

**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING  
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON  
7:00 PM, December 13, 2010**

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

**ATTENDEES:**

**Mayor, Les Paustian  
City Manager, David De Mayo  
Cody High  
Cindi Doherty  
JoAnn Burleson  
Judy Buschke  
John Bowles  
Keith Lewis  
Ann Spicer, City Attorney  
Phillip Spicerkuhn, City Attorney**

**Brian Harmon, Public Works Director  
Fire Chief, Rusty Estes**

**Absent: Randy Rayburn, MCSO**

**Members of the Public: David Sykes, Heppner Gazette  
Don Stroeber  
Judd Coppock, Coppock Surveying**

**1. GENERAL BUSINESS.**

A. Call to Order. The December 13, 2010 meeting of the City of Heppner City Council was called to order at 7:00 PM by Mayor Paustian.

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

C. Announcements – Agenda additions and deletions. Social Gaming License, Elks Club.

D. Correspondence. None.

E. Public Comment. None.

F. Requests. None.

**2. COMMUNICATIONS FROM THE PUBLIC.** None.

**3. CONSENT AGENDA.**

A. Minutes of City Council Meeting, November 8, 2010.

B. Monthly Financial Statement.

**Action:** Motion by Mrs. Burluson to approve the Consent Agenda, to include the November 8, 2010 minutes and Monthly Financial Statement. Seconded by Mrs. Doherty. Motion Carried.

**4. REPORTS.**

A. Fire Chief.

Chief Estes reported the following for the month of November:

1 Motor Vehicle Accident

1 Flue Fire

2 Secure Landing Zone

23 Chief Calls

Chief Estes reported that Dean Robinson was voted Fire Fighter of the Year.

B. Morrow County Sheriff's Department.

Mr. Bowles reported that Deputy Lehman and Deputy Carter reported 298 hours for November 2010, with 53 additional hours by other personnel for a total of 351 hours.

Mr. Bowles reviewed the items listed in the November 2010 Report. He reported that there have been incidents of dogs in Heppner and citations were issued, and two dogs taken to Pet Rescue. Several dogs were returned to the owners rather than taking them to Pet Rescue.

Two people in Heppner were arrested on warrants. Two disputes were either handled on scene or unfounded.

Mrs. Burluson reported that she has noticed that J-Turns are continuing on Main Street. This occurs most often during the time when people come to pick up their mail. This is a dangerous practice.

C. Housing Authority.

Mrs. Buschke reported that there are still three vacancies at the Sr. Center apartments. There are problems with the allocation of rooms due to income restrictions. There are two prospective tenants that may be able to move in. There have been some problems with the heating system which have been resolved.

D. Public Works.

Mr. Harmon reported that during the last snow event, the crew was able to keep the streets clear without using any overtime. Willow and Water Streets may have to be closed if a major storm moves in. The County assisted with the snow cleanup.

Mrs. Doherty inquired about the RV and sheds on the Kirk/August Street area. The RV belongs to Dan Mc Bride and is located on August Street.

Mayor Paustian commented that Public Works is doing a very good job.

E. City Manager's Report.

- Mr. De Mayo reported that the Water Conservation Master Plan has been completed. An ordinance to enforce the plan is needed and Mr. De Mayo will be working with the City Attorney to draft the ordinance.
- Mr. De Mayo stated that he has copies from the Attorney General's office of the Ethics Rulings and Public Records and Meetings Manual available to be checked out.
- A meeting date for the Council Goal Setting Session needs to set. The meeting is customarily set for a date during January or February prior to the start of the budget process. Council members agreed that Wednesday is the preferred day of the week for this. Mr. De Mayo will check the availability of the CBEC conference room and coordinate with Council Members, Fire Chief, Public Works Director, and City Treasurer.
- Mr. De Mayo reported that the Planning Commission met on December 3, 2010 to discuss Mr. Mc Bride's request for a Temporary Use Permit. Mr. Mc Bride was not in attendance; he was unaware of the date of the hearing. The Public Hearing has been rescheduled for January 3, 2011.
- With regard to HB 2001 projects, design work has commenced. Water Street sidewalks may be a problem since there is no way to make them

ADA compatible. The sidewalks may be installed on both sides of Water Street. This may require working with the County and School system. Mayor Paustian commented that the HB 2001 work is only for design and not construction.

- Audits are available for Council review. According to Mr. Paustian a request for the auditors to communicate by letter rather than traveling to Heppner is being considered.

## **6. COUNCIL ACTION.**

**A. OLD BUSINESS.** None.

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

1) Presentation to Council – Judd Commock, Coppock Surveying.

Mr. Coppock is in attendance to discuss his proposal on signatures on Partitions. He feels that the Planning Commission should be able to approve plats without going to City Council for final approval. He recommends letting the Planning Commission handle the signatures on partition plats. Subdivisions which are dedicated to the public should be signed by the Planning Commission, but anything dedicated to the public should be signed/approved by the Council. Mr. Coppock stated that this has not been addressed as far as an ordinance. Mrs. Spicer will investigate further to see if the State statutes will allow this.

2) Resolution No. 781-10, A Resolution Canvassing the Results of the November 2, 2010 General Election for the Mayor and City Council Positions and Declaring the Results.

Discussion: Mr. De Mayo reported that the results from the County Clerk are as follows:

Mayor Paustian received 457 out of 486 total votes for 94.03% total; Councilor Buschke received 455 votes out of 460 total votes for 98.91% total; and Councilor Burleson received 443 out of 451 total votes for 98.23% total.

By law, a Certificate of Election is required prior to being sworn in, and these were presented to Mayor Paustian, and Councilors Buschke and Burleson.

**ACTION:** Motion by Mrs. Doherty to approve Resolution No. 781-10, A Resolution Canvassing the Results of the November 2, 2010 General Election for the Mayor and City Council Positions and Declaring the Results. Seconded by Mr. Bowles. Motion Carried.

3) Audit Review. Mr. De Mayo announced that he has discussed the audit with the auditor and City Treasurer, and the following items are noted.

- Page 5, the auditors have taken the water, sewer, housing, and operations fund and grouped them together as proprietary or enterprise funds because they generate their own revenue to sustain them. These are separated from all the other funds such as fire, reserve, and general fund. This is a GASB-40 ruling. These funds are grouped together in the audit.
- There was a mistake made in an entry—the housing authority refund was entered after the auditors received the books. This required an adjustment.
- The Sewer Fund needs to be monitored. The sewer charges are reflected as income. This does not equate with the expenses. The charges also include other sources of income, such as septic disposal. In order to balance this, part of the income has to come from the beginning balance. This is no better this year and the revenue from user charges does not cover the expenses and the remainder has to come from the beginning fund balance. Expenditures for chemicals, etc., have increased. The sewer rates need to be raised to cover this. According to Mr. Harmon, the sewer rates have not been raised for some time. Mr. De Mayo feels that the rates need to be raised \$2.00-\$3.00 per month. The Utility Commission will be meeting this week and discuss this in detail before providing a recommendation to the Council.
- The other fund that currently needs to be watched is the dog fund. The expenditures are mainly for transferring dogs to Pet Rescue. The funds are generated from dog licenses which are collected annually. Council members recommended sending out letters to pet owners and enforcing the licensing requirement.

**7. MINUTES OF COMMISSION MEETINGS.** For information only.

**8. REPORT FROM THE CITY ATTORNEY.**

Ms. Spicer introduced Phillip Spicerkuhn who will serve as the City Attorney. Mr. Spicerkuhn has moved to Heppner from Spokane and is joining Kuhn and Spicer's practice.

**9. REPORT FROM MAYOR/CITY COUNCILORS.**

- Mr. Bowles reported that with regard to the vehicles that the City receives from the Sheriff's Department, this needs to be detailed in the contract so that a Durango or pickup can be purchased and then the City would receive this type of vehicle on rotation.
- **Social Gaming License for the Elks' Club.** The Morrow County Sheriff's Office had previously given consent to the issue of a Social Gaming License to the Elks Club. Mr. De Mayo has received the license fee and a letter from the Exalted Ruler requesting a waiver on the fingerprint charge for Tim Dickensen.

Action: Motion by Mrs. Buschke to accept the Elks request for a Social Gaming License and waive the fingerprint requirement. Seconded by Mrs. Burlison. Motion Carried.

**10. ADJOURNMENT.** Meeting adjourned at 7:45 PM.