

**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING  
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON  
7:00 PM, June 8, 2009**

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

**ATTENDEES:**

**Mayor, Les Paustian  
Samarra Van Doorn  
Judy Buschke  
JoAnn Burlison  
Cindi Doherty  
Keith Lewis**

**Absent: John Bowles**

**Dave De Mayo, City Manager  
Brian Harmon, Public Works Director  
Sgt Randy Rayburn, Morrow County Sheriff’s Department  
Anne Spicer, City Attorney  
Rusty Estes, Fire Chief**

**Members of the Public in Attendance**

**David Sykes, Heppner Gazette  
Sheryll Bates, Chamber of Commerce  
JoyceKay Hollomon  
Jerry Hollomon  
Eric Singleton  
Heather Paine  
Lisa Cutsforth**

**1. GENERAL BUSINESS.**

A. Call to Order. The June 8, 2009 meeting of the City of Heppner City Council was called to order at 7:00 PM by Mayor Leslie Paustian.

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

C. Announcements – Agenda additions and deletions.

Mr. De Mayo identified the following addition to the agenda: Request from Meghan Gaines for use of the City Park on June 21, 2009, for her wedding.

#### D. Correspondence.

1) Celebrate Heppner Event Schedule. Mrs. Bates pointed out that John Lewis from The Dalles will be in attendance. The evening events will be held on Main Street between Willow and May Street from 2:00 to 9:00 PM, 12 June 2009. A complete schedule is available in City Hall.

#### 2) Tolling Forum Invitation Letter.

Mr. De Mayo reported that an E-Mail has been received from Monte Grove, ODOT, reference a Tolling Forum. The letter attached to the E-Mail requests that the citizens of the state and local communities consider toll roads and if and how tolling could be applied in Oregon. Several discussion forums are scheduled in June.

#### E. Sheryll Bates, Heppner Chamber, Strategic Plan Update – WCVED.

Mrs. Bates briefed the current plans for updating Strategic Plans for Heppner, Ione, and Lexington. These plans have not been updated for some time. In order to receive grants from the state or agencies, an updated plan is necessary. Requests have been made to the County for assistance with payment and a grant for \$30,000 has been received. Greater Eastern Oregon Development Corp (GEODC) will be the leaders of this effort, beginning with Heppner in July. They would like 5-6 individuals from each community to commit to serving on the committee to develop the strategic plan. Heppner's will be done first, then Lexington and Ione. When all three plans are completed, people from each community will meet to discuss common threads in each plan. This will also give people in the area to provide input. This will be a living document. A strategic plan is important when applying for grants, etc. They would like a Council representative to be included in the committee.

#### F. Public Comment. None.

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

A. Request from Meghan Gaines to use the City Park on June 21, 2009, for a wedding. This can be granted, but the public cannot be excluded from using the park.

Action: Motion by Mrs. Buschke to grant Ms. Gaines permission to use the City Park on June 21, 2009, for her wedding and reception, with the condition that the use is not restrictive and that other citizens may be using the park also. Seconded by Mr. Lewis. Motion Carried.

#### B. Request for Animal Permit, Heather Paine, 120 N. Chase, Apt. 5, for chickens.

Discussion: Mr. Singleton, who is Ms. Paine's sponsor, stated that Ms. Paine has raised the chickens from the time they were hatched. The chicks and roosters are confined at night and are Ms. Paine's pets. They plan to move to Lexington in the future. He is not aware of any complaints from the neighbors. A permit application has not been submitted.

Mr. and Mrs. Hollomon are adjoining neighbors and stated that the rooster crows night and day, even though it is confined. The rooster has not been locked up for several months although they are confined at night. Mr. Hollomon has provided wire to the owners but it has not been used so far. According to the City ordinance, the animals cannot run at large. Mrs. Spicer stated that allowing the chickens is a policy decision and if the chickens are running at large, they have to abide by the ordinance which states that if the animals are a nuisance they would have to be removed. Mrs. Hollomon has no objection to the chickens as long as they are confined. Ms. Van Doorn suggested a probationary period. According to Mrs. Spicer, permits are granted as long as the chickens are not a nuisance. Ms. Van Doorn proposed a two week probationary period.

Action: Motion by Ms. Van Doorn to allow a permit be granted for a probationary period of two weeks. If no complaints are received during the two week period, then the chickens will be allowed permanently. Seconded by Mrs. Burleson. (In Favor: Burleson, Doherty, Van Doorn; Against: Buschke, Lewis. Abstained: Paustian) Motion Carried. A temporary permit will be issued for two weeks, if no complaints are received during that time, the permit will be permanent.

### **3. CONSENT AGENDA.**

- A. Minutes of City Council Meeting, May 11, 2009.
- B. Resolution No. 743-09, A Resolution Approving Accounts Payable for Payment.
- C. Monthly Financial Statement.

Discussion: Mr. De Mayo pointed out that the large bill to EBS is for medical, dental, life, and ADD insurance. The sum to the Heppner Volunteer Fireman's Auxiliary is personnel salaries. Mr. Paustian asked if fuel usage has increased in the past year as far as price. Mr. De Mayo cannot tell without investigating.

Action: Motion by Mrs. Buschke to approve the Consent Agenda. Seconded by Mr. Lewis. Motion Carried.

### **4. REPORTS.**

- A. Fire Chief.

Chief Estes reported the following for the month of May:

- 1 MVA (Senior Center)
- 1 Secure Landing Zone
- 19 Chief Calls

Promotions: Safety Officer: Dean Robinson; Captain: Andrew Johnson; Lieutenant: Brian Harmon. One new firefighter joined the department.

- B. Morrow County Sheriff's Department.

Sgt Rayburn reported the following for the month of May:

With regard to the vehicle accident at the Senior Center, Wacy Coil was on site and turned off the vehicle. It was fortunate that no one was injured when the vehicle traveled through the Family Foods parking lot across Willow Street and hit the Senior Center. The driver will be issued a citation for driving issues since his license was suspended for medical reasons. This occurred on Sunday, May 31, 2009.

The only juvenile problems were “egging incidents.” The high school principal caught juveniles smoking marijuana. They were cited.

The deputies have been working the construction zone. Part of the contract with ODOT requires in-kind. The patrols work in a mile radius of the construction zone.

Mr. Paustian commented that the deputies have been helping Mr. De Mayo with weed control and have also been active on dog control.

Mrs. Doherty reported that there is a dog problem at Mike Lynch’s residence on South Main. There is a mother dog with puppies that is very protective. Sgt Rayburn will talk to Mr. Lynch.

#### C. Housing Authority.

Mrs. Buschke reported that no one was injured in the recent accident.

A grand opening was held and went exceptionally well. There will be one vacancy since one resident is deceased. There are four people on the waiting list.

Mrs. Buschke thanked the City Public Works crew for installing the air conditioners.

They are still in transition with the new management company. The City handled the insurance claim.

#### D. Public Works.

Mr. Harmon reported the following:

All the water utilities on the Court Street project are in. There was an issue today with the water lines, but this should be satisfactory. The City will not sign off on the utilities until they are ready to pave. They will also “tv” the sewer lines one more time.

The crew is continuing to work with the golf course. There have been some wiring issues with the sprinklers which have been repaired. The course looks a lot better.

The “Henry Heppner” sign has been installed on the rock at the corner of Main and Church Streets. This will be a permanent installation.

The community garden has been moved to a location near the high school and a water service has been installed.

The new in-flow meter at the sewer plant is up and running. The drinking water out-flow meter is also up and running. This was purchased with tippage fees.

There are still apparent vandalism problems with the restrooms at the City park. Mr. Harmon asked that if anyone notices a problem to call the sheriff's office.

The hanging baskets look very good. The watering system is working great.

Mr. Harmon requested that people call in any pot holes that are developing. He is compiling a list for future work. He will discuss the alley behind Sgt Rayburn's house on Linden way. Mr. Harmon may be able to work with Knife River on a solution.

#### E. City Manager's Report.

Mr. De Mayo reported the following:

1. The Planning and Zoning ordinance will not be discussed until the July Council Meeting. The gaming ordinance which will be discussed next month.
2. A copy of the Award contract with OECDD for a technical assistance grant for a facilities plan for the wastewater treatment plant is included in the packet. This needs to be approved by the Council and a decision made for the signature card which requires four signatures.
3. With regard to personnel issues, alternate health insurance plans will be discussed later in the year(September). CCIS is currently over-loaded with work. Mr. De Mayo plans to discuss changes to the Personnel Manual with the City Attorney.
4. ODOT projects. House Bill 2001. Mr. De Mayo will be attending a meeting in La Grande in August for a decision from ODOT. Potential projects include Barratt Blvd, Willow Street Bridge, sidewalk on Riverside to the Little League fields, and a sidewalk and steps on Water Street to the high school.
5. Plans are to discuss a proposed changed to the business hours for City Hall. The hours would be the same, however; the office would not be open to the public until 10:00 AM. This will be discussed with the personnel committee.

## **5. PUBLIC HEARINGS.**

### **A. PUBLIC HEARING, CITY OF HEPPNER 2009-2010 BUDGET, AND USE OF REVENUE SHARING FUNDS.**

Public Hearing Opened at 7:50 PM.

Public Comment: None.

Public Hearing closed at 7:52 PM.

## **6. COUNCIL ACTION.**

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

1) Social Gaming Ordinance. This will be discussed in the future since the document is still in preparation.

2) Appoint Planning Commission Members:

- a. Tamara Lien, Position No. 7
- b. Vi Wilger, Position No. 5
- c. Don Stroeber, Position No. 6

Action: Motion by Mrs. Burlison to accept the appointments(Lien, Wilger, Stroeber) to the Planning Commission. Seconded by Mr. Lewis. Motion Carried.

3) Discussion of Planning Commission actions without a commission. This has been discussed previously along with an ordinance which would allow actions to be taken by the Council in case there was not a Planning Commission. This issue had been considered due to the resignation of several members when the new Ethics requirement came into effect. According to Mrs. Spicer, a planning official could be appointed to review all actions and then allow the Council to take final action. This would be a contingency plan in the event there was not a Planning Commission. Mrs. Spicer recommends that no action be taken unless there is a future problem with the Planning Commission. Mrs. Spicer will research this further and will revise the ordinance, but suggests not taking any action at this time since there is currently a planning commission on board. According to Mr. De Mayo, the Governor has modified the statue and Mr. De Mayo will contact the League of Oregon Cities for the current ruling.

### **B. NEW BUSINESS.**

1) Resolution No. 744-09, A Resolution Establishing the Pay Range Policy for Employee Compensation for FY 1009/2010 (Certification Pay is not Included).

Discussion: Mr. De Mayo and the City Treasurer have revised the figures.

Action: Motion by Mr. Lewis that this resolution go back to the Personnel Committee.

Further Discussion: Mr. De Mayo stated that this salary chart format was instituted several years ago under a previous City Manager. The salary chart is part of the resolution. This resolution has to be approved in order to approve the 2009-2010 budget. Mrs. Buschke does not understand the chart. Although this needs to be revisited by the Personnel Committee, the merit potential is not guaranteed. Ms. Van Doorn explained her interpretation of the pay scale.

Action: Motion by Mrs. Van Doorn to amend Mr. Lewis' motion to approve Resolution No. 744-09, A Resolution Establishing the Pay Range Policy for Employee Compensation for FY 2009/2010 (Certification Pay is Not Included), with review by the Personnel Committee after the beginning of the 2009-2010 Fiscal Year. Seconded by Mrs. Buschke. Motion Carried.

2) Resolution No. 745-09, A Resolution Adjusting Water and Sewer Rates in the City of Heppner.

Discussion: This has been discussed with the Budget Committee and Utilities Commission.

Action: Motion by Mrs. Buschke to approve Resolution No. 745-09, A Resolution Adjusting Water and Sewer Rates in the City of Heppner. Seconded by Mrs. Burleson. Motion Carried.

3) Resolution No. 746-09, A Resolution Declaring the City of Heppner's Election to Receive State Revenues During Fiscal Year 2009-2010.

Discussion: According to Mr. De Mayo, this is a State requirement that is done every year.

Action: Motion by Mrs. Doherty to approve Resolution No. 746-09, A Resolution Declaring the City of Heppner's Election to Receive State Revenues During Fiscal Year 2009-2010. Seconded by Mrs. Burleson. Motion Carried.

4) Resolution No. 747-09, A Resolution Adopting the City of Heppner Budget for the Fiscal Year Commencing July 1, 2009 Making Appropriations, and Imposing and Categorizing Taxes.

Discussion: According to Mr. De Mayo, the taxes are the permanent rate for the City of Heppner is \$10.6209 per \$1,000.

Action: Motion by Mrs. Doherty to approve Resolution No. 747-09, A Resolution Adopting the City of Heppner Budget for the Fiscal Year Commencing July 1, 2009 Making Appropriations, and Imposing and Categorizing Taxes. Seconded Ms. Van Doorn. Motion Carried.

5) Resolution No. 748-09, A Resolution Authorizing an Interfund Transfer Within the Debt Service Fund FY 2009-2010 for the Purpose of Paying Off a Loan.

Action: Motion by Mrs. Burleson to approve Resolution No. 748-09, A Resolution Authorizing an Interfund Transfer Within the Debt Service Fund FY2009-2010 for the Purpose of Paying Off a Loan. Seconded by Mr. Lewis. Motion Carried.

6) Resolution No. 749-09, A Resolution Extending City of Heppner's Workers' Compensation Coverage to Volunteers of the City of Heppner.

Discussion: Mr. De Mayo explained that this resolution allows Workers Compensation to volunteers which includes the Fire Department, Community Service Workers, etc. This is an

insurance requirement. This is done every year. According to Mrs. Spicer, this limits liability to the City.

Action: Motion by Mrs. Buschke to approve Resolution No. 749-09. A Resolution Extending City of Heppner's Workers' Compensation Coverage to Volunteers of the City of Heppner. Seconded by Mr. Lewis. Motion Carried.

7) Resolution No. 750-09, A Resolution Authorizing the Morrow County Treasurer to Invest the City of Heppner Funds Pursuant to ORS 294.035, ORS 294.125 and Other General Authorizations.

Action: Motion by Mrs. Van Doorn to approve Resolution No. 750-09, A Resolution Authorizing the Morrow County Treasurer to Invest the City of Heppner Funds Pursuant to ORS 294.035, ORS 294.125 and Other General Authorizations. Seconded by Mrs. Burleson. Motion Carried.

8) Signature Authorization: State of Oregon Water/Wastewater Financing Program Financial Assistance Award Contract for Technical Assistance Grant.

Discussion: Mr. De Mayo explained the reasoning for this. This contract from OECDD will review the plans for the facility development. The City would commit \$5,000 and OECDD \$20,000. This will allow the City to have an engineering firm inspect the facility and outline the equipment, life span, and cost for repairs. It will allow the City to plan for the future and accumulate the necessary funds on a schedule. The contract requires the Mayor's signature, and the signature card requires four additional signatures, plus the Mayor's signature. Mayor Paustian appointed Mr. Lewis, Mrs. Doherty, Mr. Bowles, and Mr. De Mayo to sign the signature card.

Action: Motion by Mrs. Buschke to authorize Mayor Paustian to sign the contract with the State of Oregon Water/Wastewater Financing Program, contract No. V09005 between the City of Heppner and the Oregon Economic and Community Development Department. Seconded by Mr. Lewis. Motion Carried.

**8. REPORT FROM THE CITY ATTORNEY.** No additional report.

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

**10. ADJOURNMENT.** Meeting adjourned at 8:30 PM.