

**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON
7:00 PM, January 11, 2010**

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

ATTENDEES:

**City Manager, David De Mayo
Judy Buschke
Cindi Doherty
Keith Lewis
Joann Burleson
Samarra Van Doorn**

**Sgt Randy Rayburn, MCSD
Fire Chief, Rusty Estes
Anne Spicer, City Attorney
Brian Harmon, Public Works (arrived at 7:45 PM)**

Absent: John Bowles, Mayor Les Paustian

**Members of the Public: David Sykes, Heppner Gazette
Sheryll Bates, Heppner Chamber of Commerce
Erin Mills, East Oregonian
Becky Harmon**

1. GENERAL BUSINESS.

A. Call to Order. The January 11, 2010 meeting of the City of Heppner City Council was called to order at 7:00 PM by President, Cindi Doherty.

B. Pledge of Allegiance. Mrs. Doherty led the Council members and attendees in the Pledge of Allegiance to the Flag.

C. Announcements – Agenda additions and deletions None.

D. Correspondence. None

E. Public Comment. None.

F. Elect Council President for 2010.

Action: Mrs. Buschke nominated Mrs. Doherty to serve as Council President for 2010. Seconded by: Mrs. Burleson. Nominations closed. Motion Carried.

2. COMMUNICATIONS FROM THE PUBLIC.

Mrs. Bates announced that on Thursday, January 14, 2010, an advisor from the Governor's office and representatives from other State agencies will meet with the Willow Creek Valley Economic Development Group to discuss the Strategic Plans for local communities and provide information, to include funding assistance and directions on proceeding in the future. Discussions will include medical clusters, housing, and grants available. The meeting will be held from 10:00 AM to 12:00 PM at City Hall.

3. CONSENT AGENDA.

1. Minutes of City Council Meeting, December 14, 2009.
2. Monthly Financial Statement.

ACTION: Motion by Mrs. Burleson to accept the Consent Agenda. Seconded by Mrs. Buschke. Motion Carried.

4. REPORTS.

A. Fire Chief.

Chief Estes Reported the following actions for December 2009:

- 4 MVAs
- 2 Flue Fires
- 2 House Fires

Actions for the year 2009:

- 75 Page-outs
- 445 Chief Calls
- 25 Car Wrecks
- 10 Secure Landing Zone requests
- 2 Ambulance Assists
- 3 Vehicle Fires
- 1 False Alarm
- 8 Mutual Aid to other Fire Departments
- 11 Received Mutual Aid from other Fire Departments
- 1 Conflagration out of town
- 3 Propane Spills
- 3 Flue Fires
- 1 Power pole fire
- 14 Rural Calls
- 15 City Calls

75 calls; 81 is the yearly average. There were 8 calls in the last two-two months due to bad weather.

B. Morrow County Sheriff's Department.

Sgt. Rayburn reported that actions in December were down, with the exception of dog complaints. Dog complaints are reported to the Sheriff's office. According to Mr. De Mayo, the dogs that are picked up are taken directly to Pet Rescue in Hermiston in most cases. Mrs. Burleson asked whether the drug dogs were taken to the High School periodically. According to Sgt. Rayburn, there is no set schedule and the dogs are used at the High School randomly. In addition, the principal occasionally requests this service.

C. Heppner Housing Authority.

Mrs. Buschke reported that there are two vacancies; one potential tenant didn't meet the income requirements. There are questions on the income restrictions for six units—potential tenant's incomes are too high in some instances. A fire drill was requested from Chief Estes and will be scheduled in the future. A meeting will be held on January 12, 2010 to discuss issues and concerns.

D. Public Works.

Mr. De Mayo reported that the Public Works Director's report was basically self-explanatory. There are three items that need to be brought to the Council:

1) There is an opportunity to purchase an ATV mower attachment from Mr. Murray. The price is \$1300.00. Mr. De Mayo stated that the Utility Commission has discussed this and agreed with the purchase. Mr. De Mayo has researched prices for comparable equipment and the price is quite reasonable. The equipment is in very good condition.

2) Scissor Lift purchase. Mr. De Mayo stated that RSC in Hermiston has offered a used lift in good condition for \$3300.00. Mr. De Mayo has researched prices for similar equipment and the only other similar machine located was in Walla Walla; however, no maintenance records were available. RSC has complete maintenance records for their equipment. Based on the maintenance records and the reasonable price, he feels that RSC is a good buy. The lift would be used for hanging flower basket installation, changing street lights, etc. Currently, they have been using a ladder which is unsafe.

3) Damage to the Public Works shop. Mr. De Mayo reported that approximately two months ago there was some accidental damage to the shop. The only contractor who provided an estimate for the repairs was Dave Allstott. The price quoted was \$2500, which is reasonable for the repair. They are recommending that the repair be done this spring.

4) Mr. De Mayo announced that a new podium was built by Public Works in addition to their normal work. Mrs. Buschke asked about a Council table for the future. Mr. De Mayo

stated that this is being considered. Mr. Harmon will be visiting the Government Surplus section in Salem specifically to look for items of this nature.

5) Mr. De Mayo complimented Public Works' clean up and street maintenance during the snow storms earlier this month. This was automatically done by the employees.

6) Upon his arrival, Mr. Harmon discussed the scissors lift truck. The previous equipment was disposed of last year. The truck they are considering is a 2005-2006 model. It can be kept parked in the shop. All service records for the vehicle are available. This is the vehicle from RSC in Hermiston.

E. City Manager's Report.

Mr. De Mayo provided information on the following items included in the City Manager's Report:

1) City Code. Mr. De Mayo has furnished a copy of the various codes with appropriate comments. Council will need to make a decision on how to proceed on this, i.e., have the code codified or look at certain issues before a decision is made on the codification.

For example, the former code required that the Chief of Police could enter private property without a warrant to remove junk vehicles, etc. This was changed to require a warrant for entering private property. However, the City Manager is required to enter a property to post a notice when it is declared a nuisance.

Another interesting item is that the comprehensive plan requires an annual review by the City attorney.

2) Excess Property. This item is self-explanatory.

3) Farmers Market. The plan is to continue this function for another year. Mrs. Doherty suggested that Mrs. Flaherty report to the Council on last year's status. Mrs. Burleson stated that another meeting will be held in the future to discuss such items as date and time change. Council members would like a year-end review and discuss future plans with the Council. Mr. De Mayo will contact Mrs. Flaherty to attend the February Council Meeting.

5) Anderson-Perry Contract. Mr. De Mayo had expected Mr. Baird to be in attendance at tonight's meeting. Mr. Baird and Mr. De Mayo have exchanged E-Mails on this. Copies are furnished in the packet.

6) The Deferred Compensation contract is included in the packet, along with additional information provided.

8) Dan Doyle has been hired as a full time employee in the Public Works Department as of January 1, 2010.

9) Goal Setting. Mr. De Mayo recommends re-writing the requirements for goal setting to coincide with the fiscal year. Due to Budget Considerations, Council felt this should be left as-is. **A date for the goal setting session was set for February 22, 2010, at 12:00 PM at the Columbia Basin Electric Coop conference room.**

10) City Manager's Evaluation. Mr. De Mayo announced that his evaluation is due after the Town & Country Banquet on January 14, 2010.

11) Next month, Eric Lasater, ESD, will meet with the Council at the February 8, 2010 Council Meeting to discuss the process for setting up the City web site.

12) Mr. De Mayo distributed a chart outlining the historical census figures for 1920 through 2000. He pointed out that the highest population for the City was in 1960 which was during the resource economy period when the Kinzua mill was in operation. Mr. De Mayo commented that he does not agree with the "build it and they will come" philosophy for Heppner. He recommends a balance of quality older housing and some, albeit limited, new construction.

5. PUBLIC HEARINGS. None.

6. COUNCIL ACTION.

A. OLD BUSINESS:

1) Consider Approval of Wastewater Treatment Facility Plan Contract, Anderson & Perry. (Tabled from December 14, 2009 Council Meeting).

Discussion: According to Mr. De Mayo, this is a legal requirement and according to ORS, this is required this year. He also discussed the fact that this should not be over the \$25,000 grant amount. Mr. Lewis stated that he has concerns about extra work recommended. Section C, Paragraph 3 can be deleted per the attorney's recommendation. Mrs. Spicer has reviewed the contract thoroughly, and recommends signature with the deletion noted.

Action: Motion by Mrs. Burlson to approve the Wastewater Treatment Facility Plan Contract between the City of Heppner and Anderson-Perry & Associates, Inc. with the deletion of Paragraph 3, of Section C, and authorize the signatures as required. Seconded by Mrs. Buschke. Motion Carried.

2) Approve First Investors Contract.

Discussion: Mr. De Mayo reported that he has received additional information today regarding the contract. Mrs. Spicer stated that she needs to review the additional information.

Action: Tabled until the February 8, 2010 City Council Meeting.

3) City Code Revision.

Discussion: Mrs. Buschke asked about the material that Mr. De Mayo provided. He has annotated revisions as they have occurred. Of particular interest is the portions concerning vehicles and nuisances. Mrs. Spicer questioned the charge for Peddler's Licenses. With reference to the portion concerning the transient room tax, Mr. De Mayo feels this is extremely complex since there is only one lodging establishment in Heppner. There is a lot unnecessary overkill. Mr. De Mayo has noted and recommended items that should be changed. The material is an overview of items contained in the code.

Mr. De Mayo suggested that the council review the outline and compare it with the code and his notes. Mrs. Buschke would like the code on the web site. She suggested work sessions to review the code. Mrs. Spicer recommended with the entire Council review the code, which may take several work sessions. Mrs. Burlison suggested reviewing by title. Mrs. Doherty volunteered to make copies for the Council members. A date for the first work session will be set at the February 2010 Council meeting. Packets will be provided for the work sessions.

4) City Manager's Evaluation.

A date for the evaluation was set for January 25, 2010, at 7:00 PM at City Hall. Information will be delivered to the Council prior to this date.

B. NEW BUSINESS.

1) Disposal of Excess Public Works Property.

Discussion. Mr. De Mayo reported that this refers to the 2006 Ford Crown Victoria, License No. E233270, VIN 2FAFP71W46X1444991, which is the vehicle received from the Morrow County Sheriff's Department.

Action: Motion by Mrs. Buschke to approve disposal of the excess property -- 2006 Ford Crown Victoria, License No. E233270, VIN 2FAFP71W46X1444991, which is the vehicle received from the Morrow County Sheriff's Department. Seconded by Mr. Lewis. Motion Carried.

2) Purchase of Scissor Lift – Public Works.

Action: Motion by Mrs. Burlison to approve the purchase of a Scissor Lift from RSC, Hermiston, for a purchase price of \$3300, from the Reserve Fund. Seconded by Mr. Lewis. Motion Carried.

3) Purchase of ATV Mower Attachment.

Discussion. Mr. Harmon outlined the uses for this equipment. It will be used for mowing shoulders—the guard rail on Morgan Street, and Barratt Blvd. The Well 1 compound will be mowed, around the main reservoir, and the storage tank at the Golf Course. This will be paid for out of the reserve fund. The purchase price is \$1300.

Action: Motion by Mrs. Buschke to purchase the ATV mower attachment for \$1300. Seconded by Mrs. Burleson. Motion Carried.

4) Appoint member to Beautification/Parks & Lands Commission for 2010.

Discussion: Mr. Sam Hornbeck has agreed to serve. Appointments to the Commission are for one year.

Action: Council members agreed to appoint Mr. Hornbeck to serve on the Commission.

7. MINUTES OF COMMISSION MEETINGS. Furnished for Information.

8. REPORT FROM THE CITY ATTORNEY. None.

9. REPORT FROM MAYOR/CITY COUNCILORS.

A. Mrs. Doherty suggested that a notice to renew dog licenses be included on the January water bills.

B. Council members inquired about the estimate from Allstott Construction to repair the City Shop and whether the insurance will cover part of the cost. There is a question on the insurance which has \$1,000 deductible. This is a spring project.

C. Ms. Van Doorn inquired about the condition of the creek banks behind the museum. This is the responsibility of the Soil & Water District.

D. With regard to code enforcements, Mrs. Doherty pointed out that there are several properties that need attention. Mr. De Mayo stated that they are working on several properties that need attention on Cowins Street. Mrs. Doherty noted that there are some properties on Water Street that are in bad condition. Mrs. Burleson asked about the status of the vehicles on the corner of Court and Hill Streets. Sgt Rayburn will apprise the deputies of the issue.

10. ADJOURNMENT. Meeting declared adjourned at 8:15 PM.