

**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON
7:00 PM, 10 January 2011**

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
Phillip Spicerkuhn, City Attorney**

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

Absent: Keith Lewis

1. GENERAL BUSINESS.

A. Call to Order. The January 10, 2011 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. Installation of Mayor (Swearing-in)

D. Installation of New City Councilors and Seating of the New City Council)

Action: City Attorney Spicerkuhn administered the Oath of Office to Mayor Paustian, and Councilors Buschke and Burleson.

E. Election of President of the Council.

Action: Motion by Mrs. Burleson to appoint Mrs. Doherty as Council President for 2011. Seconded by Mrs. Buschke. Motion Carried.

F. Announcements – Agenda additions and deletions.

Mr. De Mayo identified an E-Mail from Brett Cook, City of Boardman, concerning Building Permit Catalyst/Flood Plain Stds. This concerns the Chase Street apartments which were recently sold to Elohim Covenant (Linda Crane/Alvin Liu) and are being remodeled. Mr. De Mayo advised Mr. Liu to contact Brett Cook to determine if they need a building permit.

G. Correspondence. None, other than that identified in the agenda.

(1) Letter of Consent, December 22, 2010, US Army Corps of Engineers, re Hager Park restroom. This authorizes the City to proceed with construction of the restroom at Hager Park.

(2) E-Mail, December 23, 2010, Karen Wagner, CAPECO Press Release. This concerns the 4-County Regional Community Food Assessment.

H. Public Comment – None.

I. Requests. None.

2. COMMUNICATIONS FROM THE PUBLIC. None.

3. CONSENT AGENDA.

A. Minutes of City Council Meeting, December 13, 2010

B. Monthly Financial Statement.

ACTION:

Motion by Mrs. Burlison to approve the consent agenda. Seconded by Mrs. Buschke. Motion Carried.

4. REPORTS.

A. Fire Chief.

Chief Estes reported the following year-end report.

- 66 Page-outs
- 25 Car wrecks
- 16 Secure Landing Zone
- 5 Rural Fires
- 6 City Fires
- 3 Ambulance Lift Assists
- 2 Flue fires

7 Mutual Aids
2 Received Mutual Aids

A grant from the Federal Govt. in the amount of \$160,000 has been received to buy a new tender. This grant is the result of several years of applying for grants.

B. Morrow County Sheriff's Department.

Mr. Bowles stated that 390 hours were reported for December 2010. Actions reported for December were listed in the monthly report included in the Council packet. Mr. Bowles reported that the department has been working on code enforcements; mostly vehicles and dogs.

There have been a lot of thefts; people breaking into refrigerators/coolers at citizen's residences. This was mostly juveniles and the problem is under control.

There have been some complaints of juvenile activities involving BB/air guns.

Mrs. Burleson asked if the City has a law forbidding the use of BB guns. According to Mr. Bowles, there is a law against this.

C. Heppner Housing Authority.

Mrs. Buschke reported that there are now two vacancies in the apartments. A new tenant has moved in and everything is running smoothly.

D. Public Works.

Mrs. Burleson asked if the City is going to paint the office. According to Mr. Harmon, the City employees will be doing this, depending on availability of funds. Mr. Harmon displayed the planned color samples. Council members discussed their preferences. Mrs. Doherty agrees that painting should be done; Mr. High does not see spending the funds for this.

E. City Manager's Report.

Mr. De Mayo discussed the following:

- Proposed Sewer Rate Increase. Mr. De Mayo has prepared a schedule showing revenues and expenditures directly from the audit. As of this month, the sewer rate income for year to date is \$100,000; expenses are \$120,000. The \$20,000 which exceeds income comes from the balance carried forward. The City can go on for a while in this manner, but cannot sustain it indefinitely. According to Mr. Paustian,

the engineers who did the sewer study along with the accountants recommended very highly that this needs to be rectified; the longer it is put off, the more expensive it will be. Mr. De Mayo explained that replacement of equipment would be expensive. Mr. Paustian stated that the City can continue without a rate increase, but if funds have to be borrowed in the future, this will add to the debt and with interest, the amount will double by the time it is paid off. Raising rates now will save funds in the future. Mrs. Burluson feels that the rates should be raised. Mrs. Doherty recommends that the Utility Commission discuss this and also publish information in the newspaper so that the public will be aware of all the facts.

Mr. High stated that he has heard that not everyone got a COLA increase like the City employees. He stated that he has heard \$70,000 was transferred from the sewer fees into administrative payroll. Mr. Harmon stated that the City is paid for service. Mr. De Mayo stated that in the City's budget is there is an Operations fund that has no income except what is transferred from other funds (an interservice fund) that earn money, i.e., taxes from general funds, water and sewer fees. Mr. Paustian explained that the salaries for employees does not specifically come from water, streets, sewer. etc. Mr. High stated that he is mentioning this because of comments he has heard. Mrs. Burluson reiterated that the rates need to be raised. This will be referred to the Utility Commission for their recommendation.

- Mr. De Mayo stated that funds are available for a picnic shelter and playground equipment for Hager Park. Details will be discussed at the Beautification/Parks and Lands Commission meeting on January 13, 2011.
- Mr. De Mayo has discussed the bridge purchased from Pendleton with ODOT in La Grande and asked if they will pay for the bridge (Lover's Lane). He will be writing a letter to ODOT for confirmation/clarification. Mr. Harmon was instrumental in helping acquire the bridge.
- With regard to Barratt Blvd., this will be discussed at a meeting on January 19. Details of the project will be discussed among ODOT, property owners, and heavy users in the Barratt Blvd. area. According to Mr. Paustian there will be no cost to the City. The road will be rebuilt; street lights, sidewalks, and other amenities will be discussed during the meeting, as well as the scope of the project. Mrs. Doherty recommended that street lights be included since there are many walkers in the area.

5. PUBLIC HEARINGS. None.

6. COUNCIL ACTION.

A. OLD BUSINESS. None.

B. NEW BUSINESS.

1) Renewal of Dickenson Chiropractic Lease.

Discussion: The terms of the new lease are the same as the previous lease. The City Attorney has reviewed the lease and recommends renewal.

Action: Motion by Mrs. Burluson to renew the lease with Dickenson Chiropractic lease for an additional year. Seconded by Mrs. Buschke. Motion Carried.

2) Resolution No. 782-11, A Resolution Ratifying Appointments to City Committees, Boards, Commissions, and Positions.

Action: Motion by Mrs. Burluson to approve Resolution No. 782-11, A Resolution Ratifying Appointments to City Committees, Boards, Commissions, and Positions. Seconded by Mrs. Doherty. Motion Carried.

3) Ratify Request for a Temporary Use Permit, Zoning Ordinance No. 428, to temporarily locate an RV on Tax Lot 5500, Map 2S 26 35BC, south of 146 Kirk Street, Heppner, OR, for a period not to exceed one year (Mc Bride).

Discussion: Mr. Paustian reported that the Planning Commission recommended City Council approval of the temporary one year permit for the RV to be located on the property. Mrs. Doherty asked whether the one year period would start when the RV was moved onto the property (90 days ago) or when approved by the Council. Mr. High asked if a survey had been done? According to Mr. De Mayo, he has contacted Judd Coppock, County Surveyor. One of the complaints is that Mr. Laughlin regularly uses the Kirk Street bridge and Mr. Mc Bride has reportedly stored materials on the roadway that obstructs traffic which needs to be removed. According to Mr. Paustian, the permit only allows Mr. Mc Bride to park the RV on his property. Mrs. Doherty's opinion is that the permit should start when the RV was installed on the property.

The property has not been surveyed at this time. Mrs. Doherty recommends allowing permission from the beginning of Mr. Mc Bride's occupancy. Utilities have been installed for the RV at Mr. Mc Bride's expense.

Mr. Paustian explained the condition of the permit which is for one year. Mr. Mc Bride would have to reapply at the end of the one year period if it is necessary.

Mr. High had several questions regarding the boundary of the property. This would have to be determined by the survey. Amassing building materials on the property would be handled under code enforcement.

Action: Motion by Mr. High to approve the Mc Bride's request and that he may reside on the property with his buildings/supplies as long as they don't encroach on the current right of way or future buildings do not obstruct the road. The permit is to be granted for one year beginning when the Mc Bride's initially moved the RV on the property. Seconded by Mrs. Burleson. Motion Carried.

4) Approve 2010 Audit Report, Barnett & Morrow.

Action: Motion by Mrs. Buschke to approve the 2010 Audit Report from Barnett & Morrow. Seconded by Mrs. Burleson. Motion Carried.

5) City Council Goal Setting, Wednesday, February 2, 2011, 12:00 PM, CBEC Conference Room. Has been scheduled.

6) Schedule City Manager's Evaluation.

Meeting scheduled for Tuesday, February 1, 2011, at 6:00 PM, at City Hall.

7. MINUTES OF COMMISSION MEETINGS. Furnished for information only.

8. REPORT FROM CITY ATTORNEY.

Mr. Spicerkuhn reported that he has been working on the draft water curtailment ordinance and it has been forwarded to Mr. De Mayo for review.

9. REPORT FROM MAYOR/CITY COUNCILORS.

Mrs. Doherty had a question on what was happening at the leather shop on Linden Way since she has noticed several vehicles on the property and is it turning into a car sales lot? According to Mr. De Mayo, the vehicles are being stored at Dark Horse Leather by Marty Brannon.

10. ADJORNMENT. Meeting adjourned at 7:50 PM.