 1 Possible Structure Fire (defective smoke alarms)

- 1 Secure Landing Zone
- 1 False Alarm
- 3 Vehicle wrecks

The Rural Fire Board and City met and agreed on the contract for another year. Several necessary equipment repairs were identified.

B. Morrow County Sheriff's Department. Sgt Rayburn presented his report which was included in the packet, along with the Police Commission minutes. Sgt Rayburn reported that he has noticed more animal complaints, mainly barking dogs. Mr. Paustian stated that he has noticed more dogs running free lately. Sgt Rayburn reported that deputies had just rotated; Deputies Ivan Dyke and Paul Wilson are on duty in Heppner. Sgt Rayburn has given them latitude to change their shifts around so that patrols will be random as required. Council members are satisfied with the report. Mr. Lewis would like more details on the hourly report. This is being worked on.

C. Heppner Housing Authority. Mrs. Buschke reported that the final apartment will be completed on February 20, 2009. The construction trailer will be moved on February 26, 2009. The contractor will return later in the spring to do the outside work.

The last tenant will be Doug Gunderson, he will be moved into a different apartment. There are three vacancies remaining and four potential tenants on the waiting list. The new tenants will be Gladys Van Winkle, Oscar Kennard, and David George.

Mr. Paustian reported that on Wednesday, February 11, 2009, at 2:00 PM, they are meeting to discuss a management agreement which will relieve the City of responsibility for the apartments. There will be a training session on the trash compactor on Tuesday at 1:00 PM.

Mrs. Buschke reported that the carpet in the downstairs area has gotten very worn during the construction. Mrs. Buschke would like an estimate on repairing this. Mr. Paustian stated that these damages should be covered by the contractor.

There will continue to be a Housing Authority which will keep the Council informed. According to Mrs. Buschke all the funding over and above the operating costs will go in to trust funds called St. Patrick's Senior Center Trust Funds. This is for maintenance, etc. Mrs. Buschke is hoping that there will be funds left over to go in a reserve fund. According to Mr. De Mayo, the management will ensure that there is a reserve fund. Mr. Paustian stated that the management firm will be a benefit to the City. According to Mr. De Mayo, the management firm will be handling the requirements for low income housing which is very detailed.

D. Public Works. Mr. Harmon reported that January was a quiet month. The Bloodsworth's home had a major leak of 500,000+ gallons. This was due to broken pipes.

Mr. Harmon reported on the flow meters and the TV camera. They will not pay the bill for the camera until it is received, which should be sometime this week. Mr. Harmon is hoping that the

flow meter manhole vault will be installed this week and installation should be completed in about 5-6 weeks.

No meters have been changed this winter. There have not been any broken meters this winter and work on installing new meters will continue in March and should be finished in July.

Utility bills have been sent out. The Utility Commission will be discussing costs for this at their next meeting.

Two deer were picked up this month. This is a total of four this winter. One by the cemetery, one by the mortuary, and two on the Jones Street area. Deer have been a problem this year.

E. City Manager's Report. Mr. De Mayo reported the following:

1. This year, the City will start making payments on the water improvement project loan from OECDD. Utility rates will need to be raised in order to generate funds for this. The Utility Commission will be discussing this at their next meeting.

2. Secure Mental Health Facility. The project is moving forward.

3. The Rural Fire District met with the Heppner Fire Department last week and renewed their contract for another year.

4. Greater Eastern Oregon Development Council (GEODC). The City Manager has been chosen to be the Morrow County representative. GEODC makes loans and grants for economic development in the Umatilla-Morrow County area.

5. Court Street Project. The contract has been let on this project. ODOT is committed to making it going forward.

6. The Senior Apartments have been previously addressed by Mr. Paustian and Mrs. Buschke.

Mr. Paustian commented that the funds for the Court Street Project have been secured by the State and the project is scheduled to move forward.

## **5. PUBLIC HEARINGS.**

Mr. Sykes questioned the statement regarding the Utility Commission discussing water rates. According to Mr. De Mayo, the rates will have to be increased in order to make the payments due on the loan.

## **6. COUNCIL ACTION.**

### **A. OLD BUSINESS.**

1) Secure Residential Treatment Facility progress. Mr. De Mayo reported that this is moving forward. No documents have been signed at this point. A site has been selected and is located in the UGB. In order for the facility to be located in the City limits, this property would have to be annexed and this would require a Planning Commission action. The property could be annexed later if desired. According to Mr. Paustian, the main thing is to get the facility located in the Heppner area.

2) 2009 Goal Setting Session Actions. The goals are included in the packet and according to Mr. Paustian, the goals are realistic.

## **B. NEW BUSINESS.**

1) Consider a Resolution Amending Resolution 731-09, A Resolution Ratifying Appointments to City Committees, Boards, Commissions, and Positions.

Discussion: This resolution corrects a clerical error in the original resolution.

Action: Motion by Mrs. Buschke to approve Resolution No. 734-09, A Resolution Amending Resolution 731-09, A Resolution Ratifying Appointments to City Committees, Boards, Commissions, and Positions. Seconded by Mrs. Doherty. Motion Carried.

2) Consider a Resolution Approving a Supplemental Budget for the Highway #74 (Court Street Project) Revenue and Expenses.

Discussion: Mr. De Mayo explained that Ferguson Engineering did engineering for the Court Street Project. We have been paid for that engineering by the state and in turn we are paying Ferguson. This is a pass-through. We have partially paid them and more is due. This is a combination of reimbursing what has already been spent and paying what is due. It also includes the \$10,000 which was promised to ODOT as Heppner's part of the project. There is \$50,000 that is a place-keeper so that if we do get money in the future, there is a place to put it and spend it from.

Action: Motion by Mrs. Buschke to Approve Resolution No. 735-09, A Resolution Approving a Supplemental Budget for the Highway #74 Project (Court Street Project) Revenue and Expenses. Seconded by Mrs. Doherty. Motion Carried.

3) Consider a Resolution Adopting an Identity Theft Prevention Program in Accordance With the Federal Fair and Accurate Credit Transactions Act of 2003.

Discussion: Mr. De Mayo explained that since the City handles utilities and identification is required to set up a utility account, the identification will need to be examined for legitimacy and correctness. Mr. De Mayo has talked to Undersheriff Myren on this issue and has suggested that the Sheriff's department give the City staff training on how to identify the forms of identification, i.e., driver's licenses, etc. This is a Federal requirement.

Action: Motion by Mrs. Buschke to Approve Resolution No. 736-09, A Resolution Adopting an Identify Theft Prevention Program in Accordance with the Federal Fair and Accurate Credit Transactions Act of 2003. Seconded by Mrs. Doherty. Motion Carried.

4) Consider a Resolution Adopting 2009 City Goals.

Discussion: Council members reviewed the 2009 Goals which were drafted during a recent Goal Setting Session. Mr. Bowles stated that he was not in attendance and questioned Goal 6. "Evaluate and change the existing City system of Code Enforcement so that it can be effectively enforced." Mr. Paustian explained that some of the City codes are obsolete or not up to date and are hard to enforce. The code system needs to be reviewed.

Mr. Bowles question Goal 10, "Seek a HHS student to serve on the City Council." Mrs. Doherty explained that the student would not exactly serve on the Council, but would attend meetings to learn about City government. Council members agreed to amend this goal to read: Seek a HHS student to serve as an advisor to the City Council."

Mr. Bowles questioned Goal 13, "Increase the visibility of the MCSD deputies in the community." Mr. Paustian explained that this is a continuing requirement.

Action: Motion by Mrs. Buschke to Adopt Resolution No. 737-09, A Resolution Adopting 2009 City Goals as revised by Councilor Bowles. Seconded by Mrs. Doherty. Motion Carried.

5) Bid for Restroom to be Built – Hager Park.

Discussion: Mr. De Mayo reported that funding is being investigated as well as grants from the Ford Family Foundation and Good Shepherd Foundation. At this point, the funding is not consolidated. Mr. De Mayo has received two bids along with information from a company that supplies pre-fab restrooms. Mr. Burleson stated that Mr. Bailey had informed her that there was enough funds donated to complete the restroom. According to Mr. De Mayo, the cheapest restroom available is from CXT Corporation for \$34,000 and the driveway for \$7,500. The Ford Family Foundation will only pay for a component. The restroom will be paid for by local donations. The picnic shelter has been deleted from the original requirement. The restroom only is being considered at this time. The bids are based on the CXT design (\$34,000) of the one located in the City park. The picnic shelter will be discussed in the future.

Mr. De Mayo presented the bids as follows:

Dave Piper - \$45,549, based on the design of the restroom in the City Park. All utilities be installed to the building site by the City.

Allstott Construction: \$51,113, based on the design of the restroom in the City Park. City provide water and sewer to the building site.

The \$34,000 bid from CXT is from a pre-fab unit, including delivery. These restrooms are similar to the units in the State Parks.

On all three bids, the City would have to provide utility hookups. According to Mr. Harmon, it would cost approximately \$2,500 to install the utilities. Mr. Harmon would also like to ensure that hot water is available in the structure.

Mr. Paustian recommended that this information be provided to the Beautification/Parks and Lands Commission for further discussion and action. According to Mr. Paustian, the goal is not to use any City funds to get the project completed.

Action: Motion by Mrs. Burleson to table the bids until the Beautification/Parks and Lands Commission has a chance to go over the bids. Seconded by Mrs. Doherty. Motion Carried.

**7. MINUTES OF COMMISSION MEETINGS.** Furnished for information only.

**8. REPORT FROM THE CITY ATTORNEY.** None.

**9. REPORT FROM MAYOR/CITY COUNCILORS.** None.

**10. ADJOURNMENT.** Meeting adjourned at 8:55 PM.