

**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON
7:00 PM, July 13, 2009**

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

ATTENDEES:

**Mayor, Les Paustian
Judy Buschke
Cindi Doherty
Keith Lewis
John Bowles
Sgt Pratt, MCSD**

**Absent: JoAnn Burleson
Samarra Van Doorn
David De Mayo, City Manager
Rusty Estes, Heppner Fire Chief
Sgt Randy Rayburn, MCSD**

Sheryll Bates, Heppner Chamber of Commerce

Members of the Public in Attendance

**David Sykes, Heppner Gazette
Lisa Cutsforth**

1. GENERAL BUSINESS.

A. Call to Order. The July 13, 2009 meeting of the City of Heppner City Council was called to order at 7:05 PM by Mayor, Les Paustian.

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

C. Announcements – Agenda additions and deletions.

Mayor Paustian identified the following additions to the agenda:

1) Request from Willow Creek Baptist Church for use of the City Park, July 26-30, 2009, from 6:00 to 8:30 PM to hold their annual Vacation Bible School.

2) Request from John Marick for use of the City Park on July 18 and 19 2009, from 10:00 AM to 9:00 PM for a family reunion.

3) An additional request from The Pendleton Round-Up Association is included in the packet to use the City Park on August 8, 2009 for their annual picnic and BBQ. Wheatland Insurance has furnished the certificate of liability. Approximately 75 people will be in attendance.

4) Request for Use of City Park, August 8, 2009, 5:30-10:00 AM, Heppner Masonic Lodge #69. (Annual Community Breakfast)

Action: Motion by Mrs. Buschke to allow permission to use the park as requested. Seconded by Mr. Bowles. Motion Carried.

D. Correspondence.

1) Memo, GEODC and WCVED, Subject: Does the Future Direction of the City of Heppner Interest You?

Discussion: Mrs. Bates, representing WCVED reported that the first strategic plan meeting was held on July 7. The meeting went well. Karen Kendall from GEODC was in attendance and will serve as project facilitator. Ms. Kendall made assignments on housing opportunities. Additional meetings will be held on July 28 and August 12, 2009, at 6:00 PM at City Hall. The Strategic Plans for Heppner, Ione, and Lexington, will be developed. This effort is partially funded by Morrow County Tippage Fees. Mrs. Buschke commented that the meeting went well. The previous strategic plan is available to assist in preparing the new document.

2) Memo, Oregon Wireless Interoperability Network, OWIN. This correspondence explains the project which will receive funding from the State to continue work on building a better radio system. No comments were received from Council members.

3. COMMUNICATIONS FROM THE PUBLIC.

The request from the Heppner Masonic Lodge #69, was approved earlier in the meeting.

3. CONSENT AGENDA

- A. Minutes of City Council Meeting, June 8, 2009
- B. Resolution No. 751-09, A Resolution Approving Accounts Payable for Payment
- C. Monthly Financial Statement

Discussion: Mr. Lewis questioned the use of the Bank of Eastern Oregon VISA. This is used for purchases by employees for their trips to Pendleton, etc., purchases of office supplies, and training.

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

4. REPORTS

A. Fire Chief. Fire Chief Estes is not in attendance since he is fighting a fire in Echo.

B. Morrow County Sheriff's Department. Sgt Pratt reported that there are more traffic complaints in Heppner, the individual involved has been contacted. There also was some vandalism at the RV park. According to Mr. Bowles this issue has been solved. Sgt Pratt stated that repeat offenders have been issued citations on traffic complaints and arrests are made if necessary. Mrs. Doherty inquired about the property at 440 Water Street. Deputy Carter has been working this issue. The hourly report for June was 380 hours total.

Mrs. Bates reported that there is an Oregon Bicycle Ride coming through Heppner on August 8-15. Participants will be based at the High School and will leave their vehicles during their trip August 9-15. She requested that the Sheriff's Department monitor the parking area for vandalism, etc. Approximately 300 people are expected.

C. Housing Authority.

Mrs. Buschke reported the following:

The damage done when a pickup ran into the building recently has been repaired. She commented that there is still a problem with the window which may need additional work. The problem appears to be the seal within the double panes.

There are two vacancies which are in the process of being filled. The process is taking longer since Cascade Management is handling the background checks. Mrs. Buschke has advised Ms. Turner that if prospective tenants on the waiting list are serious about occupying an apartment, that pre-authorization be obtained in order to shorten the process.

The renovation project is coming to a conclusion. The construction loan should be changed to a permanent loan in the near future. The Bank of Eastern Oregon is working on this. The issue of the retainage is being worked on. There should be some funds left over, but this will not be a large amount. The retainage will not be paid to W.C. until the marquee is completed.

Ms. Turner has her computer installed and is working on learning the operation of the various programs.

D. Public Works. Mr. Paustian reported that the Court Street Project is progressing well. The work on the retaining wall is moving along. The curb contractor is doing a very good job.

E. City Managers Report.

Mayor Paustian reported the following:

1) The Bank of Eastern Oregon loan for the WWTP repairs was paid in full on July 1. There are several other loans left to pay off and when this is completed, the City should be debt free in a couple of years.

2) The gaming ordinance has had the necessary publication in the Gazette Times and is ready to be enacted.

3) Mr. De Mayo has prepared information papers concerning the City Code and personnel issues which will be discussed in the near future.

4) A contract with Anderson and Perry for the WWTP facilities plan is submitted for approval later in the meeting. This will be funded by stimulus funds.

5) The hiring process for the Utility Billing Clerk is beginning. The notice will appear in the next two issues of the Heppner Gazette Times.

5. PUBLIC HEARINGS.

Open Public Hearing. Public Hearing opened at 7:20 PM.

A. An Ordinance Regulating Social Gaming, Adopted Under the Provisions of ORS 167.121, Providing for Licensing of Such Games, and Repealing Ordinance No. 397, (Chapter 3-2 of the Heppner City Codes) and Declaring an Emergency.

Discussion: Mrs. Doherty questioned the amount of the licensing fee since it is not included in the ordinance. City Attorney Kuhn stated that this will be done by a resolution. Mr. Lewis stated that he feels the fee should be a reasonable amount. Payment for Background Checks has been previously discussed and if the business has a lottery license, these checks would not be necessary. This can be acted on by resolution. According to Mr. Kuhn, the ordinance is basic. Mr. Lewis asked about the requirements for licensing. Mr. Kuhn commented that this is specified in Section 6 of the ordinance, and the general parameters of the information is included in para 7.A. Para 7.A, contains the reasons for denial of a license. Additionally, if OLCC has suspended a license, a permit cannot be granted. The City Manager and Sheriff's department will be dealt with on the fingerprint check. Mr. Kuhn outlined the legal requirements included in the application which is not limited to businesses that have a lottery license. According to Mr. Kuhn, the ordinance can be passed. The City Manager will need to make a recommendation on the fees.

Close Public Hearing. Public Hearing closed at 7:30 PM.

6. COUNCIL ACTION.

Motion by Mrs. Buschke to Approve Ordinance No. 566-09, An Ordinance Regulating Social Gaming, Adopted Under the Provisions of ORS 167.121, Providing for licensing of Such Games, and Repealing Ordinance No. 397, (Chapter 3-2 of the Heppner City Codes) and Declaring an Emergency. Seconded by Mrs. Doherty. Motion Carried.

A. **Old Business.** None.

B. New Business.

1) Resolution No. 752-09, A Resolution Clarifying Eligibility of City Employees for Fringe Benefits.

Discussion: According to Mr. Paustian, this resolution clarifies that benefits including health insurance will only be available to full time employees working 35 hours or more per week. Temporary employees remain ineligible to receive fringe benefits.

Action: Motion by Mrs. Doherty to approve Resolution No. 752-09, A Resolution Clarifying Eligibility of City Employees for Fringe Benefits. Seconded by Mrs. Buschke. Motion Carried.

2) Discussion-City Charter Review. Mr. Paustian reported that all the City Codes need to be reviewed and updated as necessary. Mr. Paustian also asked Council Members how they felt the City is going as far as operations and things happening in the City? Council members commented that the City Newsletter should be reinstated in order to keep the public informed. Mr. Bowles commented that he feels that things are going well, otherwise complaints will be received.

Mrs. Buschke inquired about the proposal of not opening the City Hall for business until 10:00 AM, even though employees would begin work at 9:00 AM. Council members were not in favor of this. Mrs. Buschke commented that she believes that City Hall should be open during the noon hour, possibly staggering lunch hours to accommodate this. The reasoning is that many people use their lunch hour for errands. Mr. Paustian suggested discussing this with Mr. De Mayo.

Mrs. Doherty reported that she has had complaints from citizens that they have received letters about overgrown yards and letters being sent in error. Council members felt that these letters should be double-checked to ensure that they are correct. Mrs. Buschke feels that Mr. De Mayo should delegate the authority for writing these letters since it is upsetting for a citizen to get a letter that is erroneously addressed. Mr. Paustian stated that Mr. De Mayo is working diligently on this. Mr. Kuhn stated that there is a procedure in place through the nuisance abatement ordinance which allows the City to lien the properties for the cost of cleaning a property. These liens are at the bottom of the lien priority, but they would be a matter of record. Mr. Lewis commented that the Mc Daniel property is becoming a fire hazard. It is located adjacent to the property owned by the Catholic church. The property was cleaned during the Mustang Mop-up. Several properties in Heppner need major work, in particular the Brosnan property on Chase Street.

3) Discussion – Personnel Matters: I-Definitions, II Administration.

Discussion: Mr. Paustian stated that the Chain of Command needs to be worked on. Employee records are satisfactory, productivity is an on-going problem. These are issues that need to be discussed with the personnel committee. Mr. Paustian stated that there are not any real problems, just issues that need to be worked on. Mr. Bowles stated that the only problem he has heard about was communication.

4) Agreement for Engineering Services (Ferguson) – Signature Authorization.

Discussion: Mr. Paustian stated that this is for stimulus fund projects. There are several projects that need to be engineered and need to be done before the end of July and is a blanket agreement. \$3 Million is available for projects. This contract is designed to allow Ferguson to become the City engineer. According to Mr. Kuhn, there are a few items that need corrected (typographical errors). Some of the engineering has already been done. Also, this agreement does not do away with competitive bidding. According to Mr. Kuhn, competitive bidding is not always required for engineering services.

Action: Motion by Mrs. Doherty to approve the Agreement for Engineering Services between the City of Heppner and Ferguson Surveying and Engineering. Seconded by Mr. Bowles. Motion Carried.

5) Anderson and Perry. According to Mr. Paustian, there is a grant available to hire Anderson & Perry to do a study on the Wastewater Treatment Plant. This needs to be addressed. The study will outline future work needed. The study is required for any available future grants. Mrs. Doherty commented that Anderson and Perry did the renovation on the wastewater facility and are familiar with the plant. According to Mr. Paustian, authorization is needed to allow the City Manager to execute this.

Action: Motion by Mrs. Buschke to authorize the City Manager to hire Anderson and Perry as the firm to design the Wastewater Treatment Facility study. Seconded by Mrs. Doherty. Motion Carried.

8. REPORT FROM THE CITY ATTORNEY. None.

8. REPORT FROM MAYOR/CITY COUNCILORS.

A. Mrs. Doherty recommended that future Council packets be printed on two-sided copies. This will save paper and funds.

10. ADJOURNMENT. Meeting adjourned at 8:00 PM.