

Harrisburg City Council Minutes
March 9, 2016

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

- Kimberly Downey
- Sarah Puls
- John Loshbaugh
- Adam Keaton
- Youth Advisor Devon Contreras
- City Administrator Brian Latta
- City Recorder/Assistant City Administrator Michele Eldridge
- Public Works Director Chuck Scholz

Absent this evening were Mayor Robert Duncan, and Councilor Robert Boese.

Concerned Citizens in the Audience:

- City Resident Kay Barnett of 1052 Whitledge Place had some thoughts about water line flushing. She talked about her experience this last time, and how it probably is easier for her to deal with, because she's retired and at home. The City has also changed to a four day flushing process. She was wondering if it were possible for a map of the city to be put out, such as in a quadrant for where they will be flushing. For people with multiple kids in the household, she could see it being a problem. She thought it could be a nice service for citizens.
- Scholz agreed that it would be great for citizens if we could do that; but we just can't. There is no way to predict how dirty a line will be. Sometimes they flush for two minutes, sometimes a line will take 20 minutes. In addition, flushing in one direction, can stir up the water in another. Trying to predict where we'd be would set us up for dirty laundry.
- Latta added that other cities don't even tell their citizens when they flush. We are being proactive by telling them. We try to get the word out beforehand, as much as we can. As Scholz said, we can't predict how long it will take, and we could be many blocks away, and have to go to a different zone to clear something out.
- Downey asked if the City could wait to flush until after the normal time people are getting ready for work.
- Scholz told her yes; we've done that. We used to flush from 6:00 to 6:00 on a 3 day schedule. We extended that, to get it past 8:00am. We do the main lines on two days, and the spur lines on the other days. Those particular lines stir up very little water.
- Downey appreciated that they were doing that. It's nice because everyone on her street gets ready around the same time.

The matter of Ratifying the Mayoral Appointment of Adam Keaton to the City Council.

Staff Report: Latta told the City Council that our Charter requires that appointments to Council be ratified by a vote of the City Council; at least 4 members must ratify the appointment.

Keaton worried that his vote at the last meeting would be a problem, but Latta told him that he had checked those minutes, and it didn't affect anything.

- Loshbaugh **motioned to approve the Mayoral Appointment of Adam Keaton to fill the Vacancy on the City Council of the City of Harrisburg. He was seconded by Downey, and the City Council voted unanimously to approve the Mayoral Appointment of Adam Keaton to the City Council.**

The matter of Approving the Consent List for March 9, 2016.

- Downey **motioned to approve the Consent list, and was seconded by Loshbaugh. The City Council then voted unanimously to approve the Consent List for March 9, 2016. Approval of the Consent List approved the following:**
 - The payment of the February 2016 Bills
 - The Minutes of February 10, 2016
 - The review of a letter from the City of Harrisburg in Opposition to HB4130

The matter of Approving Resolution No. 1130, “**A RESOLUTION AMENDING THE CITY OF HARRISBURG EMPLOYEE MANUAL POLICY 124 EMPLOYEE HEALTH & SAFETY; POLICY 131 PROFESSIONAL ORGANIZATION; POLICY 132 POLITICAL ACTIVITY; POLICY 133 OUTSIDE EMPLOYMENT; POLICY 134 FORMERLY CONFLICT OF INTEREST AND NOW ENTITLED ETHICS; POLICY 135 GRATUITIES, WHICH HAS BEEN MOVED TO ETHICS, AND REPEAL OF POLICY 125 WORKERS’ COMPENSATION CLAIMS**”

Staff Report: Eldridge explained the policy changes, and noted that the Personnel Committee agreed with the changes that were made.

- Keaton asked about Policy 132, and the off-duty segment at the bottom of the page. He would like it to be pointed out that we weren't trying to control an employee's off duty time; it's only in relation to other employee's that are on-duty while that person is off-duty. Adding the word on-duty to that section could clarify that.
- Downey then **motioned to approve Resolution No. 1130, A RESOLUTION AMENDING THE CITY OF HARRISBURG EMPLOYEE MANUAL POLICY 124 EMPLOYEE HEALTH & SAFETY; POLICY 131 PROFESSIONAL ORGANIZATION; POLICY 132 POLITICAL ACTIVITY; POLICY 133 OUTSIDE EMPLOYMENT; POLICY 134 FORMERLY CONFLICT OF INTEREST AND NOW ENTITLED ETHICS; POLICY 135 GRATUITIES, WHICH HAS BEEN MOVED TO ETHICS, AND REPEAL OF POLICY 125 WORKERS’ COMPENSATION CLAIMS**”. She was seconded by Keaton, and the City Council voted unanimously to approve Resolution No. 1130, with the changes to the Political Activity Policy No. 132.

The matter of an Update on the 100-Acre Park Feasibility Study for the City's Consulting Firm Cameron McCarthy.

Consultant Report: Colin McArthur was here to address the Council tonight. He did pass out a map for the Council (Please see Addendum No. 1). He stated that really, there were two different concepts that he was presenting. One was a Day Use Park, and the other was a Nature Park. He noted that Knife River had some areas that we anticipated would be more pond areas; they are moving towards that process now. What they show, and what they

approved as a reclamation plan, allows them to continue the mining operation for three years. The focus for park development is on the north end of the park; which is the higher ground. There can be utilities in this area.

The Nature Park Concept includes a fishing pier with pond access, a pavilion with restroom's, a parking area, a multipurpose lawn, bike skills course, natural playground equipment, nature play/open play areas, gardens and an orchard, and a wildlife interpretive area with picnic tables. The Day Use Park Concept, includes fishing pier with pond access, a pavilion with restrooms, park shelters, a parking area, a pump track bike course, multipurpose lawn, a traditional playground, picnic area, fenced dog park, disc golf course, and possibly tent camping. Common elements are lower access in the area in the south park, where flooding is more apt. The active park would include motorized boat launches, and more active play. The Nature Park concept is one that he feels is more appropriate for the site. The disc golf could be added to this concept, to add more active elements, but not change it away from a nature based concept. He really felt that the nature park with disc golf, and perhaps camping, would add in more active development and would provide what the community is looking for. They would show access from 2nd St. to the paved road, but he thinks it would likely run up the railroad tracks to Sommerville.

He'd like to get Council's feedback, and then they will launch into a final conceptual plan. They thought that they would get that in late April. That would allow them to hold another community meeting, and Parks Committee meeting. They could then get the cost numbers, and provide that plan to Council in May.

Council liked the direction he was going in. Caughey pointed out that they had discovered certain things that weren't really in favor by most of the citizens, and he's happy that they made those changes. Keaton thought that the lawn could be really active later on. Puls asked what things the citizens didn't want. McArthur told them that tent camping was an issue, and that the active elements in the flood plain were an issue. We knew we could do a shelter, and structure above flood elevation. Community gardens were really supported, as was disc golf. People also really liked non-motorized boats, and water trails. Loshbaugh noted that the boat launch might be good for drift boats. Canoes and kayaks would also be ok, since they aren't motorized. Caughey thought that mostly non-motorized was what people wanted. There were concerns about safety and noise.

Council talked briefly about the added activity that Knife River was exhibiting in this area. Several Councilors had noticed an increase of gravel going out. Latta noted that he and McArthur had toured that area. They were stripping the top soil in preparation for excavation. McArthur added that we expect them to excavate that southern area, where the pond will be. Latta said that Knife River is a little worried that there may not be enough rock down there. If so, they'll add the soil back. Kay Barnett liked the concept of a dog park, and nature park. Puls was disappointed that she hadn't been able to attend those meetings. McArthur said that he will keep forwarding comment sheets as they come up, and Council will see him a few more times.

A Visit with the Linn County Sheriff's Department

- Sergeant Greg Klein was present, and talked about the 7 traffic citations that they had, along with 55 warnings. They dedicated 62 hours to traffic issues. They held a focus patrol, and he explained what that was. The saturation patrol was held on February 19th, when they had a lieutenant and two other deputies in town. There were 17 warnings issued that night; with 4 citations, and 9 interviews.

- Downey said that the reason for the warnings is because a saturation patrol is in response to high crime. They were really questioning people.
- Sergeant Klein said that he and the Lieutenant had received an email from Brian in relation to Territorial and 7th St. They will continue to focus on that area, especially with people running the stop sign.
- Loshbaugh had sat out there the other day, and watched one truck out of 50 vehicles, that actually stopped at the stop sign.
- Downey said that everyone stopped this morning that she saw.
- Loshbaugh said that some of those, he was guessing, because he heard wheels squealing.

Downey talked about future crime forums, with the next one being held on March 31st. That would be down at the Harrisburg Justice Center at 6:30. Council also talked briefly about the reverse 911 calls, and how people could get signed up for it. Downey also noted that the Facebook page for the Sheriff's department was excellent for getting information. Council thanked Sergeant Klein for being there this evening.

The matter of an Update on Pending Litigation Affecting Public Meeting Law

Staff Report: Latta explained that there was a recent court case, in which public meeting laws was brought up. The issue is serial conversations. That's what happens when Councilor A, talks to Councilor B and Councilor B, talks to Councilor C, and C talks with D. If you are sharing your thoughts outside of a public forum, then that is not allowed. Now, it can occur to you, even if you are not meeting together, and it could also affect you financially. The law also covers an intermediary. This applies to all committees, and can be concerning, especially when there is only two required to be a quorum. This doesn't mean that you can't go to events together, or parties, etc., but if any of your conversations lead to fact gathering, or to decisions, then that's a problem.

- Downey said that when she and Eldridge attended the LOC Board meeting, Councilor Sean O'Day had talked about this. Personally, she doesn't want to talk about city matters with anyone anymore. The LOC is fighting this, but we have to be really careful. Sometimes, she accidentally says something she shouldn't, which is human nature. She just doesn't want to talk about issues outside of Council, because of public impression.
- Latta gave some examples, which were in the agenda bill. It's ok for him to sit down individually with Councilors to talk about questions that they might have. But if someone asks what somebody else thinks about it, then that would be sharing information. If you ask certain questions of him, then we will certainly tell you to go to the meeting. We want to watch for public perception, and make sure that we don't do anything that could be misconstrued.
- Downey said that the LOC said to wait, because they are trying to do something about this decision. She didn't think to ask this at the meeting, but if the Mayor wanted to ask Councilors what they thought, would that be ok?
- Latta told her no, it wouldn't be.
- Loshbaugh asked a hypothetical question. Let's say that Public Works is buying a really expensive piece of equipment. Council can form a committee, of two or three Councilors to work with them on criteria that they need to use to purchase the equipment, and whether the city can afford it. Is that a meeting, or fact finding?

- Latta said that if you formed a committee, it's a formal committee, and it has to be noticed. If it's informal, and we say hey, three councilors, help staff to gather information, then that's not a committee, and if it's lower than a quorum, then that's ok. He thought of it as a matter of a quorum being met when an issue is being discussed.
- Caughey said that he'd be worried that if the 2 on one committee get together with a 3rd person, that it could be a quorum. He's concerned about that.
- Puls was concerned about email too.
- Downey said that in the past, before Brian came, we would have some phone call polling. If they asked her something, they didn't tell her or talk about the other councilors.
- Latta told her that it wouldn't be a problem.
- Downey said that this issue is really hard for small communities. We as decision makers should get the same information at the same time, so we can all make a decision at the same time, with nobody getting it in advance.
- Puls remembered in Lane County, that the commissioners were making decisions before the meetings.
- Latta said that there was a problem with the Lane County Commissioners, when two of them made a decision prior to the meeting. The item came out, and they would make a motion, second and vote with no discussion. The 3rd Commissioner didn't know what was going on, and neither did the public. He said that Council just needs to pay attention. If he polls everyone, you can't reply all; you would reply only to him.

Others:

Budget Committee Members Needed:

- Eldridge said that we are down about three members of the Budget Committee, now that Keaton was a member of Council. Therefore, she'd like to ask if Council can try recruiting people to fill these positions. Please talk to friends, neighbors, spouses, etc., and see if they are willing to serve.

Council Committee Assignments

- Puls noted that Keaton hadn't yet been assigned to a committee. Was the Mayor going to do that?
- Latta told her that Don Shipley had served on the Public Works Committee, and on the Parks Committee. The Mayor hasn't made a decision yet. Keaton is in limbo as far as committee's are concerned. The Mayor might even decide to wait until January after the elections.

Kudos to Public Works Employees

- Scholz said that if you didn't read Brian's Friday update recently you may not realize that our very own Don Costello has been picked as the Wastewater Operator of the Year. That's a huge distinction in OAWU; he wants to share those successes with Council.

Intersection of Diamond Hill Road and 7th St.

- Caughey said that someone had recently remarked to him about a resident's concern with traffic coming from Diamond Hill Road onto 7th St, at high rates of speed. That is

now a three-way stop. He would like to look at putting in a four-way stop there instead. He felt that Harrisburg should have jurisdiction on this, because it's a city street. He doesn't know if that can be looked at or not.

- Scholz told him that's been brought up in the past, and he did review the notes for that. He'd suggest that if anything, that we should get a traffic engineer rather than the city to look at this. He noted that there was an accident on Diamond Hill road and Powerline Rd; when the county changed the signage. There are now lawsuits filed in regards to that. We might need to budget money for a traffic study; he didn't think he'd be comfortable with making that decision.

Council talked about the issue briefly. Downey thought the whole situation was slightly bizarre. Puls said that she was tired of people stopping, when they didn't need to, because they were confused. Scholz said that we'll probably need to spend money on a traffic engineer study. ODOT's least favorite solution is a four way stop sign. Downey said that we should have a speed trailer in our possession. Lieutenant Duncan told her that it's one of the only ones in the county; Don Shipley had said at a previous Council meeting that we have it somewhere. Scholz said that ours is a dumb one; it picks up numbers, and that's it. Downey didn't care; Halsey and Brownsville were going together to buy one. Loshbaugh warned that those can also be a royal pain the butt. The kids from school think those are great to register their speed. Scholz added that if they are overused, they become worthless.

Loshbaugh said that the city has had one for 20 years. However, he wanted to note that Diamond Hill Road through 7th St. is a main arterial, and established truck route. We established that when he was on Council in the eighties. The three way was established because it was one less place for trucks to stop. Caughey would like to get around that problem. Loshbaugh said that the rules have probably changed 40 times for truck routes. When you have fewer stop signs, then you have less backed up traffic.

Recent Truck Accident on S. 3rd St.

- Caughey said that he was visiting Public Works, when one of the employees noted that he was concerned with how close the truck came to wiping out our building at the water plant. Can we get ODOT to put up a barrier, to keep that from happening?
- Scholz said that sometimes it's hard to get anything from ODOT.
- Caughey said that you have the big K-rails. Could we put that where the fence is perhaps? That way we could maybe keep vehicles from breaking through the fence and into our building.
- Scholz said that in six years only two people have been through the fence. He'd say that we need to look at it more as an emergency issue, with gas, electric, water, etc. It would have to be spelled out that way for them to respond to it.
- Latta said it was on our short list. It was a really close call. Another vehicle could cut off our electricity, gas lines, and even take out the water supply for the whole city. We are constructing a letter to them that will make sense. We are doing the research we need to compose that, and we should have it ready by April.
- Loshbaugh said that if the truck had hit the concrete tank, it would really have been an issue. If that was busted, we could have a path about 40' wide for two miles. Losing two million gallons can lose you buildings.
- Caughey thanked them for looking at this. He felt it was a big issue, especially when you look at what could happen.

- Scholz told him that we have discussed that; it's considered critical infrastructure.
- Latta said that we are currently working with their insurance company; we are tracking our hours, and will be reimbursed when there is a payout. All the hazardous work is now done, and the building is inspected. We'll set in motion getting a contractor out to repair the building. Chuck and Rick did a really good job at that. Also, it helps that Jeff Curran, our insurance broker, is also their insurance agent. However, he did want to stress that it was inappropriate for our guys to contact a Councilor about this. They should talk to him or Michele about that. Please make sure that you tell them to call us. They should talk to us, instead of the Council.
- Downey thought it would be ok if they came to Mike, and said "Gee, I hope that they are doing something". She doesn't want the employees to think that they can't talk about this.
- Latta said that's fine.
- Downey added that's if they don't go to you, and to Council.
- Caughey said that he went to the water plant because he's nosy, and was concerned about this situation. The employee was outside when he pulled in, and they came over and said hi; he asked them how it was going, and how much damage there was. They didn't contact him, and they didn't call him. He just was there and asked.
- Latta thought that was ok. If they are concerned, then they need to call City administrative staff.
- Downey said that our attorney said that if someone has a problem with a supervisor, or the City Administrator, then they could also go to the mayor, or to her.
- Loshbaugh said that if there is problem with a street light, then is it ok to contact Rick on that.
- Latta told him you can ask if the city is doing this, or doing that. Street lights are not a big deal and they are no problem. Fact finding is a problem.

School Bond

- Puls said that she had heard that the school district will be going for a bond this year.
- Latta said that he would have that information shortly.
- Puls said that she had heard it from Central Linn. She hoped that perhaps Latta could update us on that at the next meeting
- Latta said that he will be getting a report this week, and will provide you with information at the work session.
- Puls said that she had heard that Central Linn is running a bond, and if the bond fails, they will have to close the school. The school district talked to the Harrisburg School District, who told them that they can't take that many kids.

The matter of Discussing a City Contract under Executive Session ORS 192.660.1.2.(f)

The City Council adjourned to go to an Executive Session, under ORS 192.660.1.2.(f) at the hour of 7:54pm.

ORS 192.660.1.2.(f): The governing body of a public body may hold an executive session: (f) To consider information or records that are exempt by law from public inspection.

The City Council exited from the Executive Session at the hour of 8:40pm. There were no actions or decisions made at this time.

With no further business to cover, the meeting was adjourned at 8:40pm.

Mayor

City Recorder



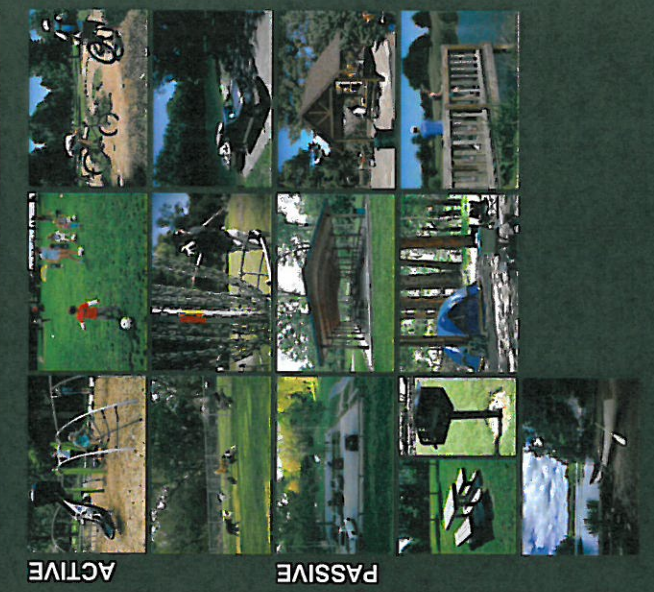
LEGEND

- PROJECT BOUNDARY
Approximate Acreage: 132 ac.
- URBAN GROWTH BOUNDARY
- CITY LIMITS BOUNDARY
- TAXLOT
- RAILWAY
- CONTOURS - 1 FT INTERVAL
- EDGE OF WATER
Approximate
- PAVED ACCESS ROAD
- PRIMARY PEDESTRIAN / BIKE CIRCULATION
- TERTIARY PATH / HIKING TRAIL
- PARK FACILITY ACCESS POINT
- NON-MOTORIZED BOAT ACCESS ONLY
- MOTORIZED & NON-MOTORIZED BOAT ACCESS
- TRAIL HEAD
- FISHING ACCESS
- HIGH POINT WITH POTENTIAL VIEWS
- FISH CULVERT
Installed per Reclamation Plan

PROGRAM ELEMENTS

- 1 FISHING PIER / POND ACCESS
- 2 PAVILION WITH RESTROOM
- 3 SHELTERS
- 4 PARKING AREA
- 5 PUMP TRACK BIKE COURSE
- 6 MULTIPURPOSE LAWN
- 7 TRADITIONAL PLAYGROUND
- 8 PICNIC AREA
- 9 FENCED DOG PARK
- 10 DISC GOLF COURSE
- 11 TENT CAMPING

PRECEDENT IMAGES

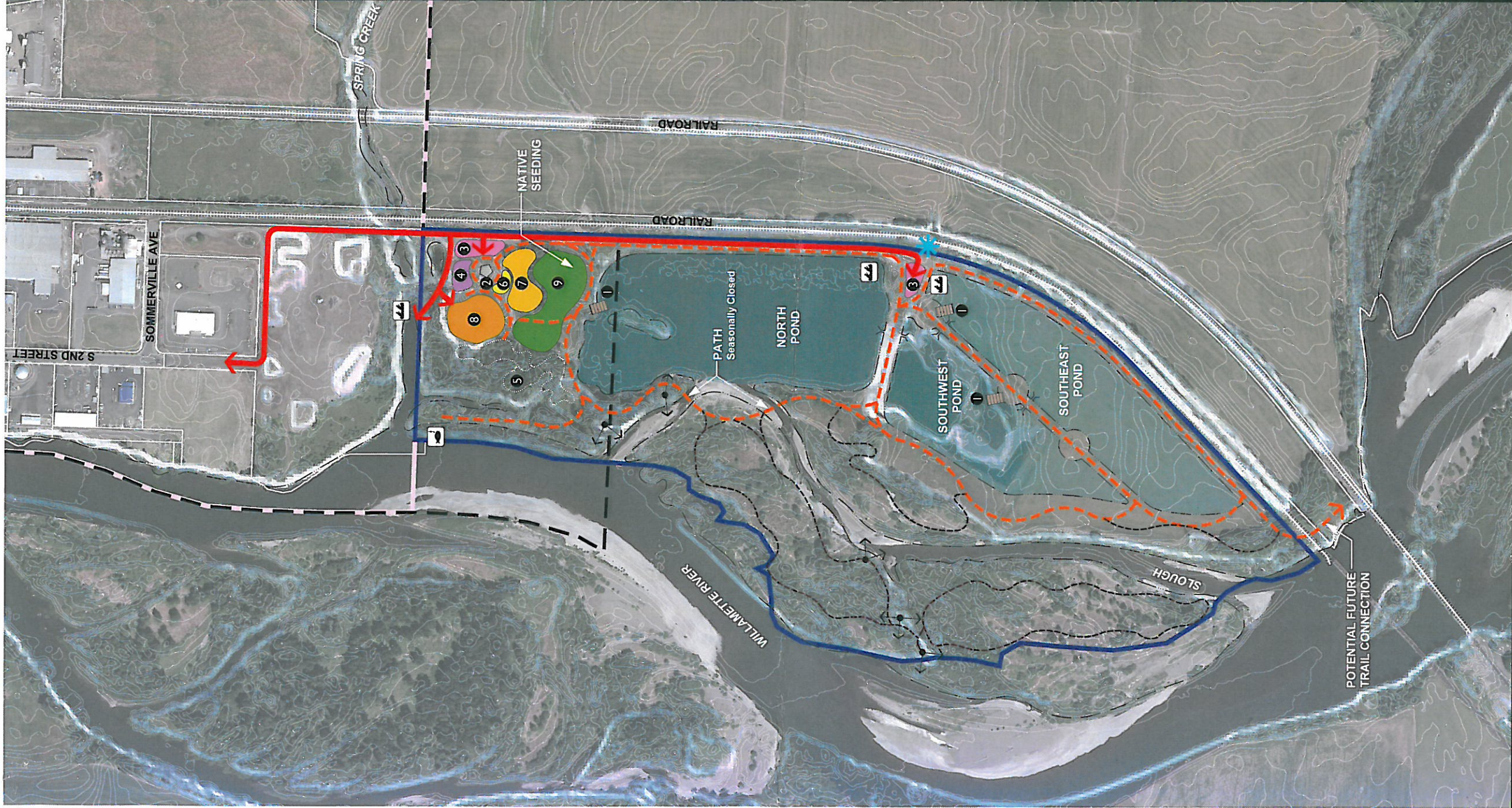


HARRISBURG 100-ACRE PARK FEASIBILITY STUDY
CONCEPT A: DAY USE PARK
 CITY OF HARRISBURG, OREGON 01/26/2016



CAMERON MCCARTHY
 LANDSCAPE ARCHITECTURE & PLANNING





LEGEND

- PROJECT BOUNDARY
Approximate. Acreage: 132 ac.
- CITY LIMITS BOUNDARY
- TAXLOT
- RAILWAY
- CONTOURS - 1 FT INTERVAL
- EDGE OF WATER
Approximate
- PAVED ACCESS ROAD
- PRIMARY PEDESTRIAN / BIKE CIRCULATION
- TERTIARY PATH / HIKING / BIKING TRAIL
- PARK FACILITY ACCESS POINT
- NON-MOTORIZED BOAT ACCESS ONLY
- FISHING ACCESS
- TRAIL HEAD
- HIGH POINT WITH POTENTIAL VIEWS
- FISH CULVERT
Installed per Reclamation Plan

PROGRAM ELEMENTS

- 1 FISHING PIER / POND ACCESS
- 2 PAVILLION WITH RESTROOM
- 3 PARKING AREA
- 4 MULTIPURPOSE LAWN
- 5 BIKE SKILLS COURSE
- 6 NATURAL PLAYGROUND EQUIPMENT
- 7 NATURE PLAY / OPEN PLAY AREA
- 8 GARDEN & ORCHARD
- 9 WILDLIFE INTERPRETIVE AREA
With picnic tables

PRECEDENT IMAGES



HARRISBURG 100-ACRE PARK FEASIBILITY STUDY
CONCEPT B: NATURE PARK
 CITY OF HARRISBURG, OREGON 01/26/2016



CAMERON MCCARTHY
 LANDSCAPE ARCHITECTURE & PLANNING

