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**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING  
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON  
7:00 PM 19 December 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  
Keith Lewis  
John Bowles  
Joanne Burleson  
Rusty Estes, Fire Chief  
Phillip Spicerkuhn, City Attorney  
Brian Harmon, Public Works Director  
David Sykes, Heppner Gazette**

**Member of the Public: Adam Doherty**

**1. GENERAL BUSINESS.**

A. Call to Order. The December 19, 2011 Meeting of the City of Heppner City Council was called to order at 7:00 PM by Mayor Les Paustian.

B. Mayor Paustian led 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.

G. Presentations.

Adam Doherty – Cost list of items needed for Colt Football. In response to Mr. Doherty's request for donating some of the proceeds from the sale of the HUD property at 160 S. Court Street to purchase equipment for the Colt Football team, he presented a cost list for various items that are necessary to equip a team properly. The list is provided for review by Council members and will be discussed in detail at the January 2012 Council Meeting.

F. Requests – None.

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

## **DRAFT**

### **3. CONSENT AGENDA.**

- A. Minutes of City Council Meeting, November 14, 2011.
- B. Monthly Financial Statement.

Action: Motion by Mrs. Buschke to Approve the Consent Agenda, Seconded by Mrs. Burleson. Motion Carried.

### **4. REPORTS.**

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

- 1 False alarm
- 1 Structure Fire
- 1 Secure landing zone
- 1 Wildland fire
- 2 Motor vehicle accidents
- 27 Chief Calls

Mr. Estes reported that he has received the extension letter from FEMA for the grant and it is extended until April 22, 2012. In answer to Mayor Paustian's question, Mr. Estes expects to hear something on the vehicle by February 10.

- B. Morrow County Sheriffs Office.

Mr. Bowles reported that the total of hours for November was 326. Most of these hours were worked by Deputy Percy and Deputy Wilson. These deputies are on their 3 month rotation.

The breakdown of Heppner actions was included in the packets, and no questions were asked by Council members.

- C. Housing Authority.

Mrs. Buschke reported that as of January 1, 2012, the apartments will be full. They are still working on one tenant vacating her apartment. This is the second time that all apartments have been occupied in the last five years.

The estimates for the heater replacement have been provided to Mr. De Mayo in the amount of \$22,800. Two bids were received; one from Eclipse and one from Heppner Heating. Five businesses were contacted and only two bids were received. The management fees to Cascade Management have not been paid for the last eight months. Cascade will negotiate this. Mrs. Buschke noted that there are more expenses now than in the past.

## **DRAFT**

There are funds that can be used for the heating system; however this would deplete the reserve account. The system that will be replaced on the second floor, and is not used to heat the individual apartments. The current system is a 15 ton system. Heppner Heating bid for a 10 ton unit; and Eclipse's bid is for a 12.5 ton system. Mrs. Buschke feels that the 10 ton system should be adequate.

Mrs. Buschke commented that when the building renovation was being discussed, the loan did not allow for the heating.

### D. Public Works.

Mr. Harmon reported that all leaks that have surfaced have been repaired. Mr. Bowles commented that when the Lovers Lane bridge is dismantled, he may be able to provide help. According to Mr. Harmon, Public Works is currently taking the bridge apart. The plan is to remove the deck boards and reuse the boards by cutting them shorter by one foot.

### E. City Manager's Report.

Mr. De Mayo reported the following:

1) The Planning Commission is meeting in January to consider the renewal of the Mc Bride permit. There are four positions on the commission that will expire on December 31, 2011. Mr. De Mayo recommended extending these terms for one month in order to finalize this action. The positions are Bailey, Fowler, Clark, and Gochnauer.

2) Audit. At the last meeting there were several typographical errors that needed to be corrected. Mr. De Mayo recommends that the audit be approved as corrected. The auditors have noted the corrections.

3) On Well #3, they have done the bidding at the request of the Council. The firm that was chosen has done the work and it is in the process of being completed.

4. With regard to the Sperry Street project, Mr. De Mayo has discussed this with ODOT in La Grande and ODOT has agreed to proceed with the alternate solution to construct a new street. This will now become a State project instead of a local project. ODOT will arrange the buying of the rights-of-way and construction, etc. A time plan has not been finalized.

5. With regard to the WWTP plan, DEQ has met with the City, and the wastewater treatment facility was found unsatisfactory to Department of

## **DRAFT**

Environmental Quality. They have mandated certain changes that have to be made. This will cost an additional \$15,000. The City has no choice; if the changes are not done, the City's permits will not be approved. The required changes are primarily related to ammonia. According to Mr. Harmon, the Facilities Plan that was done by Anderson & Perry, and when DEQ reviewed the plan, they noted that it did not properly address the ammonia potential. The engineer will develop a plan on how ammonia will be handled in the future. This will cost an additional \$15,000. According to Mr. Harmon, DEQ is requiring a limit number that was not included in the facilities plan; however, DEQ has not given a number yet. EPA is changing the ammonia standards to include freshwater mussels. Processes at the plant will most likely have to be changed.

According to Mr. De Mayo, the additional \$15,000 is needed by the end of the coming year. Mr. De Mayo stated that if "push comes to shove" he will take the amount out of the General Fund Contingency and transfer it to Wastewater if necessary. Mr. Harmon will continue to monitor the details of the process. The problem is that the next permit is in 2014. This is not a problem that was missed by the City.

**5. PUBLIC HEARINGS.** None.

**6. COUNCIL ACTION.**

**A. OLD BUSINESS.**

**1) Approval of the audit.**

Action. Motion by Mrs. Buschke to approve the June 30, 2011 Audit Report as corrected. Seconded by Mrs. Burlison. Motion Carried.

**B. NEW BUSINESS.** None.

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

**8. REPORT FROM CITY ATTORNEY.**

Mr. Spicerkuhn stated that the Franchise Agreement with Miller & Sons can be amended by a Resolution. The agreement expires on December 31, 2011. The current agreement was for a term of 10 years. This issue should be continued until the January 2012 meeting. The agreement can be approved retroactively at the January 9, 2012 Council Meeting. Council had agreed to accept the new rates at the November meeting.

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

## **DRAFT**

A. Mrs. Doherty recommended starting negotiations on the contract with the Morrow County Sheriff's Office earlier than in the past. Mayor Paustian recommended a preliminary meeting with the Police Commission.

B. Mrs. Doherty reported that she has heard a rumor that AMI (formerly Artifix) has left Pendleton and moved to Walla Walla and left Pendleton owing funds. She recommends that this rumor be investigated. Mr. De Mayo will look into this.

**10. ADJOURNMENT.** Meeting adjourned at 7:30 PM.