



Harrisburg City Council Minutes
October 14, 2015

The Harrisburg City Council met on this date at City Hall, located at 120 Smith St., at the hour of 6:30pm. Presiding was Mayor Robert Duncan. Also present were as follows:

- Kimberly Downey
- Mike Caughey
- Sarah Puls
- John Loshbaugh
- City Administrator Brian Latta
- City Recorder/Asst. City Administrator Michele Eldridge
- Public Works Director Chuck Scholz

Absent this evening were Councilors Don Shipley, and Rob Boese, and Youth Advisor Devon Contreras.

Consent List Approval:

- **Caughey made a motion to remove the appointment of Francis Smith as an H.A.R.T. Board Member from the consent list. Puls seconded, and the City Council voted unanimously to allow the item to be removed from the consent list.**

Caughey explained that he felt that if someone is volunteering to serve on City committee's or boards, that they should be acknowledged, rather than being buried on the consent list. He didn't think that they needed to be present, but they could if they wished. Mayor Duncan talked about how impressed he was by people volunteering for things, so it is nice to acknowledge them. Downey agreed, and said that she felt honored by being acknowledged by Council, and that it also makes it more official, and important.

- **Caughey motioned to approve the appointment of Frances Smith to the H.A.R.T. Family Resource Center Board to a term ending June 30, 2016. He was seconded by Puls.**
- Latta added that the H.A.R.T. Board met yesterday, and they approved her to be on the board for this term.
- **The City Council then voted unanimously to approve the appointment of Frances Smith to the H.A.R.T. Family Resource Board.**
- Loshbaugh then **motioned to approve the rest of the consent list, and was seconded by Downey. The City Council then voted unanimously to approve the consent list. This action approved the following:**

- **The payment of the Bills for the month of September 2015**
- **The minutes of August 26th, 2015, and September 9th, 2015**
- **The approval for the City Recorder/ACA to attend Out of State Training at the AAMC Conference**
- **The 2016 rate 'increase' for Republic Services**

The matter of Approving Resolution No. 1118, “**A RESOLUTION AMENDING THE CITY OF HARRISBURG EMPLOYEE MANUAL, POLICY NO. 114 EMPLOYEE BENEFITS, TO REFLECT LEGISLATIVE CHANGES IN OREGON SICK LEAVE LAWS**”

Staff Report: Eldridge explained the changes in legislation which passed this summer, establishing a sick leave law that affected a classification of employee who traditionally has not qualified previously for sick leave. Those are on-call, part-time, seasonal, and temporary employees. They will earn one hour of sick time for every 30 hours that they work, starting on January 1st, 2016. The City has 4 on-call employees working in the Library, three of which that will unlikely reach the 30 hour threshold in a year. The City also has 4 part-time employees; with a part time employee in the library, and 3 part-time employees in the H.A.R.T. Family Resource Center. The Personnel Committee hadn't discussed a limitation to the sick leave, but the Personnel Committee Chairperson suggested that we add that to the policy. We are allowed to limit sick leave to use of no more than 40 hours a year, and an accrual cap of 80 hours. Regular benefited employees are not affected by this change in the law, because we are already meeting those standards.

- **Downey motioned to approve Resolution No. 1118, “A RESOLUTION AMENDING THE CITY OF HARRISBURG EMPLOYEE MANUAL, POLICY NO 114 EMPLOYEE BENEFITS, TO REFLECT LEGISLATIVE CHANGES IN OREGON SICK LEAVE LAWS”. She was seconded by Caughey, and the City Council voted unanimously to approve Resolution No. 1118, and thereby adding the change to sick leave which will be in effect for certain employees on January 1, 2016. The rest of the changes to Policy No. 114 are effective as of now.**

The matter of Approving Resolution No. 1119, “**A RESOLUTION AMENDING THE CITY OF HARRISBURG EMPLOYEE MANUAL; POLICY NO. 129 GENERAL LEAVE OF ABSENCE AND POLICY NO. 130 FAMILY AND MEDICAL LEAVE, WHICH WILL BE RENAMED AS OREGON MILITARY FAMILY LEAVE ACT, TO REFLECT CURRENT PRACTICES AND TO REMOVE LAWS THAT ARE NOT APPLICABLE TO THE CITY OF HARRISBURG**”

Staff Report: Eldridge explained the change in the policy, which is connected to the sick leave policy. The sick leave policy was altered to allow extended leaves of absence in relation to time off that an employee's needs for health reasons, or for taking care of ill family members. There is also extended vacation leave that can be requested. She explained that the only reasons that this language was in our manual, was because the City had nothing to grant leave to anyone when she came on board. At the time, it was easier to simply adopt the FMLA and OFLA leave laws, even though those laws don't apply to an employer the size of Harrisburg. However now, the regulatory requirements for following those laws are increasing, and taking up too much staff

time. We also have created a general leave of absence, which is one that is unpaid. She gave an example of the kind of time off that might cover.

- Puls was really surprised that none of the employees were worried over losing that. She spoke about benefits that they had in the county that helped to pay out if someone was on a leave of absence.
- Latta said our policy is a little hazy as to whether we would have done that or not, because the policy states we aren't subject to the laws, however we would follow their general rules. This could potentially cause confusion over what we would offer in the event someone tried to use one of these leaves. It's not clear if that whole benefit would be offered to them. One of the other reasons to remove this policy, is because as a small employer, we have real impacts to us in terms of paperwork, and other requirements, that must be tracked in detail. Another issue is how long do we actually wait to hire an employee if someone uses this leave? If we hire someone and train them, we potentially have to let them go when the employee on leave returns. There are a lot of issues which is why small employers are not subject to OFLA and FMLA laws.
- Caughey said that when we covered this in the committee meeting, it was found that nobody has used it in 15 years.
- Mrs. Keaton, in the audience, asked how bereavement was covered.
- Latta told her that bereavement is a benefit that is included in the last policy we just talked about.
- Puls said that she gets all that, but that's a huge benefit. She's really surprised that no employees were worried about it.
- Eldridge said that she met with the employees about this, and had specifically pointed that out to the PW employees. They were invited to the meeting, and none came, or expressed their concerns to us. *[City Records Post Note: Councilor Puls was thinking of Long Term Disability (LTD) when she made the above comment. LTD is not being removed from the City's benefit structure.]*
- Downey **motioned to approve Resolution No. 1119, "A RESOLUTION AMENDING THE CITY OF HARRISBURG EMPLOYEE MANUAL; POLICY NO. 129 GENERAL LEAVE OF ABSENCE AND POLICY NO. 130 FAMILY AND MEDICAL LEAVE, WHICH WILL BE RENAMED AS OREGON MILITARY FAMILY LEAVE ACT, TO REFLECT CURRENT PRACTICES, AND TO REMOVE LAWS THAT ARE NOT APPLICABLE TO THE CITY OF HARRISBURG"**. Loshbaugh **seconded the motion, and the City Council voted unanimously to approve Resolution No.1119, and therefore amending the General Leave, OFLA and FMLA leave policies.**

The matter of Discussing the 2015 Harvest Festival, and the Future of the Festival

Staff Report: Latta went over the events that the city has added, as per the City Council expressed goals. We've brought back the Harvest Festival, and have the garage sale as well. The Harvest Festival had horrible weather this year, otherwise, we would have done much better than what we did. We had plenty of events going on during the weekend. We got 36 pullers on Saturday, and 52 on Sunday. We received \$17,205 in revenue, but expenditures were around \$20,500. That results in a loss of around \$3,000 to \$3,500. Last year we were

also in the red, but it was a little lower, at \$2,000 to \$3,000. We spent more money because we rented two very large tents. One was the main tent and stage, but we also had one over the kid's events. That was wonderful to have considering the weather; we also had quite a lot more going on in the kid's event area. We had over 75 people who volunteered. Even though we were in the red, we consider it a very successful event.

This event has been city run for the last two years, with the city bearing the financial responsibility, liability, planning and administration. The committee who meets is made up of volunteers, which some staff sits on in an advisory way. After discussion when the event was over, we talked about formalizing the committee into an organization that would like to take over the event entirely next year. Kurt Kayner and Bob Biswell were both here tonight. We are asking the city to consider if we want to continue to operate the event, or do we want to cut some operational ties, while still supporting the festival. Staff suggests that we do just that.

Kurt Kayner then addressed the Council. Kayner is one of the main planners for operation of the event. He owns Willamette Ag, and also serves on the Planning Commission. The city's been great, and he has mixed feelings about the move. We had some adversity this year, especially having to hang onto the tents to keep them from blowing away. We need more volunteers; we have six to seven people who serve as the planners of the event. We hope to get more involvement. He leans on his suppliers and his vendors, and thinks it's a sustaining event. To give you a history, you've heard about the Sublimity tractor pull. Harrisburg used to have them too, and they were similar in the funds that were raised. John Hayworth was one of the main organizers there. When he passed away, interest started falling off. Sublimity didn't stop, and their event raised over \$300,000 in profit last year. This year, they had even more. It would be nice if the weather would cooperate. Realistically, we could raise that kind of money too. He asks the City Council to give their support, and for us to all collectively come together. We really don't have room to cut out of the budget; \$20,000 for an event of this size is doing pretty well, and it's very tight. This event will go on one way or another. We believe in it enough to continue.

Downey asked if you don't have a problem with your organization running it, then are you concerned that the City would bow out completely. Kayner said that between him, Chuck, Brian, and Michele, we've been through all sorts of stuff. He would hope that the City could have a few members on the board. He realizes that the City coughed up \$3,000 this year, and \$2,000 last year. Honestly, he's put in more than that each year. We need to hear from the City that the City will help to support this. We are on the City property, and we do use its resources. Downey asked if we could use tourism money for the event. Latta told her yes, we typically receive between \$15,000 and \$20,000 a year on that. Downey said that she'd expect that to start dwindling. We have only one source. We aren't using it for anything else? Latta told her that the museum gets about \$4,000 a year from that. Kayner said that if we had had good weather this year, we probably wouldn't be here, and it would have been in the black. It takes a lot of work. We have great people to do this with. Eventually, we can stand on our feet, and take care of the entire event. He's not sure we are there yet, or what that will entail.

Latta said that cities don't typically run events; we support them. We provide space, road closures, some assistance with labor, and advertising. Those are really city's roles at these events. We're not really designed to run the festival. When you hear about Sublimity, he

can tell you that the city has a very small role. Brownsville is not involved, other than a little advertising, for the Willamette Country Music Festival. He doesn't think that if the City made money on the event, that his position on this would change. Cities don't typically run events; associations and board run them. We won't cut the involvement with this move. We put money into the event, but the real cost is the amount of work we do for this event, where we aren't available for our regular jobs. The Public Works crew spent about two weeks doing work for this, at 8 hours a day. We put out a lot of resources, equipment, etc., and those have additional costs and involvement. He doesn't see that going away unless the City Council says to stop.

Downey saw it like the 4th of July. She felt the City should be more involved. Latta said his position to the Council, unless they say otherwise, is that we should be involved. When they set the goals to have more community events, it's to show people that we have a great place to live, and great neighborhoods. Caughey said that his opinion is that losing the amount of money we are doing right now is not a problem. He realizes that it hasn't been done for 15 years, and we are starting out from scratch. He wouldn't expect the event to make money yet. It enhances the city, and brings in more people to our businesses. The City is not 100% responsible, but we participate and support it, through Public Works, and people helping. The main keys, are that the event is worth the expenditure of time and money through the city to support this, so it improves as time goes on. He thanked Kayner for his involvement, and moving forward is a great thing.

Kayner said that we want to move ahead, but his fear is that we could lose the City support. In his mind, this is a community event. Loshbaugh asked what the geographic range was for participants. Kayner told him that we had pullers from Roseburg, Redmond, etc. We would have had more from Portland, Bend, McMinnville, all over the place. We actually had better money on Saturday, when the revenue surpassed the entire weekend intake last year. Sunday, we had nothing but rain. Realistically, we will start to pull people from further away. There is an association in Utah who has already told us that they can easily bring us 100 trucks to pull, but you have to have payouts, and point's races. We can actually pull in people from the entire western part of the United States. Ironically, we held it earlier this year, because we wanted to miss the rain. Caughey thought it was a smart move. The weather will be likely to revert in the future. Mayor Duncan said that this is really important, that we make sure that we pass the baton, that we can be successful. We need to ask for volunteers on the reader board right after the 4th of July. Once the race track across Peoria gets going, he can see two events going the same weekend, and complementing each other.

Kayner said we put it in a prominent spot, and we could actually make it a permanent facility in the future. We've got the blocks, and PP&L could help us out. There are a lot of people who would do that. Once you get into a permanent situation, it would benefit all of us. Mayor Duncan didn't think this move was meant to totally cut ourselves loose. Latta said not at all....the cutting is only in the control. Right now, all the decisions are ultimately made by the City. If the board asks us for something, then yes, we are ready. The only reason he'd stop is if Council tells him to. Mayor Duncan asked if we could get a bigger sponsor for the event, and Kayner told him we have somebody in mind. Mayor Duncan asked if they had approached Bi-Mart. Kayner told him no. Mayor Duncan's wife works at Bi-Mart so he will ask her if there are

possibilities there. Kayner told him what's surprising, is that we were running into people the entire weekend, and afterwards who said that they didn't know about the event.

Latta said that we need to get more people involved in the planning, and invested in the board of directors, who will help with fundraising, speak to vendors, and get all the planning stuff done; what takes place a year in advance. We are already meeting monthly. We all have full time jobs, and we need people to help. Mayor Duncan asked if more social media would help, but Latta said getting more people to help with planning is what we need. Kayner agreed, and said that when it's time to execute, we have no glitches. It's the ahead of time work we need help with. Bob Biswell told the City Council that Kayner did a great job presenting this. He lives in Junction City, but he's on the board at the museum. The museum really wants to be a part of the festival as much as possible. He's largely in charge of the steam engines; we gave free rides this year. The Museum is 100% supporting the steam engine rides, and we 100% support the event; we want to see them grow and prosper. We were stepped on by Mother Nature, but we didn't do so badly in spite of that. He felt that the pulls ran better this year. We are on the cusp of breaking it loose....and don't look back. There are years with bad weather; it happens. Sublimity seemed that one time to have nothing but mud, and they were mostly swimming or running pontoons on the field. He wants to encourage you as everything ramps up to make sure that you are there to support it. He thinks this thing is going to fly.

- **Loshbaugh motioned to allow the Harrisburg Harvest Festival Association to take over the organization and operation of the annual Harrisburg Harvest Festival event with a Commitment that the City will Support the Association and the Festival. He was seconded by Caughey. The City Council then voted unanimously to allow the Harrisburg Harvest Festival Association to take over the event in its entirety, and to support the event and association.**

Caughey said that he'd love to see someone like Puls on the board for that, or volunteering; Latta said that they can help to get people to volunteer for our events. Downey added that she's excited about the Sesquicentennial committee, and is looking for a period outfit to wear for it.

A Visit from the Linn County Sheriff's Department.

- Sergeant Greg Klein talked about September records. They had 35 traffic hours that they dedicated to Harrisburg. They had two citations, and 20 warnings, most of which was for equipment violations. They had 458 hours of patrol in Harrisburg in September.
- Downey was currently attending Citizen's Academy, and highly recommended it for any council member, or really, any citizens. She handed out an organizational chart for the patrols. (Please see Addendum No. 1). You really explore every facet of law enforcement, and they are such great people. She talked about some of the great things they'd done here, like the animal control program. They took it from a 3 to 5 day kill, to no kill. She wanted to take part in this, because she's on City Council, and it will help her understand what they do in its entirety. They really keep the peace, with dignity, honesty and compassion. She's really in her element, because everyone there are people persons.

The matter of Approving a Parade Permit for the 25th Annual Light Parade.

Applicant Report: Eldridge was there to represent the Chamber of Commerce tonight. The Light Parade follows the same route they do every year, starting at the high school, heading up to Territorial, down to Smith, and then back to the school on Smith St. The theme this year is "It's a Wonderful Life".

- Downey motioned to approve the Parade Permit, and was seconded by Caughey. **The City Council then vote unanimously to approve the Parade Permit for the 25th Annual Light parade to be held on December 12th at 7:00PM.**

The matter of a Decision to Approve or Deny a Petition for a Sanitary Sewer Extension Outside of the City Limits.

- Loshbaugh said that now that Knife River was removed from the consent list, that he **would move to allow City Sanitary Services to be extended outside of City limits to serve the main offices of Knife River's Pre-stress Concrete Facility at 23505 Peoria Road in Harrisburg, Oregon. He was seconded by Downey. The City Council then voted unanimously to approve the petition for a sanitary sewer extension to Knife River.**
- Latta would say now that it's over, that he was recommending that we allow the request. Knife River is a great partner; they paid assessments for the Peoria Road water and sewer project, and to not allow them to connect to lines that they paid for would be ridiculous. You could have decided otherwise, but we aren't going to delay. The only other decision would be to require them to annex, but he believes that we made the right decision in relation to their request.
- Latta said that our normal preferences for this type of request would be to require annexations, so that property taxes can be received. Our recommendation, however, is that Knife River has already given a lot, just for that benefit. It would be bad form to say thanks...now give us some more. We are now partnering back to them. If they want to annex in the future, we'll be happy to have them of course!

Others:

100-Acre Park Open House

- Latta said that about 20 people attended the open house, with 8 or 9 of them being either Council or staff. It was similar to our presentation, but we were able to have some solicitation from the citizens group. We talked about some issues, like we know we have at least three endangered species in the park, and we will obviously need more detail on that. That will come with the environmental review. Both Facebook and the website are showing a surge of people that are visiting and checking out the park survey. In the first 24 hours, we received 86 responses. The survey is open through December, and we will continue moving forward with the process.
- Downey said that people have told her they are excited about it. One of them said that they've taken the survey already.
- Mayor Duncan thought it was a great idea to get feedback.

- Latta said that the survey has so far looked very positive.
- Latta mentioned that he had the State of the Region Report from CWCOG, if anyone would like one. Puls had hers mailed to her.

Boat Ramp News

- Latta wanted to update the Council on what's happening with the boat ramp. He's heard back from the senator's offices, and they are trying to make some headway. There was about \$45 million that has been set aside through ODOT via Connect Oregon, which is slated to go to communities in Oregon, for projects not having to do with roadways. When he first saw it, he thought about 4th St, and what we want to do that, but that's involves a road, so it's not eligible. The next thought he had was the boat ramp. He'd like to get Council's consensus about which direction to go in, because the application is due in Mid-November. His thought, is that we would move forward to get it excavated. We went through permitting in 2005 and 2006. At that time, we had also gotten a \$245,000 grant from the Oregon State Marine Board (OSMB), which would have allowed for excavation, and floating docks, and everything that was included. He would like to apply for the grant to do that again. What would kill us are the conditions of approval from the permit itself; it's very cost prohibitive. He doesn't know how much they would cost us, but he would include that in the grant request. He would also include an additional 20% for unknowns in the contingency. There is a 30% grant match that they require. OSMB was willing to give us \$245,000, so if he offered the same project, and ask them for less money, then he will approach it that way, and see if we can't get more money for the dredging, excavation, and floating docks. It seems like a no-brainer, because we already received it once before, and though it's expired, we have all the paperwork still. We should be able to re-submit it.
- Puls asked how long ago it expired.
- Latta told her it was 2005-2006, and they are generally good for about two years. So it's been about 8 years now.
- Puls asked how much has it changed.
- Latta said that the Army Corp of Engineers may not have many changes. The Department of State Lands (DSL) will have some, and the permitting might change. That's why he wanted contingency funds.
- Puls asked what the conditions were.
- Mayor Duncan said that they were brutal!
- Loshbaugh knew that one of them was requiring us to put a silt fence through the river in 25' of river current.
- Mayor Duncan said that another one required us at prevailing wage, to take every fish, amoeba, mosquito larvae, and to get it out of the work area.
- Latta said that he felt that the momentum on the politician's side is to support a project getting done. If they support that, then we'll start asking Council for support.

Caughey said for him to go on the project, Puls agreed, as did the rest of the Councilors. Loshbaugh added that he needs to talk to emergency services too, because they used to hit the river there. That's not only our fire department; it's also the Lane County rural. Latta said that some of the criteria is for safety. That's the fire department, fire access, and response time for emergencies. The OSMB is meeting on Tuesday, and Jean Fellick said that she would give him numbers; something he can work on that if they say yes will help apply to the 30% match requirement. Downey said that Linn County actually has a deputy in charge of the river. Sergeant Klein added that any improvements are good for safety. Last summer, we needed access to that too. If you need any statistics from them, they can supply them. Deputy Brent Hauke, who was also present, said that in general, Lane County, Benton County, and Harrisburg to the north and south, all need that access. The main control comes from Benton County. There was someone stranded at the train bridge, and one near the church, in just a couple of weeks. It was a very long delay before anyone could respond to it. If the ramp was open in Harrisburg again, it would benefit us all.

Mayor Duncan asked what Connect Oregon was? Latta told him it was approved by the legislature. It has to be transportation related, but doesn't allow roadways to be included. The Oregon Transportation Commission is the one who approves it. It can be pedestrian, transit, marine, aviation, biking, it can be anything except roadways. He would have loved to get the 4th St project in there, and perhaps parcel everything out except for the roadway. However, he needs more time to work with the railroad, and we only have a month. Loshbaugh said that the railroad is back working in Junction City again, and are almost down to the last street. Latta said that they'll come here next. They actually contacted him, which as you know, is rather rare for a railroad to do. They asked if he had talked with Council, and wanted to know what we wanted done with the roadway. They want to come in, and put asphalt below the concrete, to give a better pad and not allow it to compress.

- Deputy Brent Hauke (off-duty) said that he was here for an issue he had concerns about, although it's probably a concern for the Parks department. He has a concern about the standards the city has for allowing park benches in town. There is a policy for the Riverfront Park, but nothing that applies to other city parks. He knows that the family wants to buy a park bench at the skatepark, for someone who died, who probably only lived a couple of months in Harrisburg. He felt that there should be something more to apply to someone before they could get a plaque in a city park. Whether its volunteers, or city employees, or something that will help recognize that the person who passed away should have a monument. If the City Council can just look at the policy for Riverfront Park, and amend it to apply to the rest of town, then it would prevent someone who just dies to get a plaque.
- Downey said that is a Parks Committee item.
- Hauke said that they may not be able to make an amendment; like Council can. It's an honor to have your name on something like that, and a person's character should be looked into before we slap a name on something.
- Latta said that what we have now is a resolution that talks about the naming of park benches in Riverfront Park. Danae Register came in, and asked for consideration to

put her foster son's name on a bench at the Skatepark. The City Council deferred them to the Parks Committee. They met and reviewed the request. The applicant asked for time to decide on getting a bench. She just brought it in, and the Parks Committee was going to look at it on the 27th. Because there is no resolution that applies elsewhere, there is not a standard. As Brent says, there aren't any guidelines elsewhere.

- Downey asked if the family is aware of this concern.
- Hauke said that he wasn't able to make the meeting where they first asked. He may not be able to make the next one either, because of work.
- Downey said that Councilor Boese is the chairperson of that committee. That's where it should start from. Or should it go to the Government Committee?
- Latta said that it could be either committee, but he thought it should start in Parks.
- Downey said it would be good to get everyone thinking about it, while we are already on the topic of the bench.
- Caughey said that he thought it's a good idea to have a policy for that for city parks. Just for the Riverfront Park doesn't cover the rest of it.
- Puls said maybe because there aren't benches anywhere else?
- Downey said that she thought originally, that the reason it came up was similar to Hauke's concern, plus, they were concerned about the type of bench being used.
- Hauke said that right now, you could come out and slap a plaque on a light pole for your dog, if you wanted to. He'd like to extend that same criteria to the rest of the parks, and that some of the criteria should be for something that someone did for the city, and not just because they died and used to live here.
- Latta said that we had talked in the past about a design for benches outside the Riverfront Park. We do have a design standard that was adopted for park benches elsewhere in Harrisburg, just not criteria for who would be allowed to have a memorial bench. We can relook at that resolution. Do we want to not allow the Parks Committee to approve the application in front of them until we modify the resolution?
- Puls agreed with that.
- Loshbaugh **moved to put a stay on all memorials in the City until the City Council had a chance to modify the resolution. Caughey seconded the motion, and the City Council vote unanimously to place a stay on all memorial requests until this resolution was modified.**
- Eldridge reminded the Council that the first Sesquicentennial Celebration meeting was scheduled for next Thursday here at City Hall at 4:30. She invited everyone to join us.

With no further business to discuss, the City Council meeting adjourned at the hour of 8:01pm.

Mayor

City Recorder

