

**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON
7:00 PM July 11, 2016**

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

ATTENDEES:

**Skip Matthews
Joann Burleson
Teresa Bedortha
Adam Doherty
Dale Bates
Kim Cutsforth
Chad Doherty
Rusty Estes
Bill Kuhn, City Attorney**

Absent: John Bowles, Corey Sweeney

Members of the Public: Jay Keithley, Judy Healy, Sheryll Bates, Deanna Koerner, and Dave Sykes.

1. GENERAL BUSINESS.

- A. Call to Order. The July 11, 2016 meeting of the City of Heppner City Council was called to order by Skip Matthews at 7:00 PM.
- B. Pledge of Allegiance. Skip Matthews led attendees in the Pledge of Allegiance to the Flag.
- C. Announcements – Item C. Sisul Engineering Proposal for Engineering Studies, under New Business has been removed. The City will advertise an RFP for the sewer project feasibility study.
- D. Correspondence - None
- E. Requests

- 1. Animal Permit, John and Kathy Marick – 8 Ducks

These are the Ducks that were previously approved for Josh and Marcie Miller next door at 315 N Chase Street. They will be moving to the Maricks if approved by the Council. Joann said that she thinks that this whole thing is getting out of hand. When this started it was mostly for kids and their 4-H projects. Now everyone has chickens or something. Kim said that when people come into apply it is made very clear to them that it can be revoked if there are any legitimate complaints.

Motion to approve an Animal Permit to John and Kathy Marick for no more than 8 Ducks by: Dale Bates. Seconded by: Teresa Bedortha. The vote was four to one as Joann Burleson opposed. Motion Carried.

2. Animal Permit, The Dompier Family – 3 Dwarf Goats.

Motion to approve an Animal Permit to The Dompier Family for 3 Dwarf Goats by: Adam Doherty. Seconded by: Dale Bates. The vote was four to one as Joann Burleson opposed. Motion Carried.

3. Animal Permit, Beverly Howe – 3 Miniature Horses and 1 Goat.

Motion to approve an Animal Permit to Beverly Howe for 3 Miniature Horses and 1 Goat by: Dale Bates. Seconded by Teresa Bedortha. The vote was four to one as Joann Burleson opposed. Motion Carried.

Jay Keithley asked who enforces it if the permit is revoked. Kim said that the Morrow County Sheriff would enforce it. The City has revoked one animal permit recently and the person did comply and removed the animals.

F. Presentations – None

2. COMMUNICATIONS FROM THE PUBLIC - None

3. CONSENT AGENDA.

- A. June 13 and June 20, 2016 City Council meeting minutes.
- B. Monthly Financial Statement
- C. Approval of Monthly Bills

Action: Motion to approve the consent agenda by: Joanne Burleson. Seconded by: Teresa Bedortha. Motion carried.

4. REPORTS.

A. Fire Chief Report – Rusty Estes read the Fire Chief Report.

4 Secure Landing Zone
2 Lift Assists
1 MVA
1 Motorcycle wreck
30 Chief Calls

Skip Matthews asked if it was allowed to use a burn ring or a fire pit. Rusty said when there is a burn ban, those type of fires are only allowed if the individuals are cooking food, but it has to be put out when you are finished. If there is a statewide burn ban, all outdoor open flames are not allowed, even for cooking.

B. Morrow County Sheriff's Department – Skip Matthews read the hours report, the police calls report was not available. There were no questions.

C. Public Works. Chad Doherty read the Public Works report.

Water Dept. – Chad met with Sam Bellamy regarding Well 4. Oregon Health Authority has said that the well will have to be sealed. Chad worked on the water operation and maintenance manual. Sprayed weeds at reservoirs and wells. Trimmed all the weeds around the well houses.

Sewer Dept. – Cleaned the contact basins twice. Did 9 septic dumps.

Streets Dept. – Lowered the storm drain on Water Street. Swept Main street and around town. Repaired a leak on the Main Street drip system. Fertilized the hanging flower baskets on Main St. Trimmed some trees on Main Street. Took two dead deer to the ODOT yard.

Parks Dept. – Put up the new soccer goals at Hager Park, and built a backstop for the goal on the west end. Picked up and hauled off tree limbs and debris from Shobe Corral. Installed a modified railing and new steps for the play structure at Hager Park. One employee has been working steadily on just parks.

Other – Burned the debris pile at the sewer plant. Fixed the wheel and belt on the brush mower. Got an air leak on the dump truck repaired. Set up the booth for the fireworks sale.

Dale Bates asked why Well 4 needs to be sealed. Chad said that it is an artesian well and deemed not safe to drink by the Oregon Health Authority. Jack Meligan, the property owner will still continue to use the well as his water rights are for the top 6 feet of the well. The City will retain their water rights for the well.

D. City Manager. Kim Cutsforth read the City Managers report:

1. Kim attended several Fire Hall construction meetings and has submitted the samples for finishes to the firemen for the selection of paint, flooring, trim. And countertops. The project is progressing mostly on schedule and on budget.
2. Public works completed the last of the park grant projects. They installed the soccer goals and rehabilitated the play structure at Hager Park. With those projects completed, Kim submitted the final reports to WCBED as part of the grant agreement.
3. Kim worked on a permit for utility relief as directed by the Utilities Committee. This permit will allow owners with multiple units on a single meter to apply for relief from utility fees when the unit is un-rentable for longer than thirty days.
4. Chad and Kim met with Joe Hitz, an engineer with Sisul Engineering. They toured possible lagoon sites and discussed storage and irrigation options. Joe will be submitting a proposal for a feasibility study for our Sewer project.
5. Kim arranged for the District Attorney, Justice Court Judge and the Sherriff to meet with the police committee. This meeting was an attempt to enhance our code enforcement. The City would like to find a way to have an impact on the nuisance issues that would motivate the people with the problem properties to get them cleaned up.
6. The Chase Street paving project is approaching. As per the Council's request Kim mailed a detailed letter to all of the residents that live along the project route. This letter explained most of the project and asked them to contact the City with questions. It also advised that we would contact them as more details came available.
7. Work on nuisance abatement issues continues.

5. PUBLIC HEARINGS - None

6. OLD BUSINESS - None

7. NEW BUSINESS

- A. Open bids for a Fire Vehicle, a 2004 Chevrolet Van.

Skip Matthews opened the bids.

1. Bid of \$5,275.00 by Ken Wenberg
2. Bid of \$4,111.11 by Jack Engel

Discussion: The blue book value of the van is \$10,000.00. Neither of these bids is close to that amount. The Council has the right to reject any and/or all of the bids at their discretion.

Motion by Joann Burleson to reject the bids and take the Van to state surplus.
Seconded by Teresa Bedortha. Motion Carried.

B. Permit for Utility Relief

On recommendation from the Utilities Commission, Kim has been working on a sample application for Utility Relief. This application would be for apartment building owners to apply for relief on their bill if they have a unit that is un-rentable for a period of at least 30 days. This was done previously for an apartment owner that was renovating the entire building over a 9 month period, and they had a reduced rate during this time. This would be a case by case permit that would be granted upon Council approval. The unit would have to be in a verified condition of being un-rentable due to repairs and renovations. There will be a Resolution with the final draft of the permit at the next Council meeting.

C. League of Oregon Cities Legislative Priorities for 2017

Discussion: The League of Oregon Cities is asking for a list of priorities that Cities would like them to work on. There is a page with a list of priorities and they are asking for each person to pick for from it. Kim asked the councilors to fill out their forms and she will compile the votes and submit them to LOC. She asked to receive them by Friday July 15th.

8. MINUTES OF COMMISSION MEETINGS. For information only

- 9. REPORT FROM CITY ATTORNEY.** – Bill Kuhn reported that he has been working on nuisance abatement. Enforcement of code violations may include a lien or foreclosure on the properties. He said it will take a lot of paperwork and some Ordinance changes. Skip said that one of the options discussed at the police meeting would be to make those violations a crime instead of just a code violation. Bill said that the drawback to that is that the offender would then be entitled to legal defense and a jury trial. These costs would be the City's responsibility. Kim said that the biggest problem with the code violation is that the people are cited and then never show up to court. Since it is not a criminal offense there is not currently much in place in the way of repercussions. Dale Bates asked what criteria is used to determine that a property is considered a nuisance. Kim said that it is pretty well spelled out in the code book. Anything that attracts rodents or vermin, household garbage, fire hazards, and things that detracts from livability of the

surrounding area. Bill said that the city has an Ordinance in place that allows it to come in, clean up the property and then lien it and foreclose for the costs. The lien process can cost more than the lien itself. Kim said that liens and foreclosure would be a last resort and would be for cases that show absolutely no progress. Kim said that the sheriff's office had requested that the City adopt the same fine schedule as the State of Oregon, so that it will match what Morrow County uses. This is something else that they will be working on.

10. REPORT FROM MAYOR, CITY COUNCILORS. – None

11. ADJOURNMENT. Meeting adjourned at 8:02 PM.