

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

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

ATTENDEES:

**Mayor, Les Paustian
City Manager, David De Mayo
Cindi Doherty
Cody High
Judy Buschke
John Bowles
Joanne Burleson
Rusty Estes, Fire Chief
Phillip Spicerkuhn, City Attorney
Brian Harmon, Public Works Director
David Sykes, Heppner Gazette**

Absent: Keith Lewis

Member of the Public: Louis Carlson

1. GENERAL BUSINESS.

A. Call to Order. The October 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 Council members and attendees in the Pledge of Allegiance to the Flag.

C. Announcements – None.

D. Correspondence – None

E. Public Comment

F. Requests – None

G. Presentations – See 6.A.1, Teleconference with Artifx Media.

2. COMMUNICATIONS FROM THE PUBLIC. None.

3. CONSENT AGENDA.

- A. Minutes of City Council Meeting, September 12, 2011.
- B. Monthly Financial Statement.

Action: Motion by Mrs. Burluson to Approve the Consent Agenda, Seconded by Mr. Bowles. Motion Carried.

4. REPORTS.

- A. Fire Chief. Chief Estes reported the following for September 2011:

- 1 Structure Fire
- 2 Secure Landing Zone; 1 in town; 1 out of town
- 1 Wildland Fire
- 1 Flue Fire
- 2 Serious MVAs
- 33 Chief Calls

Chief Estes commented that October is starting out with a lot of action for the Fire Department.

- B. Morrow County Sheriff's Department.

Mr. Bowles reported the following:

Total hours for September is 388.75. Most of these hours were worked by Deputies Carter and Adams. The 12 hours worked by Sgt Rayburn were for transports for Heppner court cases.

Mr. Bowles summarized the September 2011 Sheriff's report.

There were 11 traffic stops which resulted in two citations. Five loose dogs were reported, five cats were transported to Pet Rescue. The cat and dog issue is continuing. This is still a problem, although the cat population is declining.

A citizen was arrested in Heppner for stealing stickers off of license plates. Money was stolen from a residence, and there were five drive-offs from the gas station. There is an increase in the drive-offs during hunting season due to the volume of business.

A residential burglary was investigated and an arrest was made.

One person was arrested on an outstanding warrant; a juvenile was arrested for probation violation and lodged in The Dalles facility.

A person was reported throwing knives in the City Park; the issue was taken care of.

Harassment was reported; both parties were advised to stop calling and texting each other.

Morrow County Sheriff's Office responded to a domestic violence call. A male was arrested for harassment and criminal mischief and lodged at the Umatilla County Jail. Three other domestic disputes were reported; no crimes were committed.

A civil issue was reported over transfer of property; a citizen was locked out of a vehicle—deputy assisted.

An assault was reported at City Park. It was determined to be unfounded.

Mr. Bowles reported that the Sheriff's office receives and handles a variety of calls.

Mrs. Burlson asked about the drive-offs at the service station. Devin Oil has requested that the people be contacted and in most cases they came back and paid for the gas. This year, Devin had hired more people during heavy traffic periods. Mrs. Doherty recommended that the deputy schedule be changed in the future so that a deputy is on duty on Fridays.

Mr. Paustian asked about the rise in thefts. According to Mr. Bowles this is being monitored. Mr. High wondered if some of this is juvenile activity. Mr. Harmon asked if Mr. Bowles could have someone talk to the people in Lexington who have pumpkins by the side of the road. Mr. Harmon feels that after Halloween, the pumpkins will end up being smashed and scattered on the roads, etc.

C. Heppner Housing Authority.

Mrs. Buschke reported that there are three vacancies in the apartments. Four businesses have been requested to bid on the heating/cooling system. Eclipse, Heppner Heating, Gordon Electric, and Bruce Heating. They are in the process of receiving the bids. Until they are received, no decision can be made. They have asked that all the bids be based on the same criteria.

They went back to court on the tenant eviction and lost. This was due to Cascade Management reaching an agreement with the tenant's lawyer. This

was not a court order and the judge had no authority to enforce the eviction. The apartment was inspected today and the outcome has not been reported. The Cascade Management procedure was followed, but there was no enforcement. The eviction process is expensive. Mr. Spicerkuhn stated that they have an eviction lawyer in their office. A new portfolio manager has been hired to replace the previous one who was fired. The Housing Authority met with Bruce Buchanan and discussions are underway to determine what can be done on the income restrictions by meeting with the loan authorities in Salem on the issue. Mr. Buchanan, the CEO of Cascade, and the new portfolio manager are meeting next week to discuss this.

Mrs. Buschke stated that Oscar Kennard has resigned from the Housing Authority and is proposing that the Council appoint Amy Kohllman to fill the vacancy.

Action: Motion by Mrs. Doherty to appoint Amy Kohllman to fill Oscar Kennard's position on the Housing Authority. Seconded by Mr. High. Motion Carried.

D. Public Works.

Mr. Harmon reported that in September, they cleaned a lot of main sewer lines.

Public Works provided assistance to Monument with their sewer lines.

A document from ODOT on an alternative solution to replacing the Sperry Street bridge is included in the packets. Mr. Harmon is in agreement with this solution. This proposal would eliminate the bridge and provide a street connection to the area. The street connection would cost approximately \$520,000, including preliminary engineering, vs. replacing the bridge at a cost of \$655,000. The main line that goes across the bridge will be removed and tie into the sewer. Traffic would be routed through the Christian Life Center and the Coe property on Sperry Street. Mr. Spicerkuhn asked about easements. A temporary easement would be necessary during construction. According to Mr. De Mayo he has discussed doing a three-year lease with option to buy the property. The property owners are in favor of this option. Mr. Paustian commented that Mr. Harmon had proposed this option to ODOT. ODOT is waiting for direction before proceeding further.

Mr. High asked Mr. Harmon if he is still the certified person for lone and Lexington. According to Mr. Harmon, he does not have an answer at this time. Mr. High also asked whether the pipe by the reservoir has been checked for insulation. According to Mr. Harmon, the pipe by the reservoir is still acceptable as long as water is going through it. The cost to replace the insulation would be \$30,000 +/-

Mr. High asked about the "Lovers Lane Bridge." According to Mr. Harmon, this bridge project is scheduled for 2013. According to Mr. De Mayo, he needs to hear from Ferguson on the engineering. Mr. De Mayo suggested using the Intergovernmental Agreement with the County which would be less expensive than paying BOLI wages. Mr. Paustian commented that he has had a lot of questions from the public on the status of the bridge. At this time, the status has not been determined.

Mrs. Doherty commented that there is a property on Aiken Street that has tall weeds that need to be removed. Fire Chief Estes will investigate the possibility of burning the weeds.

E. City Manager's Report.

Mr. De Mayo reported the following:

- Draft Resolution establishing the Police Commission for review. Mr. Spicerkuhn mentioned that the resolution needs two things added according to Code 2-6-3: Number of members and how the terms run. He would also include in the recitals that this is being done pursuant to Heppner Code Section 2-6-2. It should mention that the commission members would be appointed by the mayor and formally approved by the Council. Action tabled until November Council meeting.
- Constructing a street instead of repairing Sperry Street bridge. This will need a formal motion by the Council on how to proceed.
- Burn permit proposal. Mr. Estes stated that several fire departments have provided information on their permits. Mr. Estes stated that one item is an addition to include that burn permits are required for fire pits, along with burn barrels, and burn piles. This will govern any open burning. The \$5.00 fee will be required for the burn season. This will aid in citing individuals if they are in violation of the permit. The ordinance will also have to be amended. The burn permit itself specifies the materials that can be burned and those that are not allowed. Tabled until November 2011 Council meeting.
- Non-residential Sewer Classification study. Mrs. Eckman and Mrs. Foster have performed a biennial review and prepared a resolution for approval. According to Mrs. Eckman, this was prepared based on a schedule developed by Anderson & Perry.

- NIMS Training. Mr. De Mayo stated that this is a requirement for elected officials and can be completed on line. Mr. De Mayo will need dates of completion for his records.
- Saga City Medial advertising – Eastern Oregon Visitors Association. Mr. De Mayo stated that last year Heppner contributed \$500.00 and have been asked to contribute \$500.00 this year. Boardman and Heppner are partnering on this effort. This is for the Eastern Oregon Visitor's Guide.
- Sale of the HUD house and disbursement of funds. According to Mrs. Buschke, this is dependent on the bid for the HVAC R&R at the Senior Center. Mr. Paustian requested that the Stable of Youth needs to be deleted from the proposal since it is a private business. Council members discussed the term “community development.” According to Mr. Spicerkuhn, he is not sure of HUD’s criteria, but he would suspect that parks could be considered “community development.” All spending has to be documented. Mr. Spicerkuhn stated that also the benefit to the community would have to be documented. Mrs. Buschke asked Mr. De Mayo if he had researched the last HUD sale. He stated that he would have to do more research, but suspects it went for the proposed picnic pavilion at Hager Park. Mrs. Doherty asked about Willow Creek Terrace and what their needs would be. Willow Creek Terrace is a 501-36 status. Mrs. Burleson stated that if funds were given to them, it would probably be used for a future craft area. They have a board meeting on Thursday. Mr. De Mayo stated that the situation is still in limbo pending on the cost of repairs at the Senior Center.

Mrs. Burleson asked about the status of the apartments at Chase and May Streets. According to Mr. Paustian, this belongs to the Lius and they are researching the possibility of constructing Senior housing on the property. According to Mr. Sykes, the Port of Morrow has donated the surveying and determined that 18" of fill is required. Mr. Paustian stated that there are people who are interested in this type of housing. There has also been interest in developing the upstairs of City Hall. This is being discussed by the WCVED. Mr. High asked if the developers from Condon have been contacted. Mr. De Mayo stated they will be here on November 4.

5. PUBLIC HEARINGS. None.

6. COUNCIL ACTION.

A. OLD BUSINESS.

- 1) Artifx Media marketing plan – teleconference (Mr. Wright).

Mr. Paustian stated that the purpose of the teleconference is to give Council members an opportunity to ask questions on the Artifix proposal that was discussed at the last meeting. Mr. De Mayo stated that he has asked Artifix to provide an example of the advantages of joining with the other cities vs. going alone.

Mr. High would like to see a package, i.e., what does the package consist of and what would the City get for their money? According to Mr. Wright, a proposal would be based on the amount of marketing dollars and would consist of several mediums that would be used to promote the Morrow County campaign. There would be several different mediums that would be used. Specifics of the mediums to be used would determine the amount of the budget that is placed before them.

Mr. De Mayo asked if there was a hypothetical example of \$5,000 alone and \$5,000 combined. Mr. De Mayo asked if one City had \$5,000; how many media outlets could it be spread over vs. if they combined with others. According to Mr. Wright, it could be included in several different mediums, depending on the amount of space you would buy for the amount of dollars. If one city went out by itself, i.e., if you placed an ad in the Eastern Oregon Visitors Guide, you would look at one-third page which would be a \$3500-4500 range. Part of this would take an actual budget and evaluate the mediums and get the best region frequency for the dollar amount. Mr. Paustian asked if this is about the travelers guide and a one-page ad. Mr. Wright stated that he had the Eastern Oregon Visitors Association rate card for ads of different sizes. Mr. Paustian would like an example of what we could expect if we combine with the other cities for combined advertising for tourism. Mr. Wright stated that this would provide more exposure, to include internet, radio, travel, etc., advertising. There would be a lot more mediums that could be used and would reach more than a million people.

Mrs. Doherty thinks it is wonderful to combine with other cities, but we still don't know an amount and how far it would go. Mr. Wright stated that using Walla Walla as an example, you would start out with allocating their tourism partners and others to help fund the effort. The Walla Walla effort has been in place for some time. With Heppner/Morrow County, establishing something that is manageable, but the numbers would be hypothetical. He would need an actual budget to provide a plan.

Mrs. Doherty asked if there was a firm commitment from any of the other cities? According to Mr. Wright, he does not have a firm commitment because the other cities want to ensure that Heppner is interested in participating. Mrs. Doherty asked if the other Chambers of Commerce are involved. According to

Mr. Wright, the Boardman Chamber had informed him that their City Council had approved funding for their tourism campaign and the Chamber would be the point person for Boardman. The campaign has been assigned to Boardman's Chamber. Mr. Wright stated that Mr. De Mayo had mentioned including Lone and Lexington in the campaign. According to Mrs. Doherty, Boardman has several motels, and their contribution to room tax would be more than Heppner's. Mr. Wright does not know how much Boardman's funding would be. Mr. Bowles stated that he thinks the campaign is a good idea, but Heppner's contribution is not known. Mr. High asked if Irrigon has agreed to this; Mr. Wright stated that to his knowledge, Irrigon has not agreed to fund the campaign. The point person for Irrigon is Jerry Breazeale. According to Mr. Wright, Irrigon does not have resources available for a campaign. Currently, Irrigon is doing their own travel brochures.

Mr. High asked how the success of the campaign would be tracked. According to Mr. Wright, this depends on the medium used, although all of their internet traffic can be tracked. Katie Oblisk tracks all of the digital traffic. They can track through sales promotional tracking, i.e., what cities people are going to and what ads they are responding to and what incentives they are responding to. According to Mrs. Doherty, everyone would have to determine the amount they can allocate.

According to Mr. Paustian, this will be discussed at the next mayor's meeting. Mr. High asked if the campaign would mainly be tourism-based. According to Mr. Wright he has provided a form for Mr. Breazeale in Irrigon to complete which would itemize the desires for their campaign. Irrigon's main focus is on tourism and increase of residents, along with the amenities Irrigon has to offer.

Mr. De Mayo closed the discussion and stated that the Council would discuss the topic further. Mr. Wright stated that they would ensure that their proposal would benefit Heppner once a final budget was developed.

Council Discussion

Mr. Paustian stated that the Morrow County Parks have shown an interest in participating in the advertising campaign, possibly \$2,000. Mr. Spicerkuhn would have to research whether the HUD house funds could be used as "community development." Mayor Paustian asked Mr. De Mayo to investigate this further.

Mr. Carlson, stated that regarding tourism and economic development, there are a lot of hunters who come through Heppner and may be interested in purchasing property and relocating to Heppner. Mr. Paustian stated that there are a lot of motorcycle groups coming through Heppner that may show interest

in investing in Heppner. He also stated that there may be some County funds available.

Mr. High feels that tourism is not a City issue. This should be a Chamber function. Mr. Spicerkuhn commented that he felt that Artifx did not put together much of a proposal. He recommends that the cities should meet to determine what their focus of the campaign would be—is it tourism, marketing, jobs, or housing.

Mrs. Buschke feels that Artifx should have some idea of what can be done and a budget amount. Mr. Bowles feels that basically, all cities should have the same goals. Mr. Paustian stated that he would discuss this with the mayors and provide more information at the next council meeting.

Mr. High commented that as far as tourism, this is not a city function; it should be up to the Chamber.

2) Disposition of funds from sale of 160 S. Court. This action is tabled until information on the heating/cooling system is available.

3) Spring Flooding – Willow Creek 2011, Erosion Issues (Minutes of September 16, 2011 meeting). Provided for information only.

B. NEW BUSINESS.

1) Burn permit revision – Draft Resolution/Ordinance Revision. Tabled until November meeting.

2) Resolution No. 798-11, A Resolution Adopting an Updated Non-Residential Sewer Usage Classification Schedule.

Action: Motion by Mrs. Doherty to adopt Resolution 798-11, A Resolution Adopting an Updated Non-Residential Sewer Usage Classification Schedule. Seconded by Mrs. Burlison. Motion Carried.

3) Resolution Establishing the Purpose, Powers and Duties of the Police Commission. Tabled until November meeting.

4) Appointment of members to serve on Morrow County Charter committee.

Discussion: Mr. Paustian stated that Amy Kohllman and Dick Sargent have expressed interest in service on this committee.

Mrs. Doherty stated she had been informed that according to Chapter 203 of the Morrow County Charter, the committee has to be appointed by the County

and cannot be appointed by the City. Mr. Spicerkuhn asked if this was a local committee to look at the Charter and discuss it, or asking for members to be appointed to the County committee. If you are looking for a City committee, or a County-Wide committee? If this is a county-wide committee, it would have to be appointed by the County. According to Mr. Spicerkuhn, recommendations for committee members could be made. Mr. Paustian said that these would be individuals to review the charter and report to the Council with suggested changes. There would be two members each from Boardman, Irrigon, and Heppner and one member each from Lone and Lexington. These individuals would review the charter and make recommendations on changes to be submitted.

Mr. High stated that he was confused—would that committee provide input for changes. Mr. High wonders why Heppner is appointing members?

Mr. Carlson wondered what the purpose of this discussion is? Apparently it is to look at the County Charter, but why? What is the reason for wanting to change the County Charter. According to Mr. Paustian, his feeling is that the County Court has turned its back on the cities. Mr. Carlson stated that there are two separate issues: 1) The City was misinformed on the tippage fees; and 2) They want to change the County Charter to do something different. These are two separate issues that should be discussed independently. Mr. Paustian stated that it wasn't the tippage fees, but the road fund. During the budget meetings, the City was notified by a member that the Road funds were not going to be included for any cities.

Mr. High stated that he agrees with Mr. Carlson; he does not like the way the County is handling their business. He feels that the City has nothing to do with appointing someone to review the charter and that this should be an individual effort.

Mr. Paustian stated that there are basically two people on the County Court that are making all the decisions on funds. There should be more people involved and the County would keep themselves out of the problems they are having.

Mr. Paustian stated that the two present commissioners are well paid. If their salaries are cut in half and two more commissioners were added there would be more people looking at what is going on.

Mr. Spicerkuhn's opinion is that the committee is being asked to give input for the City of Heppner. According to Mr. Paustian, the committee would be a non-biased entity.

Mr. High stated that the City should not be concerned in appointing members to a committee and not be involved at all. No action was taken

5) ODOT – Sperry Street Bridge Alternative Solution.

Action: Motion by Mrs. Doherty to approve the ODOT alternative solution unless the cost of the easements are too costly and the City cannot afford it.
Seconded by Mr. High. Motion Carried.

6) Saga City Media – Eastern Oregon Visitor's Guide.

Action: Motion by Mrs. Doherty to spend \$500.00 for the Eastern Oregon Visitors Guide. Seconded by Mr. Bowles. In favor: Doherty, Bowles, Burleson, Buschke.
Opposed: High. Motion Carried.

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

8. REPORT FROM CITY ATTORNEY.

Mr. Spicerkuhn reported that he answered questions on ordinances or the City Manager.

9. REPORT FROM MAYOR, CITY COUNCILORS. None.

10. COUNCIL ACTION. No Additions.

11. ADJOURNMENT. Meeting adjourned at 8:52 PM.