

**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON
7:00 PM, September 14, 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
Keith Lewis
Samarra Van Doorn
Joann Burleson**

**Deputy Carter, MCS D
Fire Chief, Rusty Estes
Anne Spicer, City Attorney**

**Absent: Brian Harmon, Public Works Director
Sgt Randy Rayburn, MCS D
Councilor John Bowles**

**Members of the Public: David Sykes, Heppner Gazette
Don Stroeber
Sheryll Bates, Heppner CofC
Sarah Fischer, First Investors**

1. GENERAL BUSINESS.

A. Call to Order. The September 14, 2009 meeting of the Heppner City Council was called to order at 7:00 PM by Mayor Paustian.

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

C. Announcements – Agenda additions and deletions.

Mr. De Mayo announced that the Community Bank presentation by Megan Snow will be held during the October 12 Council Meeting.

D. Correspondence. None.

E. Public Comment. None.

2. COMMUNICATIONS FROM THE PUBLIC.

A. Presentation: Sarah Fischer, First Investors, Deferred Compensation.

Mayor Paustian introduced Sarah Fischer, Registered Representative, First Investors, who will give a presentation to the Council on Deferred Compensation. Ms. Fischer distributed a prospectus which outlines the program. Ms. Fischer is proposing that the City consider First Investment to become a carrier for a deferred compensation program for City employees. This plan would augment the PERS program and Social Security and add an additional option for retirement savings.

The company will assist individuals with future financial planning. Ms. Fischer would work with employees to aid them in their selection of the best plan.

First Investors are carriers for the Cities of Irrigon and Stanfield, and the Morrow County School District, Hermiston School District, Pendleton School District, and Ione School District.

The product is a 457(b) program. This is a retirement savings program. Ms. Fischer would use a three-part program which would aid individuals in achieving their goals. The program would look at savings, life insurance, and retirement vehicles. Other investment options would also be discussed.

The program is tax-deferred and would not be taxed until a person starts drawing on the funds. This program could be a supplement to PERS, Social Security, and government retirement programs.

Ms. Fischer will do most of the paperwork. The City would do the deductions on line. She has previously given a presentation to the City employees.

In order to set up the plan, an attorney is required. The cost of this is \$1,000 for the attorney to set up the documentation for the plan. She proposes using an outside third-party administrator. She suggests an attorney in Eugene who manages this plan in Morrow County. He is familiar with these plans. Updates are done every 4-5 years. If the cost is too expensive for the City, her company would be willing to work out a way to assist with the costs.

The plan would be non-exclusive which means that another provider could offer their plan with Council approval.

Employees would pay the cost for the mutual plan. The school district plan is for the teachers only.

Mr. De Mayo reported that the City employees were receptive to this program. Ms. Fischer stated that the plan could be transferred to other employment/employer areas and she would still assist the employees if they relocated.

3. CONSENT AGENDA.

A Minutes of Council Meeting, August 10, 2009.

B. Resolution No. 755-09, A Resolution Approving Accounts Payable for Payment.

C. Monthly Financial Statement.

Council members reviewed the minutes and financial report. One error was identified in the minutes and corrected.

Action: Motion by Mrs. Burluson to accept the Consent Agenda, to include the minutes as corrected, Resolution No. 755-09, A Resolution Approving Accounts Payable for Payment, and the Monthly Financial Statement. Seconded by Mr. Lewis. Motion Carried.

4. REPORTS.

A. Fire Chief.

Fire Chief Estes reported the following for the month of August:

- 3 Vehicle Wrecks
- 1 Secure Landing Zone
- 1 Structure Fire
- 1 Vehicle Fire
- 2 Wildland Fires
- 1 Mutual Aid to Oregon Department of Forestry
- 2 Mutual to Ione
- 33 Chief Calls

B. Morrow County Sheriff's Department

Deputy Carter reported the following (included in monthly report):

August was a busy month with 8 traffic stops in Heppner; 6 received warnings, and 2 DUII arrests.

Deputies responded to a vehicle crash on Water Street in front of the Sheriff's office.

Deputies responded to a theft complaint of a sign at the High School and power tools power tools from a shed. The department also responded to a report of graffiti in the restroom at the City Park. All cases are still under investigation.

The Morrow County Sheriff's Department investigated allegations of a Heppner teacher and two juvenile students. The teacher was arrested, indicted by a grand jury, and is incarcerated in the Umatilla County Jail.

Deputy Carter has been working with several property owners regarding weeds and trash ordinance violations.

There were few minor complaints during the fair and rodeo.

One person was issued a citation for MIP-alcohol.

Total hours for August 2009 were 240.5; additional hours were 128. hours and total hours were 368.5 hours.

Mr. Paustian noted that he has observed speeding in the school zones. Deputy Carter has been working the school zones—both the construction zone near the elementary school and also the high school. Mrs. Doherty commented that speeding in the construction zone is a problem.

C. Heppner Housing Authority.

Mrs. Buschke reported the following:

The new floor installation in the dining room is not completely finished; baseboards still need to be installed. The floor is not completely satisfactory—it is showing indentations and Mrs. Buschke suspects that a harder finish is needed. This will be worked on.

There were three vacancies; however, one tenant has received approval to move in. There has been a problem with communication with Cascade Management. Two more potential tenants are waiting approval. There has been a problem with resolving the income restrictions. Two of the applicants may be over the income limit. One of the applicants is relocating from Oklahoma and another one from North Dakota. Mr. Paustian asked what Cascade's response was on the water damage. According to Mr. De Mayo, the insurance company worked with the City and St. Patrick's Senior Apartments to take care of the damage. Cascade Management was not involved.

D. Public Works.

Council members reviewed the Public Works Report. Mrs. Doherty reported that there was a bicycle in the creek near the bridge at the intersection of Hinton and Willow Creeks. Deputy Carter will investigate. He reported that so far, there are five bicycles that have been recovered that are being held at the Sheriff's department.

Mrs. Doherty inquired about signs in the construction area on Court Street since there are no flaggers, and there have been some problems with traffic. Mr. De Mayo will investigate this with the contractor at the weekly meeting.

E. City Managers Report.

Mr. De Mayo discussed the following:

1) Surplus Property. The propane generator at the Wastewater Treatment Plant is excess, Reservoir #4 has been removed from the system, and there is also a 1990 Chevrolet truck that is inoperable. Mr. De Mayo would like these items declared excess and disposed of.

2) Utility Billing Clerk. Staci Osmin began her employment today.

3) Needs and Issues. September 18, 2009 is the last day to submit these. Requests have been prioritized. However, funds are limited this year.

4) City Code. There are two issues for consideration: Costs for enforcement of citations; Ms. Spicer recommended this be amended by a resolution. There is no longer a Municipal Judge. Mr. De Mayo has discussed this at length with Mr. Kuhn. Mr. Kuhn recommended discussing the City taking over the duties of a Municipal Judge. Currently, Judge Gray has been handling this for the City, but if she decides not to continue this practice, a decision needs to be made. According to Mrs. Spicer, Judge Gray intends to retire at the end of her term in 2011. The street vacation fee needs to be determined by a resolution.

5) Viewscape. Mr. De Mayo reported that in several areas, it is the opinion of some people that the scenery is being ruined by the windmills; this may be an issue in the future for Heppner. Mr. Paustian stated that he has had several phone calls from concerned citizens regarding the possibility of Heppner's landscape being ruined by windmills. Currently, this is not an issue, but could be in the future.

6) Personnel Issues. Mr. De Mayo stated that there some issues that need to be resolved by the Personnel Committee and Council.

7) Cats. Mr. De Mayo stated that cats are becoming an issue in Heppner due to many of the cats are not spayed or neutered. There are several problem areas in Heppner, one by the old car wash on Center Street, the fairgrounds, Water Street, and Shobe and Union Streets. Mr. De Mayo wonders if the idea of having people pay for transporting the cats that are not neutered and spayed in their areas. Mr. De Mayo would like to trap these cats. Deputy Carter stated that the Sheriff's Department has cat traps available. The problem would be identifying the owners of the cats. Mrs. Doherty added that there is also a problem with skunks in the area. Mr. De Mayo will research the options for the cat problem. Mrs. Bates volunteered to check on grants available for spaying and neutering cats. There are a lot of feral cats in Heppner.

5. PUBLIC HEARINGS. None Scheduled.

6. COUNCIL ACTION.

A. OLD BUSINESS.

1) Delinquent Utility Accounts. Mr. De Mayo discussed the information provided in the Council packets. The first list itemized accounts that have been charged the \$8.90 monthly fee and are no longer being charged. These accounts have been closed out. Disconnected Accounts are accounts that are disconnected with balances due. Some of these accounts have payment

agreements; however the remainder are accounts for people who have left the area. Mr. De Mayo would like to turn the remainder of these accounts turned over to a collection agency. The disconnected accounts with a balance of under \$100.00 need to be purged from the system. The second sheet is a computer printout of all accounts over due for 90 days and over. According to Mr. Paustian, the billing clerk will be working on collecting the past due accounts.

Mrs. Spicer recommends final Council approval to begin this process.

Action: Motion by Mrs. Doherty to turn the disconnected accounts over to collection, that the Utility Billing Clerk will work to get all the past due (over 90 days) accounts in order to get the accounts paid in full or payment arrangements, and the accounts listed as disconnected under \$100.00 purged from the system. Seconded by Mrs. Buschke. Motion Carried.

2) Chamber of Commerce Parking Issues.

Mrs. Bates reported that the parking issue has been resolved. According to Mrs. Bates the space on May Street beside her office is needed for visitors to the Chamber and Dickenson Chiropractic. The space is also needed for loading and unloading for Chamber functions. Mrs. Bates discussed this with the County Health Department supervisor since those employees were using the space on a regular basis. The problem escalated during the summer due to extra employees at the Forest Service. According to Mrs. Buschke, there is also a problem with parking at the Senior Center. Mr. Paustian brought up the use of the vacant apartment property on May Street. Reportedly, the owner might sell this property for \$15,000. This area could be used for parking for the County also and Mr. Paustian recommended discussing partnering with the County for the parking space. Mr. De Mayo stated that maintaining this would be an issue. This will be discussed further.

3. Dumpster for Hunters. In answer to Mrs. Doherty's question regarding the dumpster for the hunters, Mrs. Bates stated that a sign is being made and will be mounted this week. The dumpster is located adjacent to the playground at the City Park.

B. NEW BUSINESS.

1) Resolution No. 756-09, A Resolution Approving Transfer of Appropriations Within the General Fund of the 2009-2010 Budget.

Discussion: Mr. De Mayo explained that this is a transfer within the General Fund to cover the flood insurance for the Senior Center. This is reimbursed by the Housing Authority (not Cascade Management).

Action: Motion by Mrs. Bureson to accept Resolution No. 756-09, A Resolution Approving Transfer of Appropriations Within the General Fund of the 2009-2010 Budget. Seconded by Mrs. Buschke. Motion Carried.

2. Excess Property.

Discussion: Mr. De Mayo reported that there are three items that need to be declared excess and disposed of. The items are:

a. Propane Driven Standby Generator, Generac, Model 94-A 02193S, Type: SSG100-K367, 4N18CBNNy w/alternator.

b. Truck – 1990 Chevrolet pickup, Cheyenne 3500, License E223149. The truck is no longer functional.

c. Water Reservoir #4, 100,000 gallons. The reservoir is completely empty and disconnected from the City's water system.

Mr. De Mayo has proposed the possibility of transferring the reservoir to the County. It is located on County property and was given to the City in return for providing to water to the Court House. According to Mrs. Spicer, the County has to consent to take the reservoir back. Mr. Paustian stated that the reservoir could be sold by the County to a developer if the area is ever developed. Mr. De Mayo suggested that the reservoir could be reconditioned for use by a developer.

Action: Motion by Mrs. Buschke to declare the items listed as excess property and give the City Manager authority to dispose of them. Seconded by Mrs. Doherty. Motioned Carried.

7. MINUTES OF COMMISSION MEETINGS. (furnished for information only).

8. REPORT FROM THE CITY ATTORNEY. None.

9. REPORT FROM MAYOR/CITY COUNCILORS.

1) Defense Meritorious Service Medal (DMSM) – MAJ David De Mayo. Mr. Paustian announced that Mr. De Mayo has been awarded the DMSM Medal for his recent service in Iraq. This medal is the third-highest award bestowed upon members of the US military by the US Department of Defense and is awarded by the Secretary of Defense to members of the Armed Forces who distinguished themselves by non-combat outstanding achievement or meritorious service while assigned to a joint, multi-service organization. Council members congratulated Mr. De Mayo on the award. Mr. Sykes will publish an article in the local paper.

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